



Twin Falls Planning & Zoning Commission Agenda

Tuesday, June 25, 2019, 6:00 PM

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Craig Hawkins; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: Ryan Higley; David Detweiler

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) **ACTION ITEM:** Approval of Minutes from the following meeting: June 11, 2019
 - b) **ACTION ITEM:** Approval of Findings of Fact and Conclusions of Law:
 - Ray Perron Non-Conforming Building Permit
 - Sky Homes LLC SUP
- 3) Items of Consideration
 - a) **PRESENTATION:** Preliminary Presentation for a request for an amendment to the Perrine Point #251 to allow multi-family units, amend landscaping requirements, and update the Pressure Irrigation agreement on property located at the NW corner of Falls Ave W. and Grandview Dr. N. c/o EHM Engineers, Inc. on behalf of Tres Gringos, LLC (PZ19-0048)
By: Steve O'Connor, City Planner
 - b) **ACTION ITEM:** Request for consideration of a Preliminary Plat for the Westpark Subdivision No.11, located on 4.41 acres on Canyon Crest Drive c/o EHM Engineers on behalf on David Shotwell. (PZ19-0052)
By: Brock Cherry, City Planner
- 4) Public Hearings
 - a) **ACTION ITEM:** Request for a Special Use Permit to allow a home occupation on property located at 259 Pheasant Rd. West #25 on behalf of Diana and Michael Blaylock. (PZ19-0055)
By: Brock Cherry, City Planner
- 5) Upcoming Meeting(s)
 - a) Tuesday, July 9, 2019 at 6:00 pm
- 6) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Kelli Ebersole (208) 735-7267 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chair shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chair, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. A City Staff Report shall summarize the application and history of the request.
 4. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - **A complete explanation and description of the request.**
 - **Why the request is being made.**
 - **Location of the Property.**
 - **Impacts on the surrounding properties and efforts to mitigate those impacts.**
 5. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chair may limit public testimony to no less than two (2) minutes per person.
 - **Individuals are not permitted to give their time to other speakers.**
 - **However, five (5) or more individuals that received written notice of the public hearing may appoint, by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the Mayor or Chair. The spokesperson shall be limited to 15 minutes.**
 - **Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.**
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chair, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chair may limit the time permitted for the answer.
 10. The Mayor or Chair shall close the Public Hearing. The City Council or Planning & Zoning Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor or Chairman.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 11, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

AMENDED

Item 4B and 4D withdrawn from Agenda

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Craig Hawkins; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 6:00 PM
A quorum was present.

Members Present: Titus, Kelley, Detweiler, Higley, Bolton, Musser, Perez

Staff Present: Spendlove, Ebersole, O'Connor, Cherry, Steel, Nope

2) Consent Calendar

Commissioner Bolton made a motion to approve the consent calendar, as presented. Commissioner Kelley seconded the motion.

Unanimously Approved

a) Approval of Minutes from the following meeting: May 14, 2019

b) Approval of Findings of Fact and Conclusions of Law:

- Java Espress Eastland Dr SUP
- Java Espress Blue Lakes Blvd. N SUP

3) Items of Consideration

None

4) Public Hearings

a) Request for a Non-Conforming Building Expansion Permit on property located at 533 4th Ave West c/o Ray Perron. (PZ19-0038)

Staff Presentation:

City Planner Cherry presented the request for a Non-Conforming Building Expansion Permit on property located at 533 4th Ave West c/o Ray Perron. (PZ19-0038)

Prior to granting a non-conforming building expansion permit, at least one public hearing shall be held before the planning and zoning commission.

The commission may impose special conditions designed to lessen the impact of the proposed expansion on the surrounding neighborhood and in order to make the proposed expansion more compatible with the same. Violation of such special conditions, when made a part of the terms under which the nonconforming building expansion permit is granted, shall be deemed a violation of this title.

A nonconforming building expansion permit shall not be considered as establishing a binding precedent to grant other nonconforming building expansion permits.

Upon granting or denying an application, the commission shall specify:

- (1) The regulations and standards used in evaluating the application.
- (2) The reasons for approval or denial.
- (3) The actions, if any, that the applicant could take to obtain a permit.

The applicant or any affected person who appeared in person or in writing before the commission may appeal the decision of the commission to the council, provided a written appeal is submitted to the council within fifteen (15) days from the commission's action.

Per County records, the primary residence (approx. 1143 SF) on the subject property was built in 1920. The detached accessory building initially built as a garage (approx. 572 SF) was constructed in 1940.

On April 2nd 2019, after receiving notification that the detached accessory building in question was being substantially altered, the Twin Falls City Building Department discovered that the applicant had engaged in substantial building alterations to the building.

After cooperating with both Twin Falls City Planning and Building Departments the applicant agreed to submit a Nonconforming Building Expansion Permit for the work that has already been completed, and to encompass the changes they planned to make to the building.

This is a request for the issuance of a Nonconforming Building Expansion Permit for the subject property located at 533 4th Avenue West.

The applicant wishes to install a new roof on the detached accessory building located at the rear of the subject property. The detached accessory building does not meet current setback standards therefore making the building "legal nonconforming".

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

PZ Questions:

- Commissioner Higley asked for clarification on the definitions: building or dwelling.
- City Planner Cherry stated that an accessory dwelling is not allowed in the city and the plan submitted by the applicant does not show the 3 elements to make it a dwelling (bedroom, bathroom, kitchen), therefore it is considered an accessory building.
- Commissioner Bolton asked if the work was done without permits.
- City Planner Cherry stated the building will be permitted after the NCBE process.
- Chairperson Titus asked what happens if the commission does not approve the NCBE.

- PZ Director Spendlove stated this process is the first step in this process. If denied, there is a process for appeal or remedy with the Planning and Zoning and Building Safety departments.
- Commissioner Higley stated that the proposed plan has two of the three dwelling elements. What is keeping applicant from adding a kitchen?
- PZ Director Spendlove stated the building permit would have to be approved and the plans would not be accepted with a kitchen. The changes made to the property are significant enough to come to this body. He stressed the focus of this request is the non-conforming expansion of the roof three feet from the alley and its impact to the properties nearby. The expansion area is the covered porch area where the roof line was extended.
- Commissioner Higley asked to see a picture of the original building.
- PZ Director Spendlove displayed a picture from Google Maps from 2012.
- Commissioner Bolton asked if the detached accessory building was always there.
- PZ Director Spendlove stated yes, and the trusses have been modified on the building. The foundation is approximately same size, with extended porch.
- Commissioner Kelley asked for the history of the surrounding properties. Is there another building using the same easement?
- City Planner Cherry stated there is a mix of commercial and residential in the area and he believes the surrounding properties were built at same time.
- PZ Director Spendlove stated there may be a few buildings in the same easement because the setback requirement was not in place when the buildings were originally built.
- Commissioner Musser asked if this building is for residential use.
- Commissioner Cherry stated the plan is for the building to be used as residential.

Applicant Presentation:

Applicant Ray Perron gave his presentation for the Non Conforming Building Expansion request. He stated that the original flat roof was in poor condition and needed to be replaced. The new trusses expanded the footprint of building and that the covered patio is the expansion. He stated they are not changing the size of the building.

PZ/Questions & Comments:

- Commissioner Higley asked if there is a plan to add a kitchen.
- Applicant Perron stated the property is ideal for his son right now. There is no plan at this time to add a kitchen.

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Higley asked if an attached duplex would be permitted on this property.
- PZ Director Spendlove stated he would have to check code for that specific location.
- Commissioner Bolton asked for clarification if it is a stove makes it a dwelling unit, but if people reside in it, does that not make it a dwelling?
- City Planner Cherry stated that through the building permit process, staff would be able to determine if the unit is being used as a dwelling. Also, if staff receives a complaint, an investigation would be started. He believes the applicant will abide by code.
- Chairperson Titus reminded the commission of the focus of this request is the roof line expansion. She believes this is an improvement to the property.

