



Twin Falls Planning & Zoning Commission Agenda

Tuesday, January 28, 2020, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301
Council Chambers

Members -

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

Area of Impact: Ryan Higley; David Detweiler

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) **ACTION ITEM:** Approval of Minutes from the following meeting: January 14, 2020
- 3) Items of Consideration
 - a) **INFORMATIONAL:** Preliminary Presentation for a Zoning District Change and Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at Parcels RP09S17E300660, RPO23010000010 & RP09S17E310610 c/o EHM Engineers, Inc. on behalf of Steve Shotwell, Molivia, LLC (PZ19-0165)
By: Jonathan Spendlove
 - b) **INFORMATIONAL:** Preliminary Presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at 650 Addison Ave West. c/o Bob Beer on behalf of Twin Falls County. (PZ19-0167)
By: Brock Cherry, City Planner
- 4) Public Hearings
 - a) **ACTION ITEM:** Request for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154)
By: Brock Cherry, City Planner
 - b) **ACTION ITEM:** Request for a Special Use Permit to allow a Home Occupation on property located at 435 Fillmore Street c/o Darcy Thomas. (PZ19-0157)
By: Brock Cherry, City Planner
 - c) **ACTION ITEM:** Request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South c/o Kate Hahn on behalf of Chad Babcock. (PZ19-0158)
By: Brock Cherry, City Planner

- d) **ACTION ITEM:** Request for a Special Use Permit to allow a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue c/o Jeff Jones on behalf of Joni Schwertfeger-Jones. (PZ19-0161)

By: Brock Cherry, City Planner

5) Upcoming Meeting(s)

- a) Worksession: Wednesday, February 5, 2020
Tuesday, February 11, 2020

6) Adjournment

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

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 14, 2020, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

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

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

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

Members Present: Titus, Kelley, Perez, Musser, Higley, Hansen

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

2) Consent Calendar

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

Unanimously approved

- a) Approval of Minutes from the following meeting: November 19, 2019
- b) Approval of Minutes from the following meeting: December 10, 2019
- c) Approval of Minutes from the following meeting: January 8, 2020 WS

3) Items of Consideration

- a) Request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

Staff Presentation:

City Planner O'Connor presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in

writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

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

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

Applicant Presentation:

Steven Anderson, representing applicant, presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision. He stated the roadway approaches will line up with El Camino Avenue across the street.

PZ/Questions & Comments:

- Commissioner Hansen asked what has been approved on this property recently.
- City Planner O'Connor clarified when this property came before the commission previously.

Public Hearing: Opened and Closed without input

Discussions Followed: without concern

Motion:

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

Commissioner Musser seconded the motion.

Unanimously Approved

4) Public Hearings

- a) Request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

Staff Presentation:

City Planner Cherry presented the request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

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.

This is a request to vacate right of way within a portion of Lots 1 & 2, Block 1 of the Locust Grove North Subdivision located at 1629 & 1643 Locust Street North. Per the applicant the purpose of the proposed vacation is put the surplus of right of way back into private ownership, which would allow the subject property more landscaping, parking, and signage.

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

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

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

Applicant Presentation:

Gerald Martens, representing applicant, presented the request for a vacation of the right of way on property located at 1629 and 1643 Locust Street. He stated the owners would like use of the right of way for parking, landscaping, and signage. He presented the benefits to the City.

PZ/Questions & Comments:

- Commissioner Hansen asked if the land has been landscaped.
- City Planner Cherry clarified what is in the right of way currently. There is a desire to build signage in the right of way.
- Commissioner Musser asked if this occurs further along the street.
- PZ Director Spendlove clarified where the right of way exists.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to City Council of the request, as presented, with staff recommendations.

Commissioner Higley seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

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

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

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

Per County records the primary residence on the subject property was built in 2018.

This is a request to allow a Home Occupation for a Med Spa Business located at 850 Cambron Avenue. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to provide med spa services including facials, Botox, hair removal, and hair restoration. The services will be provided in an approximate ninety (90) square foot room in the applicant's home.

The applicant will serve one (1) to two (2) customers at a time. Hours of operation will be Monday through Friday from 9:00 AM to 6:00 PM and Saturdays by appointment only.

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

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

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

Applicant Presentation:

Maricruz Davis, applicant, presented her request for a Special Use Permit to allow a Home Occupation. She stated she would have clients come to her residence for medspa services. She stated this is a temporary situation, as she wants to open a store front eventually. Clients would be seen by appointment only and she would service one customer at a time. She stated she is licensed with all agencies necessary. There will be no signage.

PZ/Questions & Comments:

- Commissioner Hansen asked for the maximum customers the applicant would see in a day.
- Applicant Davis stated 10 customers would be the maximum number of customers in a day, but not at this time as she is establishing clientele.
- Commissioner Perez asked for the timeline for her to move to storefront.
- Applicant Davis stated she is hopeful that she can be in a storefront in six months or less, as that is still in the early stages.

Public Hearing: Opened

HOA president, Robert Taylor, stated the concerns of the neighbors in the development. He

stated these residents purchased their homes as retirement homes, intentionally away from commercial development. He stated there is a concern that more home businesses will follow, increasing noise and traffic to the area. The neighbors are concerned that home occupations in the neighborhood will increase traffic, create parking issues, and change the quality of life in the upscale development. There is also a concern that she will expand her business in her home past the stated square footage. He stated the development is currently 1/3 and there is much construction going on now. He stated the neighbors understand the desire to have business, but don't want to be burdened with traffic or other businesses in neighborhood. There is a concern with the proper licensing and disposal of bio-hazard materials (chemicals/needles). He concluded that the neighbors would like to request strict limitations for future exemptions that would change quality of life, such as hours of operation, length of time allowed to operate out of the home.

Applicant closing statement:

Applicant Davis stated she realizes there are concerns by her neighbors. She stated that her property is not in a high traffic area and as the traffic from construction will subside as home are completed. She stated the only the people on her block would be affected. She stated there are three parking spots at her property to accommodate customers. The room size will accommodate her services. There is no plan for expansion. She stated she cannot speak to other business coming in to the neighborhood. She addressed the medical waste concern, as she is licensed and will dispose of the medical waste properly. She is willing to work with the hours of operation.

Public Hearing: Closed

Discussions Followed:

- Commissioner Higley stated he understands concerns, but feels there are ways to find a happy medium.
- Commissioner Perez stated she would be okay with restrictions, and believes the applicant is motivated to comply and move to store front out of house.
- Commissioner Hansen asked how the CCR's come into play.
- City Attorney Nope stated the city has no bearing on CCR's, and if the SUP is approved, does not supersede the CCR's.
- Commissioner Hansen asked if the roads are private or public.
- PZ Director Spendlove stated the roads are public.
- Commissioner Higley suggested putting a limit to a one year SUP, no more than four (4) customers a day, and no employees.
- Commissioner Hansen asked if 10 cars a day would be excess. He stated he does not believe it is excessive with construction going on now.
- Chairperson Titus stated she does not believe as 1/3 complete, ten (10) cars is not excessive with the current construction going on and does not believe limiting to four (4) customers is reasonable.
- PZ Director Spendlove stated studies on trip generation and 9.44 trips per each single family dwelling a day is the average. The impact would be as of one extra home habitable in the neighborhood.
- PZ Director Spendlove stated they can bring SUP to reevaluate in one year.
- Commissioner Perez agreed limiting the number of customers would inhibit business and is okay with a reevaluation.

Motion #1:

Commissioner Hansen made a motion to approve the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Diaz, as presented with staff recommendations.

Commissioner Musser seconded the motion.

Motion #2:

Commissioner Higley made a motion add a condition to reevaluate the Special Use Permit one year from the date of approval.

Commissioner Musser seconded the motion.

Vote on Motion #2:

Unanimously Approved

Vote on Motion #1:

Unanimously Approved

- c) Request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

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

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

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

Per City and County records the initial Special Use Permit was approved on March 31st 1981 for the Head Start (daycare) Center. The initial Head Start Facility was constructed in 1983. Since that time the subject property has been operated as a school/daycare facility. This is a request to allow the expansion of an existing school/daycare facility located at 296 Falls Avenue West (or per County Records 308 Falls Avenue West). The subject property is located within the R-4 (Residential Medium Density) Zoning District.

Per the applicant the expansion includes a new 6,257 square foot building, 47 space parking

lot, a new fenced playground, and a reconstructed driveway entrance.

The expansion will continue to serve the approximately 100 children already enrolled in CSI Head Start programs. Upon completion of the project 40 children will be moved to the new building and the other 60 will remain in the existing facilities. The applicant employs approximately 27 employees. The applicant intends to operate from 8:00 AM to 5:00 PM Monday through Friday.

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

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

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

Applicant presentation:

Mr. Wayne Thowless, LKV Architects, representing app, presented the request for a Special Use Permit to allow the expansion of an existing school/daycare for CSI Head Start/Early Head Start. The facility now services 100 students with a 1/2 day program. With the new building, they would be able to offer a full day program for those students. Mr. Thowless explained the layout of the property. There will be screening around the complete property, with landscaping to city code.

PZ/Questions & Comments:

- Commissioner Perez asked staff about the proposed screening material and would chain link be sufficient.
- PZ Director Spendlove stated code states required between residential and manufacturing/trade use, but it may be required with a SUP process at the commissions discretion to dictate type and if required.
- City Planner Cherry stated there are a variety of fencing in the area.
- Mr. Thowless stated most of the surrounding residences have their own fencing, and they are not relying on that screening. He is proposing chain link with slats around the property.
- Commissioner Kelley asked is proposed screening is within compliance of current code.
- PZ Director Spendlove gave commission their three choices on how they could go with the screening: require screening and certain material, require screening, or approve as presented.
- Chairperson Titus asked applicant if the existing playground is fenced.
- Applicant Ruby Allen clarified the current screening around the playground.
- Commissioner Musser asked if existing SUP required fencing.
- City Planner Cherry clarified what is on the current SUP. There was no screening requirement.

Public Hearing: Opened and closed without input

Applicant Final Statement:

The applicant stated they are excited to expand their services within facility.

Discussions Followed:

- Commissioner Kelley stated he is content with proposed screening.
- Commissioner Hansen he agreed and would vote to accept as presented.
- Commissioner Perez stated her concern is the parking lot goes to back of property and headlights shining into residences. She would be okay with a screening requirement.
- Commissioner Kelley stated being on Falls Ave, he believes landscaping and parking is required by code and is good as presented.
- Chairperson Titus agreed the additional foliage will help, and this will be a vast improvement to site.

Motion:

Commissioner Kelley made a motion to approve the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)
Commissioner Higley seconded the motion.

Unanimously Approved

5) Upcoming Meeting(s)

- a) Tuesday, January 28, 2020.

6) Adjournment

The meeting adjourned at 7:15 pm.



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning and Zoning Department

INFORMATIONAL

Request:

Preliminary Presentation for a Zoning District Change and Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at 2746 E 4200 N c/o EHM Engineers, Inc. on behalf of Steve Shotwell, Molivia, LLC (PZ19-0165)

Time Estimate:

Five (5) to ten (10) minutes for Staff and Applicant presentation; Five (5) minutes for Commission questions and discussion.

Background:

NA

Approval Process:

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

Budget Impact:

Regulatory Impact:

NA

History:

N/A

Analysis:

This is a preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at ParcelsRP09S17E300660, RPO23010000010 & RP09S17E310610.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public.

This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the

applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting February 11th, 2020. Further staff analysis will be provided at that time.

Conclusion:

Staff makes no recommendation at this time.

Attachments:

1. PZ19-0165Prelim ZDA Staff Report
2. Vicinity Map
3. Narrative
4. Site Plan
5. Photos
6. Proposed ZDA Language



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brock Cherry, City Planner

Request: Preliminary presentation for a request for a **Zoning District Change & Zoning Development Agreement** from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at Parcels RP09S17E300660, RPO23010000010 & RP09S17E310610.

Application: PZ19-0165

Steve Shotwell, Molivia, LLC

c/o Tim Vawser

EHM Engineers

621 North College Rd, ste 100

Twin Falls, ID 83301

208.734.4888

Prelim. Presentation: 1/28/2020; Public Hearing: 2/11/2020

Analysis

This is a preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at Parcels RP09S17E300660, RPO23010000010 & RP09S17E310610.

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

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting **February 11th, 2020**. Further staff analysis will be provided at that time.

