



Twin Falls Planning & Zoning Commission Agenda

Tuesday, June 23, 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: David Detweiler

1) Call In Instructions

- a) **INFORMATIONAL:** To call in for Public Comment on the items on this agenda, please call **1-208-939-6718, Conference ID: 956 094 682#**. Calls must be received between **6:00 pm - 6:10 pm** and will be put into the queue to speak during the Public Hearing portion of the meeting.

2) Confirmation of Quorum/Call Meeting to Order

3) Consent Calendar

- a) **ACTION ITEM:** Approval of Minutes from the following meeting: June 9, 2020

4) Items of Consideration

- a) **ACTION ITEM:** Request for consideration of the Preliminary Plat for Broadmoor Subdivision No. 2 approximately .49 (+/-) acres into 2 residential lots on property located at 1170 Woodland Meadows Way. c/o EHM Engineers, Inc. (PZ20-0068)
By: Lisa Strickland, City Planner

5) Public Hearings

- a) **ACTION ITEM:** Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)
By: Jonathan Spendlove, P&Z Director
- b) **ACTION ITEM:** Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)
By: Lisa Strickland, City Planner

- c) **ACTION ITEM:** Request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson. (PZ20-0062)

By: Lisa Strickland, City Planner

6) Upcoming Meeting(s)

- a) **INFORMATIONAL:** Tuesday, July 14, 2020

7) Adjournment

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

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 9, 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: David Detweiler

1) Call In Instructions

- a) To call in for Public Comment on the items on this agenda, please call **1-208-939-6718, Conference ID: 298 833 634#**. Calls must be received between 6:00 pm - 6:10 pm and will be put into the queue to speak during the Public Hearing portion of the meeting.

2) 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, Bolton, Hansen, Musser, Detweiler, Perez

Staff Present: Spendlove, Nope, Vitek, Cherry, Strickland, Ebersole, Hafer

3) Consent Calendar

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

Consent Calendar approved by a vote of 4-0-3

- a) Approval of Minutes for the following meeting: May 12, 2020

4) Items of Consideration

- a) Preliminary Presentation for a request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson.(PZ20-0062)

Staff Presentation:

City Planner Strickland presented the Preliminary Presentation for a request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson.(PZ20-0062)

A public hearing regarding this request will be heard at the regularly scheduled Planning & Zoning Commission public meeting June 23, 2020. Further staff analysis will be provided at that time. No action is taken at the presentation meeting.

The property has been historically used for agriculture. In June 1997, the City Council approved a rezone of this property to R-2, R-4, R-4 PRO, and C-1 PUD to allow mixed residential, professional and commercial development. The Cedar Park Agreement was recorded in 2004.

Staff will provide analysis of the request at the public hearing scheduled for **Tuesday, June 23, 2020.**

Upon conclusion staff makes no recommendation at this time. Staff will present a full analysis of the request at the public hearing-scheduled for **Tuesday, June 23, 2020.**

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing applicant, presented the request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North. This request incorporates Cedarpark #10, that was platted previously with the same usage with the unplatted portion, Cedarpark #13. They are asking to combining allowed uses as they have an interested party in the uses.

PZ/Questions & Comments: **none**

5) Public Hearings

- a) Request for a Special Use Permit to allow a Home Occupation on property located at 2436 Independence Street c/o Kara Larson. (app. PZ20-0050)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow a Home Occupation on property located at 2436 Independence Street c/o Kara Larson. (app. PZ20-0050)

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.

The home was built in the Hometown Subdivision in 2013. The home has a driveway approach on the street that should be sufficient for the customers to park.

The anticipated impact is a minimal amount of traffic comparable with people visiting the neighborhood. Staff expects that the applicant wants to be a good neighbor and will be mindful of her business and its possible impacts to the neighbors. Customers will be asked to park in the applicant's driveway and should they have to park on the street will be instructed not to block anyone's driveway. Neighbors are encouraged to notify the applicant should a problem arise and if necessary, they may contact city staff.

Upon conclusion should the Commission approves this request as presented, then staff recommends the following conditions.

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

Applicant Presentation:

Applicant Kara Larson gave her presentation for the request for a Special Use Permit for a Home Occupation at 2436 Independence Street. Ms. Larson stated that she would like to have a home salon, to service her private clientele.

PZ/Questions & Comments:

- Commissioner Bolton asked what services the applicant will be providing.
- Ms. Larson stated she will offer haircuts, color services, and facial waxing.
- Commissioner Detweiler asked the client count.
- Applicant stated on average she sees 10 clients per week, but that number can fluctuate.

Public Hearing: Opened and Closed without input

Applicant Closing Statement:

- Ms. Larson asked about using the street parking in front of her house as the primary customer parking with the driveway being secondary use.
- PZ Director Spendlove stated the street parking is public parking. Private parking on the street cannot be granted through the SUP. Clientele is welcome to park on the street, as it is public parking.

Discussions Followed:

- Commissioner Musser asked staff if there could be a condition limiting the amount of traffic and what is the process for traffic complaints by neighbors who may be

affected.

- PZ Director Spendlove stated the commission can ask to bring the SUP back for review or a neighbor can file to revoke the SUP if there is a violation of conditions. If a neighbor feels there are consistent violations, they can contact staff and ask for an evaluation of the SUP.

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow a Home Occupation on property located at 2436 Independence Street c/o Kara Larson, as presented with staff recommendations. (app. PZ20-0050)
Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 7 to 0.

- b) Request for a Special Use Permit to allow a Home Occupation on property located at 2181 Selway Street c/o William Salamone. (PZ20-0054)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 2181 Selway Street c/o William Salamone. (PZ20-0054)

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 2013. This is a request to allow a Home Occupation for a Federal Firearms Licensed Transfer business located at 2181 Selway Street. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to operate on a part time basis however will schedule appointments Monday through Friday from 6:00 AM to 8:00 PM and Saturday from 9:00 AM to 6:00 PM. The applicant expects to provide services to two (2) customers per week day and as many as nine (9) customers on Saturdays.

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:

Applicant Salamone presented his request for a SUP for a Home Occupation. Mr. Salamone stated this will be a part time job to help support his family. Customers will be seen one at a time.

PZ/Questions & Comments:

- Commissioner Bolton asked staff if there have been any issues with similar SUP's or has staff had any contact with the ATF.
- City Planner Cherry stated there have been no reports of issues from similar SUP's.
- Commissioner Detweiler asked the applicant if there is a display of firearms to purchase in the home.
- Mr. Salamone stated there is no display at the home.

Public Hearing: Opened and closed without input

- Chairperson Titus stated there were written comments received prior to the meeting and all were reviewed by the commission.

Discussions Followed:

- Commissioner Musser stated lives nearby the applicant, and he is in favor of this request, but has had conversations with neighbors who are not in favor. He stated their concerns are with growth of the business and traffic flow in the neighborhood.
- Commissioner Kelley asked if we can revisit the traffic concern as a condition of permit.
- City Planner Cherry stated if anyone sees people not obeying the traffic laws, they can call the authorities.
- Commissioner Bolton stated that as none of the previous SUP's have been problematic and have to answer to the ATF, she does not see a safety threat as safety to neighbors and doesn't believe the commission can treat this request differently.
- Commissioner Perez stated believes there is no problem with this request.
- Commissioner Hansen asked about Commissioner Musser living close by and does he need to excuse himself from the item.
- City Attorney Nope stated there is no issue as Commissioner Musser brought forward the discussion he had with neighbors, and is not going to benefit from this request.

MOTION: Commissioner Kelley moved to approve the request for a Special Use Permit to allow a Home Occupation on property located at 2181 Selway Street c/o William Salamone, as presented with staff recommendations. (PZ20-0054).

Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 7 to 0.

- c) Request for a Special Use Permit to allow a drive through and extended hours of operation on property located at 468 North Haven Drive c/o L. Colby Ricks on behalf of Oasis Stop N Go LLC. (PZ20-0055)

Staff Presentation:

City Planner Cherry presented the Request for a Special Use Permit to allow a drive through and extended hours of operation on property located at 468 North Haven Drive c/o L. Colby Ricks on behalf of Oasis Stop N Go LLC. (PZ20-0055)

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.

The subject property has historically been used for agricultural uses. Currently the property is vacant / undeveloped.

This is a request for a Special Use Permit to allow a drive through facility and fuel sales with extended hours of operation on property located at 468 North Haven Drive. The subject property is zoned the C-1 (Commercial Highway) PUD (North Haven #245). The existing fueling station and convenience store located at 1662 Park View Drive would like to expand business operations to the immediate adjacent lot to the south (468 North Haven Drive).

The proposed expansion will include eight (8) additional fuel pumps and a drive through to provide drive through coffee services. Both proposed uses are being proposed in compliance with current parking and stacking requirements. It is anticipated that the new gas pumps will be accessible 24 hours a day and that the drive through will be open from 5:00AM to 9:00PM seven days a week.

It is determined by staff that in regards to the proposed building accompanying the requested drive-thru meets architectural design standards as established by the North Haven #245 PUD.

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:

Colby Ricks, representing applicant, presented the request for the SUP. The drive through is not planned to be developed at this point, but wanted to ask for the use with this SUP. The fuel pumps will be the first item developed at this time.

PZ/Questions & Comments:

- Commissioner Hansen asked if the coffee shop will be built with pumps.
- Mr. Ricks stated there is no plan to build the coffee shop at this time.
- Commissioner Kelley asked the current hours.
- Mr. Ricks stated currently the fuel pumps run 24 hours a day.
- Chairperson Titus asked staff if in the future a tenant comes in for the drive through, does the hours of 24 hours a day come in to play.
- City Planner Cherry stated the 24 hours are only for the fuel pumps, with the coffee shop being on a different retail schedule.
- Chairperson Titus asked about the escape lane requirement with the drive through.
- City Planner Cherry stated the escape lane requirement would be reviewed with the building permit review.
- PZ Director Spendlove gave the building permit timeline guidelines.
- Commissioner Bolton asked if there is a tenant for the rental area.
- Mr. Ricks stated there is not a tenant yet.
- Chairperson Titus asked about if the landscaping requirements will be put in at the time of the pump construction.
- City Planner Cherry stated all site improvements will be in place with the pump construction.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow a drive through and extended hours of operation on property located at 468 North Haven Drive c/o L. Colby Ricks on behalf of Oasis Stop N Go LLC, as presented with staff recommendations (PZ20-0055).

Commissioner Musser seconded the motion.

Unanimously approved by a vote of 7 to 0.

- d) Request Annexation with a Zoning Designation of R2 for property located at 700-1000 block of Hankins Road c/o EHM Engineers, Inc. on behalf of Joseph McCollum - McCollum Enterprises. (PZ20-0056)

Staff Presentation:

PZ Director Spendlove presented the Request for Annexation with a Zoning Designation of R2 for property located at 700-1000 block of Hankins Road c/o EHM Engineers, Inc. on behalf of Joseph McCollum - McCollum Enterprises. (PZ20-0056)

He stated that the PZ Commission's responsibility is to give City Council a recommendation

regarding the R2 zoning designation.

§10-15-2: Annexation: The Commission shall conduct at least one public hearing, to send a recommendation to City Council for the proposed plan and zoning designation. Interested persons shall have an opportunity to be heard at the commission and council hearings. The Planning & Zoning Commission hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

Per City and County records the subject properties have been both historically and currently used for agricultural purposes. The subject properties are currently vacant / undeveloped. This is a request to annex parcel RP10S17E133300 and RP10S17E133610, a total of 56 acres +/- between the two parcels located at the 700 – 1000 Block of Hankins Road. Currently the parcel is zoned R-2 (Residential Single Household or Duplex District). The applicant is requesting a zoning designation remain R-2 with this annexation.

The Commission is tasked to make a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to, approve the request as presented, request a different zoning designation, or table the request in order to acquire additional information.

PZ/Questions & Comments:

- Commissioner Musser asked the differences between county and city zoning.
- PZ Director Spendlove stated there is no difference in the uses, just the governing body of the land.
- Commissioner Detweiler asked if still going to be used for agriculture for a while.
- PZ Director Spendlove stated he is not aware of the development timeline.
- Commissioner Bolton asked for clarification on the R2 zoning and would annexation give them access to city water and sewer services.
- PZ Director Spendlove stated if the area was to be developed, the R2 zone requires the use of city services.
- Commissioner Kelley asked for clarification on what the commission's role is tonight.
- PZ Director Spendlove clarified what the commission's role is, and they will not be part of the final decision for annexation.
- Commissioner Hansen asked if the current owners could develop the land without annexation.
- PZ Director Spendlove stated they could develop a few lots within the Area of Impact.
- Commissioner Bolton asked who owns the road currently.
- PZ Director Spendlove stated there is a maintenance agreement between the County and City with shared roads. If the annexation is approved, the City would take over maintenance of the portion of Hankins Rd.
- Commissioner Perez asked if the proposed density is the same as the developed areas around.
- PZ Director Spendlove clarified the zoning of the surrounding areas using the current zoning map.

Applicant Presentation:

David Thibault, EHM Engineers, representing applicants, presented the requests for the annexations of the McCollum and Rahe properties. He stated they would like to keep the R2 zoning designation. He stated this zoning is with comprehensive plan and consistent with the development to the west and north. He stated the annexation is the first step in the development process. He stated these properties will be part of a 4-7 year development process. With the annexation, he stated the properties will be serviced by the city for water and sewer.