MOTION:

Commissioner Kelley made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Detweiler seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow a drive-through and extended hours on property located at 2716 Addison Avenue East c/o EHM Engineers on behalf of Forrest LeBaron. (PZ19-0040) - **WITHDRAWN BY APPLICANT ON 6/7/2019**
- c) Request to vacate platted easements and dedicated right of way within lots, 5, 6, 7, 9, and 10, Block 14 in the Canyon Trails Subdivision No. 5 located at 1725 Park View Drive c/o EHM Engineers, on behalf of Canyon Properties, LLC. (PZ19-0042)

Staff Presentation:

City Planner O'Connor presented the request for a recommendation to City Council to vacate platted easements and dedicated right of way within lots, 5, 6, 7, 9, and 10, Block 14 in the Canyon Trails Subdivision No. 5 located at 1725 Park View Drive c/o EHM Engineers, on behalf of Canyon Properties, LLC. (PZ19-0042)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Canyon Trails No. 5 subdivision was recorded in September 2006, and the subject property was granted a SUP for a car dealership in January of this year.

This is a request to vacate two sections of vehicular access and utility easements in the Canyon Trails Subdivision #5. The purpose is to facilitate the construction of an Auto Dealership which the commission approved a SUP for in January. The vacated easements will be replaced by another access and utility easement as shown in Attachment #3.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request to vacate the easements allows a record of survey as one parcel to house approved development. They have verified that utilities are still able to reach site.

PZ/Questions & Comments:

- Commissioner Detweiler asked if this is an expansion of the property.
- Tim Vawser stated yes, and they plat with density because they can always get rid of lot lines, but cannot add lot lines without going through platting process again.

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Perez asked if this will affect future development to the west.
- City Planner O'Connor explained the new easement as a cross connection.

MOTION:

Commissioner Bolton made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Higley seconded the motion.

Unanimously approved

- d) Request for a Special Use Permit to allow an indoor recreation facility with extended hours of operation on property located at 241 Main Ave West c/o Alex Castaneda. (PZ19-0043) **-WITHDRAWN BY APPLICANT ON 6/11/19**
- e) Request for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road c/o Sky Homes, LLC (PZ19-0044)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road c/o Sky Homes, LLC (PZ19-0044)

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Per City and County records, the subject property is undeveloped/vacant at this time. This is a request to allow storage unit rentals on property located at 2570 Kimberly Road. The subject property is located within the Commercial Highway (C-1) Zoning District.

The proposed storage unit rental facility will be comprised of approximately 300 – 320 storage units. The facility will employ two (2) to four (4) employees.

The storage facility's office hours are intended to be Monday through Friday from 10:00AM to 5:30PM, Saturdays from 9:00AM to 3:00PM, and will be closed Sundays. Facility gate hours will be from 7:00AM to 9:00PM seven (7) days a week.

If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the completion of required improvements on the site including curb, gutter, and sidewalk as determined by the City Engineer.
3. Subject to site water retention occurring on the subject property.
4. Subject to the dedication of twenty-five (25') feet of right of way from the centerline of Dover Lane.

Applicant Presentation:

Rex Harding, TD&H Engineering, representing applicant, presented the request for the SUP to allow storage unit rentals at 2570 Kimberly Rd. The applicant does not have any issues with the required improvements.

PZ/Questions & Comments:

- Commissioner Musser asked if there is a limit of public accesses on Kimberly Road.
- City Planner Cherry stated the rule is for a single public access, especially on arterial roadways. Per the site plan, there is one access off of Kimberly Road with Dover Lane facilitates access for the properties off of that road.
- Commissioner Higley asked if people are allowed to turn left onto Kimberly Road.
- Mr. Harding stated there is a painted left turn lane and median down Kimberly Road.
- Commissioner Detweiler asked if there is public access to get onto Dover Lane.
- Mr. Harding stated yes, there is an gated access to be used as an emergency access.
- Chairperson Titus asked for clarification on the paving condition.
- Engineer Steel stated the request is to pave up to the farthest approach they would access to the property to be determined when the site plan is presented with the building permit.
- Commissioner Higley asked if Dover Lane is a public street.
- City Planner Cherry stated that Dover Lane is a public street.

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION:

Commissioner Higley made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Musser seconded the motion.

Unanimously Approved

5) Upcoming Meeting(s)

- a) Tuesday, June 25, 2019 at 6:00 pm
No worksession in early July.

6) Adjournment

The meeting adjourned at 6:49 pm.

Kelli Ebersole, Administrative Assistant



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

NON-CONFORMING BUILDING PERMIT

Permit No. PZ19-0038

Granted by the Twin Falls City Planning and Zoning Commission on **June 11, 2019** to **Ray Perron** whose address is **2468 Dorm Drive, Twin Falls, ID 83301** to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West and legally described as **RPT0001140040**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

- 1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.**

Chairman Planning & Zoning Commission

Date

This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Non-conforming Building Expansion</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Ray Perron</u>	)	CONCLUSIONS OF LAW,
Applicant(s)	)	
	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **June 11, 2019** for public hearing pursuant to public notice as required by law for a Non-Conforming Building Expansion Permit to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Non-Conforming Building Expansion Permit to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: May 23, 2019
3. The property in question is zoned **C-B** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Downtown** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. Relevant criteria and standards for consideration of this application are set forth in Sections 10-3-4 C-D Twin Falls City Code.
5. The existing neighboring land uses in the immediate area of this property are: to the north, **Commercial**; to the south, **Residential**; to the east, **Residential**; to the west, **Residential**.
6. The proposed use is consistent with the purpose of the **C-B** Zone and would not be detrimental to any outright permitted uses or existing special uses.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The application for a Non-Conforming Building Expansion Permit to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West is consistent with the purpose of the **C-B** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-3-4 C-D Twin Falls City Code.

3. The proposed use is proper use in the **C-B** Zone.

4. The application for a Non-Conforming Building Expansion Permit to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City Code of the City of Twin Falls.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Non-Conforming Building Expansion Permit to expand the building footprint by installing new roof trusses on property located at 533 4th Avenue West is hereby granted subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Non-Conforming Building Expansion Permit shall be issued.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING
COMMISSION

DATE

“Exhibit A”

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. PZ19-0044

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **June 11, 2019** to **Sky Homes LLC** whose address is **945 Eastview Drive, Alpine, UT 84004** to allow storage unit rentals on property located at 2570 Kimberly Road and legally identified with the following Parcel ID: **RPT001072332400**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

1. **Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.**
2. **Subject to the completion of required improvements on the site including curb, gutter, and sidewalk as determined by the City Engineer.**
3. **Subject to site water retention occurring on the subject property.**
4. **Subject to the dedication of twenty-five (25') feet of right of way from the centerline of Dover Lane.**
5. **Subject to the paving of the roadway along Dover Lane as determined by the City Engineer.**

Chairman Planning & Zoning Commission

Date

This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.



BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Sky Homes LLC</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s)</u>	)	
	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on June 11, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: May 23, 2019
3. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Neighborhood Commercial and Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Funeral Chapel; to the south, Residential; to the east; Office, Equipment Sales, Rentals and Vacant/Agriculture; and to the west, Equipment Sales.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8, 10-7-12, 10-10-11, 10-11-1 thru 8 and 10-13, Twin Falls City Code.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road is consistent with the purpose of the C-1 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the SUI Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit to allow storage unit rentals on property located at 2570 Kimberly Road is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
3. The Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the completion of required improvements on the site including curb, gutter, and sidewalk as determined by the City Engineer.
3. Subject to site water retention occurring on the subject property.
4. Subject to the dedication of twenty-five (25') feet of right of way from the centerline of Dover Lane.
5. Subject to the paving of the roadway along Dover Lane as determined by the City Engineer.

APPLICATION # **PZ19-0044**



Date: Tuesday, June 25, 2019
To: Planning and Zoning Commission
From: Planning & Zoning Department

PRESENTATION

Request:

Preliminary Presentation for a request for an amendment to the Perrine Point #251 to allow multi-family units, amend landscaping requirements, and update the Pressure Irrigation agreement on property located at the NW corner of Falls Ave W. and Grandview Dr. N. c/o EHM Engineers, Inc. on behalf of Tres Gringos, LLC (PZ19-0048)

Time Estimate:

10 to 15 minutes between staff and the applicant.