Approval Process

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a

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

Applicable Regulations or Codes

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

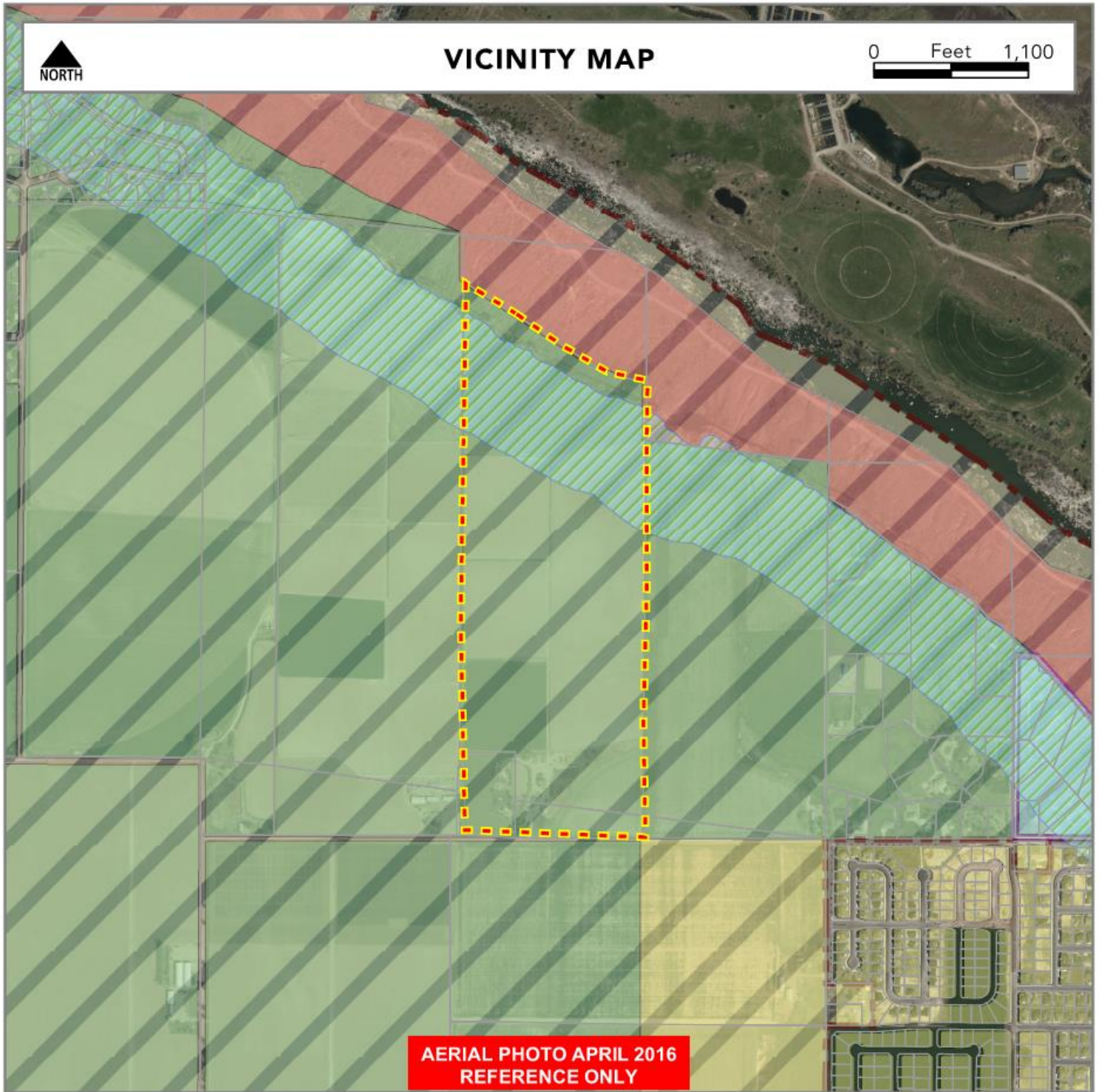
Conclusion

Staff makes no recommendation at this time.

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos
5. Proposed ZDA Language

Prelim. Presentation: 1/28/2020; Public Hearing: 2/11/2020



- | | | | |
|--|-----|--|-----|
| | CRO | | R-2 |
| | PUD | | SUI |
| | OS | | AOI |

Current Zoning: SUI & CRO

Comprehensive Plan: Rural Residential

Existing Land Use: Single Family, Agriculture, Vacant/Undeveloped
Proposed Land Use: Single Family Residential

Surrounding Zoning Designations & Land Use(s)

North: OS, Snake River Canyon	East: Single Family, Agriculture/Undeveloped
South: SUI, Agriculture/Undeveloped	West: Single Family, Agriculture/Undeveloped

Applicable Regulations
 10-4-2, 10-4-19, 10-6

MOLIVIA SUI & CRO, ZDA
APPLICATION NARRATIVE

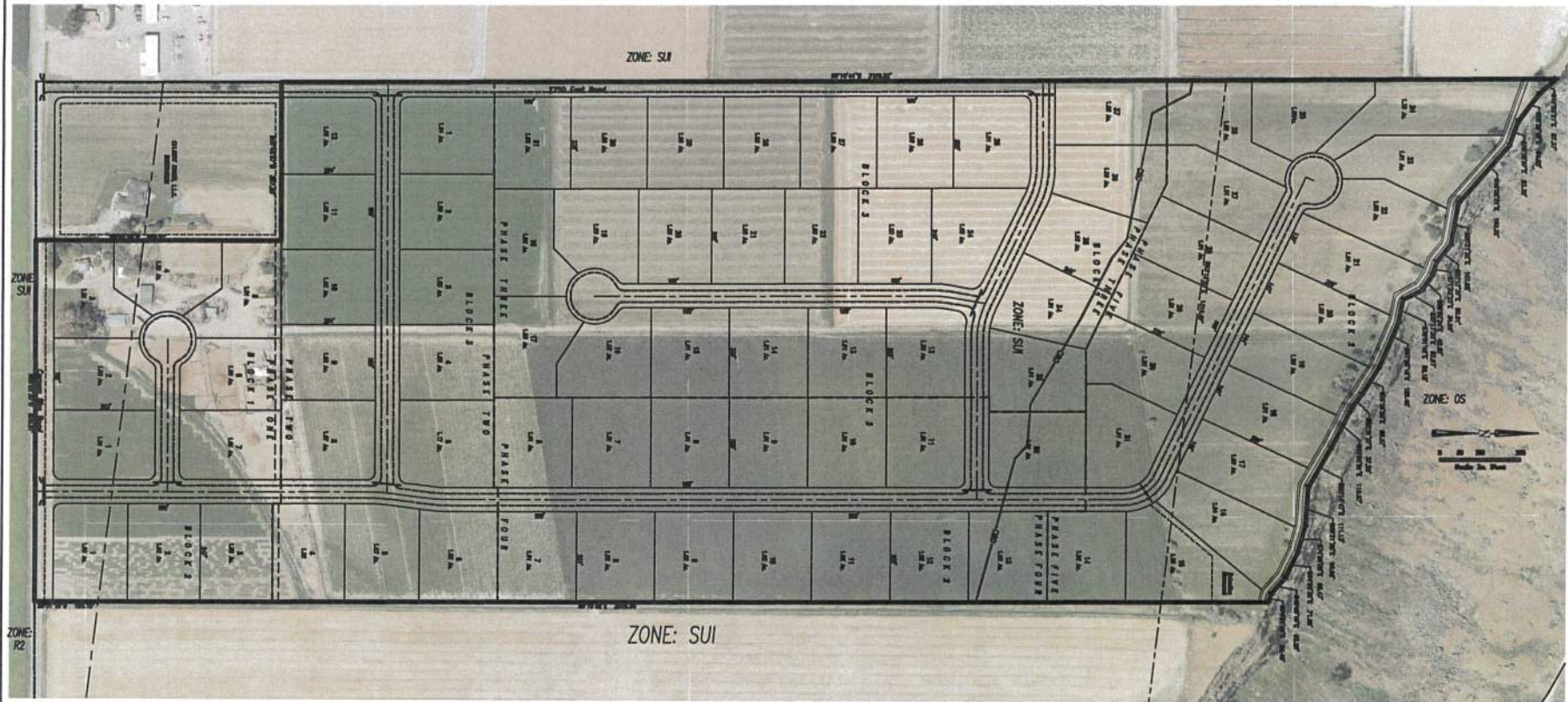
4.a. The reason for the request is to clarify the uses and development requirements intended for the parcel. With developers being unsure of what the future holds for properties within the impact area as far as zoning and development standards this application is intended to create a certainty that can be counted on going forward in the platting process. It reiterates that roads will be to Twin Falls Highway District standards and that all pressure irrigation will be private to the subdivision. It also establishes building setback lines adjacent to the Canyon Rim.

4.b.i. The proposed change to the development is compatible with the Comprehensive Plan in the Rural Residential land use defined in the future land use map in the comprehensive plan.

4.b.ii. This development would be compatible with the neighboring properties as the develop out in conformance with the comprehensive plan since the plan calls for residential uses for this property as well as those surrounding this property as they are developed.

4.b.iii. The intended use of the development is for single family homes on one acre or larger lots. The plan is to develop the property over several phases.

4.b.iv. Specific exceptions of uses include a roadway development to be in accordance with the Twin Falls Highway District, private pressure irrigation and distribution system as opposed to a City operated system, phasing allowances of development, and setbacks adjacent to any land that would dedicated to a path system along the Snake River Canyon Rim.



PHASES / LOT COUNT
 PHASE 1 10 LOTS
 PHASE 2 10 LOTS
 PHASE 3 10 LOTS
 PHASE 4 10 LOTS
 PHASE 5 10 LOTS
 5 PHASES OF 10 LOTS EACH

EXISTING ZONE FOR PROPERTY: SUI W/ CRO
 PROPOSED ZONE FOR PROPERTY: SUI W/ CRO, ZDA

EXHIBIT A

McCLIVIA ZDA
 Located In
W2 E2, Section 30
 And
NW4 NW4, Section 31
 T. 9 S., R. 17 E., RM.
 Twin Falls County, Idaho

Preliminary Plat For McCLIVIA, LLC Twin Falls, Idaho	
 EHM Engineers, Inc. Engineers / Surveyors / Planners 601 North College Road, Suite 100, Twin Falls, Idaho 83401 p (208) 735-4800 fax (208) 735-4808 web ehmeng.com	PREPARED BY EHM ENGINEERS, INC. DATE 10-20-2010 DRAWN BY JAC, BMD DATE 10-20-2010
	CHECKED BY T. HENRY DATE 10-20-2010
	APPROVED BY JAC, BMD DATE 10-20-2010
	APPROVED BY T. HENRY DATE 10-20-2010
	APPROVED BY JAC, BMD DATE 10-20-2010



SW Corner looking NE



SE Corner looking NW



NE Corner looking SW



Interior Traffic Circle

Molivia ZDA

A SUI Residential

Zoning Development Agreement

This Zoning Development Agreement (ZDA) is made and entered into this ____ day of _____, 20__, by and between the city of Twin Falls, State of Idaho a municipal corporation, hereinafter called "City" and MOLIVIA LLC, an Idaho Limited Liability Company (hereinafter called "Developer") for the purpose of developing a Development of Residential uses on property located West of Grandview Drive North and adjacent to Canyon Rim Road.

NOW THEREFORE:

1. All future development, improvements, and uses shall conform to the standards and regulations of the Twin Falls City Code Title 10 – Chapter 4 – Section 2; Suburban-Urban Interface District or as amended, and City Code Title 10 – Chapter 4 – Section 19; Canyon Rim Overlay District or as amended, and all references to other sections therein including the following deviations:
2. SUI, Suburban-Urban Interface District and the CRO, Canyon Rim Overlay Modified as follows;
 - i. Building Setbacks and Horizontal Projections;
 1. Based on an approved geological study the Canyon Rim building setback will be allowed to be reduced to fifty (50) feet from the identified Canyon Rim. A twenty five (25) foot wide strip of land will be dedicated to the City of Twin Falls for a path. The width of such land shall not count against the Canyon Rim setback and shall include a setback easement. Rear yard setbacks may be reduced in order to accommodate land dedicated for paths where an accepted geological study proves fifty (50) feet is adequate. Horizontal and Architectural projections will be allowed to project over the Canyon Rim setback line. The maximum allowable projection shall be fifteen (15) feet beyond the building line and into the established setback. See attached Exhibit B.
3. Property Development Standards;
 - i. Roadways;
 1. Per Twin Falls Highway District standards. No curb, gutter, or sidewalk will be required.
 - ii. Pressure Irrigation;
 1. Pressure Irrigation pump and delivery system will be private, owned and maintained by the Homeowner's Association.
 - iii. Common Area, Canyon Rim Trail;
 1. Common area will be dedicated to the City of Twin Falls for a Canyon Rim Trail. Construction of the trail shall be through a separate agreement negotiated between the City of Twin Falls and the Developer. The dedication of land adjacent to the Canyon Rim shall fulfill all obligations of the Developer for parks or common area requirements and/or payments.



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning and Zoning Department

INFORMATIONAL

Request:

Preliminary Presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at 650 Addison Ave West. c/o Bob Beer on behalf of Twin Falls County. (PZ19-0167)

Time Estimate:

Five (5) to ten (10) minutes for Staff and Applicant presentation; Five (5) minutes for Commission questions and discussion.

Background:

NA

Approval Process:

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

Budget Impact:

NA

Regulatory Impact:

NA

History:

N/A

Analysis:

This is a preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at Parcels RPT00107086001, RPT2641000007D & RPT2921003010B.

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

presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting February 11th, 2020. Further staff analysis will be provided at that time.

Conclusion:

Staff makes no recommendation at this time.

Attachments:

1. PZ19-0167Prelim ZDA Staff Report
2. Vicinity Map
3. Proposed ZDA Language
4. Site Plan
5. Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brock Cherry, City Planner

Request: Preliminary presentation for a request for a **Zoning District Change & Zoning Development Agreement** from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at Parcels RPT00107086001, RPT2641000007D & RPT2921003010B.

Application: PZ19-0165

Twin Falls County

c/o Bob Beer

Twin Falls County

P.O. Box 126

Twin Falls, ID 83303

Prelim. Presentation: 1/28/2020; Public Hearing: 2/11/2020

Analysis

This is a preliminary presentation for a request for a **Zoning District Change & Zoning Development Agreement** from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at Parcels RPT00107086001, RPT2641000007D & RPT2921003010B.

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

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting **February 11th, 2020**. Further staff analysis will be provided at that time.