PZ Questions/Comments:

- Chairperson Titus asked for clarification on the properties as part of the request and on the zoning designation recommendation and the different stages of the development process.
- PZ Director Spendlove stated the annexation is the first step of the development process.

Public Hearing: Opened

- Citizen Barbara Bratt stated her concern that the annexation would landlock her property without an access road. She asked for a delay for annexation.
- Citizen Kevin Skinner stated he would like to see larger lots be required for the development than the minimum R2 lot size.
- Citizen Marilyn Righetti asked who pays for the sewer and water improvement with this annexation. She also asked many homes per acre would be developed and where the roads would be placed in and out of the property. She stated there are no schools in the area to serve any new families that would come to the area.

Public Hearing: Closed

Applicant Final Statement:

Mr. Thibault stated there is no plan to change the property lines and the access roads would remain the same to current properties. Any development would not be impacting existing access. He stated the roadway development or lot size would be determined at the developmental process, so he can't answer the number of lots and how the roads will be developed at this time. He also stated the developers are required to install and pay for the infrastructure to city code standards. He stated the minimum lot sizes for the R2 zoning are 6,000 sq. ft for a detached single family residence and 10,000 sq. ft. for a duplex.

PZ Comments/Questions:

- PZ Director Spendlove stated the questions are valid, but do not pertain to this commission's recommendation, as the recommendation to City Council is only for the R2 zoning designation. He reviewed the minimum lot sizes and the development process.
- Commissioner Hansen asked about "right to farm" laws.
- PZ Director Spendlove stated person who is currently farming can keep farming as long as farm with best practices as identified by the State of Idaho.
- Commissioner Perez asked for clarification as far of green space and/or parks requirements in the annexation process.
- PZ Director Spendlove that is not part of the annexation process.

Discussion:

- Chairperson Titus clarified that in the platting process is when development will be brought back and notifications to the neighbors will go out again. She stated the roadways will be looked at by the commission at that time.
- Commissioner Hansen disclosed he was asked about the R2 designation and gave an answer to one of the neighbors, not knowing it was referring to this project.
- Commissioner Kelley reiterated that the concerns brought forward tonight are not considered as part of the commission's decision tonight. He stated he has no issue with retaining the R2 zoning designation.
- Commissioner Hansen agreed with retaining the R2 zoning designation.
- Commissioner Bolton stated there is a very specific focus tonight and is in agreement with retaining the current zoning.
- Commissioner Detweiler stated the town is growing and believes it makes sense. To not change the zoning.
- Chairperson Titus stated the zoning is cohesive with surrounding areas.
- Commissioner Hansen stated he is aware of the school boundaries being revised.

Motion:

Commissioner Bolton made a motion to recommend approval of the request for a zoning designation of R2 for property located at 700-1000 block of Hankins Road c/o EHM Engineers, Inc. on behalf of Joseph McCollum - McCollum Enterprises as presented, with staff recommendations. (PZ20-0056)

Commissioner Detweiler seconded the motion.

Unanimously approved by a vote of 7-0

- e) Request for Annexation with a Zoning Designation of R2 for property located at the 400-600 block of Hankins Road c/o EHM Engineers, Inc. c/o Ruth Rahe. (PZ20-0057)

Staff Presentation:

PZ Director Spendlove presented the request for Annexation with a Zoning Designation of R2 for property located at the 400-600 block of Hankins Road c/o EHM Engineers, Inc. c/o Ruth Rahe. (PZ20-0057)

§10-15-2: Annexation: The Commission shall conduct at least one public hearing, to send a recommendation to City Council for the proposed plan and zoning designation. Interested persons shall have an opportunity to be heard at the commission and council hearings. The Planning & Zoning Commission hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

Per City and County records the subject properties have been both historically and currently used for agricultural purposes. The subject properties are currently vacant / undeveloped. Currently the parcel is zoned R-2 (Residential Single Household or Duplex District). The applicant is requesting to be Annexed, and retain the current R-2 Zoning District designation.

The current zoning of the property is similar to surrounding development to the South and West. Modifying the zoning district from R-2 would require compliance with the Comprehensive Plan and Future Land Use Map.

The Commission is tasked to make a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to, approve the request as presented, request a different zoning designation, or table the request in order to acquire additional information.

PZ/Questions & Comments:

- Commissioner Musser asked the differences between county and city zoning.
- PZ Director Spendlove stated there is no difference in the uses, just the governing body of the land.
- Commissioner Detweiler asked if still going to be used for agriculture for a while.
- PZ Director Spendlove stated he is not aware of the development timeline.
- Commissioner Bolton asked for clarification on the R2 zoning and would annexation give them access to city water and sewer services.
- PZ Director Spendlove stated if the area was to be developed, the R2 zone requires the use of city services.
- Commissioner Kelley asked for clarification on what the commission's role is tonight.
- PZ Director Spendlove clarified what the commission's role is, and they will not be part of the final decision for annexation.
- Commissioner Hansen asked if the current owners could develop the land without annexation.
- PZ Director Spendlove stated they could develop a few lots within the Area of Impact.
- Commissioner Bolton asked who owns the road currently.
- PZ Director Spendlove stated there is a maintenance agreement between the County and City with shared roads. If the annexation is approved, the City would take over maintenance of the portion of Hankins Rd.
- Commissioner Perez asked if the proposed density is the same as the developed areas around.
- PZ Director Spendlove clarified the zoning of the surrounding areas using the current zoning map.

Applicant Presentation:

David Thibault, EHM Engineers, representing applicants, presented the requests for the annexations of the McCollum and Rahe properties. He stated they would like to keep the R2 zoning designation. He stated this zoning is with comprehensive plan and consistent with the development to the west and north. He stated the annexation is the first step in the development process. He stated these properties will be part of a 4-7 year development process. With the annexation, he stated the properties will be serviced by the city for water and sewer.

PZ Questions/Comments:

- Chairperson Titus asked for clarification on the properties as part of the request and on the zoning designation recommendation and the different stages of the

development process.

- PZ Director Spendlove stated the annexation is the first step of the development process.

Public Hearing: Opened

- Citizen Barbara Bratt stated her concern that the annexation would landlock her property without an access road. She asked for a delay for annexation.
- Citizen Kevin Skinner stated he would like to see larger lots be required for the development than the minimum R2 lot size.
- Citizen Marilyn Righetti asked who pays for the sewer and water improvement with this annexation. She also asked many homes per acre would be developed and where the roads would be placed in and out of the property. She stated there are no schools in the area to serve any new families that would come to the area.

Public Hearing: Closed

Applicant Final Statement:

Mr. Thibault stated there is no plan to change the property lines and the access roads would remain the same to current properties. Any development would not be impacting existing access. He stated the roadway development or lot size would be determined at the developmental process, so he can't answer the number of lots and how the roads will be developed at this time. He also stated the developers are required to install and pay for the infrastructure to city code standards. He stated the minimum lot sizes for the R2 zoning are 6,000 sq. ft for a detached single family residence and 10,000 sq. ft. for a duplex.

PZ Comments/Questions:

- PZ Director Spendlove stated the questions are valid, but do not pertain to this commission's recommendation, as the recommendation to City Council is only for the R2 zoning designation. He reviewed the minimum lot sizes and the development process.
- Commissioner Hansen asked about "right to farm" laws.
- PZ Director Spendlove stated person who is currently farming can keep farming as long as farm with best practices as identified by the State of Idaho.
- Commissioner Perez asked for clarification as far of green space and/or parks requirements in the annexation process.
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Discussion:

- Chairperson Titus clarified that in the platting process is when development will be brought back and notifications to the neighbors will go out again. She stated the roadways will be looked at by the commission at that time.
- Commissioner Hansen disclosed he was asked about the R2 designation and gave an answer to one of the neighbors, not knowing it was referring to this project.
- Commissioner Kelley reiterated that the concerns brought forward tonight are not considered as part of the commission's decision tonight. He stated he has no issue with retaining the R2 zoning designation.
- Commissioner Hansen agreed with retaining the R2 zoning designation.

- Commissioner Bolton stated there is a very specific focus tonight and is in agreement with retaining the current zoning.
- Commissioner Detweiler stated the town is growing and believes it makes sense. To not change the zoning.
- Chairperson Titus stated the zoning is cohesive with surrounding areas.
- Commissioner Hansen stated he is aware of the school boundaries being revised.

Motion:

Commissioner Hansen made a motion to recommend approval of Request for Annexation with a Zoning Designation of R2 for property located at the 400-600 block of Hankins Road c/o EHM Engineers, Inc. c/o Ruth Rahe, as presented with staff recommendations. (PZ20-0057)
Commissioner Detweiler seconded the motion.

Unanimously approved by a vote of 7-0

- f) Request for a Special Use Permit to allow a Real Estate and Related Business on property located at 415 Addison Avenue c/o Melinda McKee on behalf of JCS Properties. (PZ20-0059)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow a Real Estate and Related Business on property located at 415 Addison Avenue c/o Melinda McKee on behalf of JCS Properties. (PZ20-0059)

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.

The building located along Addison Avenue has operated as a legal non-conforming office for many years. However, in 2017 the property came through for a rezone to include the parking area located to the north of the building. The rezone designated the property as R-4 PRO which requires special use permits for specific types of professional offices.

The accessory building located on site will require a building permit and meet zoning setback requirements to remain on site. Staff and the applicant anticipate minimal impacts to the surrounding property provided the property remains in compliance with City Codes and Standards.

Upon conclusion should the Commission approves this request as presented, then staff

recommends the following conditions.

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

Applicant Presentation:

Melinda McKee, administrator for JCS Properties, presented the request for the Special Use Permit. She stated on March 31, 2020, the owner of the property found out they were out of compliance with the current land use. She stated if they were aware of the issue, they would have applied for the Special Use Permit ahead of purchase. She stated it will still be used as an office, and the change is to the type of business. She explained that the property management office services the 18 properties owned by Mr. Sherrill. She added that the plan is to put up a fence to screen the entire north parking lot to be a secure area for parking and storage. There is a storage container in the back parking lot to house their maintenance supplies.

PZ/Questions & Comments:

- Commissioner Hansen asked when the property was purchased.
- Ms. McKee stated the property was purchased in August 2017.
- Commissioner Perez asked how tall the storage shed is.
- Applicant stated it is 8 feet tall.
- Chairperson Titus asked staff about the related business definition and why the request is not worded differently.
- PZ Director Spendlove clarified the verbiage.
- Chairperson Titus asked if the storage unit needs a separate permit.
- PZ Director Spendlove clarified it is considered a building, and will need a building permit. He explained the types of screening that is allowed.
- Commissioner Kelley asked the applicant how far is the container from the current fence.
- The applicant stated the container will be moved back to meet the setback requirement.
- Commissioner Hansen asked how long the container has been in the lot.
- The applicant stated as of March 2020.
- Commissioner Bolton asked staff when the zoning changed at this location.
- PZ Director Spendlove stated the change happened in 2017 before the property was purchased, which triggers the need for an SUP for use of the office.

Public Hearing: Opened

- Citizen Fred Sweatfield stated his concerns with this property and his desire for at least an 8 foot fence and the container moved.
- Citizen Carsten Jess stated his concerns with the shipping container and his issues with the applicant.
- Citizen Naomi Sweatfield asked to show photos of the property in question in regards to maintenance at the property line. The photos were presented as part of the record.
- City Attorney Nope stated any pictures shown need to be part of the record.

Public Hearing: Closed

Applicant Closing Statement:

Ms. McKee stated the fence shown in the pictures does not belong to the applicant. She stated they are willing to paint the container moved, they will paint it a neutral color. She stated once they put the fence on property, it will help raise it to appear taller and screen the property better. The fence will be professionally built.

Discussions Followed:

- Commissioner Hansen asked about using chain link.
- PZ Director Spendlove stated the screening requirement means totally obscured.
- Chairperson Titus asked staff who would maintain the space in between fence and neighbor.
- PZ Director Spendlove stated the property owner will be responsible for the maintenance of the property.
- Commissioner Detweiler asked if the container is moved, will it be within code requirements.
- PZ Director Spendlove stated as part of the building permit, they will be required to comply with code setbacks.
- Commissioner Detweiler stated he does not have an issue with the office space, and his only concern is the container location.
- Commissioner Hansen stated he does not believe the shipping container is harmonious. He would be in favor of the SUP without container allowed.
- Chairperson Titus asked for clarification of adding conditions.
- PZ Director Spendlove clarified what type of conditions can be added by the commission.
- Commissioner Hansen asked if the shipping container is considered a permanent building. He does not believe in this case, the container is harmonious.
- City Attorney Nope reviewed the seven (7) criteria for adding conditions.
- Commissioner Perez stated it may be a reasonable request if the applicant is willing to paint the container or make it less obvious.
- Commissioner Detweiler stated he isn't sure if containers are adequate for the area.
- Commissioner Kelley asked if painting the container to blend with the building could be harmonious. He stated with the screening fence and the container moved to the proper setback, he would approve the request.
- Commissioners Musser and Detweiler agreed.
- Commissioner Bolton has a concern with the container, but with paint and moving it, she stated she would be okay with it.
- Chairperson Titus stated the commission can add a condition as to the type of screening.
- PZ Director Spendlove stated the commission can add two specific conditions, one for the screening and one for the detached accessory building.

