



Twin Falls Planning & Zoning Commission Agenda

Tuesday, July 11, 2017, 6:00 PM

City Council Chambers
305 3rd Avenue E
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Darren Hall, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) Approval of Minutes from the following meeting(s): June 27, 2017
 - b) Approval of Findings of Fact and Conclusions of Law from the following meeting: June 27, 2017

TF Caswell Subd (pre-plat)	Sundance Subd, a PUD (pre-plat)	Powers, Kevin (SUP)
Johnson, Stephanie (SUP)	Gardniner, Tim (SUP)	Butler, David & Deborah (SUP)
Stahlecker, Andrea (SUP)		
- 3) Items of Consideration
 - a) A **Preliminary Presentation** on a request to amend the Valencia Park ZDA Master Development Plan to remove the landscape islands within Valencia Street for property located at 2916 – 2930 East 3600 North. c/o Rex Harding, Riedesel Engineering Inc. on behalf of Dennis Hourany (app. 2882)
Purpose: Presentation
- 4) Public Hearings
 - a) Request for the Commission's recommendation on a request to **Vacate** a 30' x 104' (+/-) undeveloped right of way located along the 100 Block of Morningside Drive c/o Rex Lytle on behalf of REEL, LLC (app. 2878)
Purpose: Recommendation By: Jonathan Spendlove
 - b) Request for a **Special Use Permit** to replace a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road E within the Aol. c/o Nate & Carie Kelsey dba Real Deals (app. 2879)
Purpose: Action By: Steve O'Connor

- c) Request for a **Special Use Permit** to construct and operate a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue. c/o Joe Silvey dba Superior Woodworking, LLC (app. 2880)
Purpose: Action By: Steve O'Connor
- d) Request for a **Special Use Permit** to establish a residence hall, residence hotel or rooming house on property located at 640 Filer Avenue West. c/o Gerald & Millie McNabb dba Early Days, LLC (app. 2881)
Purpose: Action By: Steve O'Connor

5) General Public Input

6) Upcoming Meeting(s)

July 25, 2017 Public Hearing
August 2, 2017 Work Session

7) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lisa A. Strickland (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 public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name, then commence with their comments. Following their statements, they shall write their name on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's 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.

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
 - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
 - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
 - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed- **No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The 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 Chairman.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 27, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Darren Hall, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Present Members: Grey, Dawson, Hawkins Munoz, Musser, Higley Woods

Present Staff: Carraway-Johnson, Nope, O'Connor, Spendlove, Strickland, Vitek

Vice Chairman Grey called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

2) Consent Calendar

- a) Approval of Minutes from the following meeting(s): **June 13, 2017 PH**
- b) Approval of Findings of Fact and Conclusions of Law for the following meeting(s): **June 13, 2017**
Ricki Lezamiz Commercial Subd (Pre-plat) Zernickow, Jon (SUP) Willie, Dan (SUP)

Motion:

Commissioner Musser made a motion to approve the consent calendar, as presented.

Commissioner Hawkins seconded the motion.

Unanimously Approved

3) Items of Consideration

- a) Request to consider the **Preliminary Plat** for TF Caswell Subdivision, approximately .97 (+/-) acres consisting of 2 lots located at 687 Blue Lakes Boulevard North c/o Harper-Leavitt Engineer, Inc..

Applicant Presentation:

Chris Street, Harper Levitt, LLC, stated this is a request to approve a preliminary plat to separate the existing lot into two parcels. There is a 15' easement along the coolie and there is storm water retention along the Caswell Street property line. There is currently a building on one of the proposed lots that will be Chipotle Restaurant, the other lot will have a building constructed but they currently do not know whom the tenants for that building will be.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated the Zoning history of this property is limited to Ordinance #2012, which established the districts we current enforce. The Polk directories indicate Intermountain Gas occupying the property as far back as 1965. Approximately 2 years ago, Intermountain Gas vacated the premises, the building was demolished and the new owner received a building permit to construct a restaurant on the corner. The wish to subdivide to allow another for commercial development.

The property is zoned C-1; Commercial Highway. This is a request to subdivide 0.97 acres +/- to allow for commercial development. The TF Caswell preliminary plat is for two (2) lots on this acreage. Currently a building exists on the northern portion of the property (proposed Lot 1). It is suspected the second lot will be sold and another building constructed.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. 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 of a preliminary plat does not constitute a commitment by the City to provide water or wastewater 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. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed Use is a very broad category and encompasses an extensive list of land uses. However, Mixed Use areas are characteristically, pedestrian friendly, in that they provide that range of use while keeping the scale of development, human friendly. The requested Preliminary Plat meets the mixed-use designation since it encourages shared use parking and provides for infill development of a previously developed property.

Planner I O'Conner stated upon conclusion staff recommends the commission approve the TF Caswell preliminary plat as presented, subject to the following condition:

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.

PZ/Questions & Comments:

- Commissioner Grey clarified the size of the property is .97(+/-) acres
- Planner I O'Connor confirmed

- Commissioner Woods ask staff to identify lots 1 and lots 2 on the overhead
- Commissioner Munoz asked about parking requirements for the new buildings.
- Planner I O'Connor explained the parking requirements for the second building will depend on the use of the building and will be reviewed at the time of the building permit.
- Commissioner Grey asked if there is a cross use agreement with the other shopping center.
- Planner I O'Conner stated not that staff is aware of at this time.

Public Hearing: Opened & Closed Without Input

Discussion Followed:

- Commissioner Grey stated he is fairly sure that the applicant would not go through this process without some idea of what would fit in the area.
- Commissioner Munoz stated that as long as parking is worked out for the property he doesn't see any issues.

Motion:

Commissioner Dawson made a motion to approve the preliminary plat, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

The Preliminary Plat TF Caswell Subdivision was Approved, As Presented, With 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.
- b) Request to consider the **preliminary plat** for Sundance Subdivision, a PUD, consisting of 447 lots 5 tracts and 117.42 (+/-) acres located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South. c/o EHM Engineers, Inc.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc., representing the applicant stated this property is along Harrison Street and south of 3600 North. The developer of this subdivision as well as several other developers have entered into an agreement with the City to install a water line to assist in serving the future development of the area. The development is approximately 446 lots with several tracts for canal company and park areas. The property is designed under the guidelines of a PUD. This large number of lots does not get built all at once. Usually a development this size is done in Phases with approximately 30 to 40 lots. It will begin on the west side of Harrison Street and will take approximately 5 years before development will begin on the east side of Harrison Street.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated this property has been Agricultural in use since before 1950. It was likely zoned R-1 VAR in 1981 with the adoption of Ordinance 2012 but has remained agriculturally based. In September 2006, the commission heard and forwarded to the City Council a positive recommendation for a zoning designation of R-2 if the site was annexed. City Council held a public hearing in September 2008 and approved the annexation with a zoning designation of R-2. In October 2008 Ordinance 2950 was signed and published for adoption, and the property annexed and rezoned at that time. Also in October 2008 The Commission forwarded on a positive recommendation to rezone the subject property from R-2 to R-2 PUD. City Council approved the rezone in November 2008, and Ordinance 2955 was signed and published for adoption in December 2008.

The PUD agreement has not been adopted by the City Council at the time of this report.

The property is zoned R-2 PUD. This is a request for approval of the preliminary plat of Sundance Subdivision, a PUD. The proposed subdivision is 117.4 +/- acre site and consists of 446 residential lots. The number of lots has fluctuated from the beginning of the review process until now. This is common as staff works with the developer to review access, minimum lot sizes, utilities, and other various factors. The Preliminary plat included with the packet contains the 446 Residential lots, 8 tracts, and 1 City Lot for PI. The draft PUD Agreement is included in the staff report packet. The document will be presented to the City Council for approval at the time of final plat.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. 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 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. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as "Town Neighborhood." Low to medium density residential use is appropriate for this future land use designation.

Planner I O'Conner stated upon conclusion staff recommends the commission approve the preliminary plat of the Sundance Subdivision, a PUD, as presented, and subject to the following staff condition, and any others the Commission deems appropriate:

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.

PZ/Questions & Comments:

- Commissioner Musser asked about the phasing of a subdivision.
- Assistant City Engineer Vitek stated they try to approximate how they will phase the construction of the subdivision but it can change.
- Commissioner Woods asked if this information has been shared with the School District
- Planner I O'Connor explained yes.
- Commissioner Woods asked if there is a plan to deal with the irrigation in this area.
- Assistant City Engineer Vitek explained there was an extensive conversation with the developer and the Twin Falls Canal Company and the City about the canal. There is a note on the plat that explains flooding may be possible if there is a breach in the canal. Before the development is allowed to go through the sw corner of the property has had more dirt brought in to reinforce the canal bank.
- Commissioner Woods asked if there are any transportation plan for improving traffic flow from the intersection into Blue Lakes Blvd.
- Assistant City Engineer Vitek explained the developer is required to build half plus 12' along Harrison Street but they are not required to build any off-site improvements. As the school property develops the roads will somewhat align. The City also will be collecting impact fees on all of the new homes that are built in this development. That money can be used to address roadway impacts created by growth in the area.
- Commission Munoz clarified that the PUD is finalized with the final plat. The PUD provides a means to address issues that occur with a phase of development. He is concerned that it is burdensome on the City.
- Zoning & Development Manager Carraway-Johnson explained that the agreement has been designed and reviewed by the City Attorney. The Council will have the final decision and if there is a concern staff can forward those concerns to Council.
- Commissioner Grey asked why this is still a PUD and not a ZDA.
- Zoning & Development Manager Carraway-Johnson explained that this property was rezoned with under a PUD and the Ordinance was approved at the time of the rezone. The process at the time was to bring the PUD Agreement forward for approval with the final plat approval. If the developer wanted to start the property over it could be rezoned as a ZDA.
- Commissioner Grey asked about a parks in lieu or a park requirement.
- Zoning & Development Manager Carraway-Johnson explained it is still under discussion and the final decision will be made by Council.

Public Hearing: Opened

- Dan Kohring, 2955 E 3600 N, stated he live adjacent to the proposed development and own the property that is not included in the plat at the north end. His concerns are traffic impacts, safety for children that will be attending the new middle school, the intersection

alignment at Harrison Street and 3600 N as well as the irrigation water access. The last concern is a pumping station for sewer until gravity fed sewer line can be installed.

- Larry Amen, 2990 Anderson Lane, he explained that this development has been in a long process and they have worked through the PUD process with the developer and he doesn't want the hard work that has occurred up to this time to be lost. They boarder the area of impact so there is not a lot they can do about this but he asks that thoughtfulness occur when it comes to traffic and the school.
- Troy Ward, 3581 N 3000 E, explained he has concerns about a fence that is supposed to be installed along the development and the smaller lots shown on the east side of the property they were supposed to be larger.
- Van Schmechel, 1204 Kenyon Road, asked where is all the domestic water going to come from because that last time there were ponds installed out in this area before and it dried up his and several of his other neighbor's wells. He had to lower his well 30' to reach the water table. He doesn't think there is enough water to handle the 446 homes. Has there been a study done regarding the addition traffic this development is going to have on the area.
- Elaine Leavitt, 1590 Briarwood Lane, she is concerned about the traffic in the area currently. This development is going to add more traffic to the area and children traveling to the school. She would suggest a crosswalk for the kids and a place for the kids to walk along the side of the road.
- Merilee Waters, 1643 Harrison St S, her driveway is just south of the only entrance of the school and they are not going to be able to get out of their driveway and adding these homes will just make it worse. The other concern is that 3600 North is a truck route which is a concern with so many children that are going to be in the area. It is dangerous.
- Pete Johnston, 312 Washington St S, stated this concerns him with the traffic and water availability.
- Jessica Gough, 2968 E 3600 N, stated her concern is also the traffic and the children's safety. She is not convinced flashing lights or stop signs will help but she hopes there is some consideration for traffic impacts.

Public Hearing: Closed

Discussion Followed:

- Assistant City Engineer Vitek explained this development plan has been in the works since approximately 2006. Since then the City had to go through an arsenic compliance program and water has been piped to the area from Blue Lakes that takes water to the well towers. The developer has put in a 24" waterline along 3600 North and so that it can supply the development. The City is subject to Department of Water Resources standards.
- Commissioner Grey asked if the City is satisfied that water can be supplied to this area.
- Assistant City Engineer Vitek confirmed that the City is satisfied.
- Mr. Vawser, stated that reinforcement has been done to the canal bank, but there was a note still added to the plat because of the one-time historic break in the canal. The other irrigation that crosses will be piped as development moves forward to that point of the

project. Access to irrigation water will remain, it will just be underground. Safety is a big concern with 446 lots. There is going to be an impact which is what impact fees can be used for to implement calming measures as needed. The property has gone through a rezone and is compliant with the PUD Draft, however he will check into the lot sizes and fence comments made earlier from citizens.

- Commissioner Higley asked about relocation of the park shown on the plan.
- Mr. Vawser explained this has been the design from the beginning.
- Assistant City Engineer Vitek explained that the canal company doesn't like children near the canal.
- Commissioner Higley asked if any of the road design will be the larger 4 lane roads.
- Assistant City Engineer Vitek explained Harrison is a collector width of 48' down to Gage Avenue. The parcel that is not developed is only 36'. Impact fees can be used to improve the roads if it due to growth and if there is right of way, otherwise it will have to wait until the property develops.
- Commissioner Higley asked about the Highway District and the truck route.
- Assistant City Engineer Vitek explained that the city has farm to market roads and there is not a truly designated truck route. This is a commonly used route because it loops around town.
- Commissioner Higley asked if there was any extra option for access to the neighborhood north to south.
- Assistant City Engineer Vitek explained the City tries to make sure streets are aligned correctly. There is also a 10' detached sidewalk along Harrison Street.
- Commissioner Grey stated his concern is pedestrian safety and asked about an elevated crosswalk
- Assistant City Engineer Vitek explained that unless the path it is completely fence off people will not use.
- Commissioner Grey asked if we know that this is going to be an issue why are we not putting in the safety measures now.
- Assistant City Engineer Vitek explained it is monetarily based and there will be approximately 40 homes in the first phase and impact fees will be collected.
- Commissioner Grey asked if a condition can be placed on the plat that states at phase 3 there needs to be another traffic impact study to determine if a traffic light is warranted.
- Mr. Vawser stated he doesn't think anyone would be opposed to taking a look at the data again at phase 3.
- Commissioner Munoz asked about a school zone on 3600 North.
- Assistant City Engineer Vitek explained there are not any plans for a school zone.
- Commissioner Dawson asked about other requirements for the school related to crosswalk or other entrances for the school.
- Commissioner Grey asked the applicant representative to look into the concerns brought up prior to the final plat.
- Assistant City Engineer Vitek stated there will be a full review to ensure it is in compliance with the PUD.
- Senior Planner Spendlove explained a study for pedestrian measures to be reviewed at a

certain phase in the development.