Approval Process

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the

Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Applicable Regulations or Codes

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

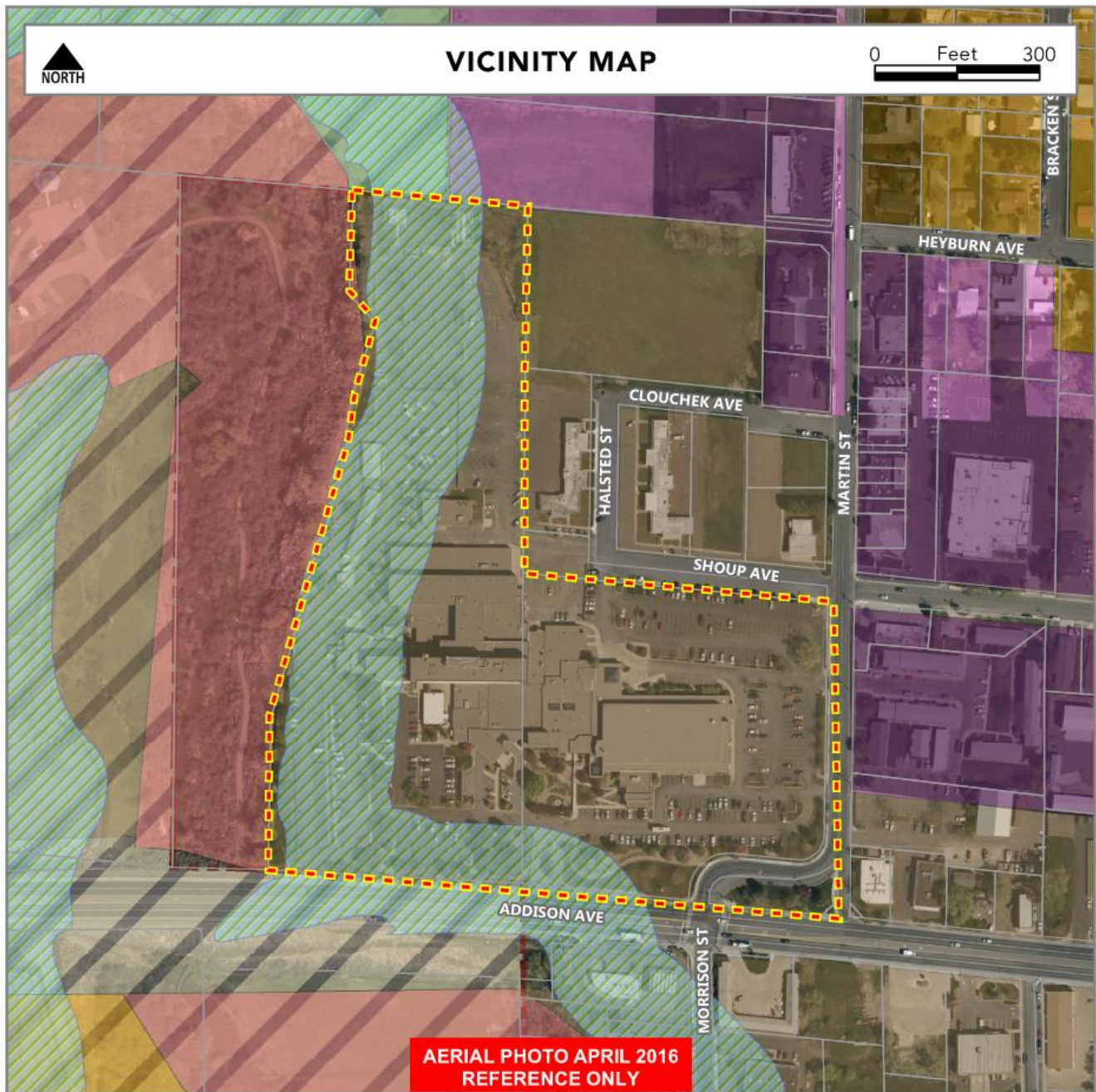
Conclusion

Staff makes no recommendation at this time.

Attachments

1. Vicinity Map
2. Proposed ZDA Language
3. Site Plan
4. Photos

Prelim. Presentation: 1/28/2020; Public Hearing: 2/11/2020



	CRO		R-4
	PRO		R-6
	C-1		SUI
	OS		AOI

Current Zoning: C-1, CRO

Comprehensive Plan: Mixed Use & Neighborhood Commercial

Existing Land Use: Government Services

Proposed Land Use: ZDA – Government Services

Surrounding Zoning Designations & Land Use(s)

North: OS & R-6, Vacant
South: Addison Avenue

East: C-1 & R-6, Residential/Office
West: O-S, Open Space



Twin Falls County West Annex ZDA

A Multi-Use Development to provide for the continued administration and expansion of the diverse services provided to the citizens of Twin Falls County

ZONING DEVELOPMENT AGREEMENT PURPOSE: The purpose of the County West Annex C-1 ZDA is to fully utilize the vacant space located on the County West Annex property to better benefit the taxpaying public by:

- Having the majority of county services and social support groups under “one roof”.
- Create affordable office space for regional nonprofit and charitable organizations.
- Allow for the growth and expansion of County provided services.

NOW THEREFORE:

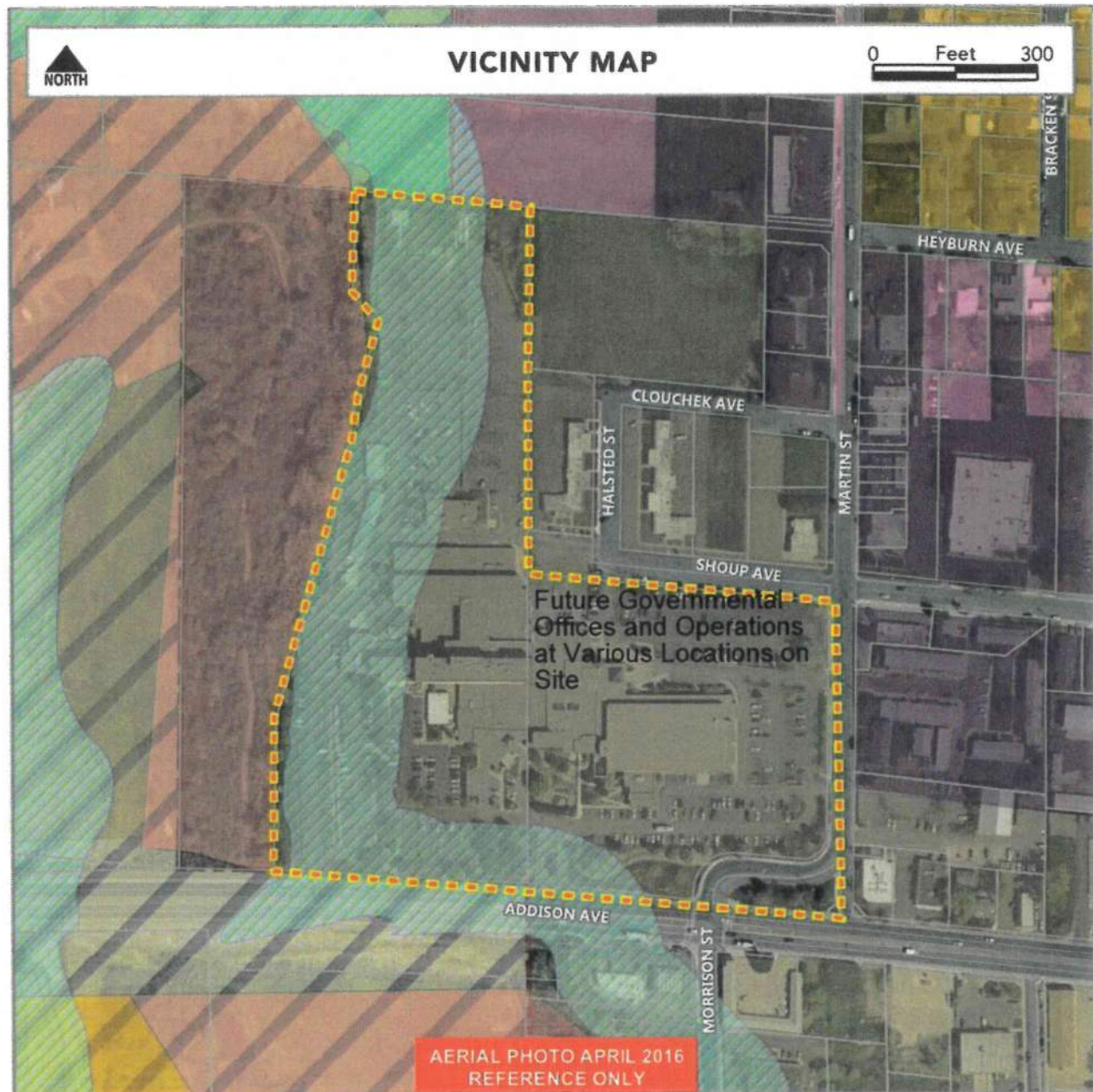
1. All future development and improvements shall conform to the standards and regulations of Twin Falls City Code Title 10 – Chapter 4 – Section 8: Commercial Highway District and Title 10 – Chapter 4 – Section 19: Canyon Rims Overlay for the area designated as “County West Annex C-1 ZDA”, or as amended, and all references to other sections therein except for the following:
2. Property Uses: The Canyon Rims Overlay District List of Uses shall not apply. Only the List of Uses of the underlying Commercial Highway District shall apply with the following modifications:
 - a. Permitted Uses
 - i. Government Facilities
 1. Juvenile Detention Center
 - ii. Services
 1. Automobile and truck service and/or repair of County owned vehicles that is located fifty (50) feet from the Canyon Rim.
 2. Testing Laboratories operated by County personnel or designees.
 - iii. Public Assembly
 1. Exhibition halls
 - iv. Sports Facility
 1. Indoor Recreation Facility
 2. Outdoor Recreation Area that is located fifty (50) feet from the Canyon Rim.
 - v. Residential
 1. Shelter Home

b. Uses Requiring a Special Use Permit

i. Government Facilities

- 1. Adult Detention Center**
- 2. Adult Work Release Center**

- 3. Property Development Standards: The property development standards of the underlying Commercial Highway and Canyon Rims Overlay Districts shall apply.**



	CRO		R-4
	PRO		R-6
	C-1		SUI
	OS		AOI

Current Zoning: C-1, CRO

Existing Land Use: Government Services

Comprehensive Plan: Mixed Use & Neighborhood Commercial

Proposed Land Use: ZDA – Government Services

Surrounding Zoning Designations & Land Use(s)

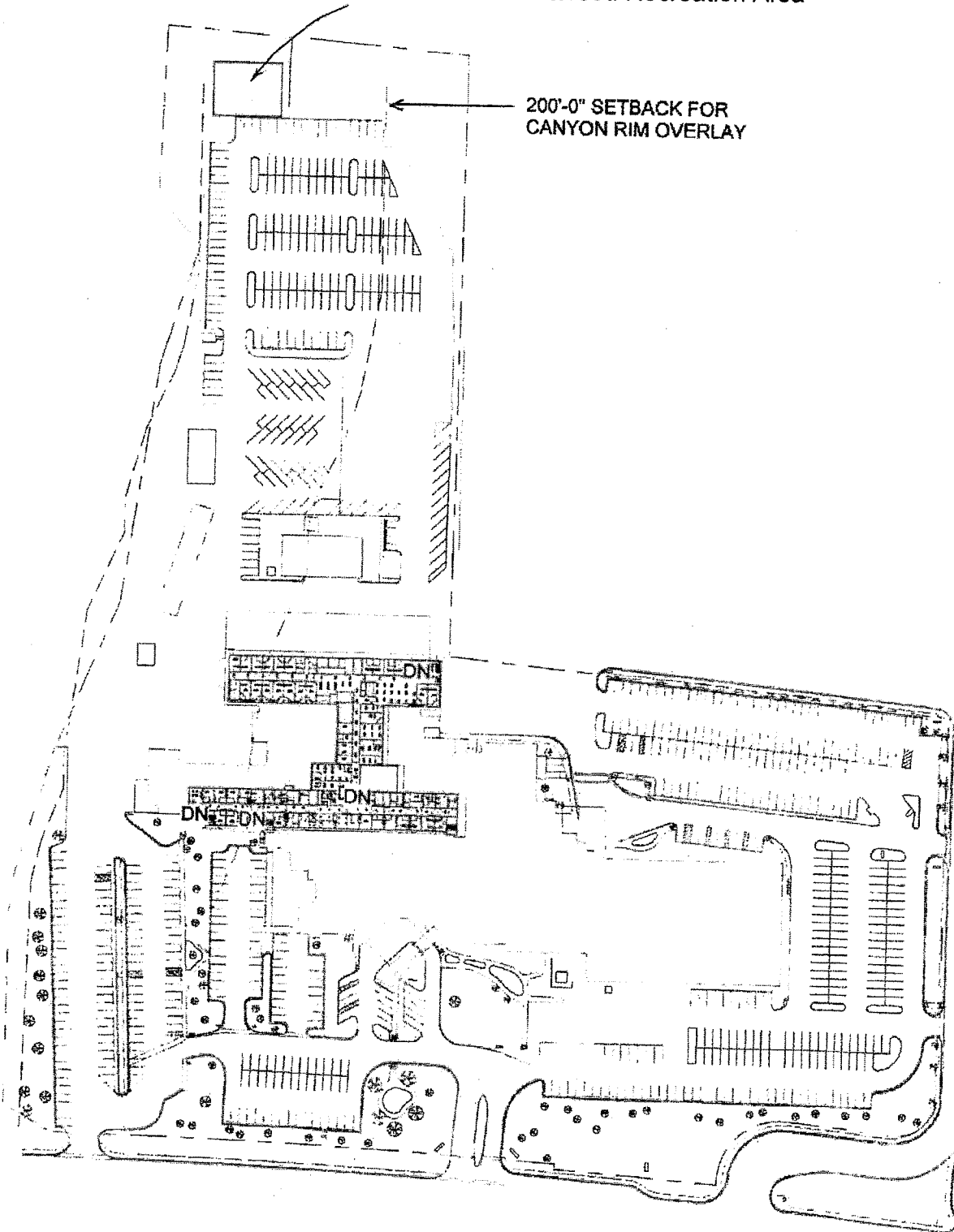
North: OS & R-6, Vacant

East: C-1 & R-6, Residential/Office

South: Addison Avenue

West: O-S, Open Space

Chain Link Enclosed Recreation Area





SE Corner looking NW



NE Corner looking SW



Center of Western Corner Boundary



Northernmost NE Corner looking SW



NW Corner looking SE



SW Corner looking NW



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

Request for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154)

Time Estimate:

Five (5) minutes for Staff and Applicant presentation; Two (2) minutes for public hearing; Five (5) minutes for Commission questions, discussion, and decision.

Background:

NA

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:

NA

Regulatory Impact:

NA

History:

The North Park #1 Subdivision was platted in 1976. The easement in question was part of that original plat.

Analysis:

This is a request to vacate a platted utilities, irrigation, and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle. The purpose of the proposed vacation is to have a greater building envelope for a detached garage.

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

Conclusion:

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

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

Attachments:

1. PZ19-0154 VAC Staff Report
2. Vicinity Map
3. Narrative
4. Vacation Exhibit
5. Photos
6. Utility Company Letters



Comprehensive Staff Report

To: Planning & Zoning Commission
Presenter: Brock Cherry, City Planner
Request: To **Vacate** a platted utilities, irrigation and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle.
Application: PZ19-0154
Applicant & Representative:
Dustyn Brownlee
430 Parkway Circle
Twin Falls, ID 83301

Public Hearing: January 28th, 2020

Analysis

This is a request to vacate a platted utilities, irrigation, and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle. The purpose of the proposed vacation is to have a greater building envelope for a detached garage.