MOTION: Commissioner Hansen moved to add condition #2, subject to a solid screening fence of at least 6 feet tall, not to be made of chain link.

Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 7 to 0.

MOTION: Commissioner Bolton moved to add condition #3, subject to the accessory building

moved to the proper setback per code requirements, and the accessory building being painted a neutral color to match the primary building.
Commissioner Musser seconded the motion.

Motion Approved by a vote of 6 to 1.

MOTION: Commissioner Kelley moved to approve the request for a Special Use Permit to allow a Real Estate and Related Business on property located at 415 Addison Avenue c/o Melinda McKee on behalf of JCS Properties. (PZ20-0059).
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 7 to 0.

6) Upcoming Meeting(s)

a) Tuesday, June 23, 2020

7) Adjournment

The meeting adjourned at 08:20 PM

Kelli Ebersole, Administrative Assistant



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Lisa Strickland, City Planner

Request: for consideration of the Preliminary Plat for Broadmoor Subdivision No. 2 approximately .49 (+/-) acres into 2 residential lots on property located at 1170 Woodland Meadows Way.

Application: PZ20-0068

Applicant:

EHM Engineers, Inc.

c/o David Thibault

621 N. College Rd., Ste 100

Twin Falls, ID 83301

Public Meeting: June 23, 2020

Analysis

This is a request consideration of the Preliminary Plat for Broadmoor Subdivision No. 2 a re-subdivision of Tract B of the Broadmoor Subdivision into 2 residential lots.

This preliminary plat complies with the standards as set forth in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding R-4 zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50-13.

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

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

Approval Process

As per Twin Falls City Code 10-12-2.3:

The Commission may approve,

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

History

The property is located within the Broadmoor Subdivision and was originally platted as Tract A of the Broadmoor Subdivision in 2015. Should the Commission approve this request it would allow the applicant to create two additional residential lots.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood therefore staff has determined this request complies with the 2016 comprehensive plan.

Conclusion

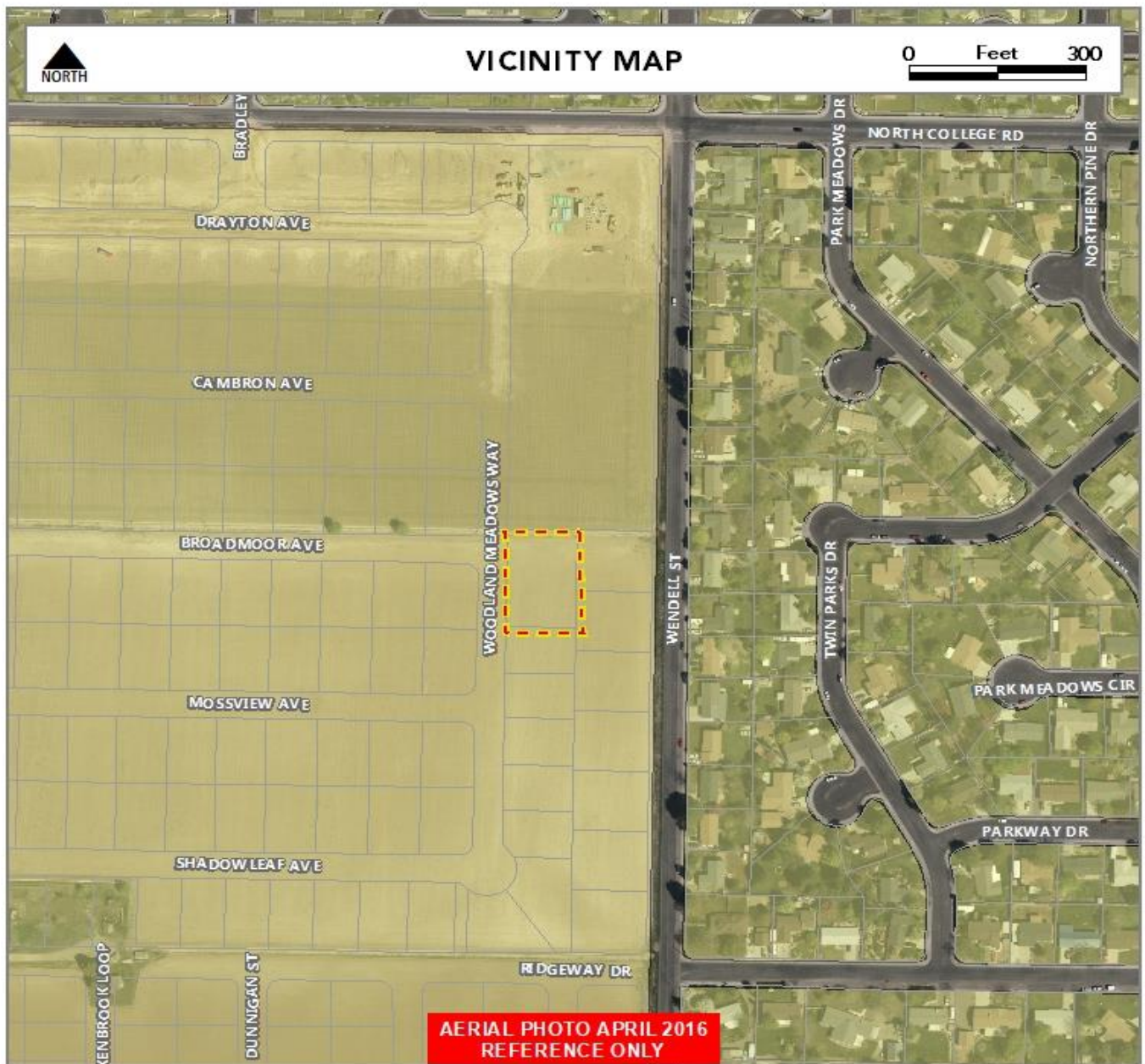
Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

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

Attachments

1. Vicinity Map
2. Preliminary Plat

Public Meeting: June 23, 2020



R-2

Current Zoning: R-2

Existing Land Use: Undeveloped

Comprehensive Plan: Town Neighborhood

Proposed Land Use: Residential

Surrounding Zoning Designations & Land Use(s)

North: Park

East: Residential, Wendell St

South: Residential

West: Residential, Woodland Meadows Way

Applicable Regulations

10-1-4, 10-1-5, 10-4-4, 10-12-2-3

BROADMOOR SUBDIVISION NO. 2
A Re-Subdivision and Re-Numbering of
Tract B, Block 6
Broadmoor Subdivision
Located In
W² SW⁴, Section 5
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2020



0 15 30 60
 SCALE IN FEET

Survey References

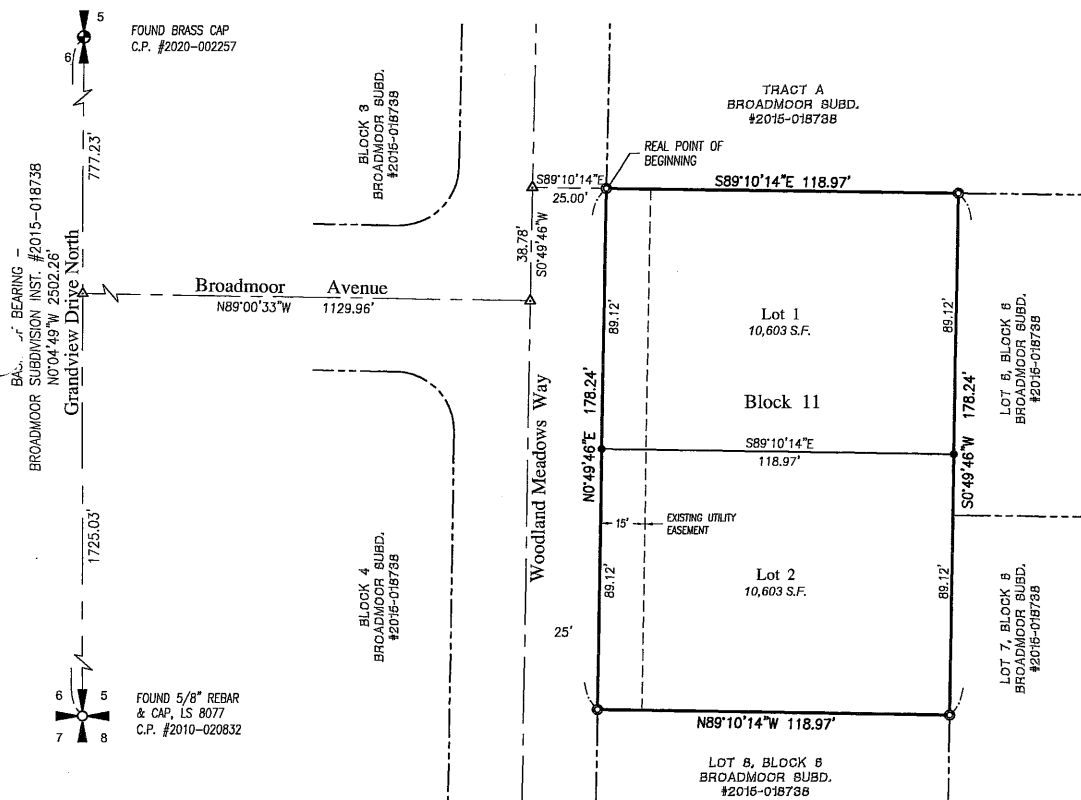
#2015-018738 - BROADMOOR SUBDIVISION
 #2019-016569
 #2012-001322
 #2006-005506
 #0000-804562

Deed References

#2015-020268
 #2016-007229

Legend

SUBDIVISION BOUNDARY LINE	_____
SECTION LINE	_____
EASEMENT LINE	_____
ADJACENT PROPERTY LINE	_____
CENTERLINE OF STREET	_____
LOT LINE	_____
CALCULATED POINT (NOT SET)	△
FOUND BRASS CAP	⊙
FOUND 5/8" REBAR (AS NOTED)	○
SET 1/2" x 24" REBAR & CAP - LS 10110	•
FOUND 1/2" REBAR - REPLACED WITH 5/8" x 24" REBAR & CAP - LS 10110	⊙



Health Certificate

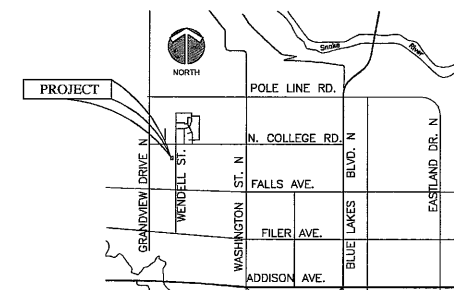
"SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF SANITARY RESTRICTIONS. BUYER IS CAUTIONED AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED."

DISTRICT HEALTH DEPARTMENT, EHS

DATE: _____

Surveyor's Narrative

THE PURPOSE OF THIS SURVEY IS TO RE-SUBDIVIDE TRACT B, BLOCK 6, BROADMOOR SUBDIVISION, AT THE REQUEST OF THE OWNER. MONUMENTS WERE FOUND AT THE PROPERTY CORNERS, SECTION AND QUARTER CORNERS. THESE MONUMENTS ARE OF RECORD PER PREVIOUS RECORD OF SURVEYS AND/OR CORNER PERPETUATION AND FILING RECORDS.



Vicinity Map

n.t.s





NW Corner looking SE



SE Corner looking NW



Date: Tuesday, June 23, 2020
To: Planning and Zoning Commission
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)

Time Estimate:

Five (5) to ten (10) minutes for staff presentation; Five (5) 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:

N/A

Analysis:

This is a request to vacate a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

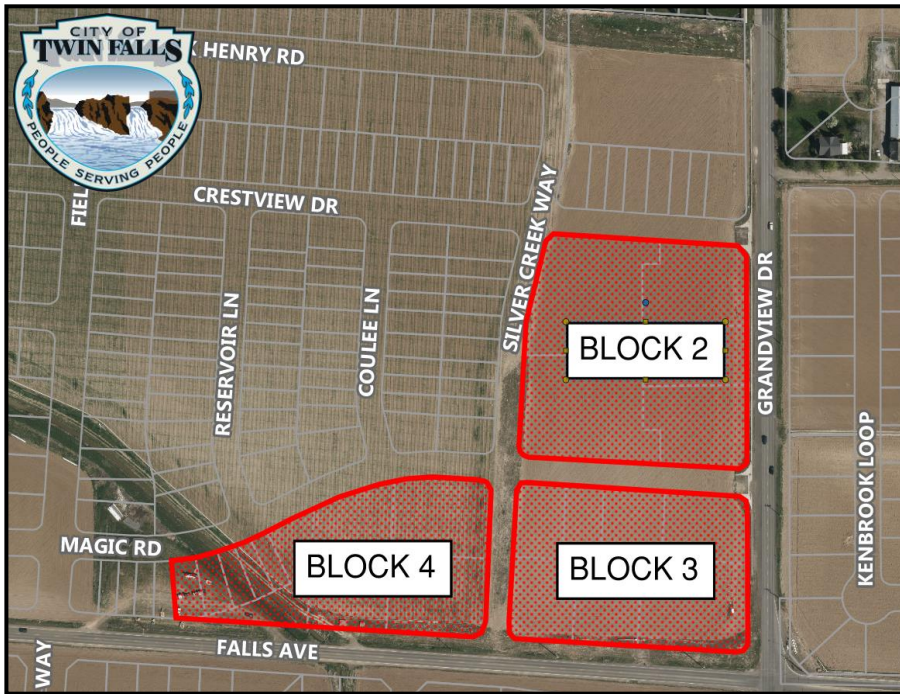
Conclusion:

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.
2. Subject to the applicant providing written statements from all utility companies on company letterhead indicating whether or not they are in agreement with vacating the requested easement.