Background:

This is a preliminary presentation of a request for a PUD Amendment for the Perrine Point PUD #251, located at the NW corner of Falls Ave. W. and Grandview Dr. N.

City Code requires that the applicants make a preliminary presentation to the Commission and the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting July 9th, 2019. Further staff analysis will be provided at that time.

Approval Process:

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed and may grant the public the ability, to ask questions and give suggestions to the applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

N/A

Regulatory Impact:

Upon final approval of the proposed PUD amendment, the developer shall meet or exceed the approved amendments of the PUD at time of development.

History:

N/A

Analysis:

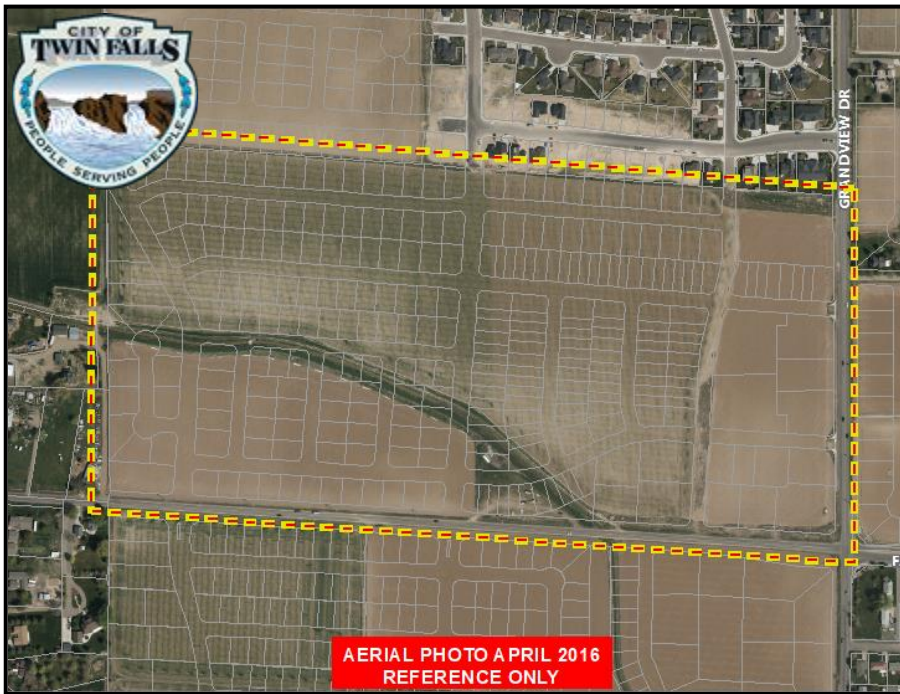
N/A

Conclusion:

Staff makes no recommendation at this time.

Attachments:

1. PZ19-0048 Prelim PUD Staff Report
2. 1 - Vicinity
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Amended Master Development Plan
6. 5 - Road Section
7. 6 - Elevations
8. Draft PUD Amendment



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Steve O'Connor, City Planner

Request: Preliminary presentation for a request to Amend the Perrine Point PUD #251

Application: PZ19-0048

Applicant:

Tres Gringos, LLC

c/o EHM Engineers, Inc

621 North College Rd., Ste 100

Twin Falls, ID 83301

208.734.4888

gmartens@ehminc.com

Public Meeting: June 25th, 2019

Analysis

This is a preliminary presentation of a request for a PUD Amendment for the Perrine Point PUD #251, located at the NW corner of Falls Ave. W. and Grandview Dr. N.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting July 9th, 2019. Further staff analysis will be provided at that time.

Approval Process

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant

the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Applicable Regulations or Codes

Per City Code 10-6-1 A preliminary presentation of the request is required before a public hearing in front of the Planning & Zoning Commission.

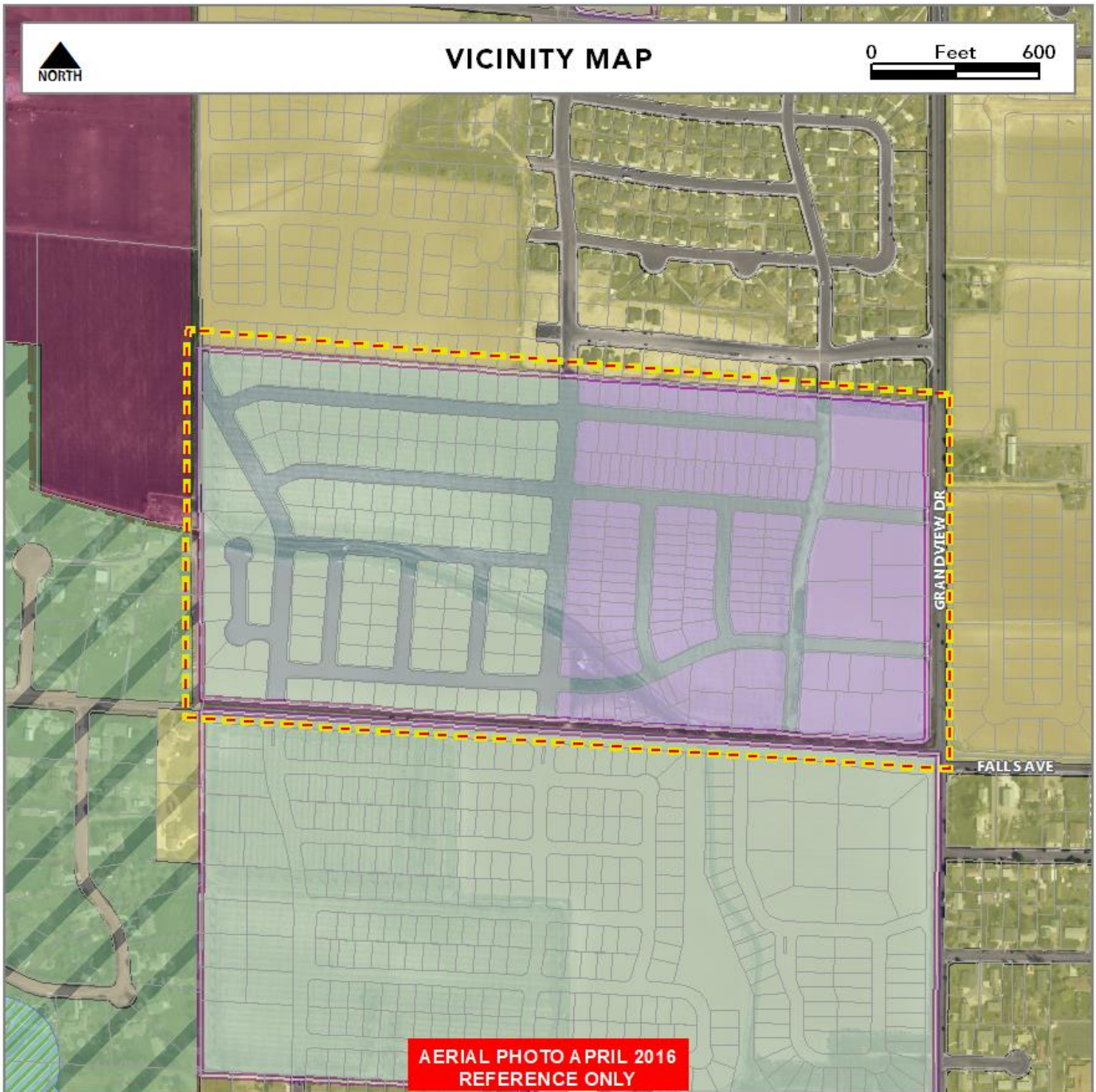
Conclusion

Staff makes no recommendation at this time.