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

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.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood. The request complies with City Comprehensive Plans.

Regulatory Impacts

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

Conclusion

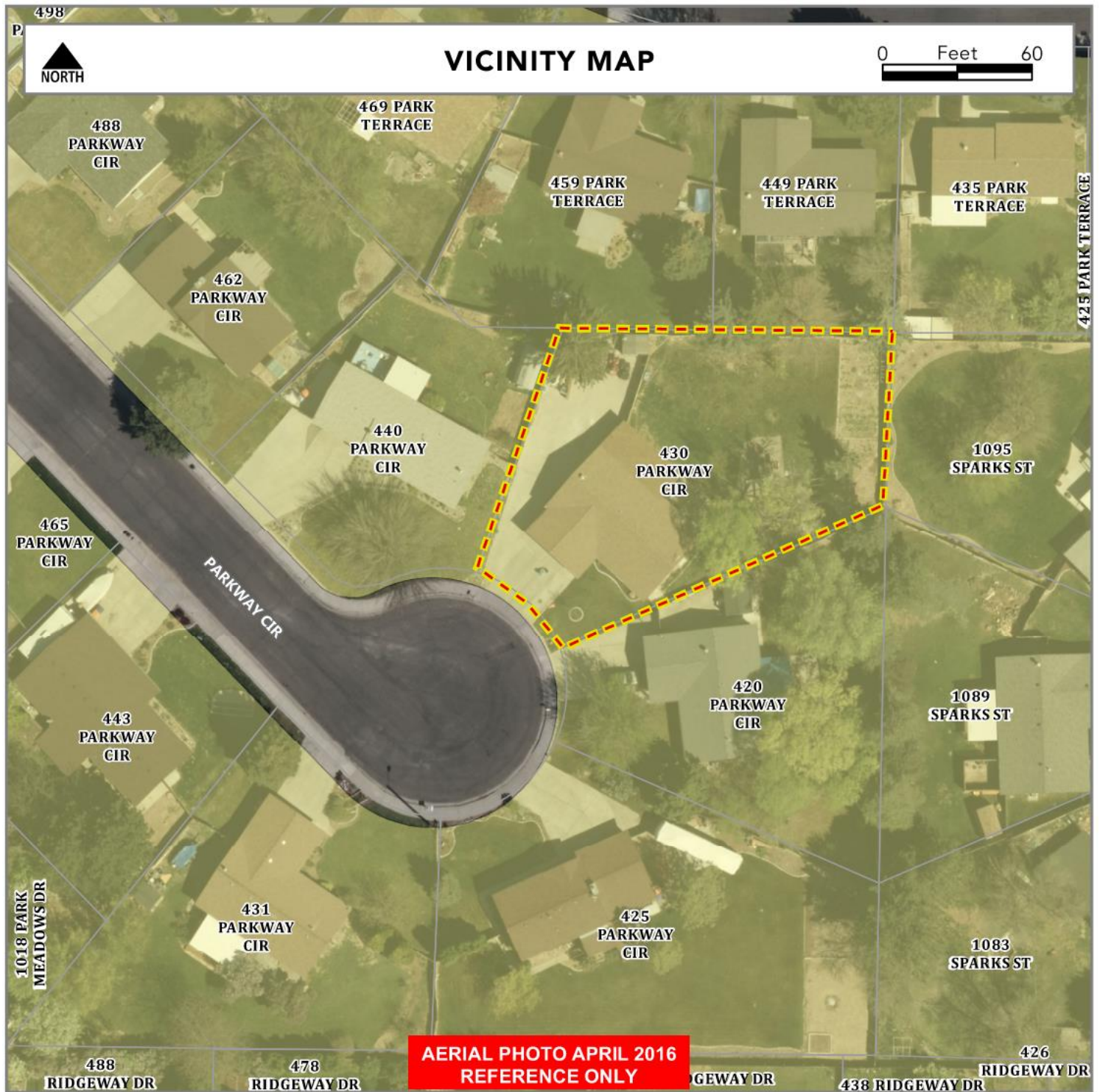
Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

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

Attachments

1. Vicinity Map
2. Narrative
3. Vacation Exhibit
4. Photos
5. Utility Company Letters

Public Hearing: January 28th, 2020

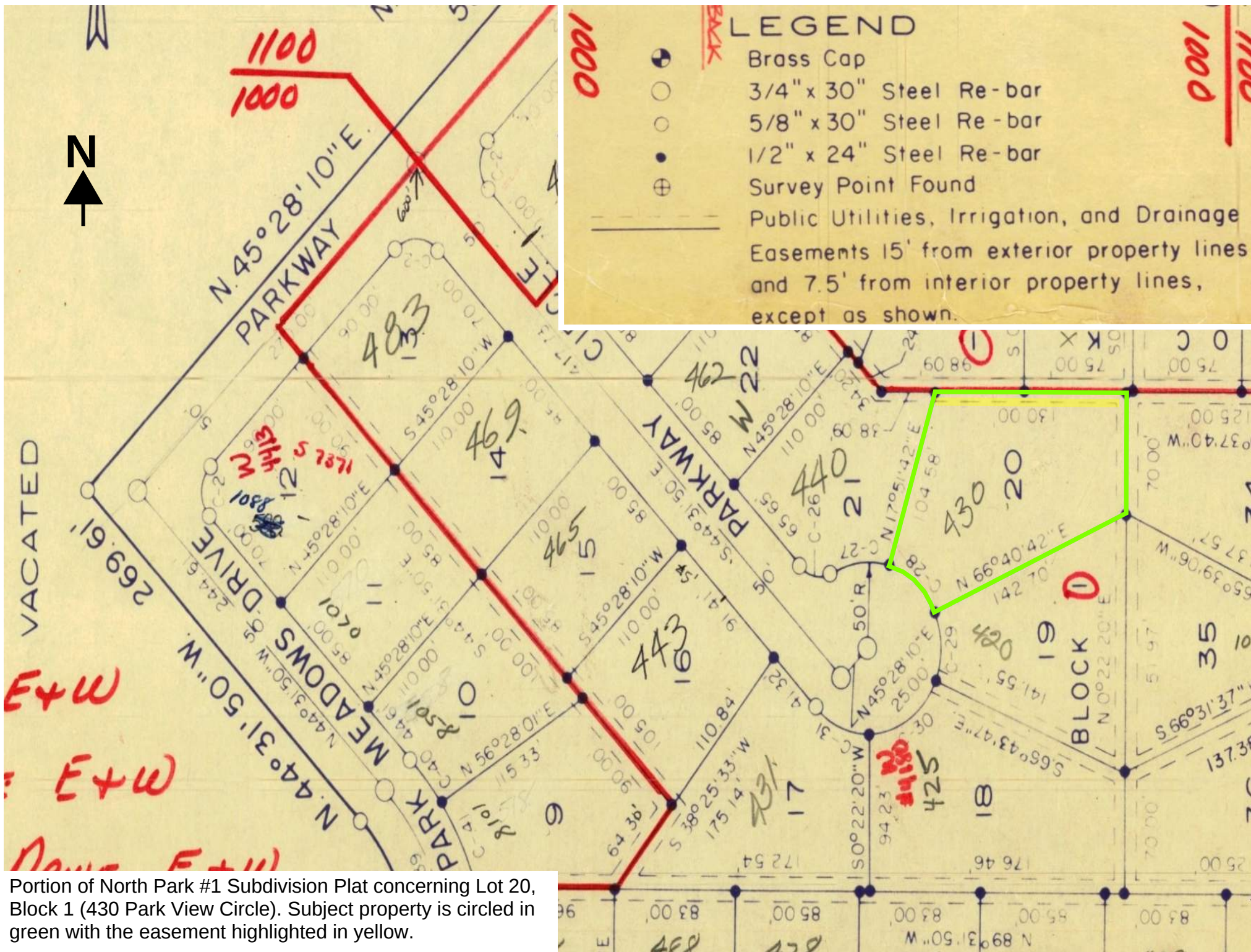


	R-2	Current Zoning: R-2	Existing Land Use: Residential
		Comprehensive Plan: Commercial	Proposed Land Use: Residential
Surrounding Zoning Designations & Land Use(s)			
		North: R-2, Residential	East: R-2, Residential
		South: R-2, Residential	West: R-2, Residential
Applicable Regulations			
		10-1-4, 10-1-5, 10-16-1	

Twin Falls City Vacation Application

#4a - The reason for the request is to build a detached garage.

#4b - The effects of the vacation on all adjoining properties would be minimal.





NW Corner Looking SE



Approximate Easement Location

Northern Property Boundary



451 Alan Dr., Jerome, Id 83338-5505
Office: (208) 737-6300 (800) 548-3679
Fax: (208) 737-6342
www.intgas.com

November 27, 2019

To Whom It May Concern:

We, the undersigned public utility company, Intermountain Gas Company, release rights for the utility easement that is located in rear of property at ~~430~~ Parkway Circle, Twin Falls, ID legally described as Lot 20, Block 1 of the North Park Subdivision No. 1.

Brack McMurtrey, District Operations Manager
Intermountain Gas Company
451 Alan Dr.
Jerome, Idaho 83338



TWIN FALLS CANAL COMPANY

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



MEMO OF UNDERSTANDING

APPLICANT: Dustyn Brownlee

ADDRESS: 430 Parkway Circle Twin Falls

LEGAL DESCRIPTION

SECTION: 5 TOWNSHIP: 10 RANGE: 17

DESCRIPTION: Lot 20 Block 1 North Park #1
NW 1/4 NE 1/4

The maps and records of the Twin Falls Canal Company have been reviewed and the following water distribution facilities and/or drainage facilities are shown as being located on the above described property.

Building Detached Garage

No laterals No tiles

To the best of our knowledge the above are the only water distribution facilities and/or drainage facilities on the described property. If other water distribution facilities and/or drainage facilities exist on the above-described property, they shall be considered as being included in the listing.

The rights-of-way for any water distribution facilities are to be accessible to employees and agents of the Twin Falls Canal Company at all times. Impediments and obstructions on the rights-of-way are prohibited.

No change shall be made in the facilities of the Twin Falls Canal Company without the written approval of the Twin Falls Canal Company.

No trees shall be planted or allowed to grow within fifty feet (50') of any underground drainage facilities.

Existing facilities for conveying wastewater from adjacent property must be maintained by the applicant.

TF Canal Co. rights of way for operating canals is a 50 foot strip from the outer toe of the embankment on the main canals, 30 feet on the main laterals and a 16 foot width along the smaller laterals per each side.

DATE: 11/06/19 APPLICANT: [Signature]

BY: [Signature]
Twin Falls Canal Co.

CenturyLink
Brad McNew
Construction Project Administrator
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 736-8760

Facsimile (208) 736-8755

October 8, 2019

Dustyn Brownlee
621 North College Rd.
Twin Falls, Id. 83301

RE: North Park Subdivision No.1
Lot 20 Block 1 Easement Vacation
Section 5, T10S, R17E

To whom it may concern:

Reference is made to your request for CenturyLink to vacate said easementt located in North Park Subdivision No.1, City of Twin Falls, County of Twin Falls, State of Idaho. CenturyLink has no facilities in said easement along the North side of lot 20 Block 1 and easement can be vacated.

If existing utilities need to be relocated construction charges would apply for relocation of facilities.

Please call me if you have any questions.

Sincerely,

Brad McNew

October 15, 2019

Dustyn Brownlee
430 Parkway Cir
Twin Falls, ID 83301

Re: Partial relinquishment of Public Utility Easement (PUE) located in North Park No. 1
Subdivision block 1 lot 20.

Dear Dustyn:

This is in response to the relinquishment application request submitted to Idaho Power Company dated October 9, 2019, regarding the possible relinquishment of the above noted PUE. The area to be relinquished is the portion of the public utility easement located on the eastern boundary of Lot 20, Block 1 in North Park No. 1 Subdivision as recorded in the records of Twin Falls County Idaho, known as the "easement area".

Idaho Power's review of the relinquishment request indicated that there are no facilities within the above noted easement area. As such, Idaho Power agrees to relinquish the public utility easements within area described above.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,



Chris Jacky
Associate Real Estate Specialist
Land Management and Permitting Department
Corporate Real Estate
Idaho Power Company

208-388-2699
cjacky@idahopower.com



August 9, 2019

RE: North Park No. 1 Easement Vacation Request

Dustyn Brownlee.

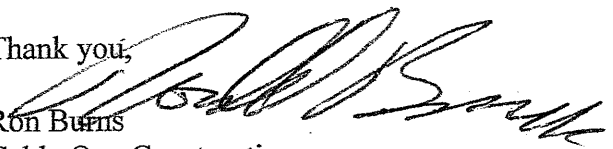
430 Parkway Circle

Twin Falls, Idaho 83301

Dear Sir,

We Agree to your Request For the vacation of the existing Utility Easement located along The North Side Of The Property known as Lot 20, Block 1 of the North Park No. 1 Subdivision in Twin Falls, Idaho as shown on the Attachment. We Have no active lines located there, nor see no need to place any lines there in the future

Thank you,


Ron Burns

Cable One Construction

261 Eastland Dr.

P.O. Box 1946

Twin Falls, Idaho 83301

208-733-6877 Ext. 7150

208-539-9886



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

Request for a Special Use Permit to allow a Home Occupation on property located at 435 Fillmore Street c/o Darcy Thomas. (PZ19-0157)

Time Estimate:

Five (5) minutes for Staff and Application Presentation; Five (5) minutes for public hearing; Five (5) minutes for Commission questions, discussion, and decision.

Background:

NA

Approval Process:

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

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

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

Budget Impact:

NA

Regulatory Impact:

NA

History:

Per County Records the primary residence on this property was constructed in 1947.

Analysis:

This is a request to establish a home occupation for a professional dog grooming business on the property located at 435 Fillmore Street within the R-2 Zoning District.

The applicant will operate her business inside her shed just to the west of her residence.

The applicant intends to be with the dogs at all times. All waste will be disposed of promptly. The applicant intends to regularly operate 7 A.M. to 5 P.M. Monday through Friday with an occasional Saturday. The applicant intends to serve approximately two (2) clients every hour.

Conclusion:

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to no more than (4) dogs being on the subject property at one time.