- Commissioner Musser asked if there is an example of a subdivision similar to this development already in place.
- Senior Planner Spendlove explained developments toward the northwest end of town are similar to this development.
- Commissioner Dawson has concerns for the traffic and the kids as well there is a lot going on in the area. She is really surprised that when the school was brought forward that other safety measures weren't required then.
- Commissioner Higley stated he has concerns with access into and out of the development with so many lots. He thinks the density is too much.
- Commissioner Munoz explained he does understand what the concern is but he is still concerned about pedestrian safety.
- Commissioner Musser clarified this is just a request for approval of the platting of the lots and the roadways.
- Commissioner Woods explained the Commission can address the impacts of this development. He is concerned about the traffic on Washington St S and it seems to him the plan is to let's start and see what happens.
- Commissioner Higley read the that the Commission should consider conformance with the comprehensive plan, the public service available to serve the development, the continuity of the proposed development with the CIP, the public financial capability to support this development, and other health safety or environmental problems brought forward to the Commission. He thinks there are concerns with the health and safety and the improvements are not there to service the development.
- Commissioner Munoz explained that the traffic study that was done is old and done prior to some of the businesses like Chobani were built. He would like a more current traffic study to be done.
- Commissioner Grey asked about speed limit changes on 3600 North with this development.
- Assistant City Engineer Vitek explained that the speed limit will change to 35 across the frontage of the development where the City owns the road.
- Senior Planner Spendlove explained an additional condition that can be added to the plat. "Subject to a traffic impact study being addressing pedestrian measures with phase 3 and if any measures are recommended said measures are to be installed prior to ¾ of the development being released for development or construction." This does not require the one development to implement the improvements, there may be impact fee money used, the school may need to participate and other developers as well. As for Washington St S that road does not belong to the City, that is owned by the State and we have no jurisdiction over when or how it gets improved or widened.
- Commissioner Grey asked if discussions have taken place with the State and if not when can that occur.
- Senior Planner Spendlove explained that the Transportation Master Plan is an avenue for talking about these issues.
- Commissioner Musser asked about traffic in the entire area and tying that to the study.

- Senior Planner Spendlove explained we would have to prove that it is only this development impacting the area to do that and that would be difficult.
- Commissioner Higley asked if a condition could address using impact fees for this area.
- Senior Planner Spendlove explained that would come from the Impact Fee Advisory Committee. This intersection is on the list.
- Commissioner Grey explained the speed limit on 3600 N will be reduce for that section and once the, beginning of phase 3 starts, a traffic study will be done.
- Commissioner Higley didn't think 100 homes would change the study results.
- Commissioner Munoz explained that the traffic study takes into account the current phase and future phases of development and the surrounding area.
- Commissioner Grey explained this is going to go through as a final plat.
- Commissioner Munoz explained this condition could also be removed by Council at the final plat stage.

Motion:

Commissioner Musser made a motion to approve the preliminary plat, as presented, with staff recommendations. Commissioner Munoz seconded the motion. Members Dawson, Hawkins, Musser and Grey voted for the motion. Members Higley, Munoz and Woods voted against the motion.

**The Sundance Subdivision, a PUD Preliminary Plat was
Approved, As Presented, With 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.
2. Subject to submitting a traffic impact study addressing pedestrian access with phase 3. If any measures are recommended, said measures to be installed prior to 3/4 of the development being released for development.

4) Public Hearings

- a) Request for a **Special Use Permit** to construct a 3600 sq. ft. detached accessory building for personal residential use on property located at 1983 Brook Stone Drive in the City's Area of Impact. c/o Gary & Andrea Stahlecker (app. 2872)

Applicant Presentation:

Linda Stahlecker, explained the applicant is her son and he wants to build the detached accessory building for storage of their personal belongs, RV and classic car.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated this Lot is part of the Stone Ridge Estates Subdivision, which went through the Platting process in 2007-2008. On August 25th, 2015, the commission heard and approved SUP #1374 for a 2400 sq. ft. detached

accessory building for the applicants. A single family home has been approved and constructed on the property.

This is a request to build a 3,600 sq. ft. detached accessory building on property located at 1983 Brook Stone Dr. The site is zoned SUI within the Area of Impact. The applicants have stated the use for this building will be for storage and maintenance of personal vehicles. They do not anticipate any adverse effects on adjoining properties. Large detached accessory buildings are not uncommon in the SUI zone; generally, they are utilized for the same purposes as to what the applicants are proposing.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Rural Residential." Rural Residential is a zone typically made up of large residential parcels, mixed in with agricultural uses in the surrounding area, and not within the City of Twin Falls city limits. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-2:

A Special Use Permit is required for any detached Accessory building over 1,500 sq. ft.

Per City Code 10-11-1 thru 8:

Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Due to the commonality of these types of structures in this neighborhood, the applicants and Staff do not anticipate any increase in adverse effects on the surrounding property.

Planner I O'Conner stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

PZ/Questions & Comments:

- Commissioner Grey asked about the previous SUP being replaced. Planner I O'Connor explained this will replace the previous SUP.
- Commissioner Munoz asked about paving.
- Planner I O'Conner explained at a minimum the first 50' from the road will have to be hard surfaced.

Public Hearing: Opened & Closed Without Public Input

Discussion Followed: Without Concerns

Motion:

Commissioner Higley made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
 2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
 3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.
- b) Request for a **Special Use Permit** to operate a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E. c/o Stephanie Johnson dba Ovation Performing Arts, LLC (app. 2873)

Applicant Presentation:

Stephanie Johnson, explained that she and her husband own Ovation Performing Arts. They have acquired this property so that they can expand their business. The business will operate Mon-Fri from 3:30 to 8:30 pm, however when recital time rolls around the kids like to have parties and sleep overs, which is why that information has been included in the request.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated this property was listed as a wholesale distribution center in 1950 and changed uses over the years. Prior to the applicant owning this property, it was an office building. SUP #0909 was approved on February 8th, 2005 for a dog-grooming establishment. Starting in December 2016 through March 2017 the P&Z department asked the Code Enforcement team to inspect all SUPs for to determine if they were active or not. SUP #0909 was inspected in February, and determined not to be active at that time. A building permit for an interior demolition was submitted in April 2017.

This site is zoned CB; Central Business with a P-1 parking overlay. This is a request to establish a Performing Arts Studio, to conduct dance and music classes. The CB zone requires a Special Use Permit for any Indoor Recreation establishment. The applicant stated in their narrative that the facility will have two (2) dance studios and one (1) piano studio for private lessons. The reason for the extended hours is for the very rare events where lessons may run over, or they have a special event for the students to include possible sleepovers. However, the regular hours of operation will be 8am to 9pm Monday through Saturday.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown/High Density Residential." This designation has very wide-ranging land uses, and encourages redevelopment and infill. This request repurposes an existing building and brings a new establishment to the downtown area. Indoor Recreation, specifically the Performing Arts aspect for this request, falls in line with the "Entertainment and Arts" land use called out in the comprehensive plan. Therefore, staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-7:

A Special Use Permit is required for any Indoor Recreation Facility.

Per City Code 10-10-12:

No off street parking is required for permitted uses, however parking could be required by the commission for any use that requires a SUP.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage and storm water, etc.. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

The applicant nor staff anticipate any increase of detrimental or negative impacts from this request. It is also believed there is adequate public parking in the general area on the rare occasion of a "special event" taking place at this location.

Planner I O'Conner stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards

PZ/Questions & Comments:

Commissioner Munoz asked about hours of operating and events open to the public.

Public Hearing: Opened

- Joe Avelar, owner of the building next to this address, he asked that the hours be limited so that it is not disturbing them as neighbors.
- Commissioner Munoz asked if the spaces he is speaking about are open during regular business hours or later.
- Mr. Avelar explained they are open during regular business hours.

Public Hearing: Closed

Closing Statements:

Ms. Johnson explained that it will be a rare occasion that there will be sleep overs and being open outside of the normal hours, she would be willing to notify the neighbors. She is trying to be forward thinking and it would be a rare occasion where there would be any parties open to the public. The children would be supervised.

Discussion Followed: Without Concerns**Motion:**

Commissioner Hawkins made a motion to approve the request, as presented, with staff recommendations. Commissioner Woods seconded the motions. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
- c) Request for a **Special Use Permit** to establish a dog & cat grooming/kennel business as a “Pet Resort” on property located at 304 4th Avenue West. Timothy Gardiner c/o Colby Ricks (app 2874)

Applicant Presentation:

Tim Gardiner, the applicant explained he is from the Wood River Valley area. His request is to put a pet resort into downtown. This building has been used for a variety of agricultural, warehousing related uses and a tire store. He would like to convert the space so that he can provide a pet hotel and grooming service, in Downtown Twin Falls. He thinks there is a real need for this service in Twin Falls. He thinks the benefits would be substantial to the community. The market is right, the timing is right and the location is right.

Staff Presentation:

Planner I O'Conner reviewed the request as presented and stated this property was originally developed as an auto dealership in 1949, then an auto repair shop, soda bottling plant and finally a plumbing supply store. The zoning was likely set with Ordinance 2012, which established the current zones we use today.

The property is zoned CB with a P-2 parking overlay. There is an existing 10,150 sf building on the corner of 4th Ave W and Fairfield St W (3rd St W). This is a request to establish a “Pet Resort” for dogs and cats on property located at 304 4th Ave. West. A dog grooming/kennel establishment requires an SUP in the CB zone. The applicant has stated he wishes to restore the old warehouse on the property and convert it into a high-end pet resort to include overnight kenneling, day care and a pet training facility. The applicant states in his narrative that has done extensive research on the property and on the market viability of pet hotels. With the renewed investment from the city in downtown, the applicant stated he feels this

location and building will display what old buildings can become. For complete details on the proposed operation, see the applicant's narrative (Attachment #1).

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as "Downtown/High Density Residential." The uses can vary widely within this designation, from commercial retail and services to high density residential to civic and community uses. A Pet Resort/Kennel fits within this future land use designation as a commercial service. Therefore, staff determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-7:

A Special Use Permit is required to establish a Dog Kennel in the CB zone.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage and storm water, etc.. As there are no internal site dimensions shown on the site plan staff is unable to determine if it meets code. These required improvements shall be evaluated and all applicable code requirements will be reviewed and enforced at the time of building permit submittal to ensure compliance.

In the applicant's narrative, it is clear they have an understanding that noise and odor will be the biggest impacts to the surrounding area. The applicant has stated that "noise baffling" will be utilized inside the building. Outside play-area shall include sight-obscuring screening as per code and pets will be allowed outside only during the day and with a limited number of pets at one time. The commission may ask the applicant for clarification on what factor he will be using to determine what the "limited number" is. Additionally, the applicant states in his narrative that all animals staying overnight will be inside their kennels by 7:00pm. Furthermore, the applicant ensures employees of the pet hotel will be adequately trained in proper hygienic procedures to minimize and mitigate any offensive odors, which will arise from an animal kennel.

Due to the proposed mitigating measures being taken by applicant and, suggested by staff, it is not anticipated this use will create overly burdensome impacts to neighboring properties.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no pets outside between the hours of 7:00 PM to 7:00 AM.
3. Subject to no occupancy until the COO is issued.

PZ/Questions & Comments:

- Commission Woods asked for clarification of the outside area.
- Planner I O'Connor clarified on the aerial the location of the outside area for the animals.

Public Hearing: Opened

- Jim Stanton, 317 3rd Avenue West, stated he has concerns with the dogs barking and the smell of all the dogs. He doesn't think the property is big enough for this use.

Public Hearing: Closed**Closing Statement:**

- Mr. Gardiner explained the building is 10,000 sq. ft. they intend to be sensitive to the neighbors. They will be putting noise baffling in to reduce the noise, and explained that the noise and barking is stressful to the dogs as well, it is not beneficial to avoid managing noise. The outside area will be used for exercise areas and they will have several gymnastic areas inside, the dogs will be separated according to temperament and placed accordingly.
- Commissioner Musser asked about fencing.
- Mr. Gardiner explained there will be fencing for the dogs safety and to neighborhood.
- Commissioner Grey asked about occupancy.
- Mr. Gardiner explained that with the three gymnastic areas in the building they are not able to determine occupancy because the floor plans have not been completed.
- Commissioner Musser asked about limiting the number of animals in the building.
- Planner I O'Connor explained that is not a possibility.
- Mr. Gardiner explained that the high-end resorts today have things that are not typical in this market, antimicrobial flooring, noise baffling, fire suppression; this will be a resort not a kennel.
- Commissioner Munoz asked about zoning and permitted uses such as a Tire Shop.
- Planner I O'Connor explained a Tire Shop would also require a Special Use Permit

Discussion Followed:

- Commissioner Woods stated his concern is the neighbors and the barking dog impacts. It sounds like the applicant is planning to address the concerns regarding the noise.
- Commissioner Munoz explained the neighbors could call the police for any nuisance. If it becomes an issue of noise and smells, the business will not survive as a high-end resort.

Motion:

Commissioner Dawson made a motion to approve the request as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

2. Subject to no pets outside between the hours of 7:00 PM to 7:00 AM.
 3. Subject to no occupancy until the COO is issued.
- d) Request for a **Special Use Permit** to construct a 1540 +/- sq. ft. detached accessory building for residential use on property located at 238 Fillmore Street. c/o David & Deborah Butler. (app 2875)

Applicant Presentation:

Deborah Butler, the applicant explained she is here to request a detached accessory building to replace an old garage, and storage building on the property. They plan to make it look nice.

Staff Presentation:

Planner I O'Conner reviewed the request as presented and stated the property located at 238 Fillmore St is made up of lots 38, 39, and 40, Block 8 of Blue Lakes Addition Subdivision, recorded in 1917. The applicants purchased the property in 1987, and have lived there ever since.

The site is zoned R-2. The request is to remove existing detached accessory structures and construct a new 1,540 +/- sf detached accessory building including an attached outside patio area on property located at 238 Fillmore St. The R-2 zone requires an SUP for any detached accessory structure totaling more than 1,000 sq. ft. Detached garages are not uncommon in this area of town, and provide off street parking to the residents. The applicant states they will be demolishing the other accessory buildings once this one is complete.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood." Town Neighborhoods supports mainly residential uses. A detached garage supports the primary function of the residential use for this request. Therefore, Staff has determined this application complies with the 2016 comprehensive plan.

Per City Code 10-4-4:

The R-2 district requires an SUP for any detached accessory building over 1,000 sq. ft.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage and storm water, etc.. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

The applicant nor staff anticipate any negative or detrimental effects from this request of the surrounding properties.