Attachments:

1. PZ20-0051 VAC Staff Report
2. Vicinity Map
3. Narrative
4. Vacation Exhibit
5. Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Jonathan Spendlove,
P&Z Director

Request: To **Vacate** a public utilities, cross access, drainage, landscape, and irrigation easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4.

Application: PZ20-0051

Applicant & Representative:

Tres Gringos, LLC
621 North College
Twin Falls, ID 83301

Public Hearing: June 23rd, 2020

Analysis

This is a request to vacate a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

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 and Neighborhood Commercial. 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

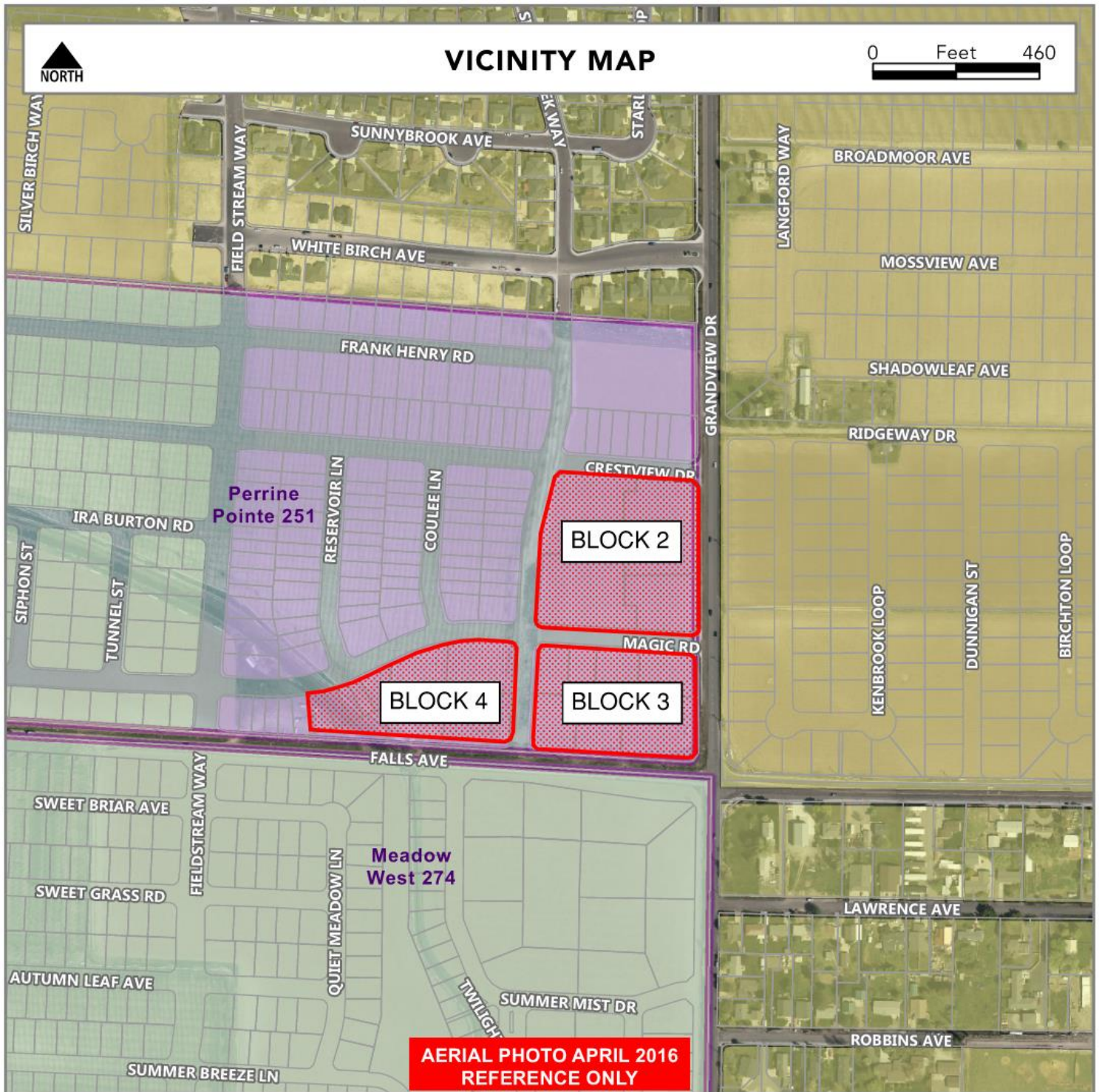
Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the applicant providing written statements from all utility companies on company letterhead indicating whether or not they agree with vacating the requested easement prior to this item being heard by City Council.

Attachments

1. Vicinity Map
2. Narrative
3. Vacation Exhibit
4. Photos

Public Hearing: June 23rd, 2020



- PUD
- R-6
- R-2

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

Existing Land Use: Residential / Vacant
 Proposed Zoning Action: Vacation

Surrounding Zoning Designations & Land Use(s)

North: R-6 PUD, Residential
 South: R-2 PUD, Residential

East: R-2, Residential
 West: R-6 PUD, Transit Center

Applicable Regulations
 10-1-4, 10-1-5, 10-16-1

Gerald Martens, P.E.

621 N. College Road, Ste 100, Twin Falls, ID 83301
208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com



Date: April 20, 2020

To: Idaho Power
Cable One
Century Link
Intermountain Gas
Twin Falls Canal Company

From: Gerald Martens, P.E.

A handwritten signature in black ink, appearing to read "Gerald Martens", written over the printed name.

Regarding: Vacation of Easement

Tres-Gringos, owner of the property is requesting vacation of the color coded easements in Blocks 2,3, and 4 of the Perrine Pointe Subdivision. The public utilities adjacent to the streets will not be vacated.

The retained easements are shown on pages 2 and 3.

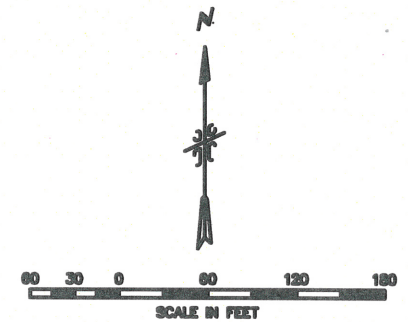
This is a commercial project and additional easements if required will be provided at time of development.

The city requests a written response to proceed with the vacation process..

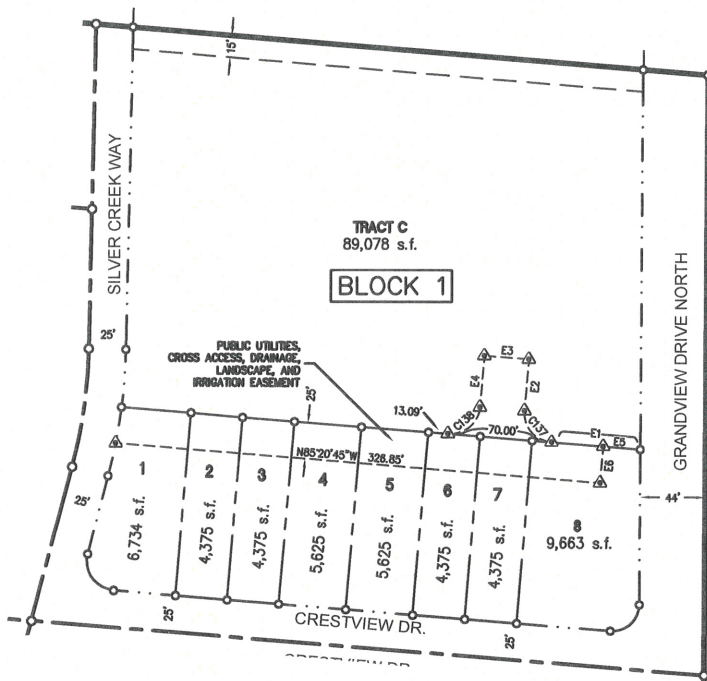


Plat Showing
PERRINE POINT SUBDIVISION
 Situated in the South 1/2 of the Southeast 1/4 of Section 6,
 Township 10 South, Range 17 East, B.M., City of Twin Falls,
 Twin Falls County, Idaho
 2008

INGRESS, EGRESS, UTILITY, DRAINAGE & EMERGENCY VEHICLE ACCESS
 EASEMENT INFORMATION
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



 - EASEMENTS TO BE VACATED

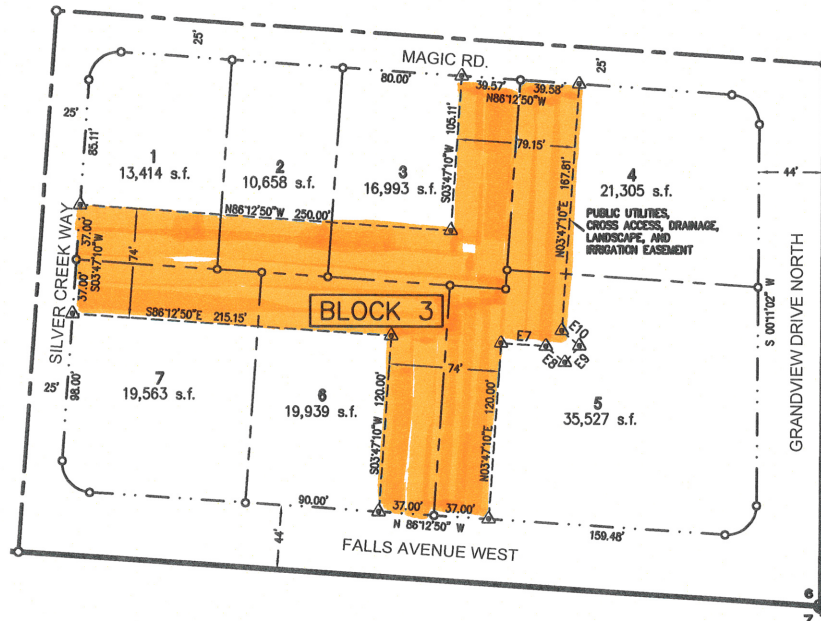
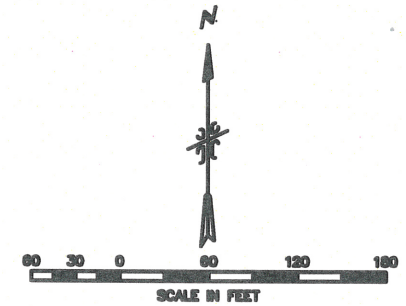


Owner/Developer
 GREENRIDGE DEVELOPMENT, LLC
 14510 BIG BASIN WAY #240
 SARATOGA, CALIFORNIA, 95070
 PHONE: (408) 872-1240

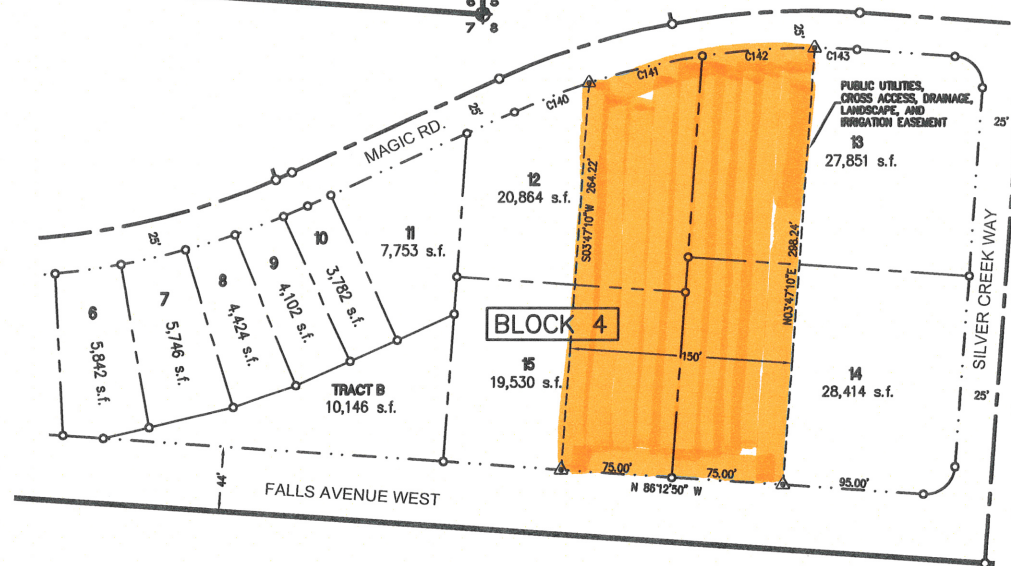
	THE LAND GROUP, INC.	
	- Land Surveying - Civil Engineering - Site Planning - Landscape Architecture - Golf Course Engineering - Graphic Communication	140 River Vista Place Twin Falls, Idaho 83301 Phone (208) 733-4041 Fax (208) 733-4045 www.thelandgroupinc.com