Attachments:

1. Staff Report PZ19-0157
2. Vicinity Map
3. Narrative
4. Site Plan
5. Photos
6. Letters of Support



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Brock Cherry, City Planner
 Request: A **Special Use Permit** to allow a home occupation on property located at 435 Fillmore Street.

Application: PZ19-0157

Applicant:

Darcy Thomas
 435 Fillmore Street
 Twin Falls, Idaho 83301

Public Hearing: January 28th, 2020

Analysis

This is a request to establish a home occupation for a professional dog grooming business on the property located at 435 Fillmore Street within the R-2 Zoning District.

The applicant will operate her business inside her shed just to the west of her residence.

The applicant intends to be with the dogs at all times. All waste will be disposed of promptly. The applicant intends to regularly operate 7 A.M. to 5 P.M. Monday through Friday with an occasional Saturday. The applicant intends to serve approximately two (2) clients every hour.

Approval Process

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

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

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

History

Per County Records the primary residence on this property was constructed in 1947.

Applicable Regulations or Codes

Per City Code 10-4.4.2, home occupations are permitted with a Special Use Permit in the R-2 Zoning District.

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

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Neighborhood Commercial". The Neighborhood Commercial designation encourages minor commercial services that serve the surrounding neighborhood.

The 2009 Master Transportation Plan designates the subject property's surrounding roadways as a local roadway (Fillmore Street) and a collector

(Filer Avenue). It is anticipated that the existing transportation infrastructure will accommodate the proposed use.

Therefore, staff has determined this request is in compliance with City comprehensive plans.

Potential Impacts

The applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties. However, Staff believes the applicant should follow the City Code limitation for number of dogs on a property at any one time (CC 6-4-1) just like any other residential property. This recommendation has been reflected in the Conclusion below.

Conclusion

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to no more than (4) dogs being on the subject property at one time.

Public Hearing: January 28th, 2020

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos
5. Letters of Support



C-1 R-2

Current Zoning: R-2
Comprehensive Plan: Neighborhood Commercial
Existing Land Use: Residential
Proposed Land Use: Home Occupation

Surrounding Zoning Designations & Land Use(s)
North: R-2, Residential
South: R-2, Residential
East: R-2, Residential
West: R-2, Residential

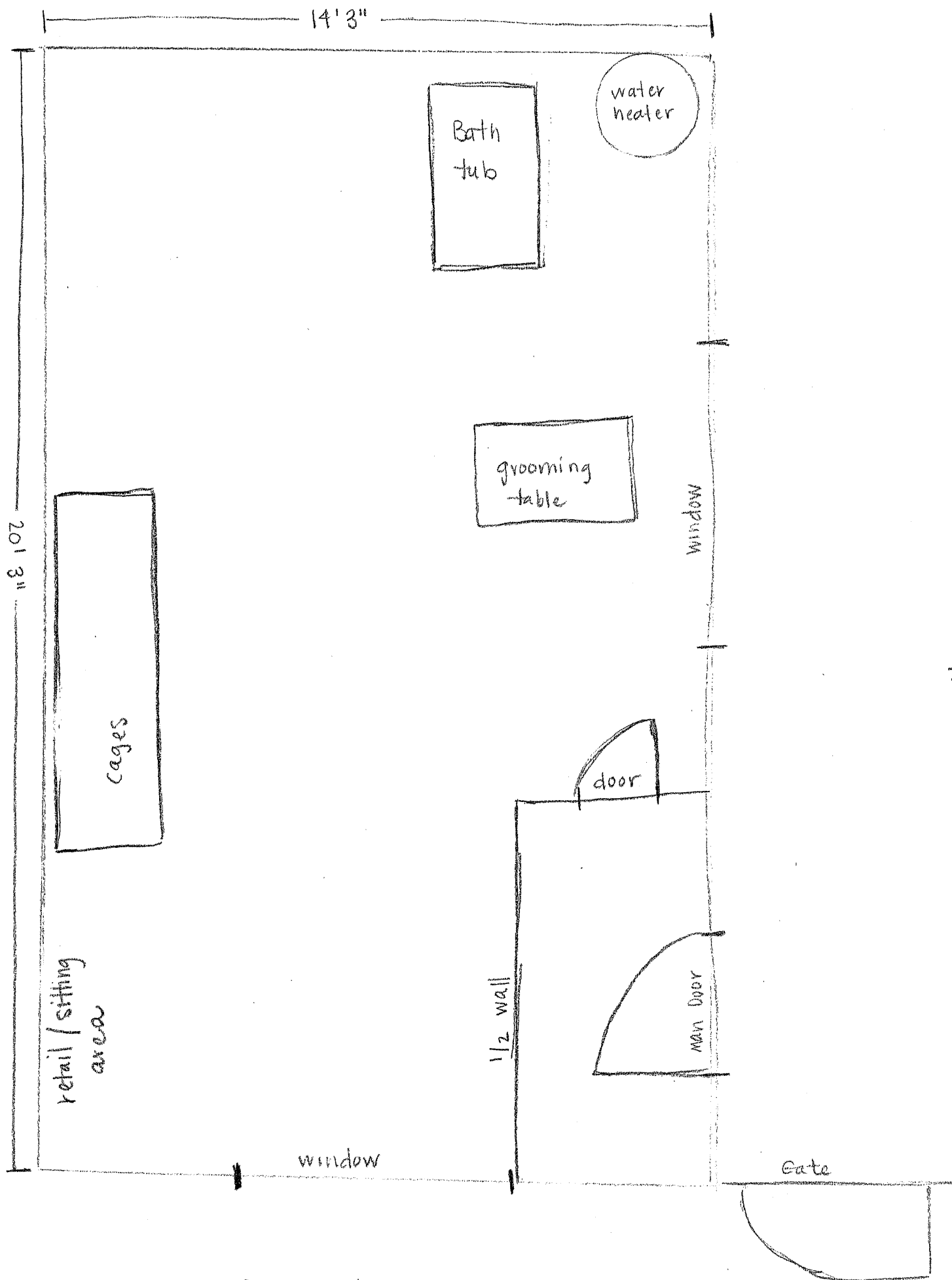
Applicable Regulations
10-2-1, 10-4-4.2, 10-11-1 to 8, 10-13-2-2

Detailed Written Statement

- Reason for request:
 - I am requesting a Special Use Permit to turn my shed into a Grooming Salon.
- Explanation of the project:
 - Hours of operation
 - Monday through Friday 7am -5pm
 - Some hours maybe longer depending on condition of the dogs coat
 - Some Saturdays also might be spent grooming
- Traffic anticipated
 - Approximately 2 cars every other hour
- Number of employees
 - Just me
- Number of dogs on premises
 - I will only be allowed to groom ¹~~2~~ additional dogs~~✓~~ because I currently own 3 dogs

Evaluation of the effects on adjoining property including the effect of such elements as

- Noise
 - The high velocity dryers are loud but with a insulated building the noise will be contained inside
 - Dogs do bark but I do not enjoy listening to that so they will be disciplined as needed for excessive barking buy using a water bottle
 - No grooming dog will be allowed to run free in my backyard because of liability and safety reasons if they must be pottied they will do so on a leash with me walking them
- Glare
 - Not an issue
- Odor
 - Dogs leave smelling better than when they arrived
 - Feces will be picked up and disposed of in a garbage sack and place in the dumpster
- Fumes
 - None minus the occasional gassy dog
- Vibrations
 - None
- General compatibility with adjacent and other properties
 - Overall I feel my businesses impact will go unnoticed by the neighbors if by some chance an issue does arise I feel like I am on good standing with most if not all neighbors and we could civilly reach an agreement.



Driveway / Garage



Front Facade of Subject Property



Shed - Home Occupation Operation Area

Letter of Recommendation

Jill Adepoju <dr.jillchiro@gmail.com>

Thu 1/9/2020 12:06 PM

To: huckschopshop@outlook.com <huckschopshop@outlook.com>

To Whom It May Concern:

I highly recommend Darcy Thomas for her own pet grooming business. I've used her for my animals for years and she's so thorough, professional, kind, and trustworthy. She does a fabulous job and I know she will make a wonderful business owner. I've known Darcy personally for over 10 years and have no concerns in any way. She's a great person and very responsible.

Sincerely- Dr. Jill Adepoju

--

Dr. Jill Adepoju

Dr. Jill's Family Chiropractic Center

788 Eastland Drive Ste. B

Twin Falls, Idaho

(208) 734-3030

www.drjillfamilychiro.com

"The doctor of the future will give no medicine but will interest his patients in the care of the human frame, in diet and in the cause and prevention of disease."

-Thomas Edison

December 20, 2019

To Whom It May Concern:

It is my absolute pleasure to recommend Darcy Thomas for a special use permit to operate a grooming salon on her property.

Darcy and I worked together at Hemingway's Happy Hounds for a total of six years.

I thoroughly enjoyed my time working with Darcy and came to know her as a truly remarkable individual. She is patient, professional, and incredibly hard-working. Beyond that, she is an impressive groomer who always does an excellent job.

Her knowledge of animal care and expertise in grooming was a huge advantage to our company as a whole. She put this skillset to work in order to provide exceptional care for our clientele.

Along with her undeniable talent, Darcy was easy to work with. She truly cares about animals, the pet owners, and the staff, providing topnotch service to all.

Without a doubt, I confidently recommend Darcy to establish her own grooming facility. As a dedicated, knowledgeable, and an all-around great person, I know that she will be able to continue to provide the highest quality of grooming services.

Please feel free to contact me should you like to discuss Darcy's qualifications and experience further. I'd be happy to expand on my recommendation.

Best wishes,

*Stephanie Brown
1242 N Balboa
Mesa, AZ 85205
208-421-4948
stephanienb19@gmail.com*

January 6th, 2020

To whom it may concern:

I have had the privilege of knowing Darcy Thomas through being a regular customer at Hemingway's Happy Hounds and playing on a co-ed softball team together. Darcy is well-known for her grooming and bathing skills at Hemingway's Happy Hounds, as well as her love and care of dogs.

As a customer, Darcy has gone above and beyond to make me feel comfortable while leaving my dogs in their care. She has accommodated me in situations when I had a family emergency and needed to leave my dogs unexpectedly, been comforting and supportive when my dogs have been sick or ill, and celebrated their birthdays and improvements in their training. Darcy is knowledgeable and always willing to offer a helping hand or word of advice. Recently, one of my dogs passed away due to cancer, and Darcy was very kind and thoughtful making a difficult time much better.

My dogs do not require extensive grooming, but do get their baths at Hemingway's while they are at attending their doggie daycare program. She does a wonderful job overseeing their baths, nail trims and overall care to my animals. I appreciate that she attends not only to the job that is done, but also that my dogs are comfortable. One of my dogs has special needs and can be fearful and my other dog is aging. Both my dogs are comfortable and well cared thanks to her attention.

As a softball player and a teammate of Darcy's, I was able to witness her incredible ability to be a team player. She is very encouraging, positive and displays great sportsmanship. She was kind to everyone on the team, as well as the other teams that we played.

I am a self-employed individual and understand the grit and motivation that would be required to start up a business, as I've done it. Darcy has what it takes to be self employed, and a responsible and customer-centered business owner. I believe she will be an incredible asset to the community. I fully intend to support Darcy's business if granted the license to operate. I hope to be one of her first customers. I will also continue to bring my dogs to Hemingway's Happy Hounds.

In summary, I hope Darcy is granted the license to operate her business as she is a well-deserving individual and will offer a great service to the community.

If you have any questions, please do not hesitate to contact me.

A handwritten signature in cursive script, appearing to read "Nichole R. Stevens".

Nichole R. Stevens, MOT, OTR/L

(701)680-3401

Letter of recommendation

Kiara Pehrson <kiara.pehrson@gmail.com>

Wed 1/8/2020 6:30 PM

To: huckschopshop@outlook.com <huckschopshop@outlook.com>

My name is Kiara Pehrson, I'm writing this letter of recommendation for Darcy Thomas. I worked with Darcy at Hemingway's Happy Hounds for 4 and half years. She earned the trust of all of her clients and her employees with her loyalty and hard work. She has such a sweet and big heart for all of the animals she crosses paths with and treats them with the utmost gentle care. She knows how to handle any stressful situation and is knowledgable about the animals needs. She was a great teacher in showing us how to handle certain pets and their personalities and also showing us how we could help the animals the best we could, while also providing you with reasons as to why something is done a certain way. She loves and treats all of her employees with respect and you know you can turn to her if you are in need of advice or help. She has the best sense of humor and makes you feel like you're instantly friends and then you eventually feel like you're family. She was a great boss in making our community feel loved and like a family. When I moved on into my career and ended up leaving Hemingway's Happy Hounds, Darcy remained sweet and friendly and again, always made me feel like part of her tribe! During work she always remained professional, but was never cold about it. Professional and loving all in one! I absolutely trust Darcy and her judgement with all pets and their care!

January 9, 2020

Arianna Johnson-Whiteley

3617N 4425E

Murtaugh, ID 83344

To Whom it may concern,

I have known and worked with Darcy Thomas for over 4 years and I am writing to recommend her experience in dog grooming and customer service. In the years I have known her, I have watched her not only maintain her grooming room to a top standard but also work hard to do what she can to fulfill what both her human and canine clientele desire. I have also seen how she works with dogs of varying demeanors (ranging from calm to fidgety) and know her to keep herself well-grounded to ensure that the dog is comfortable and handled with care.

Along with her well-grounded demeanor and friendliness, her grooming is top quality. Every dog that I have witnessed leave her grooming room are leaving with more confidence and surety. Darcy knows how to gauge what type of dog she is working with, and how best to work with this dog, to ensure that the dog has a great experience while being groomed – whether it is their first time to a groomer or they have been to a groomer multiple times.

Knowing all of these qualities that Darcy possesses and her friendliness and willingness to work with clients and their dogs, I can say with certainty that her grooming facility will be a great asset to the community and to the dogs that live in it.

Sincerely,

A handwritten signature in purple ink that reads "Arianna Johnson-Whiteley". The signature is fluid and cursive, with the first name "Arianna" being more prominent and the last name "Johnson-Whiteley" written in a continuous script.

Arianna Johnson-Whiteley

December 12, 2019

Jonnie Peterson
805 Eastridge Drive
Kimberly, Id. 83341

To Whom It May Concern;

I have known Darcy Thomas for 25 years. During this time line she has demonstrated that she is a very honest and reliable person. Darcy grew up with my daughter and I have personally witnessed her growth from a young girl to a young woman.