Planner I O'Conner stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

Public Hearing: Opened & Closed Without Input

Discussion Followed: Without Concerns

Motion:

Commissioner Musser made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
 2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
 3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.
- e) Request for a **Special Use Permit** to expand by more than 25% an existing auto repair business on property located at 490 Washington Street South. Blue Lakes Auto Repair c/o Kevin Powers (app.2876)

Applicant Presentation:

Nevin O'Berg, CNR Construction, representing the applicant, explained the applicant would like to expand his auto repair business that he purchased in 1997 and it has grown since. He has applied for Special Use Permits twice but did not proceed with the last Special Use Permit to expand. The old building needs major repairs and instead of making those repairs the applicant plans to demo the older portion of the building and replace it with a new and larger building. By code this request for expansion exceeds 25% and requires a Special Use Permit.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated the applicant purchased this property in 1997. In August 1998, they were granted SUP #562, to operate an Auto Repair facility at 490 Washington St. South. Since then they have applied for, and were granted, two (2) more SUPs for expansions, one in April 2005, and another in January 2013, see attachments.

This property is zoned M-1; Light Industrial and is adjacent to Washington St S/Hwy 74. This is a request to expand an Auto Repair facility by more than 25% at 490 Washington St. South. City Code requires an SUP for auto repair in the M-1 zone, and any expansion by 25% or more

of an operation, which requires an SUP. Blue Lakes Auto Repair has steadily grown over the years and requires more space and facilities for their employees and customers. The expansion will be done in phases to not disrupt any current operations. The original building, which will be demolished, is 48'x55', and will be replaced, at full build-out, by a 58'x104' building.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Neighborhood Commercial." Neighborhood Commercial is defined as; "... providing and supporting services and small scale commercial for the surrounding neighborhoods." An auto repair facility may this definition by supporting the needs of residents of the surrounding neighborhoods and by providing a car care and repair facility nearby. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-13-2:

If an establishment required an SUP to operate and then proposes to expand by more than 25%, an additional SUP is required.

Per City Code 10-11-1 thru 8:

Required improvements include access, sight obscuring screening/fencing, parking, landscaping, drainage and storm water, etc.. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

The applicant does not anticipate any detrimental increase of impacts, which are not already felt, from this expansion onto surrounding properties. The expansion will be minimal visually being that the expansion is going to be built to the rear of the property, and match the current design scheme. Though a larger facility will allow for more customers, Blue Lakes Auto Repair's location is along Washington St. S., a heavily trafficked route. Therefore, staff does not anticipate an increase of negative impacts from this request.

Planner I O'Connor stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to non-operating, unregistered, or unlicensed vehicles, and all parts being stored indoors or behind a sight obscuring screened area.
3. Subject to this permit being issued to Blue Lakes Auto c/o Kevin Powers, any change in ownership will require a new SUP.
4. Dedication of right-of-way for Washington St. S. and future Park Ave W. per Master Transportation Plan and as per City Engineer approval.
5. Subject to compliance with Special Use Permit #1282.

PZ/Questions & Comments:

- Commissioner Munoz asked for clarification on the owner restriction.
- Planner I O'Conner explained that if the business were to change hands the new owner would have to come back through for a Special Use Permit.

Public Hearing: Opened

- Pete Johnston, 312 Washington St S, explained he is in support of the request and they do good business. He thinks this is going to be a nice improvement to that end of town.

Public Hearing: Closed**Discussion Followed: Without Concerns****Motion:**

Commissioner Munoz made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to non-operating, unregistered, or unlicensed vehicles, and all parts being stored indoors or behind a sight obscuring screened area.
3. Subject to this permit being issued to Blue Lakes Auto c/o Kevin Powers, any change in ownership will require a new SUP.
4. Dedication of right-of-way for Washington St. S. and Future Park Ave W. per Master Transportation Plan and as per City Engineer approval.
5. Subject to compliance with Special Use Permit #1282.

5) General Input Public/Commission/Staff

- Zoning & Development Manager Carraway-Johnson explained the Work Session on July 5, 2017 will include some security training. Officers Matt Hicks and Brent Wright will be doing the presentation. She stated she would also like to discuss changing the work session back to an hour meeting now that the Comprehensive Plan Process is complete.
- City Attorney Nope reported that City Attorney Wonderlich and Wakefield have been recognized to receive the Idaho Municipal Attorney's---Pillars of the Community Award.

6) Upcoming Meeting(s)

July 5, 2017 Work Session

July 11, 2017 Public Hearing

7) Adjournment

Vice-Chairman Grey adjourned the meeting at 8:32 pm.

Lisa A. Strickland, Administrative Assistant



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

In Re:	)	
	)	
<u>Preliminary Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>TF Caswell Subdiviaion</u>	)	CONCLUSIONS OF LAW,
<u>c/o ALC Architecture</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the June 27, 2017 hearing for consideration of the preliminary plat of TF Caswell Subdivision, approximately .97 (+/-) acres, to develop 2 lots located at 687 Blue Lakes Boulevard North, 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 requested approval of the preliminary plat of TF Caswell Subdivision, approximately .97(+/-) acres, to develop 2 lots located at 687 Blue Lakes Boulevard North
2. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Fred Meyers; to the south, Centennial Square Shopping Center; to the east, Blue Lakes Boulevard; to the west, Centennial Square Shopping Center
4. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

5. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The preliminary plat of the TF Caswell Subdivision, approximately .97 (+/-) acres, to develop 2 lots located at 687 Blue Lakes Boulevard North is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

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

DECISION

The request for approval of the preliminary plat of TF Caswell Subdivision, approximately .97 (+/-) acres, to develop 2 lots located at 687 Blue Lakes Boulevard North is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. 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.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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.



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

In Re:	)	
	)	
<u>Preliminary Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>Sundance Partners, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o Gerald Martens</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the June 27, 2017 hearing for consideration of the preliminary plat of Sundance Subdivision, a PUD approximately 117.42 (+/-) acres, to develop 447 Lots 5 Tracts located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South, 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 requested approval of the preliminary plat of Sundance Subdivision, a PUD approximately 117.42 (+/-) acres, to develop 447 Lots 5 Tracts located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South
2. The property in question is zoned R-2 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Residential/Agricultural/Highline Canal; to the east, Agricultural; to the west, Residential
4. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water

and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

5. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The preliminary plat of the Sundance Subdivision, a PUD approximately 117.42 (+/-) acres, to develop 447 Lots 5 Tracts located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

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

DECISION

The request for approval of the preliminary plat of Sundance Subdivision, a PUD approximately 117.42 (+/-) acres, to develop 447 Lots 5 Tracts located on the south side of 3600 North Road and west side of Blue Lakes Boulevard South is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. 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.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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.
2. Subject to submitting a traffic impact study addressing pedestrian access with phase 3. If any measures are recommended, said measures to be installed prior to 3/4 of the development being released for development.



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Gary & Andrea Stahlecker</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 27, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol), 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 for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol)
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 8, 2017
3. The property in question is zoned SUI (Aol) pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Rural Residential 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, Residential; to the south, Residential; to the east, Residential; and to the west, Residential.

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 for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol) is consistent with the purpose of the SUI (Aol) 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 (Aol) 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 for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol) 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 for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol) 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 the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

APPLICATION #2872
SUP# 1438



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1438

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on June 27, 2017 to Gary & Andrea Stahlecker whose address is 1983 Brook Stone Drive Twin Falls, ID 83301 for the purpose of constructing a 3600 sq. ft. detached accessory building on property located at 1983 Brook Stone Drive (Aol) and legally described as TWIN FALLS STONE RIDGE ESTATES SUBD LOT 19 BLOCK 2 (1-10-16 NW) RPO82810020190A

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

This permit corresponds to Zoning Application No.2872

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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.

cc: Building Inspection



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Ovation Performing Arts, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o Stephanie Johnson</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on June 26, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E, 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 for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 8, 2017
3. The property in question is zoned CB 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. The existing neighboring land uses in the immediate area of this property are: to the north, Offices; to the south, Salon/Beauty Parlor; to the east; Bowling Alley; and to the west, Thrift Store & Miscellaneous Retail.

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 for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E is consistent with the purpose of the CB 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 CB 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 for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E 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 for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E 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 site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with applicable City Code requirements and standards.



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1439

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on June 26, 2017 to Stephanie Johnson dba Ovation Performing Arts, LLC whose address is P.O. Box T Twin Falls, ID 83301 for the purpose of operating a dance and music education studio as an indoor recreation facility with unlimited hours of operation-sleep overs on property located at 333-B Main Ave E and legally described as TWIN FALLS TOWNSITE LOT 25 BLOCK 89 (16-10-17)

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

This permit corresponds to Zoning Application No.2873

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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.

cc: Building Inspection



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Tim Gardiner</u>	)	CONCLUSIONS OF LAW,
<u>c/o Colby Ricks</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on June 27, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of establishing a dog & cat grooming/kennel business as a “Pet Resort” on property located at 304 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 Special Use Permit for the purpose of establishing a dog & cat grooming/kennel business as a “Pet Resort” on property located at 304 4th Avenue West
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 8, 2017
3. The property in question is zoned CB pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as CB 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, Residential; to the south, Parking Area; to the east; Alley/Residential; and to the west, Rush Truck Center/4th Avenue West.

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 for the purpose of establishing a dog & cat grooming/kennel business as a "Pet Resort" on property located at 304 4th Avenue West is consistent with the purpose of the CB 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 CB 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 for the purpose of establishing a dog & cat grooming/kennel business as a "Pet Resort" on property located at 304 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, 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 for the purpose of establishing a dog & cat grooming/kennel business as a "Pet Resort" on property located at 304 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 Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no pets outside between the hours of 7:00 PM to 7:00 AM.
3. Subject to no occupancy until the COO is issued.

APPLICATION #2874
SUP# 1440



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1440

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on June 27, 2017 to Tim Gardiner c/o Colby Ricks whose address is P.O. Box 187 Sun Valley, ID 83353 for the purpose of establishing a dog & cat grooming/kennel business as a "Pet Resort" on property located at 304 4th Avenue West and legally described as TWIN FALLS SE ½ LOT 27; LOT 28 BLOCK 129 (16-10-17) RPT0001129027AA

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

This permit corresponds to Zoning Application No.2874

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no pets outside between the hours of 7:00 PM to 7:00 AM.
3. Subject to no occupancy until the COO is issued.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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.

cc: Building Inspection



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>David & Deborah Butler</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 27, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street, 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 for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 8, 2017
3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood 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, Residential; to the south, Residential; to the east, Residential; and to the west, Residential.

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 for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street is consistent with the purpose of the R-2 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 R-2 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 for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street 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 for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street 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 the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

APPLICATION #2875
SUP# 1441



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1441

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on June 27, 2017 to David & Deborah Butler whose address is 238 Fillmore Street Twin Falls, ID 83301 for the purpose of constructing a 1540 (+/-) sq. ft. detached accessory building on property located at 238 Fillmore Street and legally described as TWIN FALLS BLUE LAKES ADDN LOTS 38,39,40 BLOCK 8 (9-10-17 SE) RPT0301008038AA

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

This permit corresponds to Zoning Application No.2875

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to personal residential use by the occupants of the home – no residential occupancy, business or commercial use within the detached accessory structure.
3. Subject to the materials and construction of the structure being similar to the submitted elevations and site plan.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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.

cc: Building Inspection



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Blue Lakes Auto Repair</u>	)	CONCLUSIONS OF LAW,
<u>c/o Kevin Powers</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on June 27, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South, 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 for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 8, 2017
3. The property in question is zoned M-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Neighborhood Commercial 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, Large Implement Sales & Repair; to the south, Agriculture; to the east; Residential; and to the west, Large Implement Sales & Repair.

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 for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South is consistent with the purpose of the M-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 M-1 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 for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South 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 for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South 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 the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to non-operating, unregistered, or unlicensed vehicles, and all parts being stored indoors or behind a sight obscuring screened area.
3. Subject to this permit being issued to Blue Lakes Auto c/o Kevin Powers, any change in ownership will require a new SUP.
4. Dedication of right-of-way for Washington St. S. and Future Park Ave W. per Master Transportation Plan and as per City Engineer approval.
5. Subject to compliance with Special Use Permit #1282.

APPLICATION #2876
SUP# 1442



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1442

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on June 27, 2017 to Blue Lakes Auto Repair c/o Kevin Powers whose address is 490 Washington Street South Twin Falls, ID 83301 for the purpose of expanding by more than 25% an existing auto repair business on property located at 490 Washington Street South and legally described as TWIN FALLS ACRES INSIDE N 59.5' OF SE 154' OF SE SE NE (20-10-17) RPT00107201806A

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

This permit corresponds to Zoning Application No.2876

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to non-operating, unregistered, or unlicensed vehicles, and all parts being stored indoors or behind a sight obscuring screened area.
3. Subject to this permit being issued to Blue Lakes Auto c/o Kevin Powers, any change in ownership will require a new SUP.
4. Dedication of right-of-way for Washington St. S. and Future Park Ave W. per Master Transportation Plan and as per City Engineer approval.
5. Subject to compliance with Special Use Permit #1282.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

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.

cc: Building Inspection



Preliminary Presentation: Tuesday, July 11, 2017

Public Hearing: Tuesday, July 25, 2017

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Senior Planner

Editor: Renee V. Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 3-a

Request: A **Preliminary Presentation** on a request to amend the Valencia Park ZDA Master Development Plan to remove the landscape islands within Valencia Street for property located at 2916 – 2930 East 3600 North. c/o Rex Harding, Riedesel Engineering Inc. on behalf of Dennis Hourany (app. 2882)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Property Owner	Size: 9 (+/-) acres
Dennis Hourany PO Box 122 Freedom, WY 83120 925-766-2875 dennis@elitetile.usa	Current Zoning: R-4 -ZDA	Requested Zoning: ZDA Amendment to remove Traffic Calming/Landscape Medians on Valencia St
	Comprehensive Plan: Town Neighborhood	Lot Count: 84 lots, 1 Tract
	Existing Land Use: Undeveloped/Agricultural	Proposed Land Use: No change to previously approved land use.
Representative:	Zoning Designations & Surrounding Land Use(s)	
Rex Harding Riedesel Engineering Inc 526 C Shoup Ave W Twin Falls, ID 83301 208-733-2446 rharding@riedeseleng.com	North: R-4, Valencia Ave/Residential	East: R-4, South Hills Middle School under construction
	South: 3600 North Road; R-4, Skylane Trailer Park/Residential	West: R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-6-1, 10-7-6, 10-9, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 9, Valencia Park ZDA Ord 2016-16	

Approval Process:

As per Twin Falls City Code 10-6-1.6-procedure for conformance with a ZDA:

Final development plans, including plats, construction plans, and/or site plans, submitted for the development of the ZDA subject parcel shall conform to the approved conceptual development plan. Details on the final development plan(s) with minor variations from the conceptual development plan may be approved by the administrator, or designated city official without public hearing. If it is determined that a proposed change(s) constitutes a departure from the conceptual development plan and/or the development standards, the ZDA written commitment document shall be adequately amended using the initial approval process contained herein. ***Changes to any of the following items constitute a departure from the conceptual development plan and/or development standards, thus changing the basic relationship of the proposed development to the adjacent property:***

The permitted uses, Increase in density, Increase in building height, Increase in building coverage of the site, Reduction in the off street parking ratio, Reducing the building setbacks provided at the boundary of the site, Reduction of any open space plans, or Alteration of the overall design theme, primary architectural elements, or building materials. (Ord. 3082, 12-8-2014)

Budget Impact:

Approval of this particular request is not expected to have an impact on the City budget.