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Elevations
5. Photos

Public Meeting: June 25th, 2019



- CRO
- PUD
- R-1 VAR
- R-2
- R-4
- R-6
- SUI
- AOI

Current Zoning: R-6 & R-2 PUD
 Comprehensive Plan: Town Neighborhood

Existing Land Use: Vacant
 Proposed Land Use: Residential and Neighborhood Commercial

Surrounding Zoning Designations & Land Use(s)

North: R-2; Residential

East: Grandview Dr. N.; R-2; Residential

South: R-2 PUD; Residential/Vacant

West: R-1 VAR & SUI Aol; Residential & Vacant

Applicable Regulations

Narrative For
Perrine Point
Planned Unit Development Amendment

3.a. The Owners of the property are requesting to amend the PUD Agreement for Perrine Point, PUD in order to allow for an R-6 B Zone, Residential Multi-family in the area designated on the amended master plan. In addition, the Owners of the property request certain provisions of the PUD be amended to modify sidewalk and parking requirements within the R-6 B Zone as well as amend landscaping and yard requirements throughout the planned unit development to be harmonious with the underlying zone per City Code. Also included in the request is an amendment to certain provisions negotiated with City staff to facilitate the construction of a regional pressure irrigation station and fencing requirements which will be a benefit to the City in the construction of that station as required by the PUD.

3.c. & d. This change should realize no negative effects for the immediate or adjacent properties as this area is within the interior of the platted subdivision and is the first phase of the development of the overall land holdings. This property was platted for higher density residential development and the proposed changes do not change the overall density allowed by the PUD. Land to the north of the proposed area of change within the development has been left as originally approved and presented to the neighboring property owners.

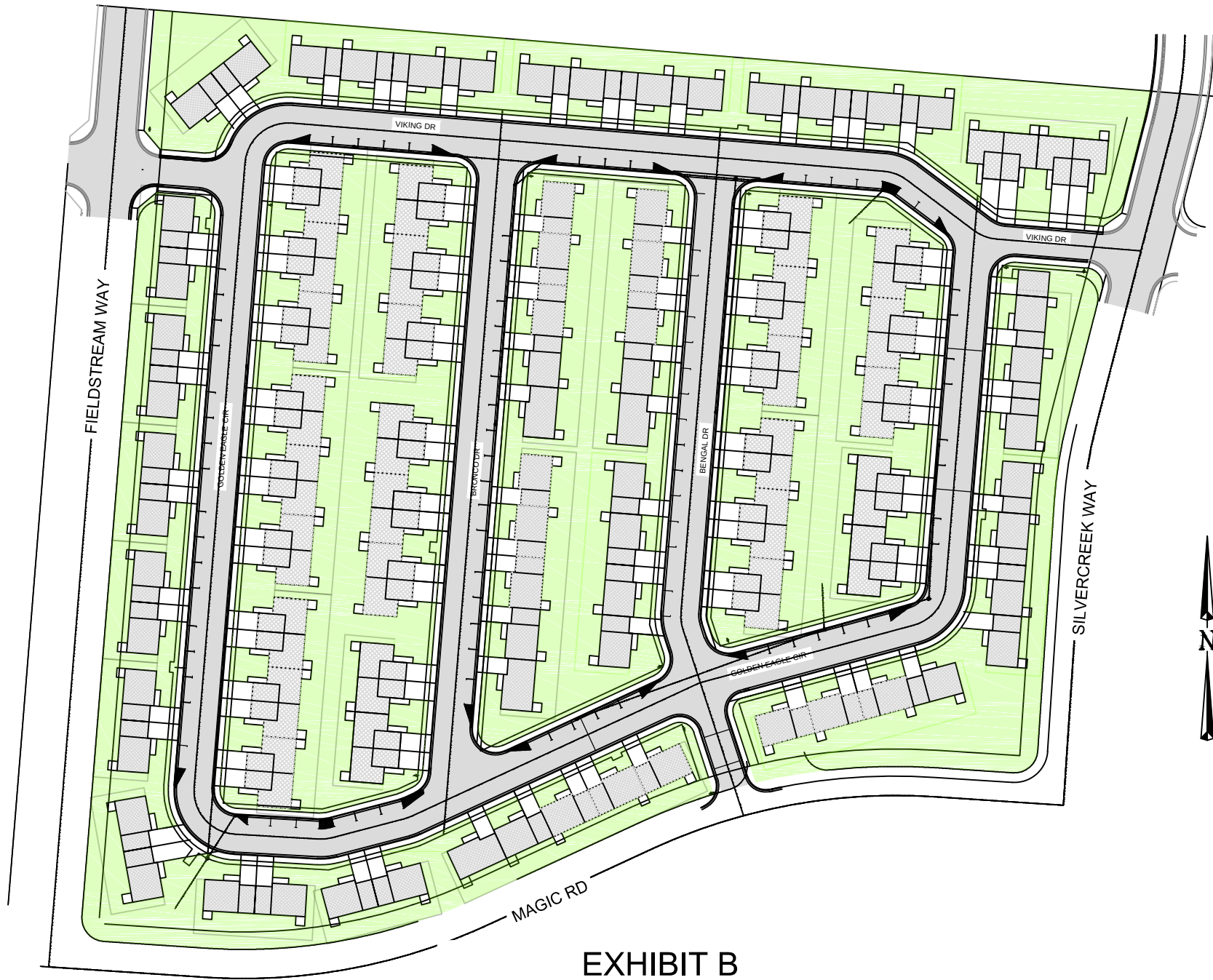
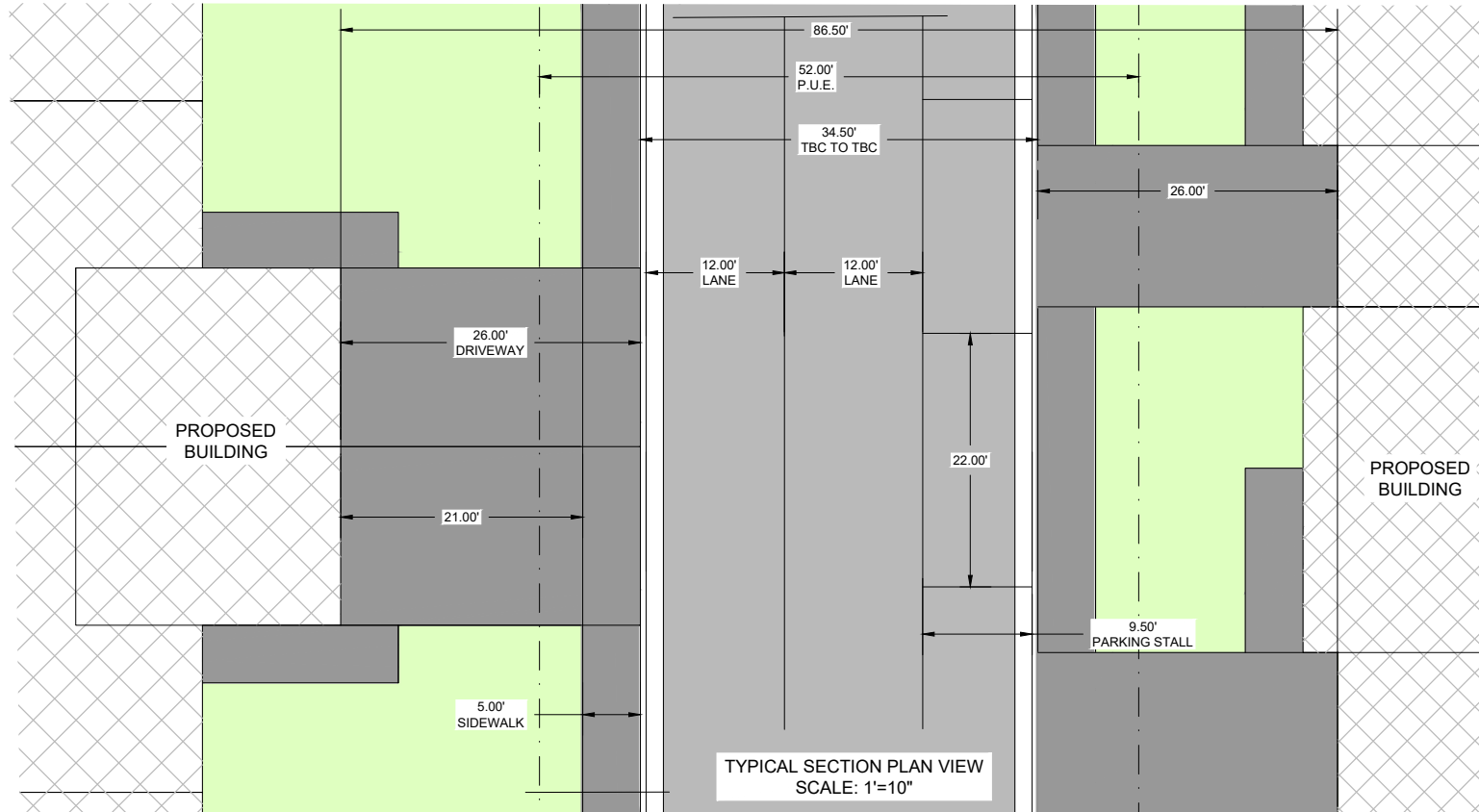


