



Twin Falls Planning & Zoning Commission Agenda

Tuesday, July 25, 2017, 6:00 PM

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

Members -

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

Area of Impact: Ryan Higley, Steve Woods

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Consent Calendar
 - a) Approval of Minutes from the following Meeting: July 11, 2017
 - b) Approval of Findings of Fact and Conclusions of Law for: July 11, 2017
Real Deals (SUP) Superior Woodworking (SUP)
- 3) Items of Consideration
 - a) Request to consider the **Preliminary Plat** for Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street from Southwood Avenue to the 3600 North Road. c/o Rex Harding, Riedesel Engineering on behalf of Dennis Hourany **WITHDRAWN TO BE SCHEDULED AT A LATER DATE**
 - b) Request to consider the **Preliminary Plat** for Eastpark Subdivision No. 3, a ZDA approximately 7.74 (+/-) acres consisting of 11 lots on property located on the west side of Madrona Street North and the north side of Cheney Drive c/o EHM Engineers, Inc. Purpose: Action By: Steve O'Connor
- 4) Public Hearings
 - a) Request the Commission's recommendation to **amend the Valencia Park ZDA** Master Development Plan to remove the landscape islands within Valencia Street for property located at 2916-2930 East 3600 North. c/o Rex Harding, Riedesel Engineering, Inc. on behalf of Dennis Hourany (app. 2882) Purpose: Recommendation By: Jonathan Spendlove
 - b) Requests a **Special Use Permit** to construct a 4500(+/-)sq. ft. detached accessory building on property located at 898 Canyon Rim Road within the Area of Impact. c/o Bill Riebesel (app. 2883) Purpose: Action By: Steve O'Connor
- 5) General Public Input
- 6) Upcoming Meeting(s)
 - a) August 2, 2017 Work Session
August 8, 2017 Public Hearing
- 7) Adjournment

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

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name, then commence with their comments. Following their statements, they shall write their name on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.

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

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
 - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
 - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
 - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed- **No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 11, 2017, 6:00 PM

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

Members -

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

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

2) Consent Calendar

- a) Approval of Minutes from the following meeting(s): June 27, 2017
- b) Approval of Findings of Fact and Conclusions of Law from the following meeting: June 27, 2017
 - TF Caswell Subd (pre-plat) Sundance Subd, a PUD (pre-plat) Powers, Kevin (SUP)
 - Johnson, Stephanie (SUP) Gardniner, Tim (SUP) Butler, David & Deborah (SUP)
 - Stahlecker, Andrea (SUP)

Motion:

Commissioner Munoz made a motion to approve the consent calendar, as presented.
Commissioner Hawkins seconded.

Unanimously Approved

3) Items of Consideration

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

Applicant Presentation:

Rex Harding, Riedesel Engineering, Inc. representing the applicant stated that in the original plan there were landscape islands in the collector street. The intent behind installing the landscaping islands was for traffic calming. When they submitted the plat last year one of the comments that came back from the City review was that they would prefer not to have landscape islands. Because the ZDA had already been approved with the landscape island in

the Master Development Plan it would need to be submitted with the islands shown. The next review of the plat required that with the width of the road being 48' it would require 24' on each side of the island. The islands are 7' wide and in order to accomplish this requirement they would have to take the extra width out of the existing right of way minus a foot between the curb and the sidewalk and negate any traffic calming. As an example of what the street would look like complete with islands would be Washington Street North, essentially a collector built almost exactly like an arterial. The request is to remove the islands in the ZDA Agreement so that they can move forward.

Staff Presentation:

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

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

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

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

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

PZ Questions/Comments:

- Commissioner Grey asked if the park is in the correct location provide in the exhibits.
- Senior Planner Spendlove explained that is how the master development was approved by City Council.
- Commissioner Frank asked how this came about as a request for amendment.
- Assistant City Engineer Vitek explained that the master development plan is a schematic and it is not sufficient for a technical review. At the time of engineering review the plans submitted identify the width of the road. Valencia will be a collector and has to meet minimum requirements for a collector. Engineering feels that if they widen out the road as requested it will meet Engineering standards for a collector. During the construction plan review streets is invited to the plan review, and are not part of a zoning action review.