Regulatory Impact:

After a public hearing, a recommendation from the Planning and Zoning Commission for the requested change will allow the request to proceed to the City Council for a decision.

History:

The applicant previously went through the ZDA process in the Spring/Summer of 2016. This process included multiple public hearings and a couple revisions prior to being recommended for approval by this body. The City Council ultimately approved the project and the ZDA Document, with its accompanying documents and master plans were approved with Ordinance 2016-16 in the Fall of 2016.

Analysis:

The applicant is proposing to remove the traffic calming/landscape islands located within the Valencia Street Right-of-Way (ROW) as depicted on the previously approved Master Development Plan.

City Code requires a preliminary presentation to be made to the Commission for any new Zoning Development Agreements (ZDA's), OR modifications to previously approved ZDA's which are departing from the Master Development Plan in a manner the Administrator determines a public hearing is needed.

This is a time for the Commission to ask questions of the applicant on items pertaining to the requested change.

Conclusion:

Staff makes no comments, or conditions with a preliminary presentation. A Complete analysis of this request will be made at the time of the [Public Hearing on July 25, 2017](#).

Attachments:

1. Narrative
2. Zoning Vicinity Map
3. Aerial Map
4. Future Land Use Map
5. Proposed Amendment – Master Dev Plan

VALENCIA PARK ZDA TOWNHOUSE SUBDIVISION
PROPOSED ZDA DEVELOPMENT PLAN AMENDMENT

The developer of the Valencia Park Subdivision, a ZDA are requesting an amendment to the ZDA Development Plan which includes the elimination of the center islands within Valencia Street.

a. Reason for the request:

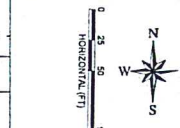
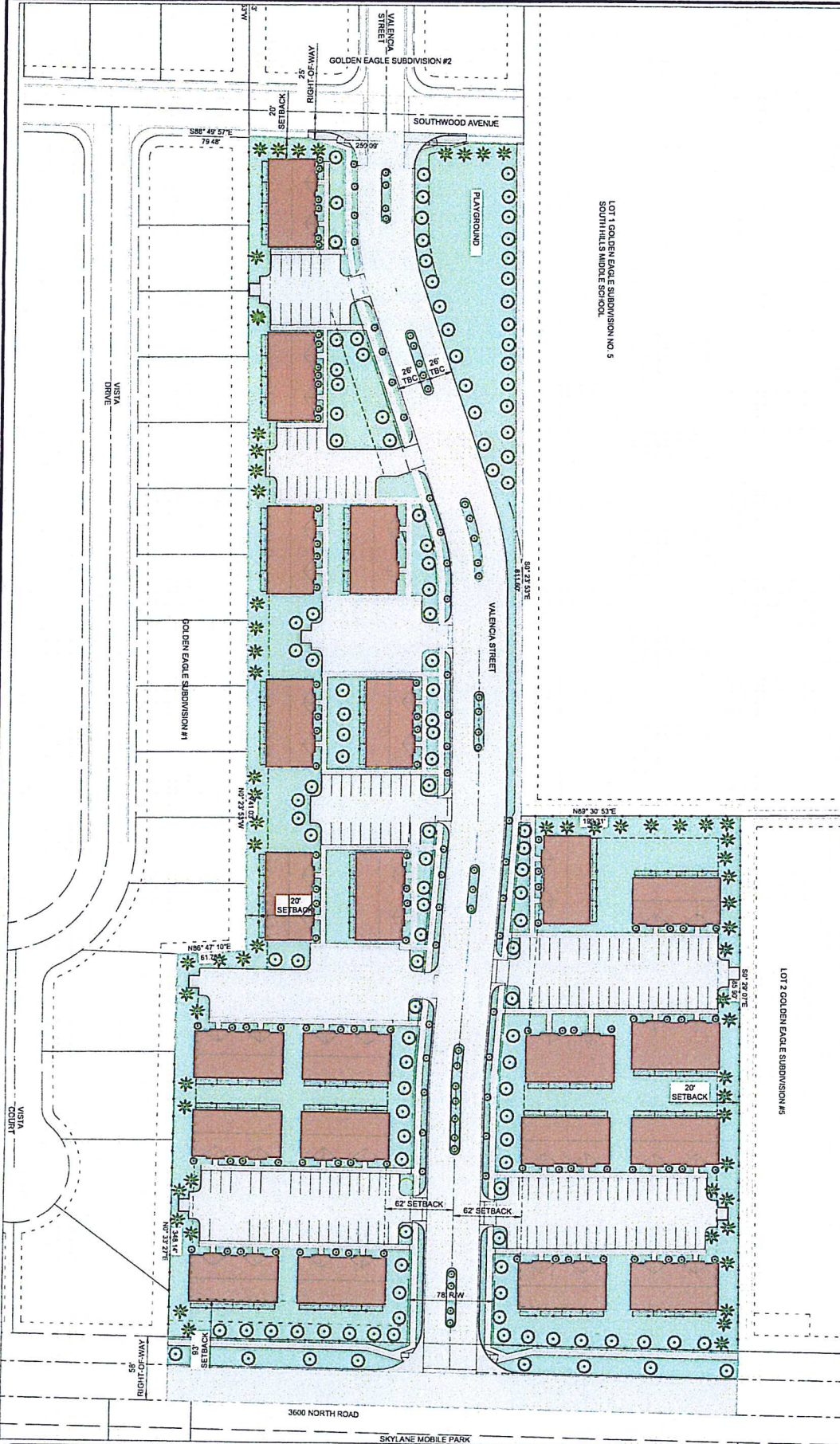
The Twin Falls Engineering Department's comment No. 9 in their Preliminary Plat review letter dated August 1, 2016 stated "9. No Islands in public Right-of-Way." That subject was discussed with the Engineering and Planning and Zoning Departments and it was determined that since the islands were shown on the ZDA Development Plan that was approved by the City Council, they would have to be included in the development. In the Preliminary Plat review the City has stated that the pavement width on each side of the islands will be required to be 24 feet. Development of Valencia Street with that section will decrease the landscaping between the back of curb and sidewalk from 5 feet to 6 inches. The idea of installing the islands was to provide traffic calming along this collector street section through the residential development. Increasing the pavement width to 24' on each side of the island has the opposite effect providing essentially a divided highway. The sidewalks will be right behind the curb with no buffer zone. Removal of the islands is a better alternative since the sidewalks will still be 5 feet behind the curb with landscaping between.

b. Effect of Revision:

The removal of the center islands meets the requirements of the Twin Falls Engineering Department and allows the preliminary plat to be approved and the project to move forward.

c. Effect of Change on Surrounding Area:

The proposed revision does not change the development concept or area and will have no effect on the surrounding area.



PRELIMINARY
 NOT FOR
 CONSTRUCTION

REVISIONS	
NO.	DATE BY DESCRIPTION
1	2/19/2018 JLM Initial Design
2	2/19/2018 JLM Final Design
3	2/19/2018 JLM Final Design
4	2/19/2018 JLM Final Design
5	2/19/2018 JLM Final Design
6	2/19/2018 JLM Final Design
7	2/19/2018 JLM Final Design
8	2/19/2018 JLM Final Design
9	2/19/2018 JLM Final Design
10	2/19/2018 JLM Final Design

RIEDEL Engineering

202 Falls Avenue
 Twin Falls, ID 83301
 Phone: (208) 733-2446
 Fax: (208) 734-2748

THE PRELIMINARY AND THE FINAL DESIGN AND CONSTRUCTION OF THIS PROJECT ARE THE SOLE RESPONSIBILITY OF THE PROJECT DESIGNER. RIEDEL ENGINEERING, INC. IS THE PROPERTY OF RIEDEL ENGINEERING, INC. AND IS NOT TO BE USED BY ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF RIEDEL ENGINEERING, INC. PROJECT USE OF THE PRELIMINARY DESIGN IS PROHIBITED. THE USER TAKES FULL RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION OF THIS PROJECT.

VALENCIA PARK SUBDIVISION
 ZDA DEVELOPMENT PLANS
 2016

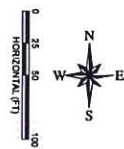
SITE LAYOUT

LOT 1 GOLDEN EAGLE SUBDIVISION NO. 3
SOUTH HILLS MIDDLE SCHOOL

TWIN FALLS SCHOOL DISTRICT

FOR A COLDER EYE ON SUBDIVISION

TWIN FALLS SCHOOL DISTRICT



SITE LAYOUT

REVISIONS			
NO	DATE	BY	DESCRIPTION
1	07/01/01	01/000001	
2	07/01/01	01/000001	
3	07/01/01	01/000001	
4	07/01/01	01/000001	
5	07/01/01	01/000001	
6	07/01/01	01/000001	



526 C Shoup Avenue W
Twin Falls, Id. 83301
Phone: (208) 733-2446
Fax: (208) 734-2748

THIS DOCUMENT, AND THE IDEAS AND DESIGN INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF HERTZEL ENGINEERING, INC. AND IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT. FOR THE EXTENSION OF FLAIR PUMP, IT'S SPECIFICALLY FORK AND OTHER MODIFICATIONS, CONTACT HERTZEL ENGINEERING, INC.

DESIGNED	FILE NAME
R/H	2023 BASE.dwg
DISEN CHECKED	DRAWING DATE
AW	02/17
DETAILED	DRAWING SCALE
R/H	AS SHOWN
DRAWING CHECKED	SHEET 1 OF 1
VAS	



Public Hearing: **TUESDAY, July 11th, 2017**
 To: Planning and Zoning Commission
 Presenter: Jonathan Spendlove, Sr. Planner
 Editor: Renee V. Carraway-Johnson, Zoning Administrator
 Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-a

Request: Request for the Commission's recommendation to Vacate a 30'x104' undeveloped Right-of-Way located along the 100 Block of Morningside Drive. REEL, LLC c/o Rex Lytle (app. 2878)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 30'x104' undeveloped row
REEL, LLC c/o Rex Lytle PO Box 305 Twin Falls, ID 83301 208.733.1739 rex@lytlesigns.com	Current Zoning: C-1, Commercial Highway District	Requested Zoning: Vacation of Morningside St ROW South of 2 nd Ave E.
	Comprehensive Plan: Commercial & Town Neighborhood Transition Zone	Lot Count: 1 Lot
	Existing Land Use: Commercial Sign Manufacturing	Proposed Land Use: Commercial Sign Manufacturing
Representative:	Zoning Designations & Surrounding Land Use(s)	
Stacy Mavencamp/JJ McBride PO Box 305 Twin Falls, ID 83301 208.733.1739 stacy@lytlesigns.com jj@lytlesigns.com	North: 2 nd Ave. E.; R-6; Residential	East: C-1: Commercial Sign Manufacturing
	South: C-1: Commercial Sign Manufacturing	West: C-1; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-16-1	

Approval Process:

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.

Budget Impact:

Approval of this request will not have a negligible impact on the City budget.

Regulatory Impact:

Recommendation of this request will allow the applicant to proceed to the City Council with the request to vacate the Easements as listed in the description.

History:

This Right of Way was part of the original Teasley Subdivision, recorded in June 1946. In December 1976 city council approved the vacation of Lenore St south of 2nd Ave E. The applicant previously requested, and passed City Council in August 1997, the vacation of the alley between Lenore St, and Morningside St.

Analysis:

This is a request to vacate the platted Right of way for Morningside St., South of 2nd Ave. E. in the Teasley Subdivision. This vacation is being requested so the applicant can expand their facilities in the future. The Morningside ROW terminates on the applicants property and does not continue through to Kimberly Rd. The ROW impedes future expansion of the applicant business, and a vacation of this ROW would reduce the constraints it creates on future improvements. There are no utilities in this ROW, and all utility providers have submitted letters in favor ore relinquishing rights to any easements in the ROW. The Engineering Department has no issues with the request to vacate this undeveloped right-of-way. Therefore, staff has determined this is a reasonable request.

Conclusion:

The Commission is tasked with forwarding a recommendation to the City Council for final decision.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Utility Company Letters
5. Teasley Subdivision Plat
6. Site Photos



5/15/2017

To whom it may concern:

REEL, LLC is seeking a land vacation for the city street right of way on the southern terminus of Morningside Drive in Twin Falls, Idaho. The right of way extends thirty feet into our northern property boundary before terminating in the middle of our commercial property-we own all land around it.

REEL, LLC is seeking this vacation because we wish to expand our business improvements on the property in the future and a road right of way would prevent these types of real property improvements. The right of way terminates on our property with no reasonable possibility of tying into other city streets and therefore we feel this is a justified request. All applicable utilities have also signed off on the vacation request and waived their future rights. Thank you in advance for your consideration.