EXHIBIT B
ZONE R-6 B Master Plan



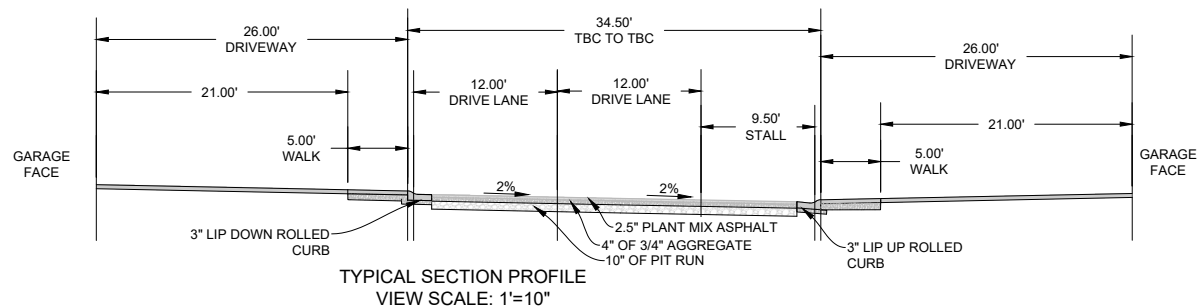
DRAWN BY	CHECK BY
TNP	BDJ
JOB NO.	2018-046
DATE	May 31, 2019

SHEETNAME	TYPICAL SECTION
PROJECT	SCENIC WEST TOWNHOMES
LOCATION	TWIN FALLS, IDAHO

DATE	
REVISIONS	

SHEET	1
OF	1
SHEETS	

- NOTE:**
1. SLOPE IN DRIVEWAY VARIES WITH MINIMUM OF 2% SLOPE
 2. SCALE FOR 11"X17" PAPER ONLY





AMENDMENT TO MIXED USE RESIDENTIAL/NEIGHBORHOOD
COMMERCIAL
PLANNED UNIT DEVELOPMENT AGREEMENT
FOR
PERRINE POINT, P.U.D.

This Amendment Agreement is made and entered into as of the _____ day of _____, 20____, by and between the **CITY OF TWIN FALLS**, a Municipal Corporation (hereinafter called "City") and **TRES GRINGOS, LLC**, An Idaho limited liability company (hereinafter called "Developer"), whose address is P.O. Box 5179, Twin Falls, Idaho, 83303.

RECITALS:

WHEREAS, the City and Developer entered into a Mixed Use Residential/Neighborhood Commercial Planned Unit Development Agreement for the development of Perrine Point, P.U.D. dated May 14, 2008;

WHEREAS, the Planned Unit Development agreement specifies the areas to be developed within Perrine Point, P.U.D.;

WHEREAS, Tres Gringos, LLC, has requested a PUD agreement modification to allow for modifications within portions of the R-6 Residential Multi-Household District for allowance of multi-family attached residential units and modifications to the development standards within the R-6 Residential Multi-Household District and Neighborhood Commercial District;

WHEREAS, the city, at a meeting of its City Council held on _____, 2019 considered and approved the proposed PUD agreement amendment to allow for the modifications within portions of the R-6 Residential Multi-Household District for approval of multi-family attached residential units and modification to the development standards within the R-6 Residential Multi-Household District and Neighborhood Commercial District and consented to their inclusion in the Planned Unit Development agreement, subject to certain terms and conditions hereinafter specified; and

WHEREAS, the parties hereto now desire to amend the above referenced Planned Unit Development agreement to allow for multi-family attached residential units and modification to the development standards within the R-6 Residential Multi-Household District and Neighborhood Commercial District at Perrine Point, P.U.D.;

NOW, THEREOF, the parties hereto, agree to modify the PUD agreement as follows:

1. To allow multi-family attached residential units within the area so proposed and identified as R-6 B Zone, Residential Multi-Household District B on the amended Master Plan (Exhibit A) within the R-6 Residential Multi-Household District.

Amendment to Mixed Use Residential/Neighborhood Commercial Planned Unit
Development Agreement
Perrine Point, P.U.D.

2. To allow a 5 foot wide attached sidewalk and rolled curb on both sides of the private drive within the area so proposed and identified as R-6 B Zone, Residential Multi-Household District B on the amended Master Plan within the R-6 Residential Multi-Household District.
3. Along with the on-street parking included on the attached Exhibit B to require each living unit to have sufficient space for a one-car garage and driveway sufficient in size to accommodate one car within the area so proposed and identified as R-6, Residential Multi-Household District B on the amended Master Plan within the R-6 B Zone, Residential Multi-Household District B.
4. To amend Section F.b. of the PUD Agreement to remove and replace paragraph one as follows:
Landscaping. Perimeter landscaping along public right of way to be the same as the underlying district.
5. To amend Section F.c. of the PUD Agreement to remove and replace paragraph three as follows:
Chain link fence with privacy strips will be allowed only through written permission of the Homeowner's Association or as agreed upon between the Developer and lot owner(s) through written agreement.
6. To strike section Section F.g. of the PUD Agreement from the agreement in its entirety, contingent on the execution of a Pressure Irrigation Development Agreement between the Developer and the City. Failure to execute the Pressure Irrigation Development Agreement results in Section F.g. remaining in its entirety.
7. To amend Section 10-4-21.3(E)1. to remove and replace the entire language as follows:
Nonresidential Uses: Same as the underlying district.
8. To amend Section 10-4-21.3(G)1.b. to remove and replace the entire language as follows:
Landscaping setbacks shall be the same as the underlying district.
9. To strike Section D.h. of the PUD Agreement from the agreement in its entirety.

IN WITNESS WHEREOF, this Addendum Agreement has been executed on the day and year first above written.

City of Twin Falls,
a Municipal Corporation

Tres Gringos, LLC,
an Idaho Limited Liability Corporation

By: _____
Shawn Barigar, Mayor

By: _____
Gerald Martens, Member

Amendment to Mixed Use Residential/Neighborhood Commercial Planned Unit
Development Agreement
Perrine Point, P.U.D.

STATE OF IDAHO)
 :ss.
COUNTY OF TWIN FALLS)

On this _____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared Shawn Barigar, Mayor of Twin Falls, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO
Residing at _____, Idaho
My commission expires:_____

STATE OF IDAHO)
 :ss.
COUNTY OF TWIN FALLS)

On this _____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared Gerald Martens, to me personally known who, being by me duly sworn, did for himself say that he is the Member for that certain company known as Tres Gringos, LLC, an Idaho limited liability company, and that the within instrument was executed by him, for and on behalf of said limited liability company.

Notary Public
Residing at:_____
My commission expires:_____

Amendment to Mixed Use Residential/Neighborhood Commercial Planned Unit
Development Agreement
Perrine Point, P.U.D.



Date: Tuesday, June 25, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner

ACTION ITEM

Request:

Request for consideration of a Preliminary Plat for the Westpark Subdivision No.11, located on 4.41 acres on Canyon Crest Drive c/o EHM Engineers on behalf on David Shotwell. (PZ19-0052)

Time Estimate:

Five (5) minutes for staff and applicant presentation; Five (5) minutes for Commission questions, deliberation, and decision.