Plat Showing
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 Situated in the South 1/2 of the Southeast 1/4 of Section 6,
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 EASEMENT INFORMATION
 **SEE SHEET 9 OF 13 FOR CURVE AND
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EASEMENTS TO BE VACATED



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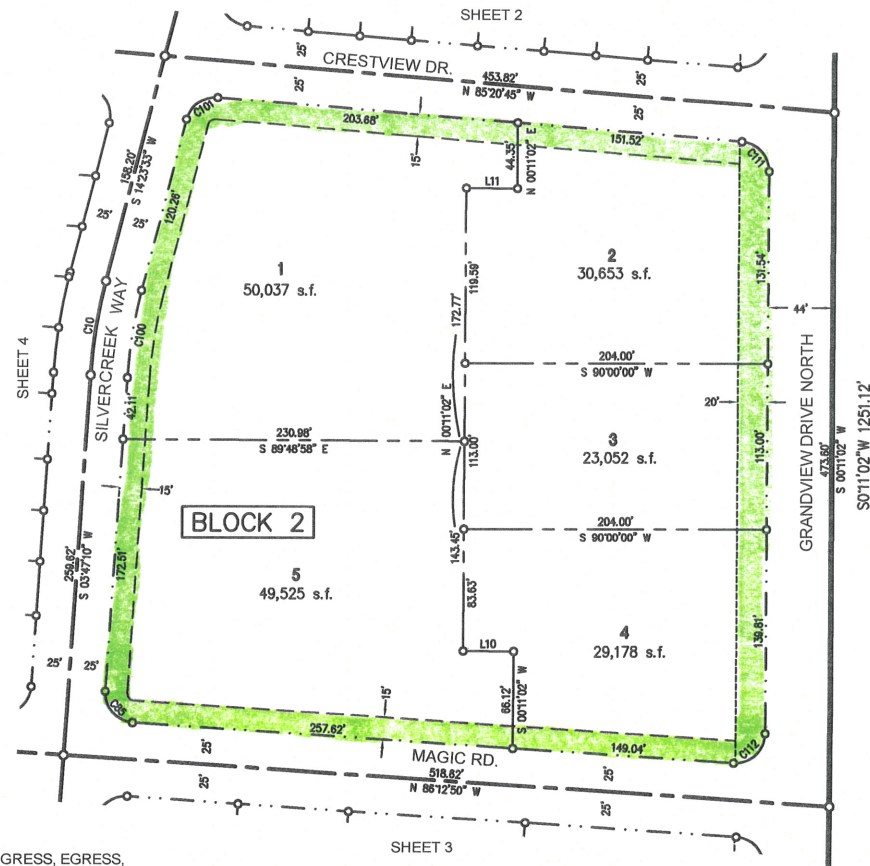
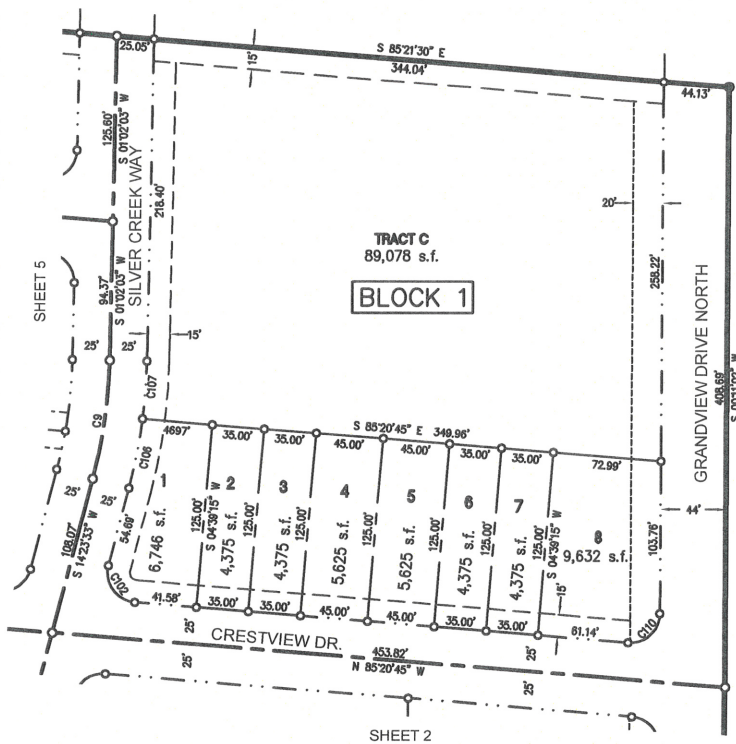
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 Twin Falls County, Idaho
 2008



0 30 0 60 120 180
 SCALE IN FEET

EASEMENTS TO BE RETAINED



**SEE SHEET 10 FOR INGRESS, EGRESS,
 UTILITY, DRAINAGE & EMERGENCY VEHICLE
 ACCESS EASEMENT INFORMATION AND
 SIDEWALK EASEMENTS
 **MATCHLINES ARE CENTERLINE OF STREETS
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



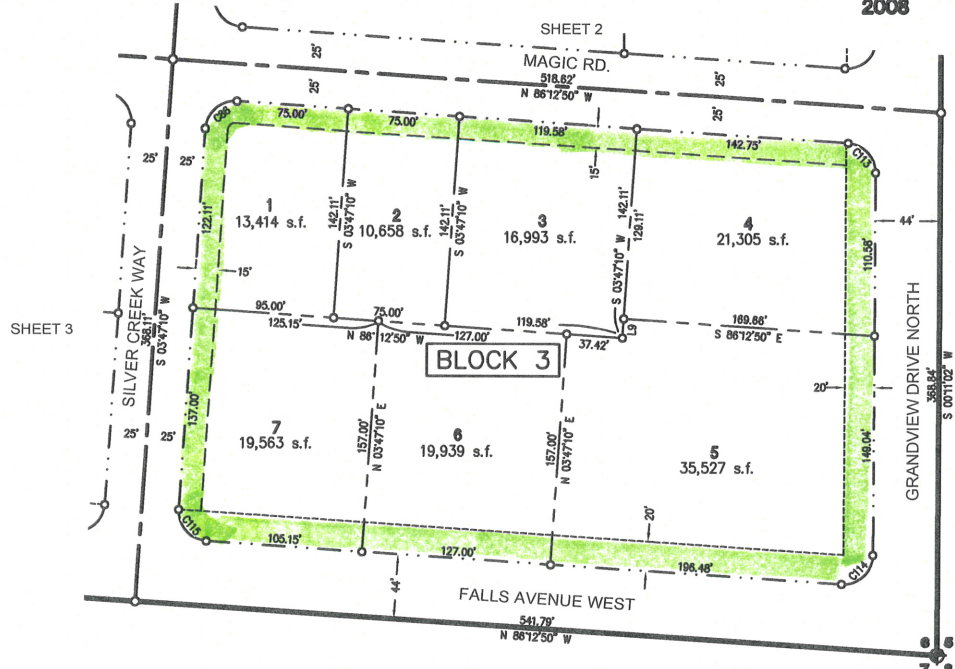
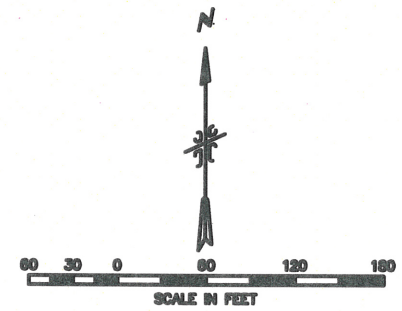
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 Twin Falls County, Idaho
 2008



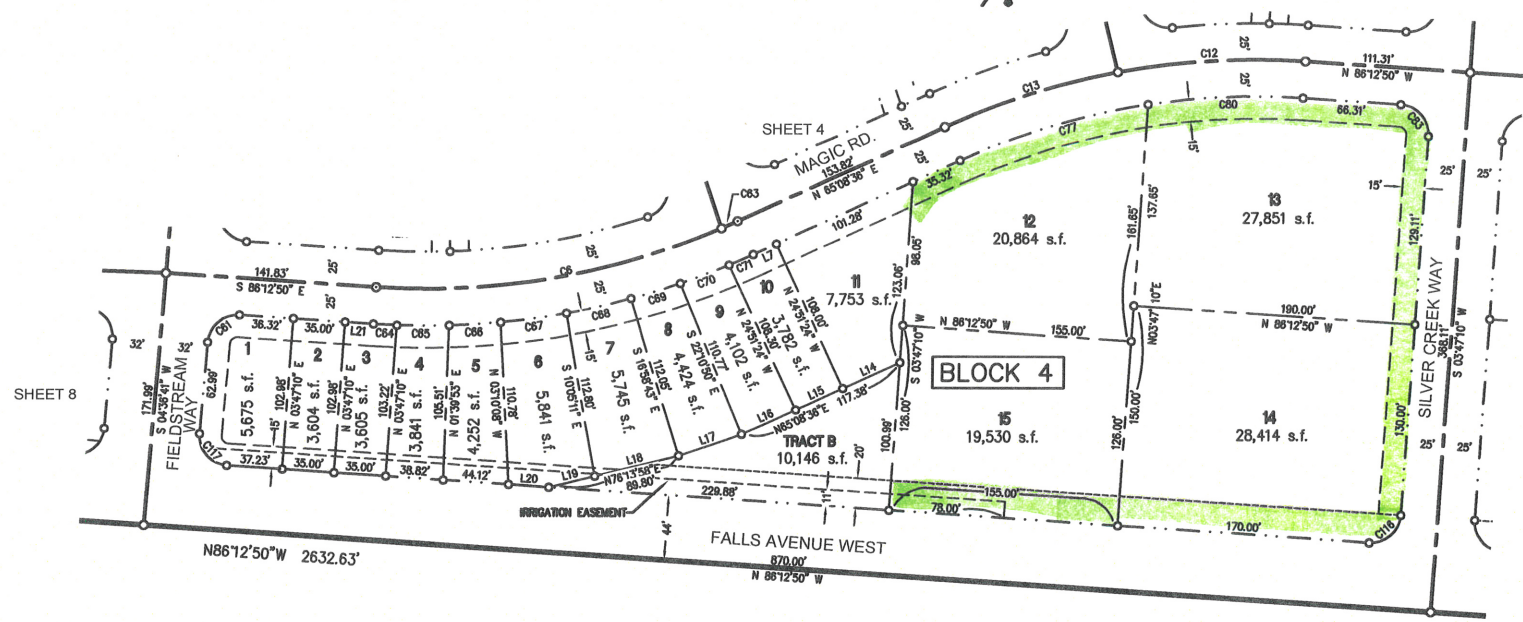
- EASEMENTS TO BE RETAINED

**SEE SHEET 10 FOR INGRESS, EGRESS,
 UTILITY, DRAINAGE & EMERGENCY VEHICLE
 ACCESS EASEMENT INFORMATION AND
 SIDEWALK EASEMENTS
 **MATCHLINES ARE CENTERLINE OF STREETS
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



Owner/Developer

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 Twin Falls, Idaho 83301
 Phone (208) 733-4041
 Fax (208) 733-4045
www.thelandgroupinc.com



SE Corner looking NW



NE Corner looking SE



NW Corner Looking SE



SE Corner looking NW



Date: Tuesday, June 23, 2020
To: Planning and Zoning Commission
From: Lisa Strick, City Planner

ACTION ITEM

Request:

Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)

Time Estimate:

Approximately 5 minutes for presentation with questions/comments to follow.

Background:

The intent of this request is to provide outdoor entertainment for their customers with the plans to host events that will include music, outdoor activities, and pop-up vendors and on-site beer/wine sales.

The proposed hours of operation will be 10am-9pm Mon-Thu, 10am-10pm Fri-Sat and Sun 12-7pm however they are requesting extended hours should the event operate past 10pm.

The property is zoned CB, with a P-1 Parking Overlay, and is located within the Warehouse Historic District.

Approval Process:

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

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

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

Budget Impact:

N/A

Regulatory Impact:

Per City Code 10-4-7 states a Special Use Permit is required for theaters-outdoor, retail/trade uses operating outside the hours of seven o'clock am (7:00am) to ten o'clock pm (10:00pm), as well as proposed uses which broadcast amplified music or sound by speakers to the exterior of the building.

Per City Code 10-4-22 Warehouse Historic District: states approval of a Certificate of Appropriateness for exterior alterations is required.

History:

No applicable zoning history exists for this location. The building has historically housed various businesses including Krengles Hardware Store and most recently the Salvation Army.

Analysis:

The property is located along a downtown commercial corridor where there is a substantial amount of traffic. Although, staff and the applicant anticipate this land use will bring increased traffic to the area we do not anticipate any negative impacts to the surrounding properties.

Amplified music could be a concern after hours when things quiet down around the area however this property is surrounded by commercial businesses and the stage will be located adjacent to 2nd Avenue South, therefore this should not present a problem. Neighbors are encouraged to notify the applicant should a problem arise and if necessary, they may contact city staff.

Conclusion:

Upon conclusion should the commission approve the request, as present staff recommends the following conditions

1. Subject to compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to applicant obtaining an approved Certificate of Appropriateness from the Historic Preservation Commission for exterior modifications.

Attachments:

1. PZ20-0060 SUP Staff Report Draft
2. Vicinity Map
3. Narrative
4. Site Plan
5. Elevations
6. 5-Photos



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Lisa Strickland, City Planner

Request: Request for a Special Use Permit to allow for an outside theater, amplified music, and extended hours or operation on property located at 210 2nd Avenue South.