Sincerely,

Rex E. Lytle, Member

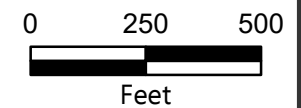
REEL, LLC

P.O. Box 332

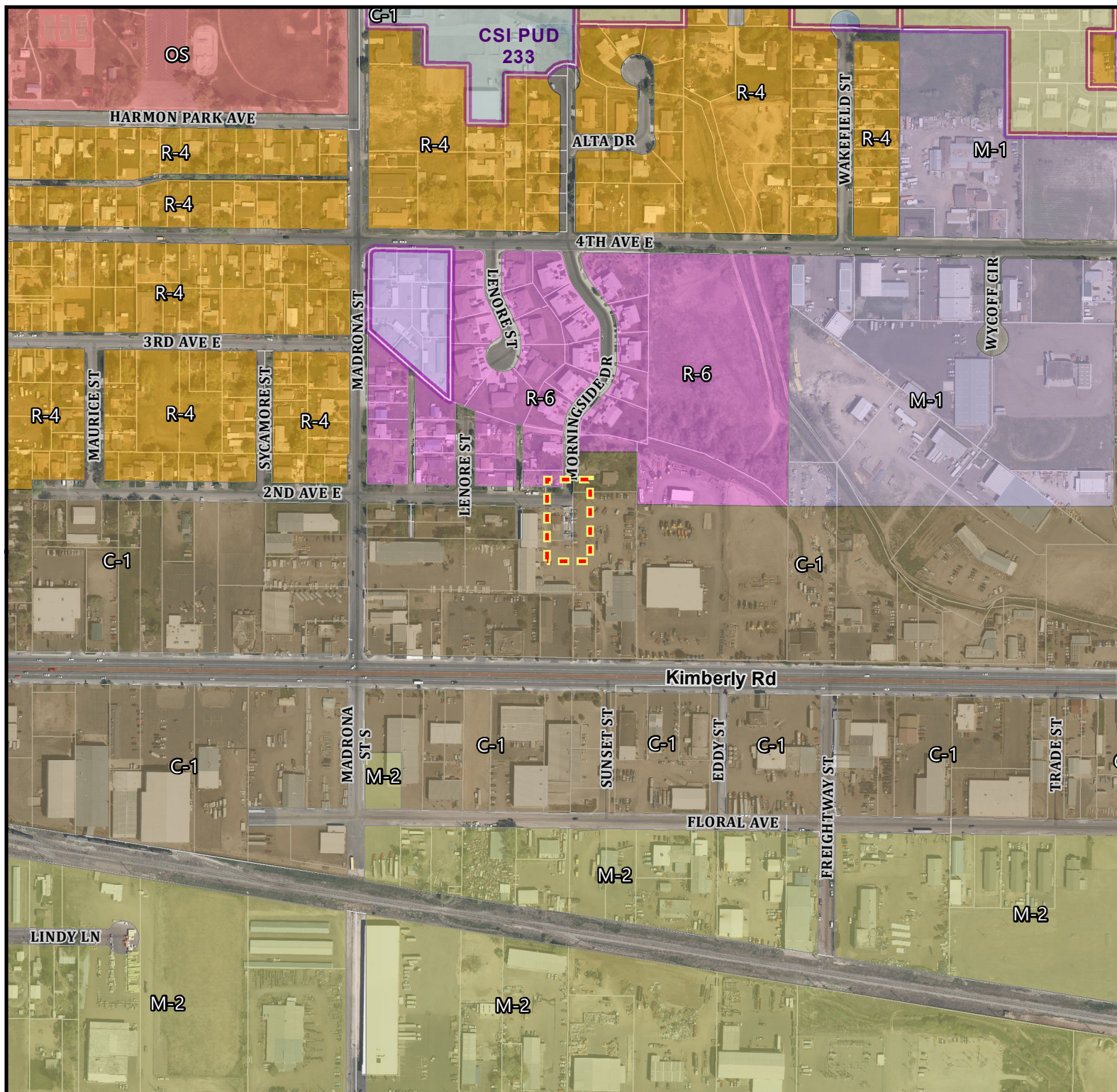
Twin Falls, ID 830303

Zoning Vicinity Map

-  PUD
-  C-1
-  M-1
-  M-2
-  OS
-  R-2
-  R-4
-  R-6



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





1857
2ND A

1893 2ND A

1917 2ND A

2ND AVE E

MORNINGSIDR

174
LENORE

1890 2ND A

1901 B KIM

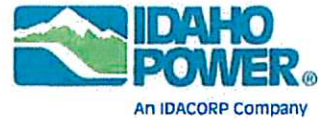
1935 KIMBE

Aerial Map



0 25 50
Feet

AERIAL PHOTO APRIL 2016
REFERENCE ONLY



May 4, 2017

Kelly Weeks
Planning & Zoning
City of Twin Falls
324 Hansen Street E
Twin Falls, Idaho 83303

Re: Request to vacate a portion of Morningside Drive, Twin Falls, Idaho.

Dear Mr. Weeks:

Idaho Power is in receipt of an application dated April 24, 2017 which requests Idaho Power approval of the partial vacation of Morningside Drive.

Idaho Power's records indicate that the Company does not maintain electrical facilities within the Right-of-Way, and therefore does not object to the proposed vacation of this area.

Please consider this comment letter a written request for a copy of the recorded resolution of the City of Twin Falls' determination on this matter, and any other instrument that would pertain to a conveyance of the subject property, should the City of Twin Falls approve the requested vacation.

Idaho Power Company thanks you for providing the opportunity to comment on the vacation petition/application.

Thank you,

Mary K. Alandt
Associate Real Estate Specialist
Land Management and Permitting Department
Phone: (208) 388-2699
Email: malandt@idahopower.com



Watch us make you smile.

261 EASTLAND DRIVE
P.O. Box 1946
TWIN FALLS, IDAHO 83301
PH: 208•733•6230
FX: 208•733•6296

May 10, 2017

RE: Road / Easement Vacation Request of Morningside Dr.

Mr. Rex E. Lytle
1925 Kimberly Road
P.O. Box 305
Twin Falls, Idaho 83305-0305

Dear Sir,

We agree to abandon the 30 Road R.O.W. / Easement Located East of Lots 6,7,8,9, & 10
Block 4 in the Teasley Subdivision in the City of Twin Falls, Idaho.

Thank you,

A handwritten signature in purple ink, appearing to read "Ron Burns".

Ron Burns
Cable One Construction
261 Eastland Dr.
P.O. Box 1946
Twin Falls, Idaho 83301
208-733-6877 Ext. 7150
208-539-9886



CenturyLink

Brad McNew
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 736-8760

April 20, 2017

RE: Vacation of Easement
Morningside Dr.
Rex E Lytle
PO Box 305
Twin Falls, Id. 83303

To whom it may concern,

Reference is made to your request for CenturyLink to vacate the existing easement of Morningside Dr that currently terminates in the middle of your property. CenturyLink has no need to use the utility easement at this time and have no plans to utilize them in the future. Based upon this we have no objections to the requested vacation of easement. If any Centurylink facilities are located within said easement construction charges would apply if needing relocation.

Please call me if you have any questions.

Sincerely,

Brad McNew



451 Alan Dr, Jerome, Id 83338-5505

Office: (208) 737-6300 • Fax: (208) 737-6342 • In-State: 1-800-548-8771 • www.intgas.com

May 5, 2017

To Whom It May Concern:

We, the undersigned public utility company, INTERMOUNTAIN GAS COMPANY, release rights for the 30' right of way section of Morningside Dr, East of Lots 6, 7, 8, 9, 10 Block 4 located in the Teasley Subdivision, Twin Falls, Idaho,


_____, Sawtooth District Manager
Intermountain Gas Company
451 Alan Dr,
Jerome, ID 83338



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



April 24, 2017

Lytle Signs
PO Box 305
Twin Falls, Idaho 83303-305

C/O JJ McBride

RE: Lytle Signs/ Morningside Drive

Dear Mr. McBride,

I have reviewed the easement vacation documents for the vacation of easement for Morningside Drive on Lytle Signs property. This Letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the vacation.

If you have any questions, please contact me at 733-6731.

Sincerely,

Jay Barlogi
Twin Falls Canal Company

3RD AV. E

STREET

MADRONA

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

2ND AVE. S89 32E. EAST

TEASLEY SUBDIVISION TWIN FALLS, IDAHO.

IN THE W² SW⁴ SE⁴ SEC. 15 T.10S. R.17E.
1"=100'

KIMBERLY S89 32E ROAD

SOUTH QUARTER
CORNER SECTION
15, T.10S. R.17E.

TEASLEY SUBD.

STATE OF IDAHO
COUNTY OF TWIN FALLS S.S.
KNOW ALL MEN BY THESE PRESENTS:- THAT WE THE UNDERSIGNED DO HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT DESCRIPTION OF THE LAND INCLUDED IN THE "TEASLEY SUBDIVISION" LOCATED IN THE SW⁴ SE⁴ SECTION 15, T.10S., R.17E. B.M. WHICH IS INCLUDED HERewith. SAID LAND BEING SHOWN AND DESCRIBED AS FOLLOWS:- BEGINNING AT A POINT ON THE CENTER LINE OF SECTION 15, FROM WHICH THE SOUTH $\frac{1}{4}$ SECTION CORNER, BEARS S. 0°17'E., 250 FEET DISTANT; THENCE N. 0°17'W. 805.2 FEET. TO TWIN FALLS CANAL CO. LATERAL. THENCE SOUTHEASTERLY ALONG SAID LATERAL 760 FEET + OR -, TO THE CENTER LINE OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE S. 0°12'E. 478.7 FEET, TO THE NORTHEAST CORNER OF THE EVERGREEN COURT TRACT; THENCE N. 89°32'W. 660.8 FEET, CONTIGUOUS TO THE EVERGREEN COURT AND HOAG HOME TRACT, TO THE PLACE OF BEGINNING.
AND WE DO FURTHER CERTIFY THAT IT IS OUR INTENTION TO INCLUDE THE SAME IN SAID PLAT. AND WE DO FURTHER HEREBY DECLARE THAT IN CONSIDERATION OF THE FILING OF SAID PLAT BY THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND THE ACCEPTANCE BY THE PUBLIC OF THE STREETS AND ALLEYS SHOWN THEREUPON WE DO FURTHER GIVE AND GRANT TO THE PUBLIC FOREVER, IN FEE SIMPLE, SUCH PORTIONS OF THE PREMISES PLATTED AS ARE ON SAID PLAT SET APART FOR STREETS AND ALLEYS FOR PUBLIC USE FOREVER.
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13TH DAY OF JUNE 1946.

F.C. Shemberger NOTARY PUBLIC
V.R. Teasley
Blanche E. Teasley

STATE OF IDAHO
COUNTY OF TWIN FALLS S.S.
I HEREBY CERTIFY THAT I PREPARED THE MAP OF THE TEASLEY SUBDIVISION WHICH IS LOCATED IN THE W² SW⁴ SE⁴ SEC. 15 T.10S., R.17E. AND THAT THE SEVERAL BLOCKS AND LOTS ARE STAKED TO CONFORM THEREWITH. SAID LAND BEING SHOWN AND DESCRIBED AS FOLLOWS:- BEGINNING AT A POINT ON THE CENTER LINE OF SECTION 15, FROM WHICH THE SOUTH $\frac{1}{4}$ SECTION CORNER, BEARS S. 0°17'E., 250 FEET DISTANT; THENCE N. 0°17'W. 805.2 FEET. TO TWIN FALLS CANAL CO. LATERAL. THENCE SOUTHEASTERLY ALONG SAID LATERAL 760 FEET + OR -, TO THE CENTER LINE OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE S. 0°12'E. 478.7 FEET, TO THE NORTHEAST CORNER OF THE EVERGREEN COURT TRACT; THENCE N. 89°32'W. 660.8 FEET, CONTIGUOUS TO THE EVERGREEN COURT AND HOAG HOME TRACT, TO THE PLACE OF BEGINNING.
SUBSCRIBED AND SWORN TO BEFORE ME THIS 31ST DAY OF MAY 1946.

F.C. Shemberger NOTARY PUBLIC
J.B. Hays CITY ENGINEER

APPROVED AND ACCEPTED BY THE MAYOR AND COUNCIL
OF THE CITY OF TWIN FALLS, IDAHO THIS 17TH DAY OF
JUNE 1946.

[Signature] MAYOR
[Signature] CITY CLERK

STATE OF IDAHO
COUNTY OF TWIN FALLS S.S.
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF F.C. Shemberger AT 11:45 O'CLOCK A.M. THIS 19TH DAY OF JUNE 1946 IN MY OFFICE AND DULY RECORDED IN BOOK OF PLATS NO. 5-42.
[Signature] DEPUTY
[Signature] EX OFFICIO RECORDER

W.D. Stearns
Mary H. Stearns
Phone 860

254
404
660
122
540



Public Notice on Morningside Dr & 2nd Ave E



Morningside Dr looking South to ROW



Approximate Location of ROW

East side looking West



Public Hearing: **TUESDAY, JULY 11TH, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-b

Request: Request for a [Special Use Permit](#) to replace a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road E within the Aol. [c/o Nate & Carrie Kelsey dba Real Deals](#) (app. 2879)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 1.7 +/- acres
Nate & Carrie Kelsey 4493 Mud Creek Rd Buhl, ID 83316 208.543.5579 nate@realdeals.net	Current Zoning: SUI, Suburban Urban Interface within the Area of Impact	Requested Zoning: Replace a non-conforming use with a non-conforming use
	Comprehensive Plan: Mixed Use	Lot Count: 1 Lot
	Existing Land Use: Vacant	Proposed Land Use: Commercial; Retail Home Furnishings
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: SUI with CRO AOI; Residential	East: SUI AOI; Residential
	South: Pole Line Rd E.; C-1 PUD; Undeveloped	West: SUI AOI; Agricultural/Undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-3-4(A)1.e.,10-4-2, 10-11-1 thru 8, 10-13-2	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the 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:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to replace the previous YMCA Operation, a legal non-conforming use, with a retail home furnishings business, a non-conforming use, at property located at 1881 Pole Line Rd. E.

A special use 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.

History:

According to County Parcel records, the building was constructed in 1978 for the Canyon Wall Racquet Club. It was purchased by the YMCA sometime in the mid 90's and then by the Kelsey's this year. The property's status as legal non-conforming is due to the established land use prior to the adoption of Ordinance 2012, and inclusion within the Area of Impact Agreement.

Analysis:

This is a request to replace a legal non-conforming use, the old YMCA, with a non-conforming use, a home furnishing retail business with storage/warehousing. The property is zoned SUI within the Area of Impact and is located at 1881 Pole Line Rd. E. The SUI Zone does not permit commercial entities except for outdoor public or commercial sports facilities. The applicants are owners of *Real Deals*, a local home goods retailer, who has the need and desire to expand their operation and are requesting the replacement of non-conforming uses, see attachment #1 - applicant's narrative.

The applicants plan on utilizing the existing building on the property, and splitting the uses up with retail space in the front of the building and retail storage in the rear. Through conversations with the applicant, 95% of what is delivered to their current location is sold here in Twin Falls. There are very few times where they will ship items to other stores. There will be 15 employees with varying schedules with 2-4 dedicated to retail, and the others are for the storage part of Real Deals.

The previous use as the YMCA was considered legal non-conforming due to being established prior to current code, which would not permit an "Indoor Recreation" facility in the SUI zone. The SUI zone is generally utilized as a low-density residential or light agricultural zone and as the title suggest on the outskirts of the "urban zone" creating a buffer between city and rural areas.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Mixed Use." Mixed use is a very broad classification, which may encompass many different uses from high density residential through intense/big box commercial. However, mixed-use land uses are generally pedestrian friendly and to a human scale with buildings that are close to the street for. A home-furnishing store falls under a commercial retail use, which fits the Mixed Use designation. Therefore, staff has determined this request complies with the 2016 Comprehensive Plan.