Background:

NA

Approval Process:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

Budget Impact:

N/A

Regulatory Impact:

NA

History:

Per City and County records, the subject property is undeveloped.

Analysis:

This is a request for approval of the Preliminary Plat Westpark Subdivision No. 11, consisting of two (2) lots on a 4.41 acre (+/-) property located at the eastern end of Canyon Crest Drive.

This plat complies with the standards as set forth in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding C-1 and CRO Overlay zoning development standards, the Northbridge No. 2 PUD and the 2016 Comprehensive Plan. All general criteria for approval have been met, per State Statute 50-13.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste

water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed

A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Conclusion:

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments:

1. PZ19-0052 Prelim Plat Staff Report
2. 1 - Vicinity Map
3. 2 - Westpark No. 11 Preliminary Plat
4. 3 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission
Presenter: Brock Cherry, City Planner
Request: To Consider a **Preliminary Plat** of Westpark Subdivision No. 11, consisting of two (2) lots and 4.41 acres (+/-) located on property located at the southwest corner of the intersection of Canyon Crest Drive and Vermont Avenue.
Application: PZ19-0052
Applicant:
 David Shotwell, Westpark Partners,
 c/o Tim Vawser, EHM Engineers, INC.
 621 North College Rd. Ste. 100
 Twin Falls, ID 83301
 208.734.4888
 tvawser@ehm-inc.com

Public Meeting: June 25th, 2019

Analysis

This is a request for approval of the Preliminary Plat Westpark Subdivision No. 11, consisting of two (2) lots and 4.41 acres (+/-) located on property located at the southwest corner of the intersection of Canyon Crest Drive and Vermont Avenue.

This plat complies with the standards as set forth in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding C-1 and CRO Overlay zoning development standards, the Northbridge No. 2 PUD and the 2016 Comprehensive Plan. All general criteria for approval have been met, per State Statute 50-13.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed.

A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only

after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval Process

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

History

Per City and County records, the subject property is undeveloped.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Mixed Use." Generally, development within the Mixed Use designation consists of retail, office, restaurants, and

entertainment. Further, the mixed use designation supports such residential development as townhomes, condominiums, and apartments.

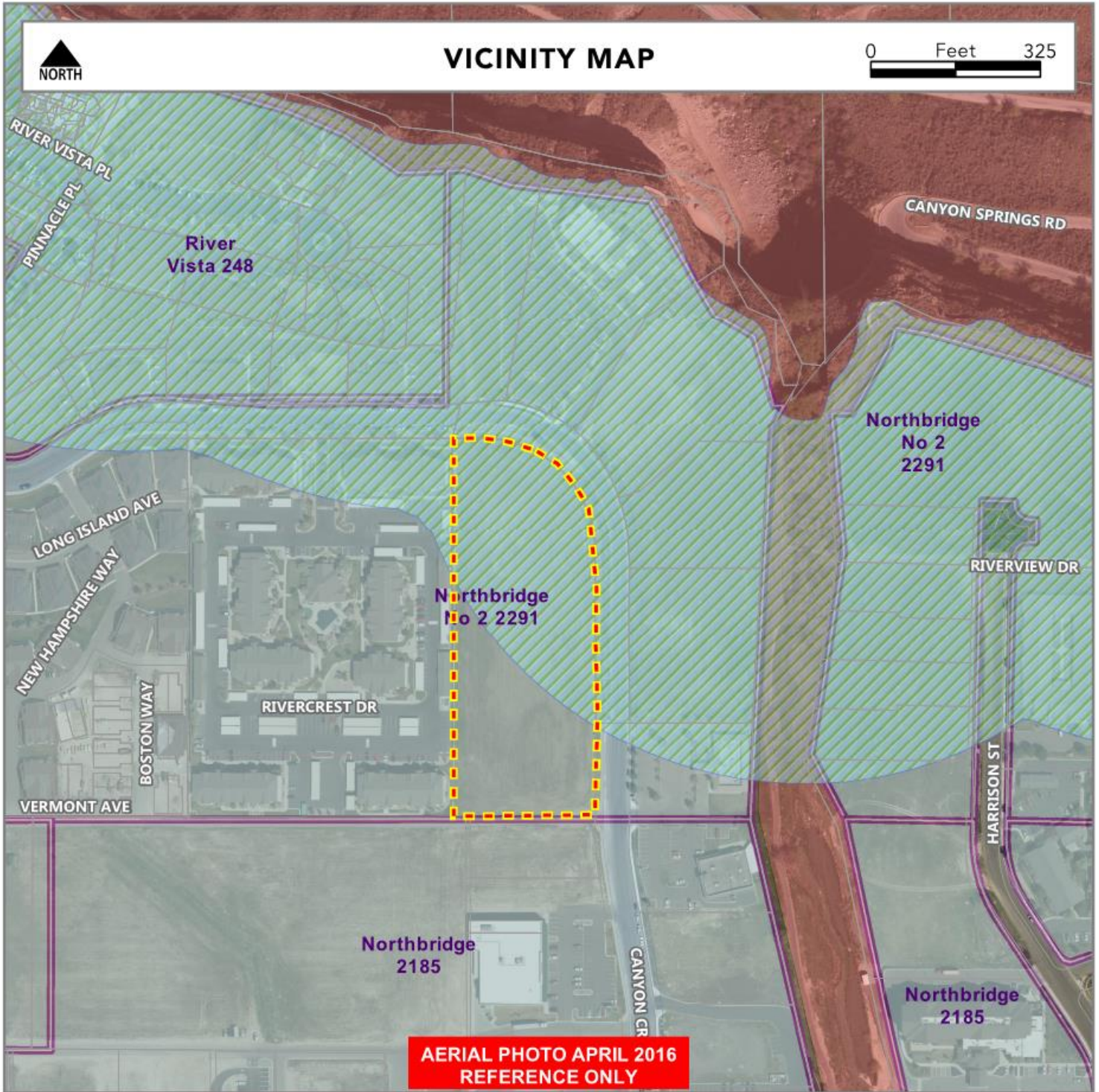
Conclusion

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments

1. Vicinity Map
2. Westpark No. 11 Preliminary Plat
3. Photos



- CRO
- OS
- PUD
- C-1

Current Zoning: C-1 PUD, CRO
Comprehensive Plan: Mixed Use

Surrounding Zoning Designations & Land Use(s)	
North: C-1 PUD, Restaurant & Event Center	East: C-1 PUD, Vacant & Office
South: C-1 PUD, Recreation Center	West: C-1 PUD, Multifamily Residential

Applicable Regulations
10-12-2.3

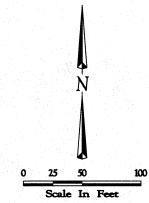
KEYED NOTES:

- ### Storm Water Retention Calculations:

Vertical Datum:

-

nts



A Portion of
SW4, Section 33
T. 9 S, R. 17 E, B.M.
Twin Falls County, Idaho
2019

OWNER:	WESTPARK PARTNERS, LLC P.O. BOX 504 SEMA, OREGON 97138 (503) 741-3730	SETBACKS:	ALL BUILDING AND YARD SETBACKS TO BE IN ACCORDANCE WITH THE CURRENT C.O.F.F. ORDINANCES.
ENGINEER:	CHAD SHOTWELL ENM ENGINEERS, INC. 621 N. COLLEGE RD., SUITE 100 TWIN FALLS, ID 83301 (208) 734-4888 CHAD@ENM. ID TWIN FALLS, ID 83301	EASEMENTS:	AS DEPICTED ON FINAL PLAN OR RECORDED BY SEPARATE DOCUMENT FOR UTILITIES AND ACCESS
EXISTING USE:	VACANT	UTILITIES:	CITY SEWER, WATER, AND PRESSURE IRRIGATION ON LOT 17. UTILITIES WILL INCLUDE GAS, POWER, CENTURY LINK, INTERMOUNTAIN GAS, CABLE TV, AND PAT.
PROPOSED USE:	FUTURE COMMERCIAL DEVELOPMENT	STORMWATER:	STORM WATER FOR LOTS WILL BE MAINTAINED IN ACCORDANCE W/ CITY OF TWIN FALLS STANDARDS.
EXISTING ZONE:	C-1, P.F.D.	SUBD. AREA	4.41 ACRES
VARIATION:	NO CHANGE		
DATE:	NONE		