Application: PZ20-0060

Applicant:

2nd South Market

c/o Dave Buddacke

210 2nd Ave S

Twin Falls, ID 83301

Public Hearing: June 23, 2019

Analysis

The intent of this request is to provide outdoor entertainment for their customers with the plans to host events that will include music, outdoor activities, and pop-up vendors and on-site beer/wine sales.

The proposed hours of operation will be 10am-9pm Mon-Thu, 10am-10pm Fri-Sat and Sun 12-7pm however they are requesting extended hours should the event operate past 10pm.

Approval Process

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

The Commission shall decide 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.

Applicable Regulations or Codes

Per City Code 10-4-7 states a Special Use Permit is required for theaters-outdoor, retail/trade uses operating outside the hours of seven o'clock am (7:00am) to ten o'clock pm (10:00pm), as well as proposed uses which broadcast amplified music or sound by speakers to the exterior of the building.

Per City Code 10-4-22 Warehouse Historic District: states approval of a Certificate of Appropriateness for exterior alterations is required.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Downtown/High Density Residential" This request follows the comprehensive plan guidelines by providing a diverse land use that will serve the local community and possibly encourage redevelopment within our downtown area.

Possible Impacts

The property is located along a downtown commercial corridor where there is a substantial amount of traffic.

Although, staff and the applicant anticipate this land use will bring increased traffic to the area we do not anticipate any negative impacts to the surrounding properties.

Amplified music could be a concern after hours when things quiet down around the area however this property is surrounded by commercial businesses and therefore

this should not present a problem.

Neighbors are encouraged to notify the applicant should a problem arise and if necessary, they may contact city staff.

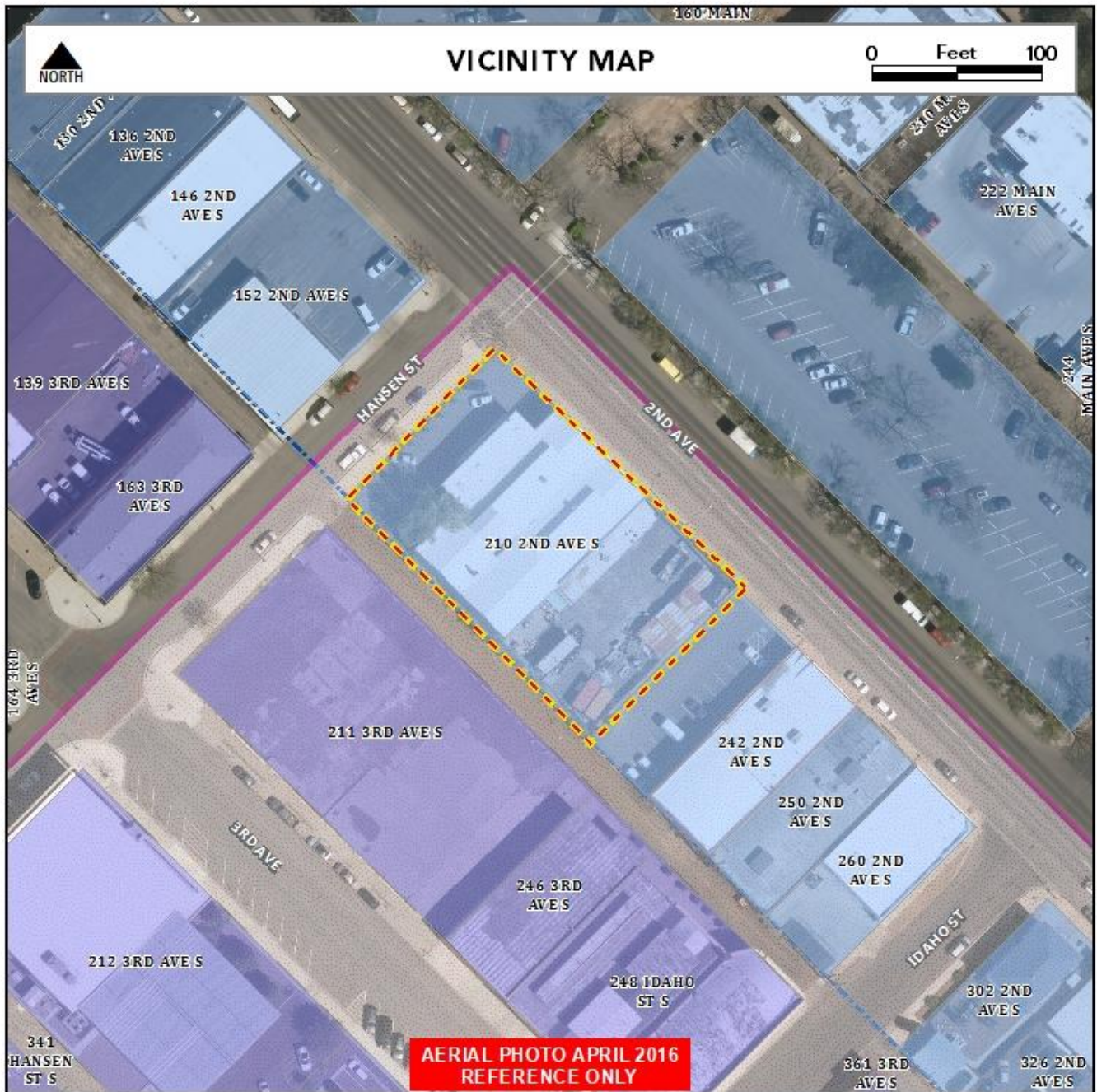
Conclusion

Upon conclusion should the commission approve the request, as present staff recommends the following conditions

1. Subject to compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to applicant obtaining an approved Certificate of Appropriateness from the Historic Preservation Commission for exterior modifications.

Attachment

1. Staff Report
2. Vicinity Map
3. Narrative
4. Site Plan



Current Zoning: C-B

Comprehensive Plan: Downtown/High Density Residential

Existing Land Use: Retail

Proposed Land Use: Retail

Surrounding Zoning Designations & Land Use(s)

North: C-B, P-1 Overlay, DHD

East: C-B, P-1 Overlay, WHO

South: OT, P-3 Overlay, WHO

West: C-B, P-1 Overlay, DHD

Applicable Regulations

10-1-4, 10-1-5, 10-4-7, 10-4-22, 10-13

2nd South Market – SUP Narrative

4.

a. Reason for Request: We are seeking approval on this SUP in order to: host musical concerts; accommodate selective other requests for stage use; host Saturday Pop Up vendors; allow access to outdoor space for beer/wine purchase, private and corporate events; weddings/reception; possible beer or wine festival. This facility will provide an indoor/outdoor space for the community. Part of our goal is developing Idaho's first food hall in Twin Falls and to create a unique space for family, friends and community to gather.

b.i Outdoor space will be utilized during warm seasons and weather permitting, likely May – October.

TENTATIVE HOURS

Monday-Thursday 10am – 9pm
Friday & Saturday 10am – 10pm
Sunday Noon – 7pm

b. ii Increased traffic is anticipated. Being close to Main Street, City Hall and ongoing development on Main Street, we also anticipate an increase in foot traffic in and around the area.

b. iii The only employee(s) that may be outside will be for keeping tables/spaces clean. Not to exceed two staff.

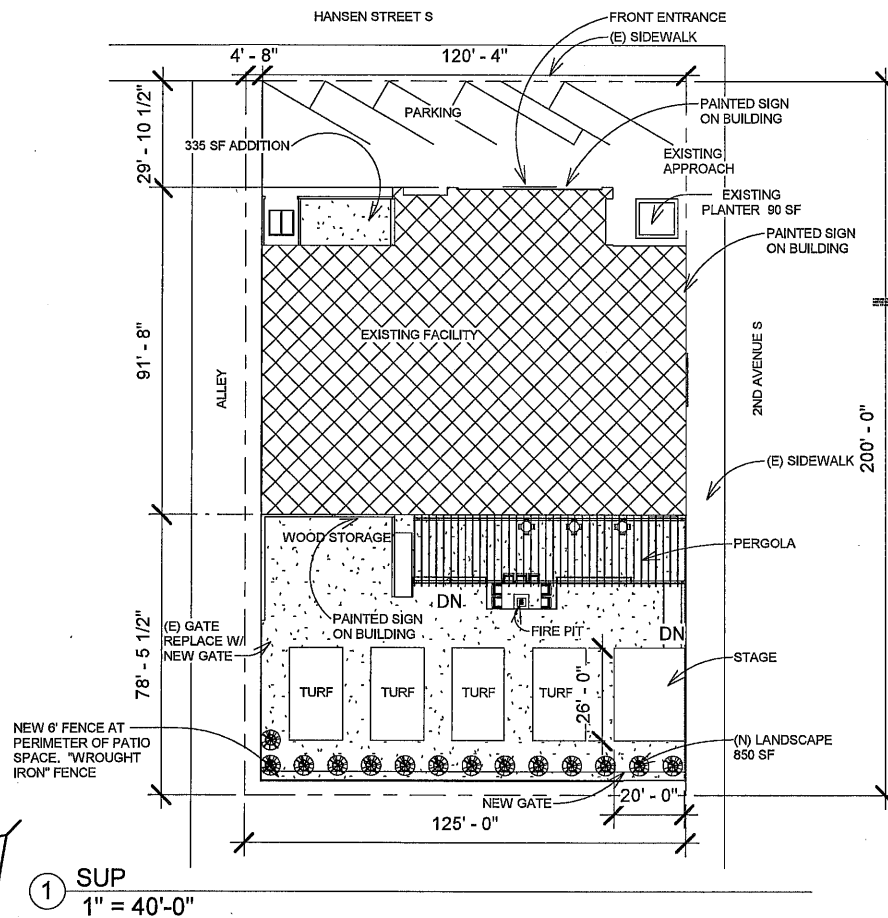
c. i Music and outdoor activity, depending on the date/time may impact surrounding properties. Extended hours for music/stage events is requested. Stage events may require sound amplification including microphones and speakers.

ii It is anticipated that glare will increase from the previous use. The windows on 2nd Avenue have been replaced and a few new windows to be put in on the east side of the building in the outdoor space may generate minimal glare. There may be some glare from instruments during stage performance. Glare during construction will be minimal.

iii There may be odors during construction but minimal and nothing out of the ordinary. During business hours, odors will be present from the various vendors.

iv During construction, fumes and vibrations will occur during construction. It is not anticipated that fumes will be present once the facility is open. Depending on the music/stage performing some vibration may be present during performance.

v. The Yard, the outdoor space at 2nd South Market, will allow for outdoor seating, music, corn hole games and a place for getting together with ample physical distancing opportunities. Any music we have at The Yard will not be scheduled during the Twin Falls' Wednesday night concerts. The stage music will be compatible with the Wednesday night concerts just a block away, offering an additional option music with food and shade. As housing and business expands downtown, The Yard will draw more visitors to Main Street and the Warehouse District.



SETBACKS:
COMMERCIAL USE:
NO PROPERTY LINE
SETBACKS ARE REQUIRED

12,649 SQUARE FOOTAGE

P-1 PARKING OVERLAY
NO PARKING REQUIRED
4 SPACES PROVIDED

LANDSCAPING = 5% OF
TOTAL PARKING (3,648 SF)
182 SF REQUIRED

Laughlin Ricks Architecture
—architecture/planning—

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

2ND SOUTH MARKET

210 2ND AVE SOUTH TWIN FALLS, ID

DAVE BUDDECKE
313 HOWARD DRIVE
TWIN FALLS, ID 83301
208.308.1673

SITE PLAN

SPECIAL USE PERMIT

RCR

Checker

Scale 1" = 40'-0"



① RENDERING OF PATIO
12" = 1'-0"

Laughlin Ricks Architecture
—architecture/planning—

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

2ND SOUTH MARKET

RENDERING

SPECIAL USE PERMIT
RENDERING

Author

Checker

Scale 12" = 1'-0"



SE Corner looking NW



SW Corner looking NE



Date: Tuesday, June 23, 2020
To: Planning and Zoning Commission
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson. (PZ20-0062)

Time Estimate:

Approximately 15 minute for staff and applicant presentation with questions/comments to follow.

Background:

The original Cedar Park PUD was approved in 1997. With changes in the market, and types of land uses in the area over the last 20 years, the owners of the properties have decided to re-vamp their development plan for the vacant/undeveloped portion of the property along this section of Addison Ave East.

Approval Process:

The applicant is required to present a preliminary review to the Planning and Zoning Commission in which the commission may give suggestions and ask questions of the applicant about the proposed ZDA. This presentation took place on June 9, 2020. A public hearing shall be held before the Commission for a recommendation to City Council to; amend the zoning district and the zoning map, amend with recommendations or deny the request.

Budget Impact:

NA

Regulatory Impact:

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.

The 2016 Comprehensive Plan “Grow With Us” designates this area as “Mixed Use/Neighborhood Commercial/Town Neighborhood”. Staff has determined the request is in compliance with the plan.

History:

The property has been historically used for agriculture. In June 1997, the City Council approved a rezone of this property to R-2, R-4, R-4 PRO, and C-1 PUD to allow mixed residential, professional, and commercial development. Cedar Park Agreement was recorded in 2004.