Darcy has groomed my 2 Havenese dogs every month for approximately 2 years. She always greets us with a smile, has been exceptionally reliable and does top-notch grooming on my girls! Darcy maintains a professional attitude and creates an atmosphere that I look forward to entering.

Due to Darcy's good judgement and proven work ethics, I would highly recommend that she be granted permission to open/operate a personal grooming salon on her property.

Sincerely,

A handwritten signature in blue ink that reads "Jonnie Peterson". The signature is fluid and cursive, with the first name "Jonnie" being more prominent than the last name "Peterson".

Jonnie Peterson

208-420-3598

January 14, 2020

Alyssa Elexpuru
2582 Joshua Way
Twin Falls, ID 83301

To Whom it May Concern:

I am writing to recommend that Darcy Thomas be granted a special use permit to run a grooming salon from her home. I have known Darcy both personally and professionally now for about five years. I have watched Darcy work diligently to build her grooming clientele and career while caring for her family.

This last year, we purchased a puppy. I asked some of my friends who the best groomer in town was, and every single one of them stated that Darcy was the best. I contacted Darcy, and even though Darcy has a full schedule, she agreed to work him. We don't have children, so our puppy is our child. Darcy sent us pictures of our puppy during his first bath and grooming session that absolutely melted our hearts, and our puppy loved her from the very first moment he met her. All we have to say is, "let's go see Darcy!" and our puppy runs to the door to get in the car. When we get there, he races in to greet her. Our puppy has now grown into a 100-pound massive dog, and Darcy still greets him with open arms even though he is bigger than her. We know that he can be a little rambunctious, and when we ask Darcy how he did during grooming, she always says, he was great. I've given that large beast a bath, and I know he wasn't great, in fact he was the exact opposite! However, Darcy is patient and gentle with the dogs that she cares for and is always courteous and professional.

Darcy works with the utmost professionalism and the highest level of integrity. She treats all of her clients and their animals like family. When we see Darcy outside of work, she is always sure to ask about our puppy and how we are holding up having the big pup. We feel very fortunate to have Darcy in our lives both personally and professionally. She has worked hard to build her career and reputation. I strongly recommend allowing her a special use permit so that she can successfully run her own business.

Sincerely,

Alyssa Elexpuru
elalexys@hotmail.com
(208) 539-2105

Lindsey Collins

609 Greentree Way

Twin Falls, ID

(208)316-1415

lindseycollins888@gmail.com

6th January 2020

To Whom It Concerns;

I am honored to write a personal reference letter for Darcy Thomas. I have known Darcy for nearly 30 years. Growing up as neighbors has made us lifelong friends.

Darcy has a glow about her that draws people towards her, she has never been one to take advantage of anyone's trust. Darcy is very determined young woman, once she sets her mind to something, the sky's the limit. I know her to be dependable, responsible and very honest. Growing up she was always in charge of all our adventures from yard sales to building forts, our projects always got finished.

Darcy has also been grooming my two dogs for 6 years now, she always gets them done in a timely manner and does an amazing job. My dogs love going to their appointments. She treats all of her furry clients as she would her own. Darcy truly has a heart of gold and cares deeply for all animals.

Darcy is one of the most honest and upstanding people I know. For all these reasons, I would definitely recommend Darcy for opening her own Grooming salon. If I can be of any further assistance please feel free to contact me.

Sincerely,

Lindsey Collins

To whom it may concern,

I have been working under Darcy Thomas for almost 4 years now. She is a great dog groomer, who has a devote clientele. She trained me to groom as well, so I can attest to the fact, that she is incredibly knowledgeable in dog grooming. She treats all of her clients well, is clean, and has a great reputation around town. I believe she will succeed in her business endeavor. If you have any other questions, feel free to call me at 661-874-9962 or email destinymstraub0367@gmail.com.

Best Regards,

Destiny Aufderheide

Shirley Evans

1836 Skylane Dr.

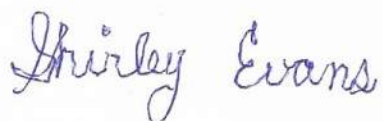
Twin Falls, ID 83301

208-320-4343

To Whom It May Concern:

Not only have I worked with Darcy for 11 years, but she also grooms my yorkie. She always does a great job grooming her, and she treats her very well. She is a great groomer and I support her in her new endeavor. I believe that she will succeed with starting her own business. If you have any other questions, feel free to contact me, at the number above.

Thank you,



Shirley Evans

Hemingway's Happy Hounds LLC

2304 Eldridge Avenue

Twin Falls, ID. 83301

(208) 734-3838

(208) 734-3365 (Fax)

January 7, 2020

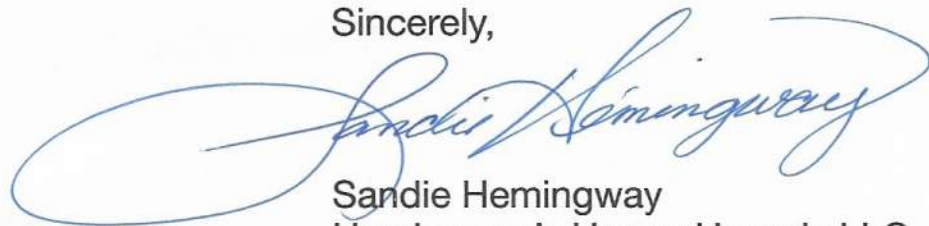
To Whom it may Concern:

Darcy Thomas has been the Manager at my Dog Hotel since it opened in November 2005. She has helped guide our business to a great success! She has been caring for the business like it was her own and all the dogs under her care like her personal pets. She works well with her staff and is good at talking with others to solve problems and come up with productive ideas for the future.

She is a self taught Groomer and has worked very hard to learn all aspects of that industry. She has trained other groomers and bathers and has worked very hard over the years to make our grooming facilities run smoothly and always be at the cutting edge of what's new.

Throughout her time under my employment she has always shared my vision that no matter what, everything is done for "What's Best for the Dogs". I am excited that she is branching out on her own and know that she will make her business a success, i would like to therefore give her my highest personal and professional recommendation. If you need any further information i can be reached at the number above.

Sincerely,



Sandie Hemingway
Hemingway's Happy Hounds LLC

Shirley Evans

1836 Skylane Dr.

Twin Falls, ID 83301

208-320-4343

To Whom It May Concern:

Not only have I worked with Darcy for 11 years, but she also grooms my yorkie. She always does a great job grooming her, and she treats her very well. She is a great groomer and I support her in her new endeavor. I believe that she will succeed with starting her own business. If you have any other questions, feel free to contact me, at the number above.

Thank you,



Shirley Evans

January 7, 2020

City of Twin Falls

Dear Sir or Madam,

It is with immense honor that I recommend Darcy Thomas, who is a close friend of our family, for approval to operate a business in your city. I have known Darcy for 5 years now. For the longest time, Darcy has always had interest in animals, so much so we call her a whisperer among my family. In the years I have known her, she has demonstrated exceptional skill and competence and has developed a stellar reputation for her skills in the Magic Valley.

From the first time I met Darcy, I have always been amazed by her passion for looking out for the best interests of animals and the compassion she shows when she encounters one who may have just had the wind knocked out of it.

Additionally, Darcy has an excellent rapport with everyone. She is enthusiastic, humble, and honest. Darcy has excellent communication skills, which helps her connect with people of all ages.

I recommend Darcy without reservation to operate her own business. She is an intelligent, competent, dedicated, and a capable woman. I am confident that her business would make a valuable addition to the city of Twin Falls. Please do not hesitate to contact me for further details.

Sincerely,

Russ Williams

rwilliams@vancraft.com (208-280-1214)

Darcy Honhorst,:

Eve Collins <eve.bondlady.64@gmail.com>

Mon 12/16/2019 5:13 AM

To: huckschopshop@outlook.com <huckschopshop@outlook.com>

To whom it may Concern

I have known Darcy for approximately 10 years she been grooming my pet's,She is always professional,she always does exactly what i request of her regarding my pet's,she is also a very responsible you lady,I willl continue to choose Darcy to groom my 4 dogs,Please feel free to reach out to me via,phone 208-316-3820,or email eve.bondlady.64@gmail.com.

Eve Collins

January 8, 2020

To Whom It May Concern:

I have known Darcy Thomas professionally for almost 15 years. In that time I can tell you, when it comes to this business, Darcy cares deeply about every aspect of it.

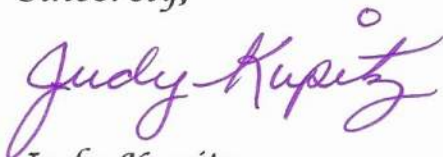
From the dogs, to the clients, the employees & the everyday workings of the business she is hands on!

Darcy takes tremendous pride in her work. She has always been open & honest when dealing with clients, giving it her personal touch while always being professional.

She has been very responsible & thorough when handling projects, purchases & changes at work.

I have no doubt Darcy will be successful at any business she pursues.

Sincerely,



Judy Kupitz

801-718-2171

mjkupitz@gmail.com

December 31, 2019

To Whom It May Concern:

It gives me great pleasure to write this letter of recommendation for Darcy Thomas.

Grooming experience has not always been positive for my dogs, but I can happily say that those days are behind us! Darcy has been grooming my two dogs, Ralph and Bella, for about 6 years now. My dogs quickly came to love and trust her. Darcy is unaware of this, but we actually have a nickname for her in our household "dog whisperer".

Darcy is kind, understanding, patient, gentle, knowledgeable and productive.

She is very compassionate with the animals and they look excellent when she's done.

I wish Darcy the very best of luck in her new pursuit. Any dog would be lucky to be groomed by her.

Sincerely,


Ingrid Ellis

Twin Falls City Planning and Zoning

PO Box 1907

Twin Falls, ID 83303

December 12, 2019

To Whom it May Concern:

I am wiring to recommend Darcy Thomas be granted a special use permit for her residence.

I have known Darcy personally and professionally for twelve years. She is a very honest, organized and hard working person. She is a very caring person and she loves animals.

Based on our experience together, I can confidently recommend Darcy for a special use permit, allowing her to continue doing what she loves.

Sincerely,

A handwritten signature in cursive script that reads "Joan George". The signature is written in dark ink and is positioned above the printed name.

Joan George



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

Request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South c/o Kate Hahn on behalf of Chad Babcock. (PZ19-0158)

Time Estimate:

Five (5) minutes for Staff and Applicant presentation; Two (2) minutes for public hearing; Five (5) minutes for Commission questions, discussion, and decision.

Background:

NA

Approval Process:

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

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

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

Budget Impact:

NA

Regulatory Impact:

NA

History:

Per County Records the building housing the proposed use was built in 1995. The subject property was issued a special use permit (SUP #853) for the retail sale of alcoholic beverages when consumed on the premises where sold on property before in 2003. However, because SUP #853 has been inactive for more than a year the use was discontinued.

The current indoor recreation facility (JumpTime), which the proposed use would be accompanying, has been in place since 2017.

Analysis:

This is a request to allow the retail sale of alcoholic beverages when consumed on the premises where sold on property located at 302 3rd Avenue South. The subject property is within the Old Town (O-T) Zoning District.

Per the applicant the purpose of the requested special use permit is to sell beer and wine on the subject property.

The hours of operation for the proposed use are Monday 10:00 AM – 8:00 PM, Tuesday 4:00 PM – 8:00 PM, Wednesday 4:00 PM – 8:00 PM, Thursday 10:00 AM – 8:00 PM, Friday 10:00 AM – 10:00 PM, Saturday 10:00 AM – 10:00 PM, and Sunday 10:00 AM – 10:00 PM.

Normally 500 to 1000 customers visit the subject property each week.

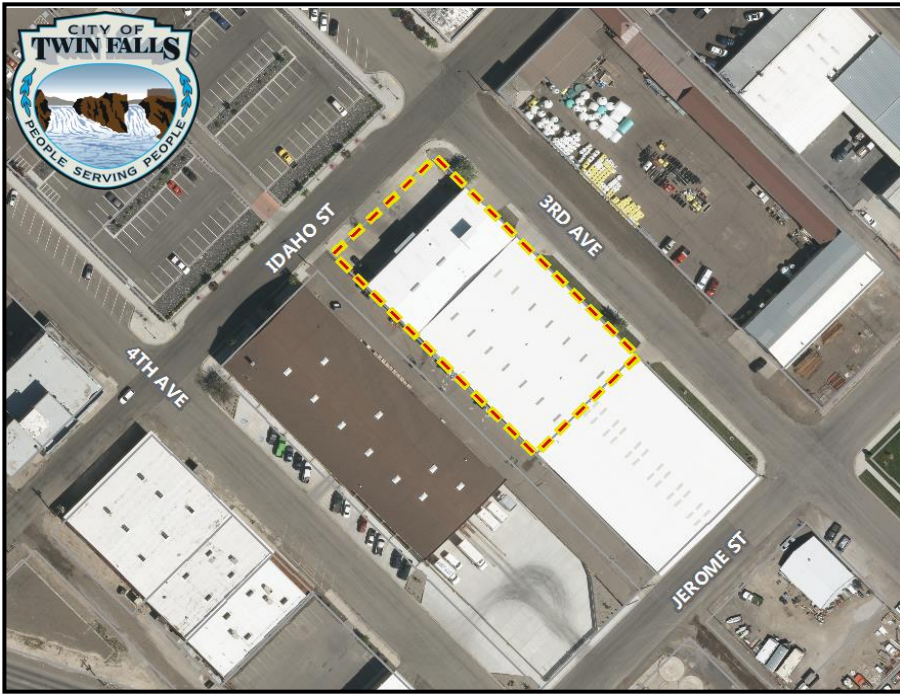
Conclusion:

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

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

Attachments:

1. Staff Report PZ19-0158
2. Vicinity Map
3. Narrative
4. Site Plan
5. Photos
6. SUP 853



Comprehensive Staff Report

To: Planning & Zoning Commission
Presenter: Brock Cherry, City Planner
Request: A **Special Use Permit** to allow the retail sale of alcoholic beverages when consumed on the premises where sold on property located at 302 3rd Avenue South.
Application: PZ19-0158
Applicant:
 Chad Babcock, Tumble Time c/o
 Kate Hahn
 302 2nd Avenue South
 Twin Falls, ID 83301

Public Hearing: January 28th, 2020

Analysis

This is a request to allow the retail sale of alcoholic beverages when consumed on the premises where sold on property located at 302 3rd Avenue South. The subject property is within the Old Town (O-T) Zoning District.