Street would prefer not to have the islands, parks is not going to maintain the islands, which means each island has to be on its own separate tract and those tracts have to be assigned to someone like the adjacent home owner or the neighborhood. These conversations occur at the construction phase.

- Commissioner Grey explained that he does like the original plan, and as to who is going to take care of the landscape islands he thought would be done by the HOA, and it is a traffic calming feature. He asked if this type of discussion could occur prior to the ZDA coming to the Planning & Zoning Commission for approval.
- Assistant City Engineer Vitek stated staff has agreed that in the future if this type of design is provided in a plan it will be discussed prior to the public hearing. If the Commission believes this is a good plan staff can work with the applicant to resolve the issue.
- Commissioner Munoz explained that the islands may provide a safe location for kids if they try to cross the street without going to a corner to do so. The traffic calming is an issue.
- Assistant City Engineer Vitek explained that the 5' of landscaping strip would still be required and the sidewalk would have to shift to accommodate that requirements, which would result in the applicant having to dedicate more right-of-way.
- Commissioner Woods asked how wide Valencia is north of Southwood.
- Assistant City Engineer Vitek explained north of Southwood the width is 36' which is an old standard.

Public Hearing: Opened & Closed Without Comment

4) Public Hearings

- a) Request for the Commission's recommendation on a request to **Vacate** a 30' x 104' (+/-) undeveloped right of way located along the 100 Block of Morningside Drive c/o Rex Lytle on behalf of REEL, LLC (app. 2878)

Applicant Presentation:

Rex Lytle, the applicant explained they are requesting the vacation of a right-of-way. In the process of forming and ESOP they are trying to clean up the property ownership and the lease agreements. Over time they have purchased property along Kimberly Road and gradually expanded by purchasing adjacent properties and this request is just to clear up property ownership.

Staff Presentation:

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

This is a request to vacate the platted Right of way for Morningside St., South of 2nd Ave. E. in

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

Senior Planner Spendlove stated upon conclusion should the Commission recommend to the City Council, this request be granted as presented, staff recommends approval be subject to the following conditions:

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

PZ/Questions & Comments:

- Commissioner Munoz asked what is the property adjacent to the property zoned.
- Mr. Lytle explained that property is zoned commercial it was a house he purchased that has recently been demoed and will become a parking lot for their employees.

Public Hearing: Opened & Closed Without Comments

Discussions Followed: Without Concerns

Motion:

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

Recommend for Approval, As Presented, To City Council, with the Following Conditions

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

Scheduled for August 7, 2017 City Council Public Hearing

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

Applicant Presentation:

- Nate Kelsey, the applicant explained they are requesting a Special Use Permit to replace a non-conforming use with another non-conforming use. They have been operating in the community for 14 years and would like to relocate to 1881 Pole Line Road East.

- Carie Kelsey explained they primarily deal in home décor, accessory furniture, clothing, and have been located in an old warehouse downtown. They are looking forward to bring a local flair to this area of town.

Staff Presentation:

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

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

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

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

Comprehensive Plan Compliance:

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

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

existing building cannot reasonable be converted to a conforming use. (Ord. 2555, 7-21-1997)”

Per City Code 10-11-1 thru 8:

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

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

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

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

PZ/Questions & Comments:

- Assistant City Engineer Vitek explained plats develop differently than building permits. The City can ask for right-of-way and road widening when platting. He explained that this is not possible if the only thing required for development is a building permit. This approach located along the southwest end of the property is the only approach to the property. The applicants have been asked to widen Pole Line Road East which is a total width of five lanes (a center turn lane & two each way). Upon development of the adjoining property to the west, the city would require that this existing approach to be closed and diverted onto the planned public road on the western property boundary.
- Commissioner Frank asked if the business would have delivery trucks and if outside storage would be part of their business plan.
- Mr. Kelsey explained the only delivery trucks will be there to drop off and pick-up; as for storage the building is sufficient to store everything inside.
- Commissioner Munoz asked about the hours of operation and delivery times.
- Mr. Kelsey explained the will operate during normal business hours and deliveries will occur during the day.