	Downing	7th Street
PROPERTY BOUNDARY LINE	_____	_____
PROPOSED RIGHT OF WAY	_____	_____
STREET CENTERLINE	_____	_____
EASEMENT AS NOTED	_____	_____
WATER MAIN (FIRE LINE)	8" W	8" W
8" SCHW MAIN	SS	SS
PRESSURE REGULATION	UP	6"
UNDERGROUND POWER	UP	6"
NATURAL GAS LINE	6"	6"
FIBER OPTIC LINE	6"	6"
STORM DRAIN	6"	6"
STANDARD CURB & GUTTER	_____	_____
CONTOUR LINE	-10.0	-10.0
MANHOLE	①	②
FIRE HYDRANT	⊕	⊕
GATE VALVE	⊕	⊕
WATER SERVICE	←	←
SEWER SERVICE	←	←
P.I. SERVICE	←	←
P.I. BLOW-OFF ASSEMBLY	⊕	⊕
CATCH BASIN	⊕	⊕
LIGHT POLE	⊕	⊕
UTILITY RISERS/STRUCTURES	⊕	⊕
SIGN	⊕	⊕
DRAINAGE ARROW	←	←

A map of the Canyon Springs Golf Course area. The map shows Canyon Springs Rd running horizontally across the top. To the north of this road is the Canyon Springs Golf Course. To the south of Canyon Springs Rd, there is a road labeled 'CANYON SPRINGS RD' that curves around a bend. Further south, there is a road labeled 'POLE LINE RD'. To the west of Pole Line Rd is a road labeled 'N. COLLEGE RD'. To the east of Pole Line Rd is a road labeled 'CHENEY DR'. To the south of Pole Line Rd is a road labeled 'FALLS AVE'. To the west of Pole Line Rd is a road labeled 'SWANSON ST. N.'. To the east of Pole Line Rd is a road labeled 'BLUE JACKS BLVD. N.'. To the south of Pole Line Rd is a road labeled 'LODGE ST. N.'. To the west of Pole Line Rd is a road labeled 'SWANSON ST. N.'. To the east of Pole Line Rd is a road labeled 'MARSHALL ST. N.'. The map also shows the 'Canyon Springs' river flowing from the north towards the south. Other landmarks include 'Canyon Springs Golf Course', 'Canyon Springs', 'Pole Line Rd', 'N. College Rd', 'Cheney Dr', 'Falls Ave', 'Swanson St. N.', 'Blue Jacks Blvd. N.', 'Lodge St. N.', and 'Marshall St. N.'.



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Preliminary Plat For _____

Westpark Commercial Subdivision No. 11, A P.U.D. =

Twin Falls, Idaho

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONDITIONS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DIMENSIONAL
ERRORS, OMISSIONS, OR DIS-
CREPANCIES BEFORE BEGINNING
OR FABRICATING ANY WORK.

REV'D.: 5-8-19 CITY REVIEW

TEAM

APPROVED	
DESIGN	T. VAWSER
DRAWN	T. VAWSER
DATE	JANUARY, 2019
SCALE	AS SHOWN
CAD FILE	518-18 C-BASE
JOB NO.	518-18



SE Corner looking NW



SW Corner looking NE



NE Curve Looking SW



NW Corner looking SW



Date: Tuesday, June 25, 2019
To: Planning and Zoning Commission
From: Brock Cherry, Planner, City Planner

ACTION ITEM

Request:

Request for a Special Use Permit to allow a home occupation on property located at 259 Pheasant Rd. West #25 on behalf of Diana and Michael Blaylock. (PZ19-0055)

Time Estimate:

Five (5) minutes for Staff and applicant presentation; Five (5) minutes for Commission questions, deliberation, and decision.

Background:

NA

Approval Process:

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

N/A

Regulatory Impact:

NA

History:

Per County and City records, the townhome complex where the subject property is located was built in 1979.

Analysis:

This is a request to allow a Home Occupation for a Home Bakery business located at 259 Pheasant Road West #25. The subject property is located within the R-4 (Residential Medium Density) Zoning District.

The applicant(s) intends to operate regularly Monday through Saturday 8:00 A.M. to 8:00 P.M. The applicant intends to serve approximately ten (10) to twenty (20) customers monthly. However, the applicant has stated that during holiday months they could potentially serve up to forty (40) customers per month.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

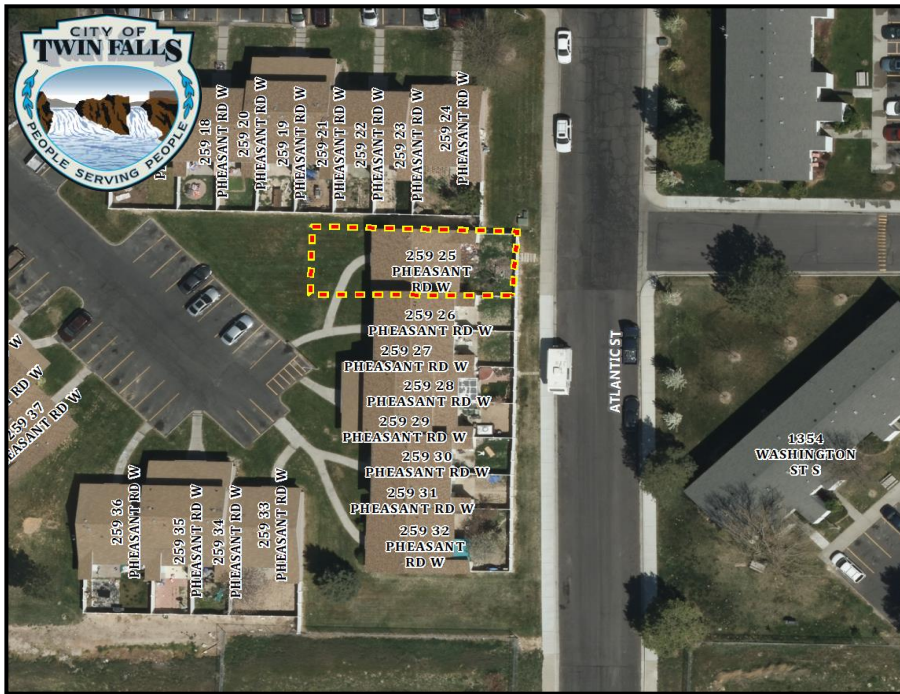
Conclusion:

If the Commission approves this request as presented, then staff recommends the following conditions:

1 . Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments:

1. SUP Staff Report PZ19-0055
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Site Plan
5. 4 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brock, City Planner

Request: A **Special Use Permit** to allow a Home Occupation located at 259 Pheasant Road West #25.

Application: PZ19-0055

Applicant:

Diana and Michael Blaylock

259 Pheasant Road West #25

Twin Falls, ID 83301

618-979-2678

mamasbestbakerytwinfalls@gmail.com

Public Hearing: June 25th 2019

Analysis

This is a request to allow a Home Occupation for a Home Bakery business located at 259 Pheasant Road West #25. The subject property is located within the R-4 (Residential Medium Density) Zoning District.

The applicant(s) intends to operate regularly Monday through Saturday 8:00 A.M. to 8:00 P.M. The applicant intends to serve approximately ten (10) to twenty (20) customers monthly. However, the applicant has stated that during holiday months they could potentially serve up to forty (40) customers per month.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

Approval Process

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be

implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

History

Per County and City records, the townhome complex where the subject property is located was built in 1979.

Applicable Regulations or Codes

Per City Code 10-4-5.2, a Special Use Permit is required in the R-4 Zoning District for a Home Occupation.