Per the applicant the purpose of the requested special use permit is to sell beer and wine on the subject property.

The hours of operation for the proposed use are Monday 10:00 AM – 8:00 PM, Tuesday 4:00 PM – 8:00 PM, Wednesday 4:00 PM – 8:00 PM, Thursday 10:00 AM – 8:00 PM, Friday 10:00 AM – 10:00 PM, Saturday 10:00 AM – 10:00 PM, and Sunday 10:00 AM – 10:00 PM.

Normally 500 to 1000 customers visit the subject property each week.

Approval Process

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

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

conditions. Conditions shall be implemented within 6 months or the permit is void.

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

History

Per County Records the building housing the proposed use was built in 1995. The subject property was issued a special use permit (SUP #853) for the retail sale of alcoholic beverages when consumed on the premises where sold on property before in 2003. However, because SUP #853 has been inactive for more than a year the use was discontinued.

The current indoor recreation facility which the proposed use would be accompanying has been in place since 2017.

Applicable Regulations or Codes

Per City Code 10-4-13.2, A special use permit is required for alcoholic beverages when consumed on the premises where sold in the Old Town District.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Downtown". The "Downtown" designation is meant to provide a diverse mix of retail, services, and entertainment. The retail sale of alcoholic beverages when consumed on the premises where sold on property use is considered a typical use found Downtown.

The 2009 Master Transportation Plan designates the subject property's surrounding roadways as a local roadway (Idaho Street) and a collector (3rd Avenue). It is anticipated that the existing transportation infrastructure will accommodate the proposed use.

Therefore, staff has determined this request is in compliance with City comprehensive plans.

Potential Impacts

Staff anticipates minimal detrimental impacts from the proposed use. It is anticipated that the proposed use will serve the existing customer base, further the proposed use is generally compatible with adjacent properties and uses.

Public Hearing: January 28th, 2020

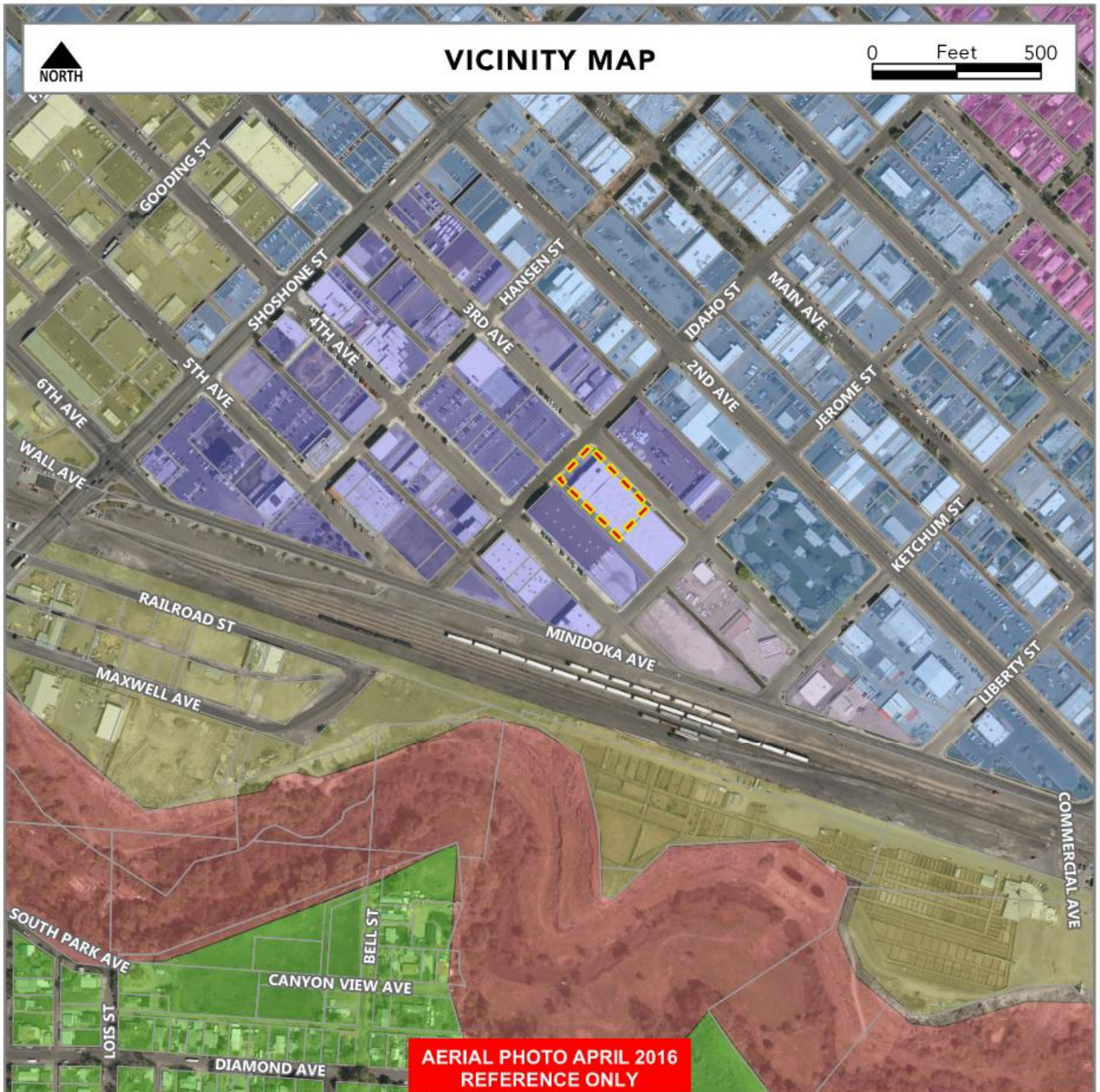
Conclusion

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

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

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos
5. SUP #853



	C-B		OS
	M-1		R-6
	M-2		R-6-MHO-1
	O-T		

Current Zoning: O-T
Comprehensive Plan:
Neighborhood Commercial

Existing Land Use: Indoor Rec.
Proposed Land Use: Retail sale of
alcoholic when consumed on the
premises where sold on property

Surrounding Zoning Designations & Land Use(s)

North: O-T, Parking Lot
South: O-T, Indoor Recreation
East: O-T, Storage
West: O-T, Storage

Applicable Regulations

10-2-1, 10-4-13.2, 10-11-1 to 8, 10-13-2-2

Jump Time Twin Falls is seeking the special use permit for the following reason:

- a. in order to apply for a beer and wine license.
- b. For the purpose of selling beer and wine in the premise
 - i: Open Monday: 10:00 AM – 8:00 PM
Tuesday: 4:00 PM – 8:00 PM
Wednesday: 4:00 PM – 8:00 PM
Thursday: 10:00 AM – 8:00 PM
Friday: 10:00 AM – 10:00 PM
Saturday: 10:00 AM – 10:00 PM
Sunday: 10:00 AM – 10:00 PM
 - ii: Normally between 500-1000 customers per week
 - iii: 5-10 Employees
- c. Evaluation of effect
 - i: Noise will not be an issue
 - ii: No glare
 - iii: No odor will carry over
 - iv: no additional fumes or vibration beyond current activity
 - v. General compatibility should remain the same with the adjacent properties. The license will not change the conduct of people within our facility.

4th Ave S.

Jump Time Twin Falls

Trampolines

Trampolines

Sitting
Area

Check in
snack
counter

Restrooms

Kitchen

Party
Rooms

inflatables

entrance

Soccer World

Jerome St. S.

Idaho St. S.

3rd Ave S.



Northern Property Facade



Eastern Property Facade



P.O. Box 1907321

Second Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

OFFICE OF THE PLANNING & ZONING DIRECTOR

208-735-7267

SPECIAL USE PERMIT

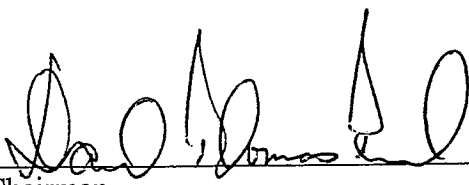
Permit No. 0853

Granted by the Twin Falls City Planning and Zoning Commission on December 9, 2003, to Jason Newhouse for Nazz Kart, Inc. whose address is 302 3rd Street South, for the purpose of serving beer and wine for consumption on the premises on real property located at 302 3rd Street South and legally described as Lots 1 through 10, Block 134 (16-10-17) Twin Falls Original Townsite.

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

- 1) Assure compliance with all State and local alcohol laws.




Chairman

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.

This permit corresponds to Application No. 1781

cc: Building Inspection



Date: Tuesday, January 28, 2020
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

Request for a Special Use Permit to allow a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue c/o Jeff Jones on behalf of Joni Schwertfeger-Jones. (PZ19-0161)

Time Estimate:

Five (5) minutes for Staff & Applicant presentation; Ten (10) minutes for public hearing; Five (5) minutes for Commission questions, discussion, and decision.

Background:

NA

Approval Process:

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

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

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

Budget Impact:

NA

Regulatory Impact:

NA

History:

Per County records the primary building on the property was built in 1948. The building was most recently used as professional office.

Analysis:

This is a request to for a special use permit to establish a commercial daycare facility and preschool on property located at 733 Addison Avenue. The subject property is located in the R-2 (Residential Single Household) Zoning District with PRO (Professional Office) Overlay.

The applicant plans to operate from 6:00am to 6:00pm Monday through Friday. Two (2) staff members will be present during operating hours.

Conclusion:

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

1. Subject to all State and Federal requirements pertaining to the proposed use.

Attachments:

1. PZ19-0161 Staff Report
2. Vicinity Map
3. Narrative
4. Site Plan
5. Photos
6. Opposition Letter - Janet Leutel
7. Support Letters - Sarah Allred & Matthew Allred
8. PZ19-0161 Petition to Cede Minutes - Janet Leutel



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Brock Cherry, City Planner
 Request: A **Special Use Permit** to establish a commercial daycare facility and preschool on property located at 733 Addison Avenue.
 Application: PZ19-0161
 Applicant:
 Joni Schwertfeger-Jones c/o
 Jeff Jones

Public Hearing: January 28th, 2019

Analysis

This is a request to for a special use permit to establish a commercial daycare facility and preschool on property located at 733 Addison Avenue. The subject property is located in the R-2 (Residential Single Household) Zoning District with PRO (Professional Office) Overlay.

The applicant plans to operate from 6:00am to 6:00pm Monday through Friday. Two (2) staff members will be present during operating hours.

Approval Process

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

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

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to

consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

History

Per County records the primary building on the property was built in 1948. The building was most recently used as professional office.

Applicable Regulations or Codes

Per the 1987 Stoker Settlement Agreement, for purposes of development and use standards the subject property is designated at R-2 PRO.

Per City Code 10-4-18.2, a special use permit is required for a commercial daycare facility and/or preschool.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Neighborhood Commercial." The "Neighborhood Commercial" designation seeks to provide supporting and small-scale commercial for surrounding neighborhoods.

Potential Impacts

The applicant states that children playing in fenced area outside will create a noise impact but not too detrimental to surrounding properties.

An increase in traffic may become an impact as children are dropped off and picked up. However, Addison Avenue is currently designated as an arterial roadway, and generally a fairly trafficked road. Therefore staff does not anticipate the increase to be substantial.

Conclusion

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

1. Subject to all State and Federal requirements pertaining to the proposed use.

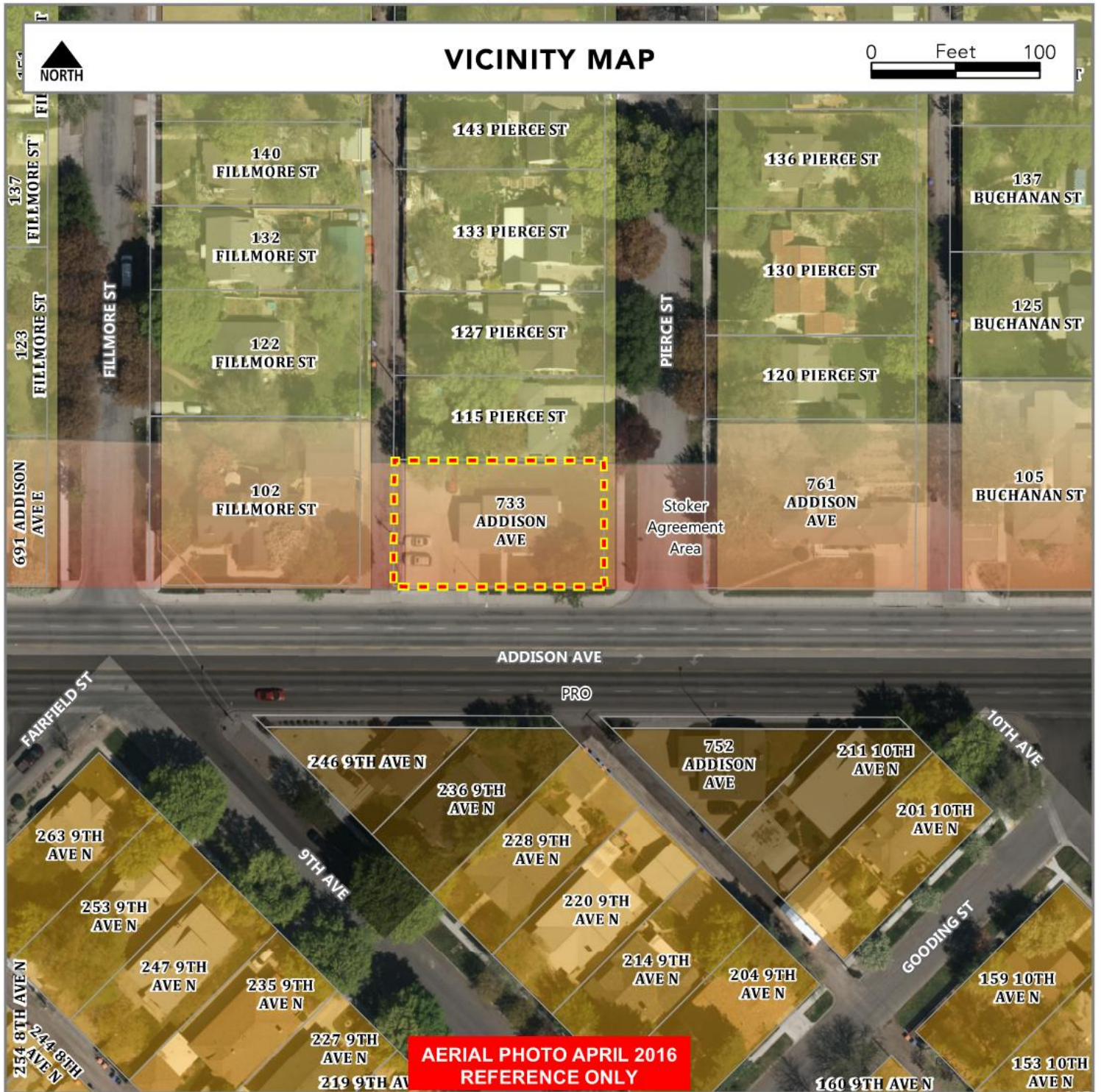
Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos
5. Opposition Letter – Janet Leutel
6. Support Letter – Sarah Allred

Public Hearing: January 28th, 2019

VICINITY MAP

0 Feet 100



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

PRO Stoker Agreement Area R-4 R-2

Current Zoning: R-2 PRO
Comprehensive Plan:
Neighborhood Commercial

Existing Land Use: Office
Proposed Land Use: Commercial
Daycare & Preschool

Surrounding Zoning Designations & Land Use(s)

North: R-2, Residential

East: R-2 PRO, Residential

South: Addison Avenue

West: R-2 PRO, Bed & Breakfast

Applicable Regulations

10-2-1, 10-4-18.2, 10-11-1 to 8, 10-13-2-2

4.

a. The reason we are requesting a special use permit, is to open a daycare facility.

b.