Per City Code 10-3-4: states, ... "A legal nonconforming use involving a building may be resumed or replaced by another nonconforming use by special use permit if said legal nonconforming use has not been discontinued for more than five (5) years. **In addition** to the General Standards, 10-13-2.2(D), applicable to special uses, **the applicant must show that the existing building cannot reasonable be converted to a conforming use.** (Ord. 2555, 7-21-1997)"

Per City Code 10-11-1 thru 8:

Required improvements may include arterial access, arterial and site landscaping, lighting, parking, striping, trash enclosure, hard-surfacing, drainage, storm water, etc... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts:

This is a change from a health gym to a retail store with a storage area. Traffic impacts will have the most effect on adjoining properties and Pole Line Road East. The narrative states they anticipate their customer ratio to be 3-20 people at any one time with 1-2 deliveries (type of delivery trucks was not described) a week containing 5-8 pallets of goods coming in with those deliveries. It is anticipated the retail customers will use the parking to the south along Pole Line Road, thus the noise and traffic impacts will be limited to those areas. As part of the traffic impacts of a retail store a condition requiring portions of Pole Line Road to be constructed with this conversion would be appropriate. These operating measures and conditions should mitigate the most imposing impacts to the surrounding area.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to required site improvements being completed prior to occupancy.
3. Subject to the reconstruction of Pole Line Rd frontage, installation date, width and/or number of lanes to be determined by City Engineer.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Site Photos

1. Provide a Detailed Written Statement On A Separate Sheet Of Paper
Containing:

- a. The reason for the request; currently non-conforming use requesting new non-conforming use.
- b. An explanation of the project, including:

Hours of operation: 9:00AM to 6:00PM Monday - Saturday

Traffic anticipated: approximately 3 – 20 customers during low to peak busy times

Number of Employees: 15 with a varying work schedule. Typically 2-4 employees on a shift depending on busy hours and days for the retail portion. Remaining employees will be 9 to 5 Monday – Friday.

- c. The reason for the request;

Noise; none

Glare; none

Odor; none

Fumes and vibration on adjoining property; none

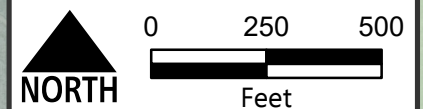
A discussion of the general compatibility with adjacent and other properties in the district.

Note:

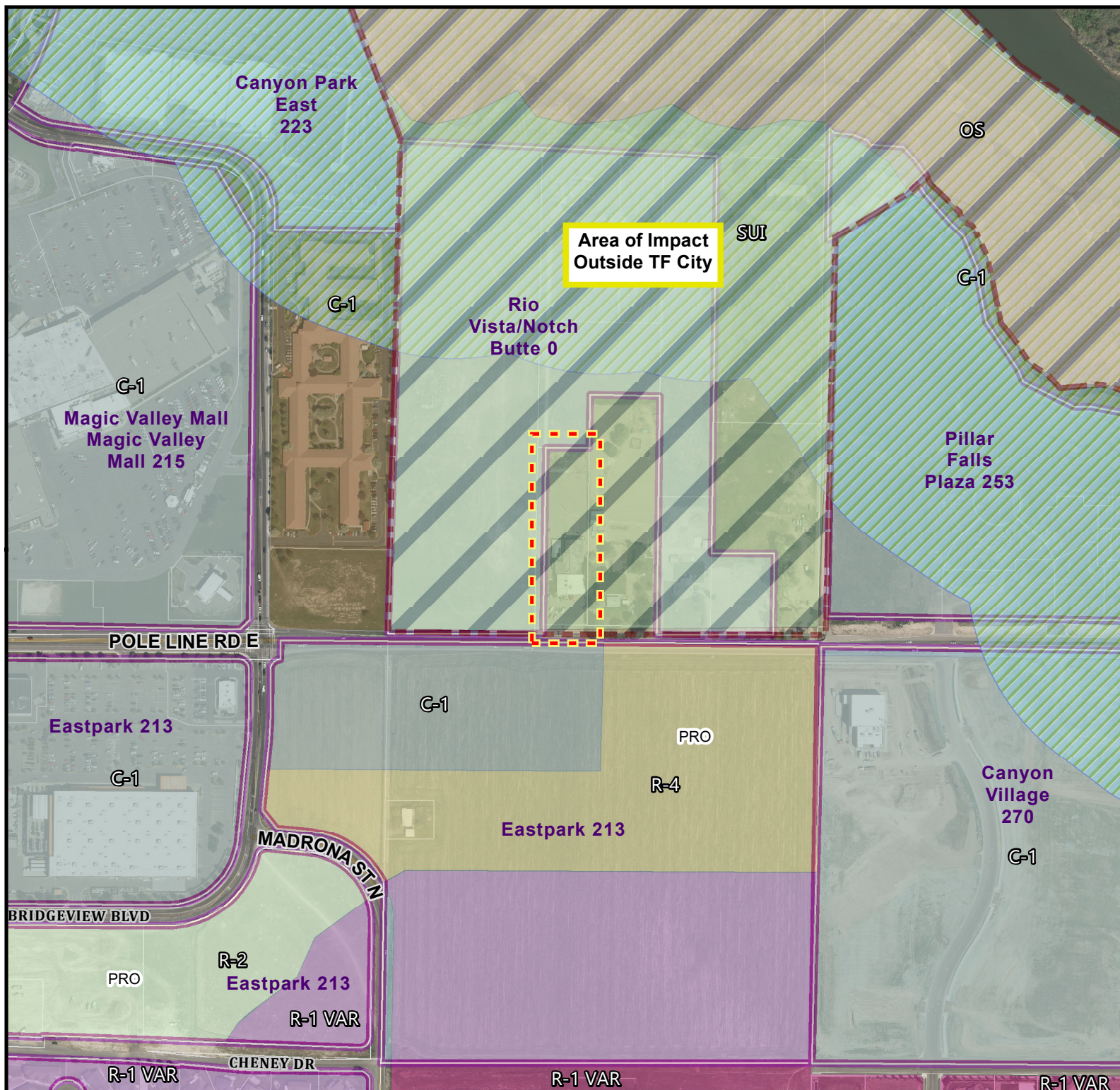
Real Deals on Home Décor is a small franchise born in Twin Falls, ID with 65 plus locations throughout North America. The flagship store, franchise corporate offices, and e-commerce business all reside in Twin Falls. Clearly the citizens of the Magic Valley are at the core of Real Deals' growth since 2003. Therefore, Real Deals desires to move locations from 702 Fairfield St. to 1881 Poleline Rd. East to be more relevant and accessible to customers and in the flow of current retail competition.

Zoning Vicinity Map

-  Canyon Rim Overlay
-  PUD_Overlay
-  Area of Impact
-  C-1
-  OS
-  R-1 VAR
-  R-2
-  R-4
-  SUI



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





3000 4100

1881 POLE

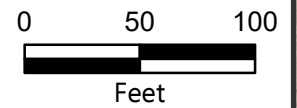
1907 POLE

1943 POLE

1995 POLE

POLE LINE RD E

Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

- Mixed Use
- Open Space
- Town Neighborhood



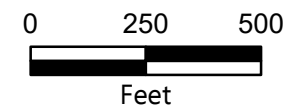
POLE LINE RD E

MADRONA ST

BRIDGEVIEW BLVD

CHENEY DR

CHENEY DR



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

RECEIVED

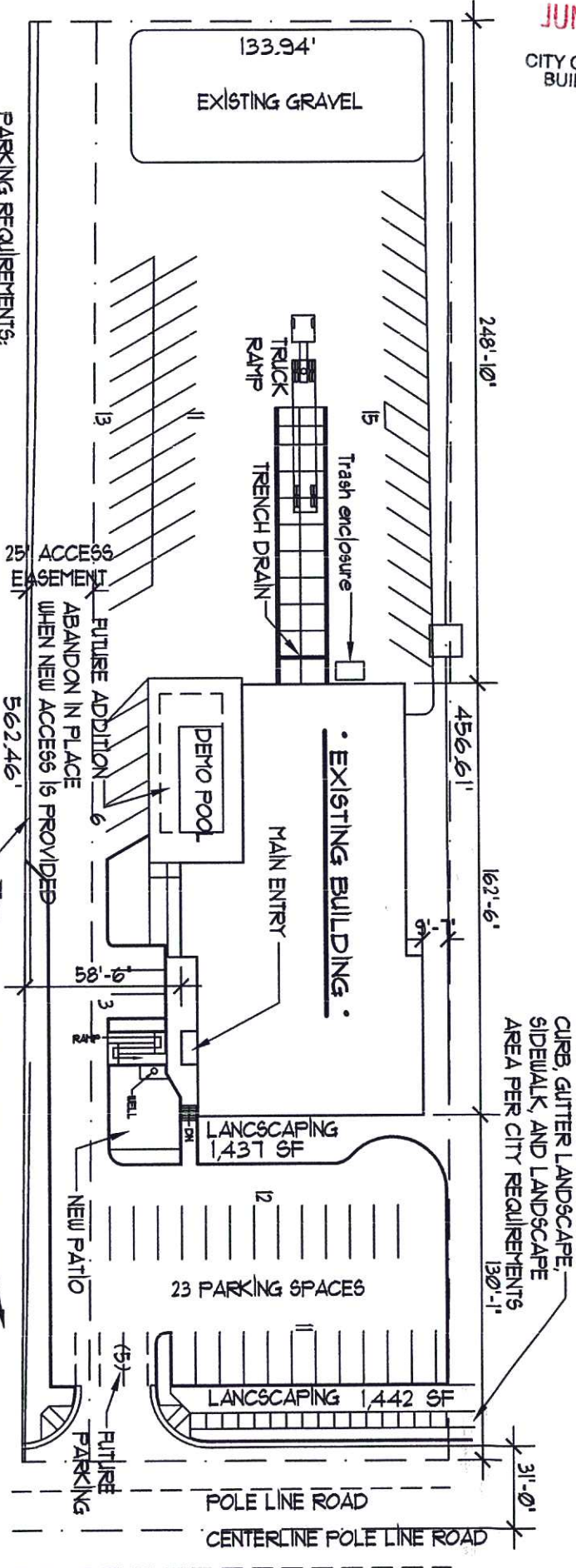
JUN 02 2017

CITY OF TWIN FALLS
BUILDING DEPT.

PARKING REQUIREMENTS:
RETAIL: 1 PER 250
1122 / 250 = 28
BUSINESS: 1 PER 250
5612 / 250 = 23
WAREHOUSE: 1 PER 1000
4260 / 1000 = 4
55 PARKING SPACES REQUIRED
11 PARKING SPACES PROVIDED



• SITE PLAN •
SCALE: 1" = 60'-0"



LANDSCAPE REQUIREMENTS:
50,000 SF OF PAVING X 3% =
1500 SF REQUIRED
2819 PROVIDED

NATE KELSEY
208.731.7076
nate@realdeals.net

Laughlin Ricks Architecture

architecture/planning

935 Shoshone Street North
Twin Falls, Idaho 83301
(208) 736-8050 Fax: (208) 733-0950



Public Notice on Pole Line



Building Face on Pole Line



SE Corner Looking NW



NW Corner Looking SE



NE Corner Looking SW



Public Hearing: **TUESDAY JULY 11TH, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-c

Request: Request for a [Special Use Permit](#) to construct and operate a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue. c/o Joe Silvey dba Superior Woodworking, LLC. (app 2880)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 1.08 +/- acres
Superior Woodworking, LLC c/o Joe Silvey PO Box 5479 Twin Falls, ID 83301 208.733.8644 joe@supwoodworking.com	Current Zoning: M-2, Heavy Manufacturing District	Requested Zoning: approval of a Special Use Permit.
	Comprehensive Plan: Industrial	Lot Count: 1 Lot
	Existing Land Use: Vacant/Undeveloped	Proposed Land Use: Handcrafted Wood Furniture business with an indoor paint booth
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: M-2; Vacant/Undeveloped	East: Grange Ln.; M-2; Manufacturing
	South: Eldridge Ave.; M-2; Storage	West: M-2; Vacant/Undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-10, 10-7-18, 10-11-1 thru 8, 10-13-2	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the date of action (when the Findings of Fact are signed), the 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:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to setup a paint/spray booth in-conjunction with establishing a handcrafted wood furniture/cabinet shop on property located at 2387 Eldridge Ave.

A special use 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.

History:

This Property is lot 1, Block 3 of the Ripley Subdivision, recorded July 1994. It has been vacant since it the agricultural use ceased. The zoning was likely set with Ordinance 2012, which established the zoning codes we utilize today.

Analysis:

This is a request to allow a paint/spray booth in-conjunction with a cabinet and woodworking shop on property located at 2387 Eldridge Ave. The site is an undeveloped 1 +/- acre lot zoned M-2; Heavy Industrial. In the M-2 Zone, making Handcrafted Furniture or Cabinets is an allowed use. However, the applicant wishes to operate a paint/spray booth. A SUP is required for any inside commercial painting in any zone, which allows a commercial operation. The applicant stated they have run out of space and need to expand their operation. The M-2 zone is an appropriate zone for this type of operation.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Industrial." Industrial is defined as appropriate for warehousing, general manufacturing including food processing, and office or corporate type campuses. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-7-18:

Any commercial painting conducted inside a building requires a Special Use Permit.

Per City Code 10-11-1 thru 8:

Required improvements may include landscaping, parking, trash enclosure, access, drainage, storm water, etc... Required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts:

The applicant nor staff anticipate any negative impacts to the surrounding properties, if operated as presented and in compliance with all applicable regulations.

Conclusion:

Should the Commission grant this request as presented; staff recommends approval be subject to the following condition:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to site improvements being completed prior to occupancy.

Attachments:

- | | |
|----------------------------------|-----------------------------------|
| 1. Letter of request | 6. Applicant Submitted Elevations |
| 2. Zoning Vicinity Map | 7. Site Photos |
| 3. Aerial Photo Map | |
| 4. Future Land Use Map | |
| 5. Applicant Submitted Site Plan | |



PO Box 5479
631 5th Avenue West
Twin Falls, Idaho 83301
(208) 733-8644
(208)731-3210 Joe Silvey

May 26, 2017

RE: Special Use Permit – for Property Located at 2387 Eldridge Ave., Twin Falls, Idaho

FOR: Superior Woodworking, LLC
631 5th Avenue West
Twin Falls, Idaho 83301

To Whom it May Concern:

We are a locally owned Cabinet Shop. We have been in business for 20 years in Twin Falls. We have run out of space at our current location and are looking to build a larger facility to meet our growing needs. Our hours of operation are, 8:00 a.m to 5:00 p.m. Monday through Friday. We currently employ 3 full time employees, other than the 2 owners. The traffic that would be in and out of the property would be the employees and few customers each week.

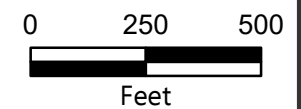
All noise and equipment is confined within the building. There would be no glare and any odors and dust would be taken care of with a spray booth and dust collection. The addition of our building to this industrial park would be compatible to the surrounding businesses.