Per City Code 10-2-1, the home occupation area cannot be larger than 400 square feet.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". The Town Neighborhood designation allows for residential home occupations.

The 2009 Master Transportation Plan designates the subject property's surrounding roadways as residential streets (Atlantic Street & Pheasant

Road). It is anticipated that the existing transportation infrastructure will accommodate the proposed use.

Potential Impacts

The applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties

Conclusion

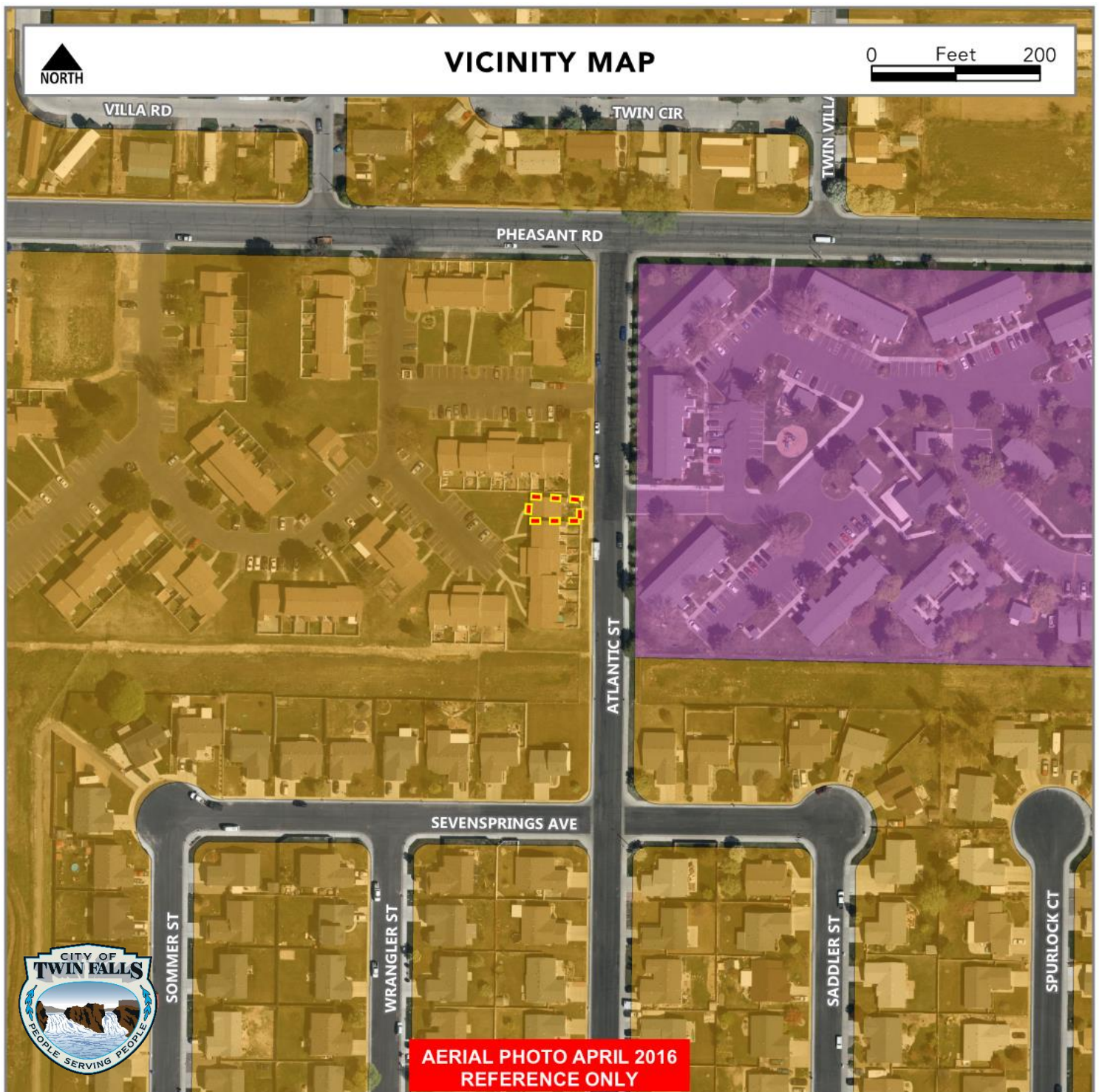
If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos

Public Hearing: June 25th 2019



R-4
 R-6

Current Zoning: R-4

Comprehensive Plan: Town
Neighborhood

Existing Land Use: Residential

Proposed Land Use: Home
Occupation

Surrounding Zoning Designations & Land Use(s)

North: R-4, Residential

East: R-6, Residential

South: R-4, Residential

West: R-4, Residential

Applicable Regulations

10-2-1, 10-4-5.2, 10-11-1 to 8, 10-13-2-2

Written Statement for Michael and Diana Blaylock
5/13/19

We are requesting a special use permit from the City of Twin Falls Zoning Board in order to use our home residence as a place of business. We wish to use our home as a cottage bakery under Idaho's cottage bakery laws.

This would be the business site of our home business, Mama's Best Bakery, which will bake pies, cookies, breads, and other such items for direct sales. While we bring our goods to markets and sell via delivery, we also want customers to be able to come and pick up their orders at our home, which is why we are requesting the special use permit.

Currently, Mama's Best Bakery has no employees. We, Michael and Diana Blaylock, co-own the business and we do not at this time have anyone else on staff. We do not anticipate hiring any permanent extra help while we live here.

Our normal operating hours are Monday through Saturday, 8am to 8pm. We bake within this time and customers may pick up at this time. Customers may also pick up orders on Sundays on special cases.

Despite the wide range of operating hours, we do not think this business will result in any undue strain on our community. The normal course of baking does not accrue unpleasant noises, sights, or smells, nor does it produce any fumes or other health hazards. We will keep a working fire extinguisher on hand in case of emergencies.

We only anticipate a meager traffic increase, no more than 10-20 customers per month on average. Special holidays, like Thanksgiving and Christmas, may have as many as 40 pickups over the course of the month if sales are high. Customers do not stay long, but pick up their order and leave shortly after. Most only stay for one minute or less.

Our subdivision has assigned parking spaces given by the Pheasant View Homeowner's Association, so we are sure to tell customers to park in one of two spaces: A) The visitor lot within sight of our property (perhaps 100 feet from our front door), B) Along Atlantic Street, which runs right along our back yard. We do not advise customers to park in other assigned spots, even for a short time. If they do, we ask them to please move out of courtesy for our neighbors.

The Pheasant View Homeowner's Association rules and regulations do not prohibit home businesses, nor do we believe that any of our operations will violate any explicit rules.

So far, our sales, even on special holidays, have not caused any traffic problems at this location, nor any other we've used. Customers do not stay long, and are spread out enough that there is no disruption, especially if they park behind our house. No one has contacted us with any complaints.

In conclusion, we hope that our business, Mama's Best Bakery, will be a boon on our city and community, and don't anticipate any problems or inconveniences to our neighbors by running it out of our home. Thank you for your time.

Atlantic St

0.6 inches = 1 foot

27 ft 7 in
GATE P/L

Sidewalk

North

OWNERS

Michael + Diana Blaylock
259 Pheasant Rd W #25
Twin Falls, ID 83301
618-977-0678 (Mike)
314-477-1859 (Diana)

Total Lot Sqft = 1,530.85 ft²

Total Building Sqft = 882.66 ft²

Total Kitchen Sqft = 189 ft²

Yard

15 ft

(G)

(F)

8 ft 6 in

BACK

Fridge

Stove
Oven

(A)

13 ft 6 in

(C)

Sink

Dishwasher

14 ft

(B)

(D)

House

32 ft

(E)

FRONT

(A) Kitchen

(B) Living Area

(C) Bedroom

(D) Bathroom

(E) Bedroom

(F) Shed (Attached)

(G) Backyard

HOA Property

Other Unit



Front of Subject Property



Rear of Subject Property (Adjacent to Atlantic St.)