I. Hours of operation are Monday-Friday 6am until 6pm. Closed Saturday and Sunday.

II. Traffic will be mild during morning drop off's and evening pick up's.

III. There is two employee's plus Myself. Shift are alternating so only 2 vehicles will be in parking lot.

c.

I. The noise level will be higher during spring and summer when the children can be outside playing. Other than that the noise level will be moderate.

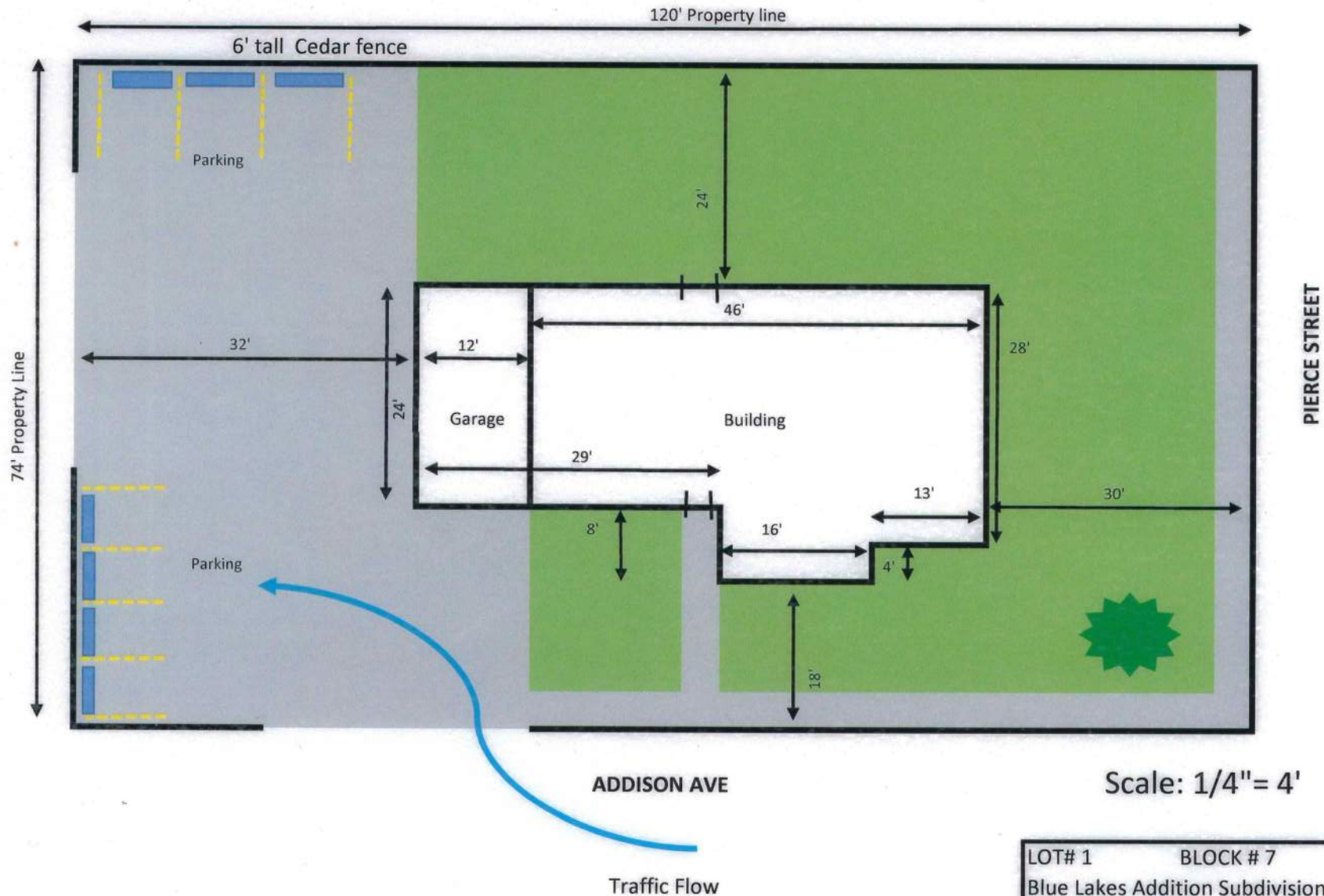
II. no glare

III. No odor

IV. No fumes and/or vibration

V. There is a Bed and Breakfast next to building that would not be affected in any way. There is a park within walking distance on Pierce street which the children could play at as well. There is no other daycare in that area and I feel it would be an asset to the community.

733 Addison Ave Commercial Site Plan



LOT# 1 BLOCK # 7
Blue Lakes Addition Subdivision

Micheal Ziegler & Denise Johnson
733 Addison Avenue
Twin Falls, Idaho



SE Corner looking NW



NE Corner looking SW



NW Corner Looking SE



SW Corner looking NE

SUBMITTED
TO STAFF ON
1/10/2020

Janet Leutel
115 Pierce Street
Twin Falls, Idaho
83301

Attn: Twin Falls Planning and Zoning Commission
Re: Proposed Child Care Facility and Preschool
Special Use Permit Application PZ 19-0161
Applicant: Joni Schwertfeger-Jones c/o Jeff Jones

I am a home and property owner adjacent to the proposed Childcare Facility and Preschool referenced above. I have grave concerns about the appropriateness of the use of the building in this proposal. My concerns are that;

- The minimum requirements for such a permit may not be enough to warrant approval of this plan.
- Living next door to a Childcare Facility and Preschool is less than ideal. I strongly believe that having the Daycare Facility and Preschool will adversely affect the value of my property, and that of my neighbors.
- The applicant states that the children playing in the fenced area outside the building will create a noise impact. I feel the noise impact will be deleterious or detrimental to the surrounding properties; as the neighbors are home during proposed hours of operation of the Childcare Facility and Preschool.
- As an owner of the property directly next door, I had a reasonable expectation that the property would be used for a business commensurate with a law office.
- Further, from the corner of Shoup Ave. to the corner of Addison St., Pierce St. is unusually narrow. Most of the home driveways only accommodate one car, yet the majority of the homeowners have two cars. Residents use the street to park their second car. Currently, we pull over to the side if two cars are approaching from opposite directions. Further, cars carrying children to the Childcare Facility and Preschool will cause unwanted and unnecessary congestion compounding this situation. As residents we feel we have all we can handle.
- The property also poses danger to parents dropping off their children in the driveway, as there is not room for a turn around, and the parents would have to back out to Addison St.
- The Stoker Settlement Agreement (1987) states that any business on Addison St. must maintain the façade of a private home. The Childcare Facility and Preschool by its nature will not meet this requirement.

All of the above indicate that this proposed site would not be appropriate

SUBMITTED
TO STAFF ON
1/10/2020

for the the existing neighborhood. However one does not live a meaningful life just for yourself, but also for others. This objection to the approval of this permit is also about having a safe, appropriate place for the children's early childhood education.

Well documented, available evidence states that young children are particularly susceptible to air pollution given their narrow airways, higher breathing rates, and developing lungs and immune systems. Exposure to (NO₂) and (PM_{2.5}) near their home or daycare may be associated with the development of wheezing, physician diagnosed asthma, flu, serious colds and ear nose and throat infections. Although the children only spend a portion of their day in childcare and preschool, the hours they spend in these facilities could represent a significant proportion of their overall daily exposure. The proposed building is adjacent to a major highway artery, HWY 93, with a significant amount of traffic.

Mitigating Factors Should The Permit Be Accepted

To make everyone happy and to ensure that Twin Falls continues to be a wonderful place to live, I am requesting these mitigating actions:

- A wooden fence at least 6 feet tall, that would preclude someone walking by on the sidewalk on Pierce St. or Addison St. from seeing Daycare Facility and Preschool furniture in the yard. The height of this fence is also a safety measure so that a 4 year-old or 5 year-old child would not be able to pull the furniture to the fence and be able to climb up and tumble over to be endangered by Hwy 93. A chain link fence would be entirely unsatisfactory.
- Additional screening on the north side of the property in question, so that car headlights will not flood the adjacent properties for drop off and pick ups.
- Trees to be planted on the north side, to protect me from the noise and from viewing the Daycare Facility and Preschool operation.
- Shields around all exterior lights so they do not illuminate my property.
- Reduced hours of operation. The mere fact alone of a 12 hour business, highlights how much of a departure this business is from a quiet, non-invasive Law or other professional office.
- These solutions address the impact on my property and my neighbors and what is optimal for me.

The best case scenario would be that application PZ19-0161 be denied.

Thank-you for your consideration of this matter and our concerns.

Sincerely,

Janet Leutel M.A. C.C.C.-SLP 115 Pierce St., Twin Falls

Sandy Harney 120 Pierce St., Twin Falls

Annie-Laurie Burton 127 Pierce St., Twin Falls

Carol Dumas 130 Pierce St., Twin Falls

Brock Cherry

From: Kelli Ebersole
Sent: Thursday, January 23, 2020 12:32 PM
To: Brock Cherry
Subject: FW: Pre-school in our area

One more in favor of the preschool.



Kelli Ebersole, *Administrative Assistant*
Planning & Zoning Department
203 Main Ave. E., Twin Falls, ID 83301
[208.735.7267](tel:208.735.7267)
keebersole@tfid.org

From: Matthew Allred <mallred87@gmail.com>
Sent: Thursday, January 23, 2020 11:20 AM
To: Kelli Ebersole <KeEbersole@tfid.org>
Subject: Pre-school in our area

[EXTERNAL SENDER]

Hi! I'm writing in regards to the potential pre-school opening in our area. I'm definitely in favor of this. It's something we might potentially use in the future, and even if we don't, I'm sure others would. It seems to me I'm always hearing people say there aren't enough pre-schools, the waiting lists are too long, there aren't enough options out there, so it's something I'd like to see more of in general.

Thanks!

Matthew Allred
189 Pierce St.
Twin Falls, ID

Brock Cherry

From: S All <sallred105@gmail.com>
Sent: Wednesday, January 22, 2020 9:53 AM
To: Brock Cherry
Subject: Re: Support for preschool

[EXTERNAL SENDER]

Brock,

Sure, my primary address is 189 Pierce Street, Twin Falls, ID.

Thanks,
Sarah Allred

On Wed, Jan 22, 2020 at 9:51 AM Brock Cherry <BCherry@tfid.org> wrote:

Sarah,

Thank you for your letter of support. Can you also provide your primary address?

Best,



Brock Cherry, City Planner
Planning & Zoning Department
203 Main Ave. E., Twin Falls, ID 83301
208.735.7294
bcherry@tfid.org

From: S All <sallred105@gmail.com>
Sent: Wednesday, January 22, 2020 9:42 AM
To: Kelli Ebersole <KeEbersole@tfid.org>
Subject: Support for preschool

[EXTERNAL SENDER]

Hello Kelli,

This is Sarah Allred. Thanks for returning my call the other day. I will not be able to attend the city council meeting on the 28th, so I just wanted to email you and let you know in writing that I am in favor of the preschool being allowed to operate in the neighborhood with the presidential streets in Twin Falls. Please let me know if I need to provide other information.

Thanks,

Sarah Allred



P219-0161

Janet Leutel
115 Pierce Street, Twin Falls, Idaho 83301

Petition to Cede Minutes to the Speaker

1. Janet Leutel JANET LEUTEL 115 Pierce St.
2. Sandy Harney Sandy Harney 120 Pierce St.
3. Annie Laurie Barton Annie Laurie Barton (AB.)
127 Pierce St.
4. Rocky L. Fisher Rocky L. Fisher
133 Pierce St.
5. Mrs. Pepper 153 Pierce St.
- * 6. Mrs. Carberry 161 Pierce St.
7. Todd Summerfield 168 Pierce St.
8. Chasie R. LeBaton 136 Pierce St.
9. EQ Dumas 130 Pierce St.
10. Janie Wubker 160 Buchanan St.
11. Mark Gordoski 106 Buchanan
12. Aleasha Cochran Aleasha Cochran
817 Shoshone St N
- 13.
- 14.
- 15.
- 16.
- 17.



Janet Leutel
115 Pierce Street, Twin Falls, Idaho 83301

Petition to Cede Minutes to the Speaker

1. Mark McLellan (*Mark McLellan*) 761 Edison Ave.
- 2.
- 3.
- 4.
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- 10.
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