Analysis:

The requested Zoning Development Agreement has a few deviations from the base C1 Zoning District. They are as follows:

- **Modification of Permitted, Special, and Prohibited Uses:** The applicant would like to make some uses outright Permitted that would normally require a Special Use Permit. The applicant would also like to extend the normal operating hours of businesses to be 6:00 AM to 10:00 PM. (current city code lists 7 AM - 10 PM). Lastly, the applicant has included a list of uses they would like prohibited.
- **Property Development Standards:** The applicant would also like to require a landscape buffer along Carriage Lane.

The modifications the applicant has requested are not anticipated to create undue impacts on the surrounding properties, and the land uses listed as outright permitted are services/commercial uses expected within the C-1 Zone.

Conclusion:

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

Attachments:

1. PZ20-0062 ZDA Public Hearing Staff Report
2. 2-Vicinity Map
3. 3-Narrative
4. 4-Cedarpark ZDA - Draft
5. 5-Master Site Plan
6. 6-Elevations
7. Photos



Comprehensive Staff Report
To: Planning & Zoning Commission
Presenter: Lisa Strickland, City Planner
Request: A preliminary presentation for the Commission's recommendation on a request for a Zoning District Change and Zoning Map Amendment from, R-2, R-4 PRO, C-1PUD to C- 1 ZDA to allow for commercial planned development for approximately 8.5 (+/-) acres located at the northwest corner of Addison Avenue East and Carriage Lane.
Application: PZ20-0062
Applicant & Representative:
 EHM Engineers, Inc.
 c/o Tim Vawser on behalf of
 Gary Nelson
 621 N College Rd, Ste 100
 Twin Falls, ID 83301

Public Hearing: June 23, 2020

Analysis

The requested Zoning Development Agreement has a few deviations from the base C1 Zoning District. They are as follows:

- **Modification of Permitted, Special, and Prohibited Uses:** The applicant would like to make some uses outright Permitted that would normally require a Special Use Permit. The applicant would also like to extend the normal operating hours of businesses to be 6:00 AM to 10:00 PM. (current city code lists 7 AM - 10 PM). Lastly, the applicant has included a list of uses they would like prohibited.
- **Property Development Standards:** The applicant would like to require a landscape buffer along Carriage Lane.

The western portion of the proposed ZDA has been identified by the applicant as equipment rental and large/heavy equipment sales and or

rental. This land use is one of those requested by the applicant to become a "Permitted Use" normally it would require a special use permit.

The property towards the north has been identified as potential storage unit rentals with extended hours. This land use is also one of those requested by the applicant to become a "Permitted Use".

Approval Process

The applicant is required to present a preliminary review to the Planning and Zoning Commission in which the commission may give suggestions and ask questions of the applicant about the proposed ZDA. This presentation took place on June 9, 2020. A public hearing shall be held before the Commission for a recommendation to City Council to; amend the zoning district and the zoning map, amend with recommendations, or deny the request.

History

The property has been historically used for agriculture. In June 1997, the City Council approved a rezone of

this property to R-2, R-4, R-4 PRO, and C-1 PUD to allow mixed residential, professional, and commercial development. Cedar Park Agreement was recorded in 2004.

Applicable Regulations & Codes

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.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Mixed Use/Neighborhood Commercial/Town Neighborhood". Staff has determined the request is in compliance with the plan.

Potential Impacts

Public Hearing: July 28, 2020

The modifications the applicant has requested are not anticipated to create undue impacts on the surrounding properties and the land uses listed as outright permitted are services/commercial uses expected within the C-1 Zone.

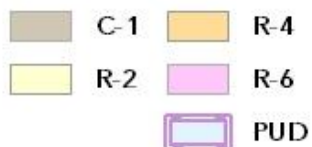
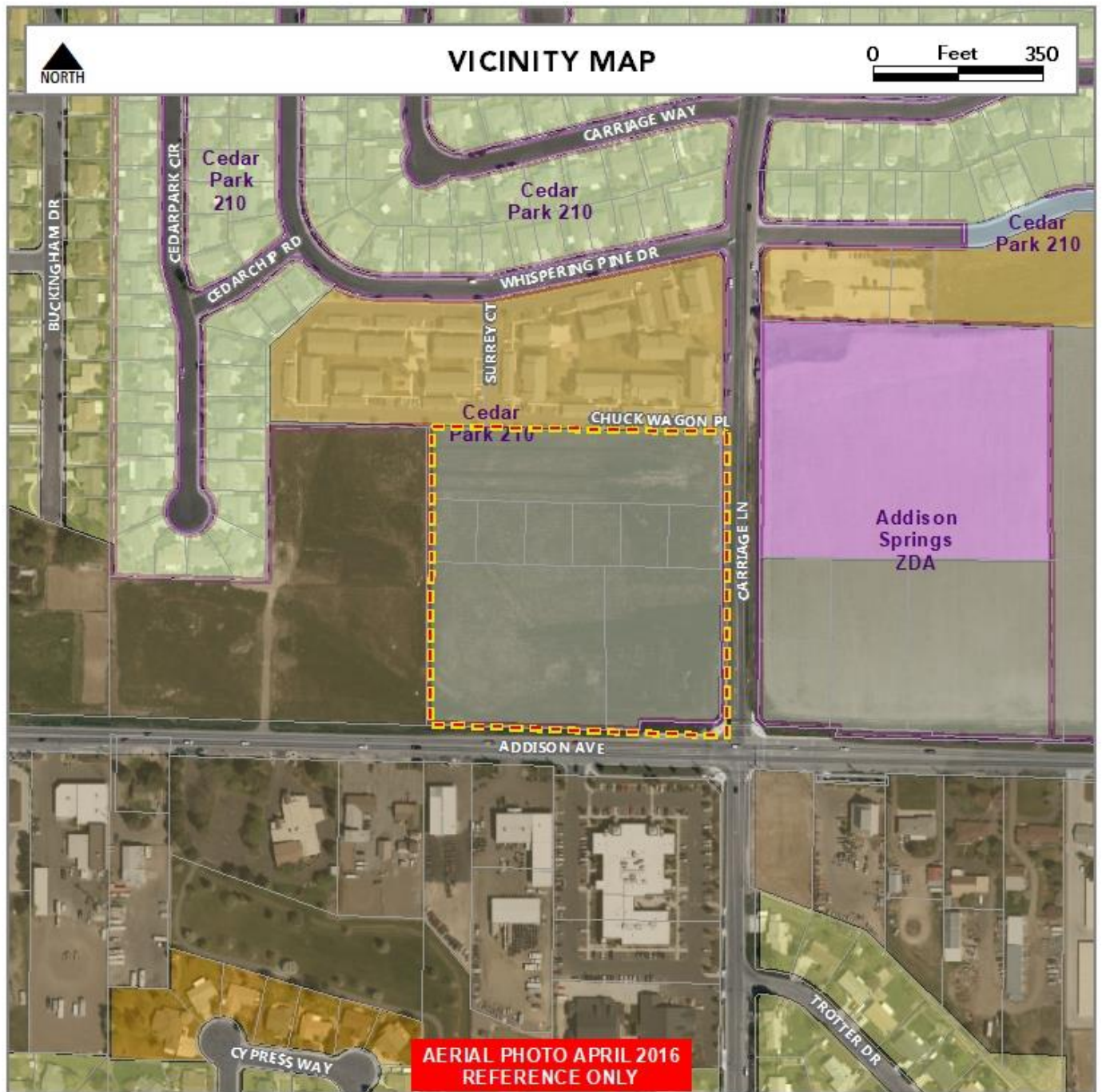
Conclusion

Upon conclusion should the Commission recommend approval of the request as presented, staff recommends the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

Attachments

1. Vicinity Map
2. Narrative
3. Site plan
4. Elevations.



Current Zoning: R-2, R-4, R-4 PRO, C-1 PUD

Comprehensive Plan: Mixed Use/Neighborhood
Commercial & Town Neighborhood

Existing Land Use: Vacant

Proposed Land Use: Commercial
Development

Surrounding Zoning Designations & Land Use(s)

North: Residential Apartments

East: Addison Springs Apartments

South: Commercial, Addison Ave E

West: Vacant, planned Storage Unit Rental

Applicable Regulations

10-1-4, 10-1-5, 10-4-8, 10-6, 10-11-1 thru 8, 10-14

**CEDARPARK, C-1 COMMERCIAL ZDA
APPLICATION NARRATIVE**

4.a. The reason for the request is to clarify the uses and development requirements intended for the development. The owner has an interested party that would like to purchase a portion of the property for relocation of an equipment rental business within a new facility as well as another party that would like to purchase property for a storage unit facility. Currently the C-1 zone does not allow either without a special use permit. This area fits the proposed use so it is requested that an equipment rental facility be an outright allowed use within the ZDA. It is also requested that a storage unit facility be outright allowed. The existing PUD also has stipulations for building materials and currently does not allow metal siding. The metal siding and roofing materials due to the nature of the businesses is also appropriate so the developer is addressing that in the request. As stated in the agreement, metal buildings may be allowed upon review and approval of the Architectural Control Committee (ARC).

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

4.b.ii. This development would be compatible with the neighboring properties as they have been or will be developed. Uses are in conformance with the comprehensive plan since the plan calls for commercial development for this property as well as those surrounding this property.

4.b.iii. The intended use of the development is for Commercial type businesses or possibly multifamily residential on larger lots as currently exists in the area. The plan is to develop the property over phases as users are identified.

4.b.iv. Specific exceptions of uses or development standards include permitting of an equipment rental facility and a storage unit facility within a portion of the development without the requirement for a special use permit as well as potential fourplexes being allowed within the development in the C-1 zone.

Cedarpark ZDA

A C-1 Commercial

Zoning Development Agreement

This Zoning Development Agreement (ZDA) is made and entered into this ____ day of _____, 2020, by and between the city of Twin Falls, State of Idaho a municipal corporation, hereinafter called "City" and Gary N. Nelson & Co., an Idaho Business Corporation (hereinafter called "Developer") for the purpose of developing Commercial uses on property located West of and adjacent to Carriage Lane, North of Addison Avenue East, known as Cedarpark Subdivision No. 13, a PUD.

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 8; Commercial Highway District or as amended, and all references to other sections therein including the following deviations:
2. C-1, Commercial Highway District modified as follows;
 - a. Permitted uses;
 - i. Residential
 1. Dwellings – fourplexes.
 - ii. Retail Trade
 1. Equipment rental.
 2. Large implement and heavy equipment sales and or rentals.
 3. Storage Units with extended hours of operation.
 - b. Special uses;
 - i. Miscellaneous
 1. Any Permitted or Special non-residential use requesting hours of operation outside the hours of six o'clock A.M. (6:00 A.M.) to ten o'clock P.M. (10:00 P.M.) except storage unit facilities.
 - c. Prohibited uses;
 - i. Animal Hospital - Large Animal
 - ii. Bulk Fuel Sales
 - iii. In Home Day Care Centers
 - iv. Cemeteries
 - v. Fairgrounds
 - vi. Go Cart Tracks
 - vii. Jails, Detention Centers, Or Work Release Centers
 - viii. Judicial Facilities
 - ix. Outdoor Amplified Sound systems (permanent)
 - x. Outdoor Theaters
 - xi. RV And Camping Parks
 - xii. Shelter Homes and/or Facilities
 - xiii. Stand Alone Drug and Alcohol Treatment facilities
 - xiv. Tattoo Parlors
 - xv. Zoos
 - d. Property Development Standards
 - i. Landscaping;
 1. A twenty-foot (20') landscaping buffer directly behind the sidewalk shall be installed along Carriage Lane. This buffer shall adhere to

Cedarpark ZDA
A C-1 Commercial
Zoning Development Agreement

tree and shrub counts as noted in City code Title 10, Chapter 11, Section 2.

- a. Trees and shrubs may be grouped throughout the development, with a maximum of seventy-five feet (75') between groupings.

Developer: Gary N. Nelson & Co.
P.O. Box 6004
Twin Falls, ID 83303

City: City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

"CITY"
CITY OF TWIN FALLS

By: _____
Mayor

ATTEST:

City Clerk

"DEVELOPER"
Gary N. Nelson

By: _____

President

Cedarpark ZDA

A C-1 Commercial Zoning Development Agreement

County of Twin Falls) ss.

On this _____ day of _____, 2020 before me, a Notary Public for said County and State, personally appeared _____ and _____, known or identified to me, to be the Mayor and City Clerk, respectively, of the CITY OF TWIN FALLS, IDAHO, that executed said instrument, and acknowledged to me that such City executed the same.