Thank you for your consideration,

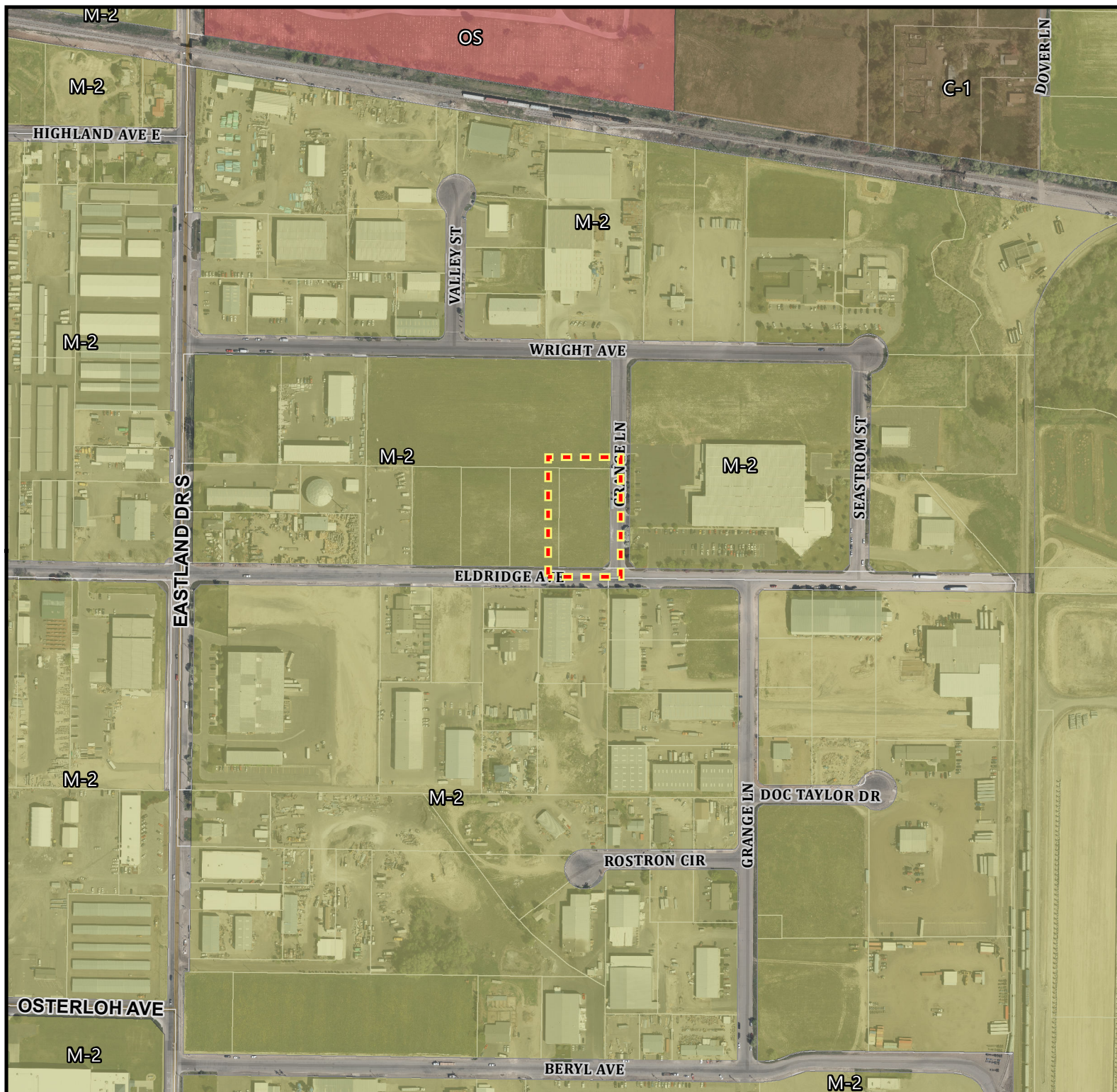
Samuel A. "Joe" Silvey
Owner
Superior Woodworking, LLC

Zoning Vicinity Map

- C-1
- M-2
- OS



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





2335
ELDRI

2361 ELDRI

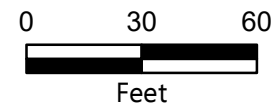
2387 ELDRI

GRANGE LN

456 SEASTR

ELDRIDGE AVE

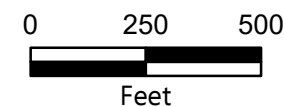
Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Future Land Use Map

Industrial



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Level 2
18' - 0"

Level 1
0' - 0"

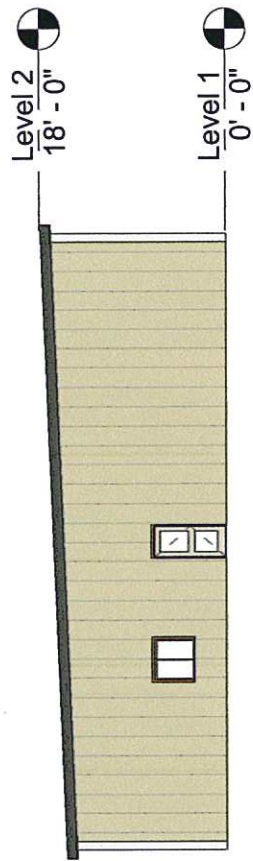
1 South
1/16" = 1'-0"

Level 2
18' - 0"

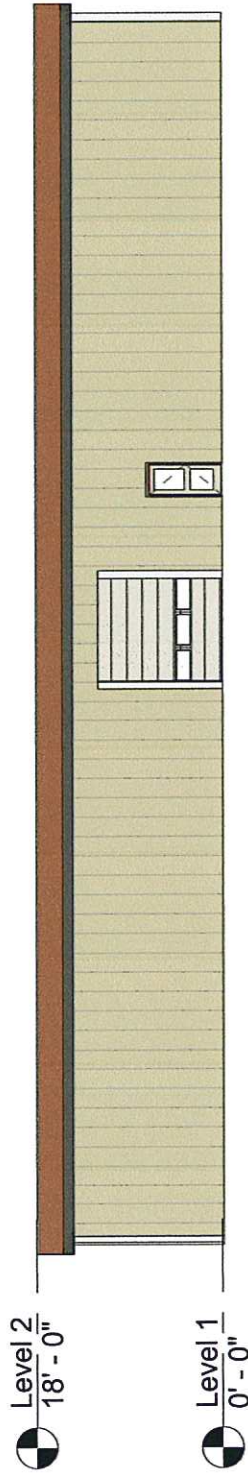
Level 1
0' - 0"

2 West
1/16" = 1'-0"

LAUGHLIN RICKS ARCHITECTURE



① North
1/16" = 1'-0"



② East
1/16" = 1'-0"

LAUGHLIN RICKS ARCHITECTURE



Public Notice along Eldridge Ave



Public Notice along Grange Ln



SW Corner Looking NE



Public Hearing: **Tuesday, July 11th, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-d

Request: Request for a [Special Use Permit](#) to establish a Residence Hall, Residence Hotel or Rooming House on property located at 640 Filer Ave West. [Early Days, LLC c/o Gerald & Millie McNabb \(app 2881\)](#).

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 4.383 (+/-) acres
Early Days, LLC Gerald & Millie McNabb 1453 W Tyhee Rd Pocatello, ID 83202 208.339.2081 MyCozyRental@gmail.com	Current Zoning: R-6, Residential High Density District	Requested Zoning: SUP for a Residence Hall, Residence Hotel or Rooming House
	Comprehensive Plan: Town Neighborhood	Lot Count: 5 lots
	Existing Land Use: Vacant assisted living facility	Proposed Land Use: Residence Hall, Residence Hotel or Rooming House
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: R-4 PUD (#202), Residential	East: R-6; Assisted Living Facility
	South: Filer Ave W.; R-2; Vacant; R-6; Vacant	West: Wendell St; R-2; Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-6, 10-11-1 thru 8	

Approval Process:

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

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the 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:

Approval of this request will have a negligible impact on the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with applying for building permits to convert the facility from an assisted living to a Residence Hall, Residence Hotel or Rooming House.

A special use 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.

History:

The Skyview Manor Assisted Living was established in the early 1960's and operated until recent years when it closed its operation. The applicant purchased the property in March of this year and started the process to prepare the property and facility to convert to a boarding house. The Zoning was likely set in 1981 with the adoption of Ordinance 2012, and SUP # 66 was granted to expand the nursing home in April 1981.

Analysis:

This is a request to establish a Boarding Home facility on property located at 650 Filer Ave W. The site consists of 4.4 +/- acres and is zoned R-6. A Special Use Permit is required to operate a Residence Hall, Residence Hotel or Rooming House within the R-6 Zoning District. The narrative states there could be a total of 90 units, allowing one (1) resident per room, and 2 full-time employees to operate the facility. This is a decrease in use from 140 nursing home residents with 30+ employees. At this time it is difficult to determine if the decreased amount of residents and employees will result in a decrease in impacts. As with many assisted living operations, many residents are not able to transport themselves and therefore did not own or operate vehicles. However, the newly requested use is on the other end of the spectrum, in that many residents will be independently mobile and will likely make normal daily trips in and out to work, school, shopping, ect. There are many variables when considering these impacts but the potential is there.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood." Town Neighborhood is primarily utilized for residential and many uses which support residential use such as parks, schools, and other limited civic functions. A boarding house will provide residential housing within a Zone and area that has existing infrastructure, thus fitting in the Town Neighborhood designation and other goals listed in the Comprehensive Plan. Staff has determined this request complies with the 2016 comprehensive plan.

Per City Code 10-4-6:

A Boarding House requires a Special Use Permit before being established.

Per City Code 10-11-1 thru 8:

Required improvements may include landscaping, parking, striping, trash enclosure, surfacing, lighting, access, drainage, storm water, etc.... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts:

This request, though it reduces the amount of potential individuals living at this location on a regular basis, could increase both noise and vehicular traffic due to the anticipated increase in number and mobility of the new residents. At full capacity, 90 residents could produce vehicular traffic above the amounts witnessed for the previous land use. It is not anticipated the change in Land Use will degrade the road network in the area below acceptable levels.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to site improvements being completed prior to occupancy or upon approval of a deferral agreement.
3. Subject to dedication of any additional right-of-way as may be required.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Future Land Use Map
5. Applicant Submitted Site Plan
6. Site Photos

June 7, 2017

Special Permit Application

4. Provide a Detailed Written Statement On A Separate Sheet Of Paper Containing:

a. The reason for the request; 640 Filer Ave West was built as an assisted living center and operated as such for over 50 years. In its prime it housed approximately 140 residents and employed 30 people. We purchased the building with the intent to repurpose the use to a residence hall with approximately 90 residents each with a sleeping room with a bathroom included.

b. An explanation of the project, including: i. Hours of operation; The building will be open 24 hours a day. Tenants, tenant visitors, property employees, and contractors will have access to the building.

ii. Traffic anticipated; We anticipate that the traffic will be similar to the previous use. There will be fewer residents, and fewer delivery trucks.

iii. Number of employees, etc. The previous use as an assisted living facility employed at least 30 people. We plan to have 2 employees. We will have a manager and a maintenance person.

c. An evaluation of the effects on adjoining property including the effect of such elements as:

i. Noise; The noise level will be similar to or less than the previous use. There will be fewer residents, fewer employees and fewer delivery trucks to the property.

ii. Glare; The glare will be similar to the previous use. The lights at night will be the existing night guard lights and from the hallways, which are interior to the building.

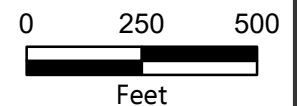
iii. Odor; The odor will likely be similar to the previous use.

iv. Fumes and vibration on adjoining property; Fumes and vibrations will be minimal from normal cleaning and repairs.

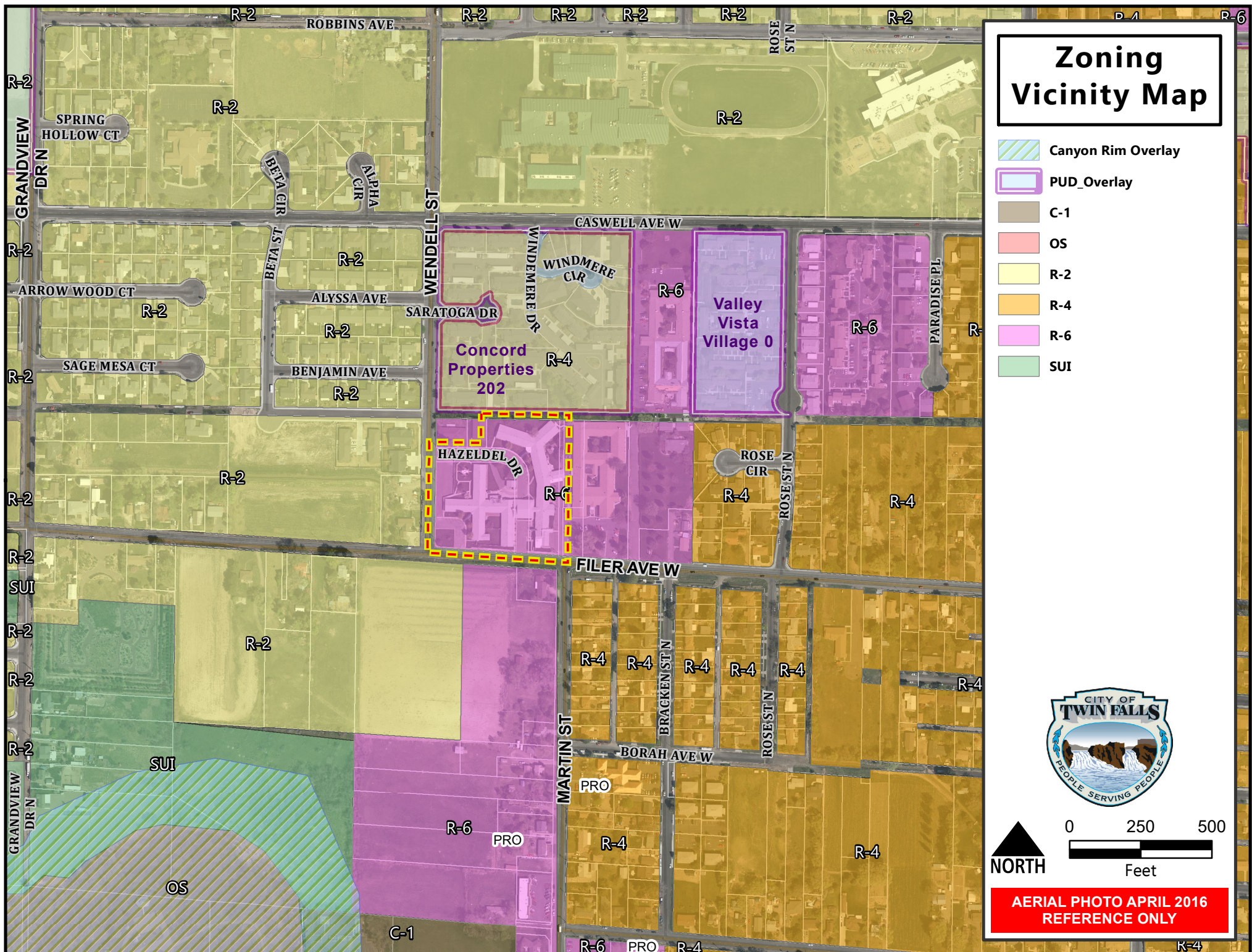
v. A discussion of the general compatibility with adjacent and other properties in the district. The property is zoned R-6 which is compatible with the neighboring properties, which include an assisted living center, apartments, and land being offered for sale for development as multi-family dwellings. Newer nearby structures were deemed compatible by the builder and the city at the time they were constructed.

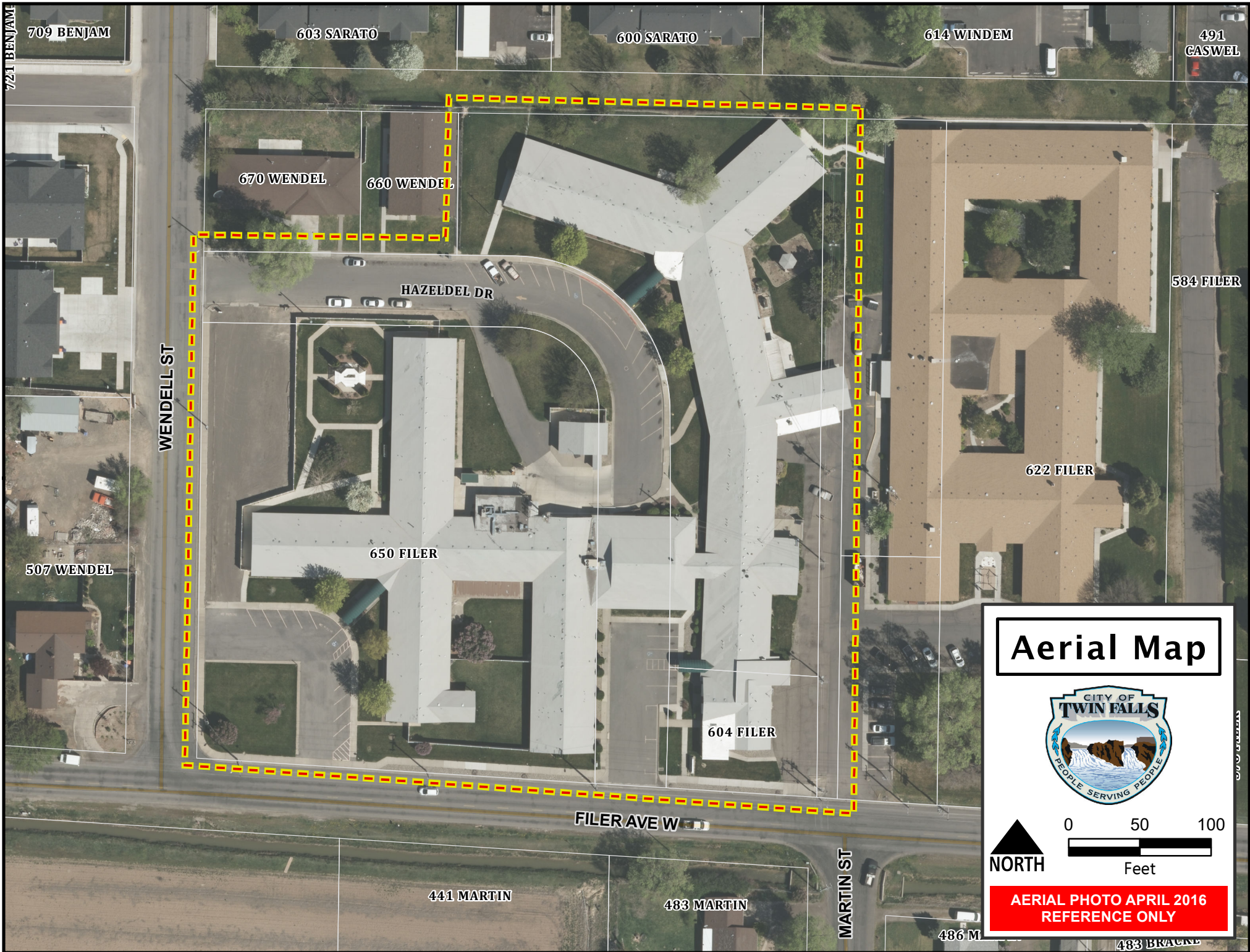
Zoning Vicinity Map

-  Canyon Rim Overlay
-  PUD_Overlay
-  C-1
-  OS
-  R-2
-  R-4
-  R-6
-  SUI



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**





Aerial Map

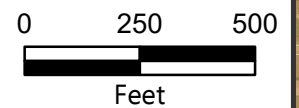


0 50 100
Feet

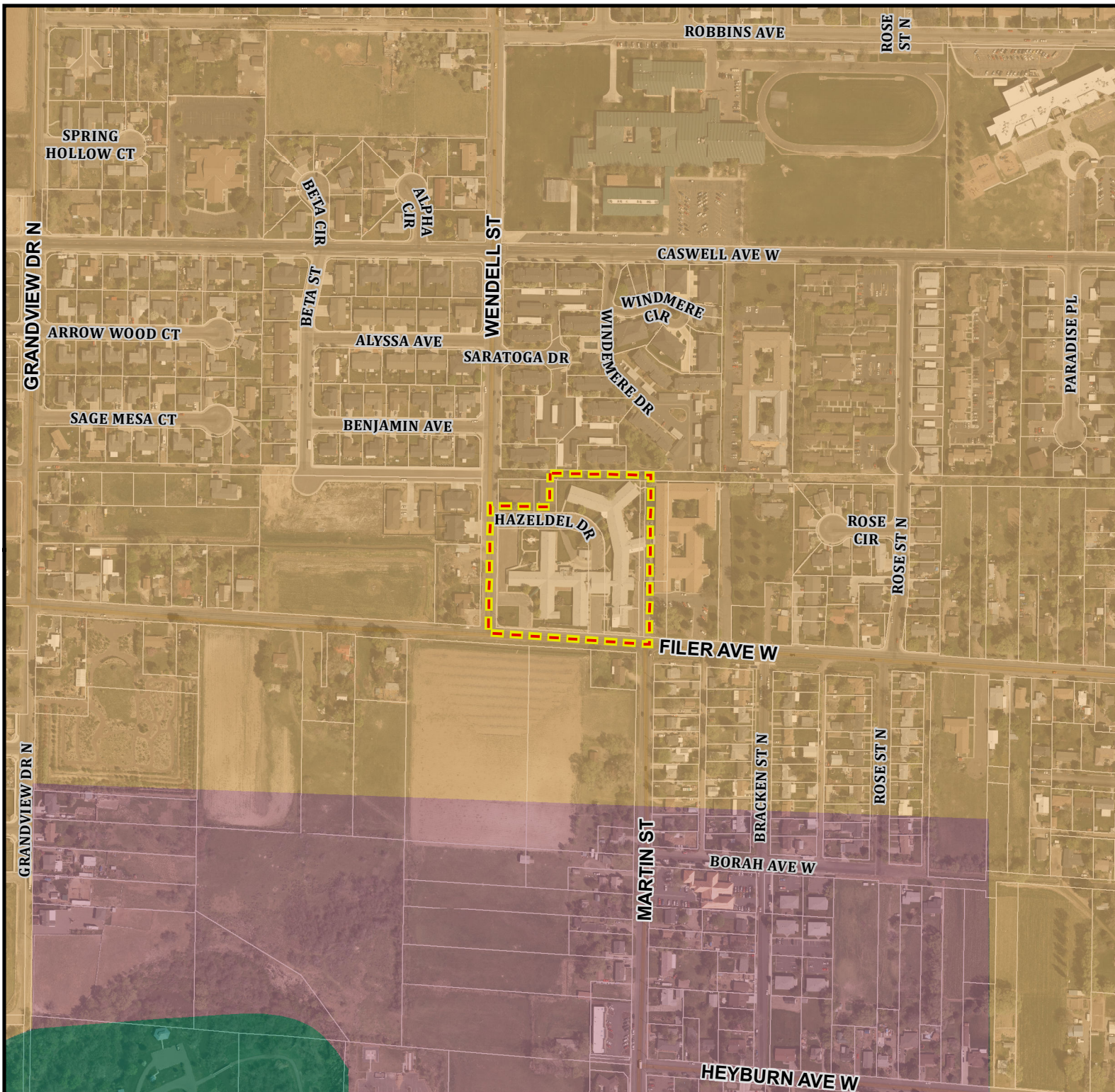
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

-  Neighborhood Commercial
-  Open Space
-  Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



REQUIRED INFORMATION

- 1 NORTH ARROW
- 2 SCALE OF DRAWING
- 3 LEGAL DESCRIPTION
- 4 OWNERS NAME, ADDRESS & PHONE NUMBER
- 5 PROPERTY LINE & LOT DIMENSIONS
- 6 STREET NAME
- 7 SET BACKS - FROM PROPERTY LINES - FRONT, BACK, SIDE
- 8 LOCATION OF ALL BUILDINGS SQUARE FOOTAGE & DIMENSIONS
- 9 ACCESS - DRIVEWAY OR ARTERIAL IF REQUIRED
- 10 FRONT ENTRANCE
- 11 SIGN - LOCATION & SIZE
- 12 FIRE LANES
- 13 PARKING PLAN, N SPACES SHOWN & N SPACES REQUIRED
- 14 LANDSCAPING & SQUARE FOOTAGE
- 15 HEIGHT & TYPE OF FENCE
- 16 DIRECTION OF TRAFFIC FLOW

NOTE REGARDING ITEMS 5,7,8,12:

THIS PROJECT IS A REMODEL. THE BUILDING EXTERIOR HAS NOT CHANGED SINCE IT WAS ORIGINALLY APPROVED

NOTE REGARDING 14:

NET LANDSCAPE HAS BEEN REDUCED BY APPROX. 5,820 sq ft.

NOTE: DRAWING SIZE 8 1/2" X 11"

DESCRIPTION:

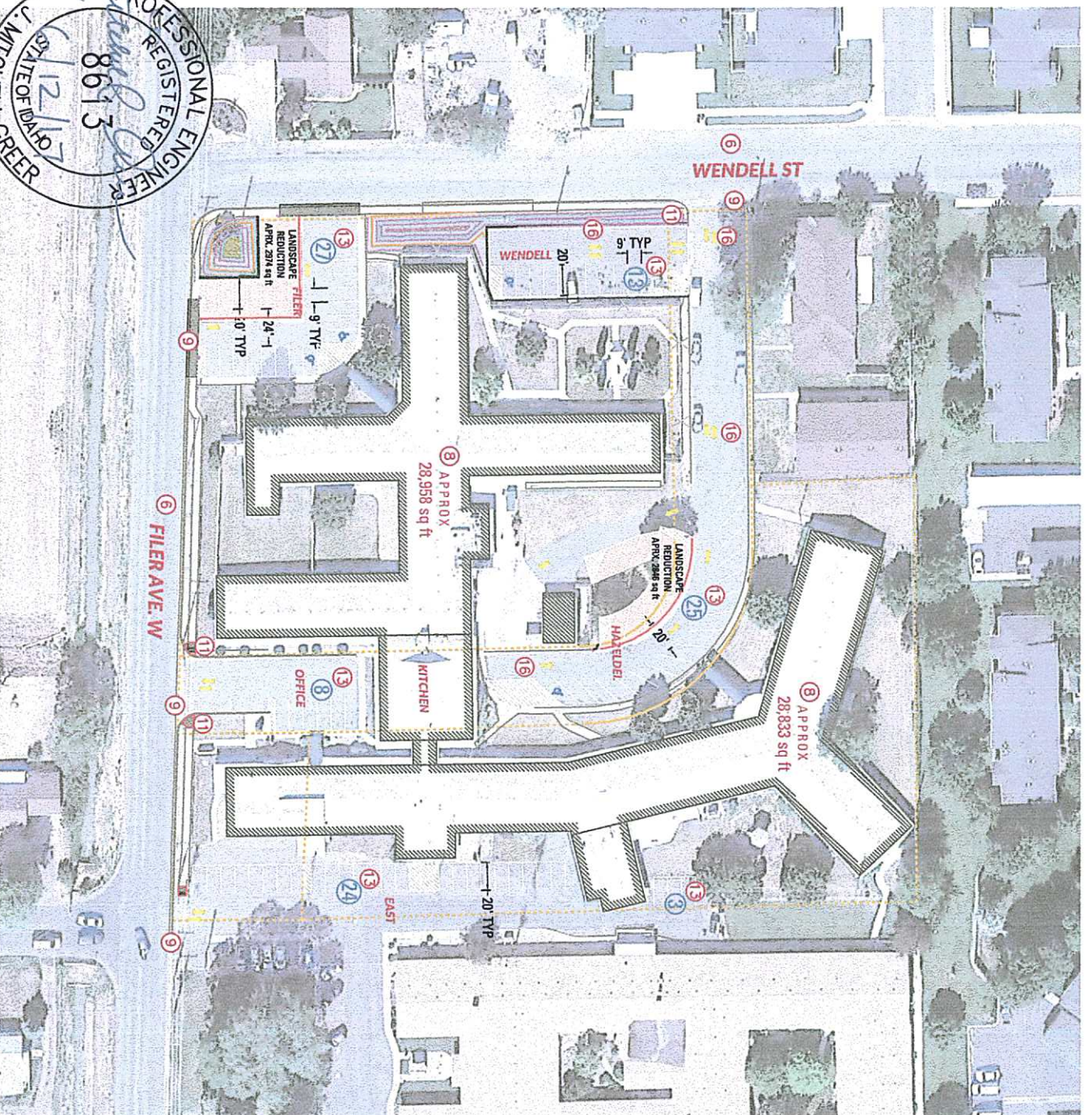
- 3 TWIN FALLS DRAKE SUBDIVISION BLOCK 1, (LOTS 8-10-17 NW) VACATED HAZEL DELL DRIVE

Gerald McNabb

208-339-2081

14053 W Tyhee Rd

Pocatello, ID 83201



RIVER RIDGE CENTER





Public Notice on Filer



Public Notice on Wendell



SW Corner Looking NE



NW Corner Looking SE



Interior Traffic Circle