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

Residing at _____
My commission expires _____

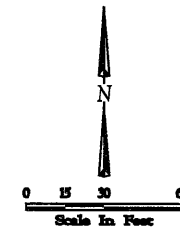
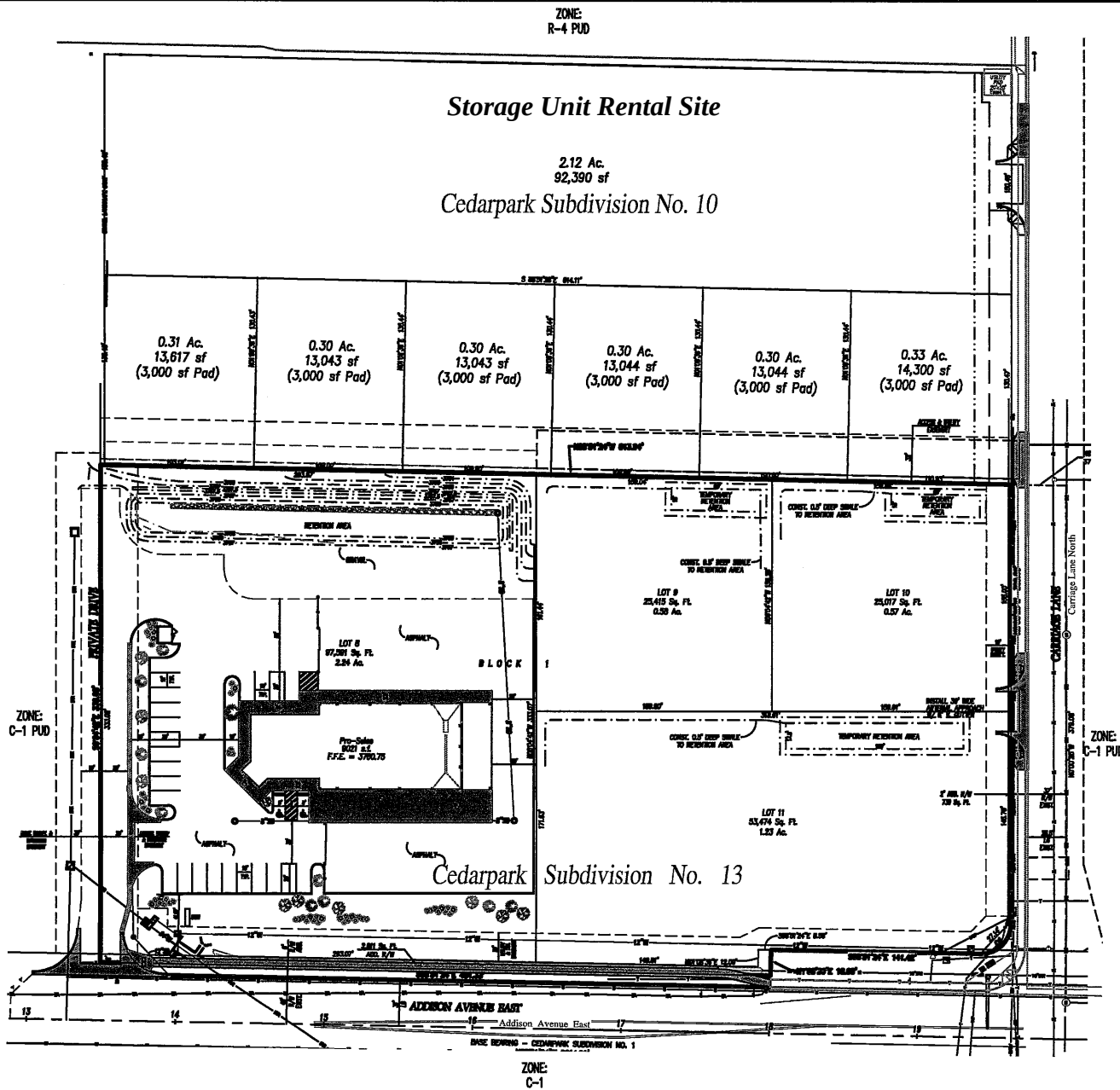
STATE OF IDAHO)
) ss.
County of Twin Falls)

On this _____ day of _____, 2020 before me, a Notary Public for said County and State, personally appeared Gary N. Nelson, known or identified to me, to be the President of Gary N. Nelson & Co., that executed said instrument.

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

Residing at _____

My commission expires _____



Cedarpark
A ZDA
Located In
A Portion of
SW $\frac{1}{4}$ Section 11
T. 10 S., R. 17 E., BM.
Twin Falls County, Idaho
2020

EXISTING SUBJECT PROPERTY ZONING: C-1 PUD
PROPOSED SUBJECT PROPERTY ZONING: C-1 ZDA

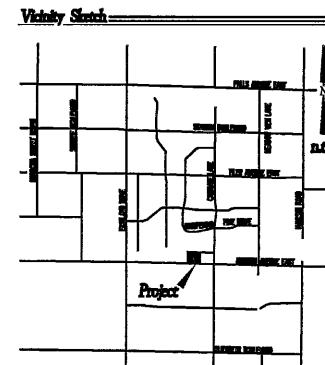
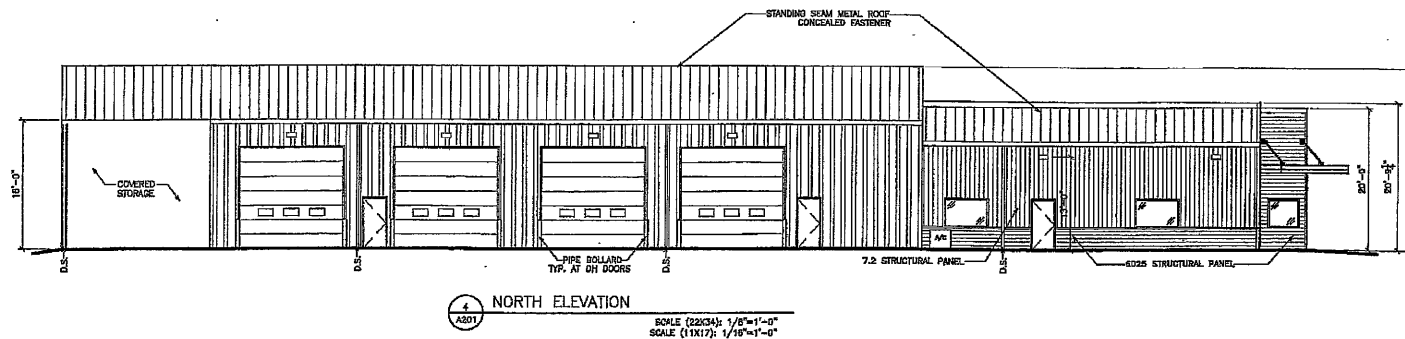
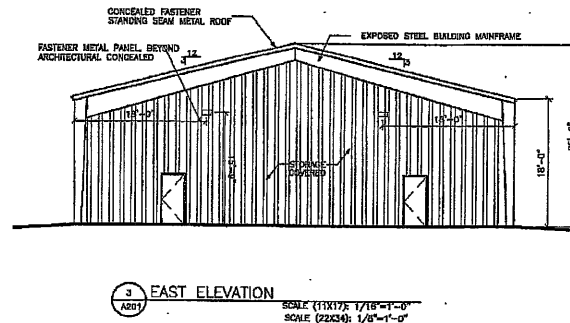
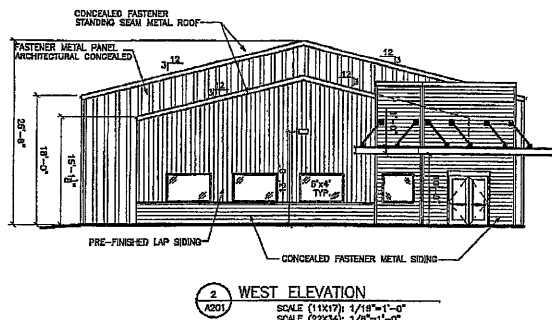
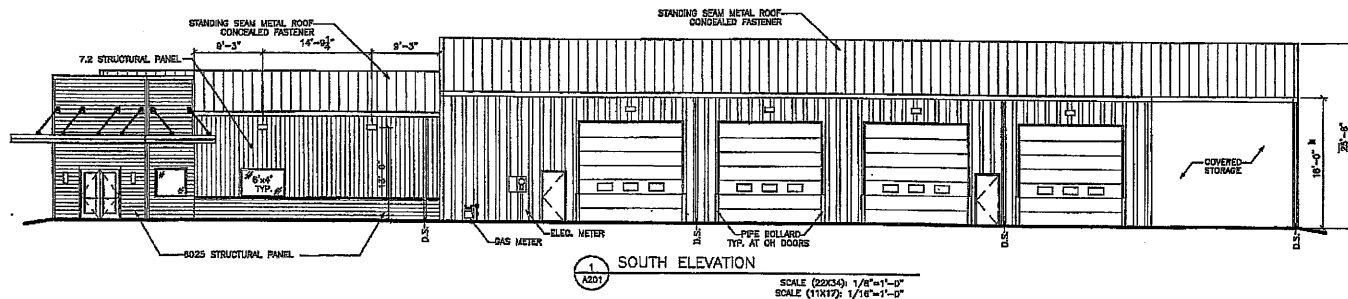


EXHIBIT B

Master Development Plan





PRELIMINARY
SET
02-18-2020
SHEET#

PRO SALES
Twin Falls, Idaho

TENSCO INC.
621 North College
Twin Falls, Idaho
Phone: 208-420-2461

Drawn By: CH
Checked By:
Date: 02-18-2020
Project #:
Cadd file:

A201



Be determined.
Don't relent.
Chase opportunity.
HWC.edu

Northwest College

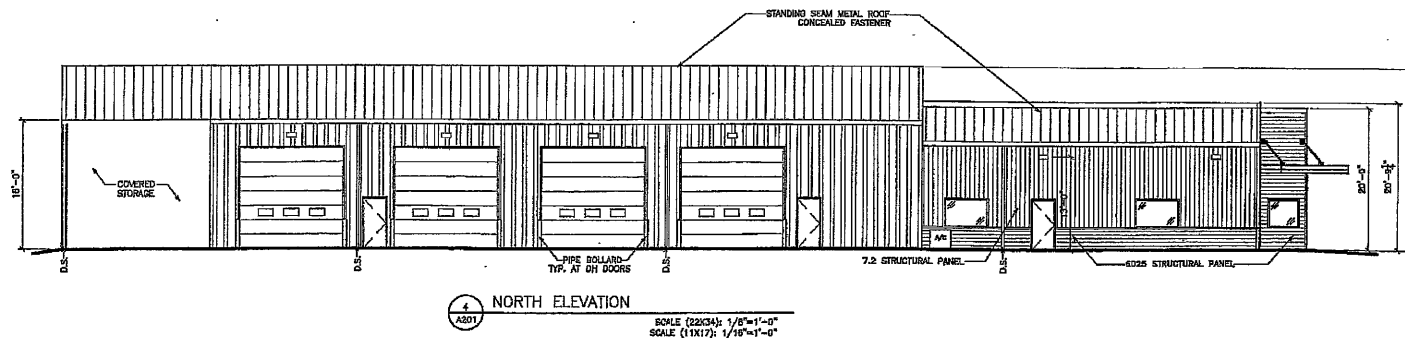
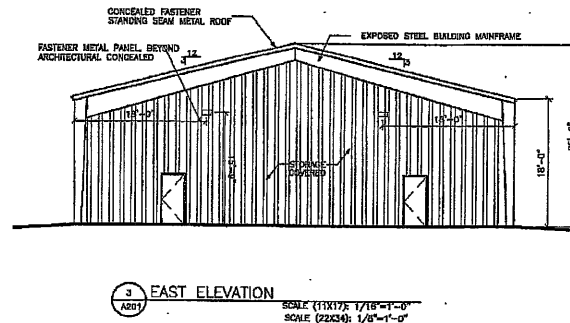
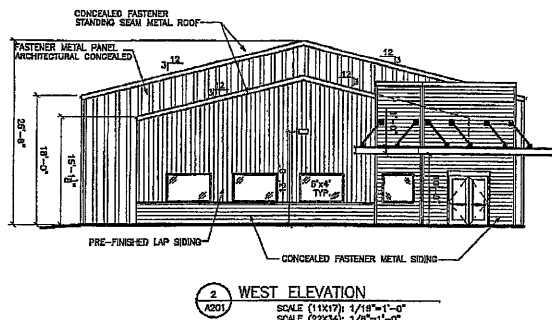
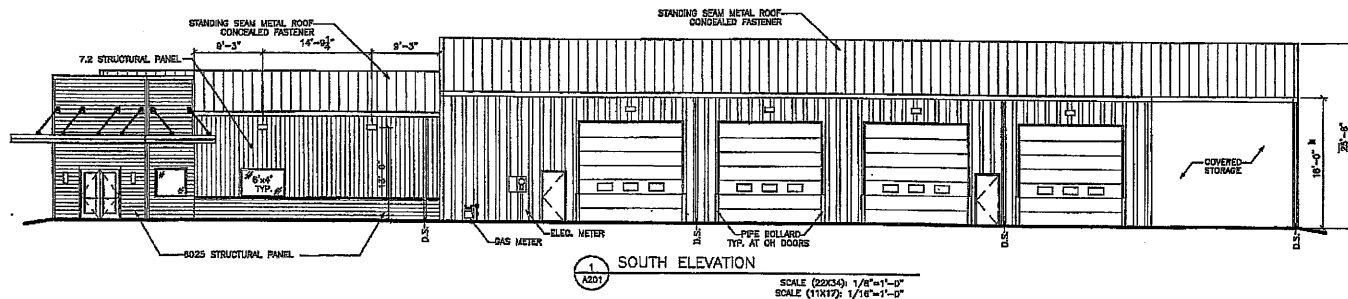
POWELL, WYOMING

Bobcat

Genie















NW Corner looking SE



SW Corner looking NE



SE Corner looking NW



NE Corner looking SW