Public Hearing: Opened

- David Thiebault, representing the Rio Vista Development, they wanted to go on record that they do have concerns with the width of Pole Line Road East and they would like to avoid having the road jog in and out. The Rio Vista Development has been annexed into City Limits and discussion about how this property will be serviced which could be important to the Rio Vista Development. The property in question is zoned SUI which does not allow for commercial uses, the only reason this was permitted as a legal non-conforming use is because it was in place before the zoning. They would like the commission to consider that zoning designation and its limitation. The code states... "that a legal non-conforming use can be granted if the applicant can show that the existing building cannot be converted to a conforming use." For all of the property that is Rio Vista many steps were taken to develop a ZDA Agreement and to extend city services to the area. This property could be brought into conformance if it were annexed and rezoned for commercial use, and this should be considered by this board before a decision is made.
- John Lezamiz, 847 Canyon Springs Road, one of the owners of the Rio Vista Development explained that in the event that this request is approved, there are two conditions that need to be addressed. One condition regarding the roads has been addressed, however, the second condition is related to providing city services to the property in question. He feels annexation of this property is a more appropriate. Without annexation the property can continue to operate on their septic system which he feels is inappropriate. The plan was for this entire area to be served by one pump station. He would like a condition added to the approval that at such time that the pump station is built that the applicants be required to hook into the station and payback their portion.

Public Hearing: Closed**Closing Statement:**

- Mr. Kelsey explained he thinks these concerns are reasonable, but he would be curious to know what the timeframe is for the pump station to be complete.
- Assistant City Engineer Vitek explained he is not able to predict a timeframe for completion, however there is an Improvement Reimbursement Committee that approves payback requests for improvement. Once the pump station is constructed the City will take over maintenance, and if the applicant or any other property owners choose to attach to the pump station they would be required to pay the amount approved by the Committee back to the developer. The septic system is governed by the South Central Health District and their regulations would allow the applicant to use it until it fails, at which time if the property is with 100' of city services the property would have to be annexed and attach to city services. This property is adjacent to city services currently and if the applicant would be allowed to connect to this trunk line.
- Mr. Kelsey explained he also understands the concern with widening the road however it would make more sense to do this work at the same time as the other development so that the road is not jogging in and out along that 135' of frontage. They are ready to begin operating, and timing is essential. At the time the septic system fails they would make the

determination as to what is more cost effective connecting to services at Pole Line Road East or running a line north to connect into the pump station if it is available.

- Assistant City Engineer Vitek explained this property is down grade and the City would not want the City line to collapse and run into the applicants building, that being the City would not require the applicant to connect to the pump station if the applicant chose to install some type of ejection pump station on his line. As for the timing of the roadway, the applicant is required to widen the roadway, however an application can be submitted to the City Council to ask for a deferral. City Council would then be able to determine if a deferral is appropriate.

Deliberations Followed:

- Commissioner Grey asked if annexation of this property was discussed.
- Planner I O'Connor explained there was conversation about annexation, however this process is allowed and are not required to annex. They will be required to annex and hook up to city services if their septic system fails.
- Commissioner Munoz asked if the applicant had chosen to operate this facility as a gym would a Special Use Permit be required.
- Planner I O'Conner explained no it was an established use.
- Commissioner Woods explained that the annexation and service concerns will be taken care of when necessary but does not have to be addressed now.
- Commissioner Munoz explained even though this is a change of use, he thinks it will have less of an impact to the area than a gym. He also understands the concerns with the road and city services; however, the City has never been in the business of forcing annexation. There are also ordinances in place regarding reimbursement if the applicant has to connect to the pump station. He feels the concerns are addressed with the conditions and the regulations.

Motion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to required site improvements being completed prior to occupancy.
3. Subject to the reconstruction of Pole Line Rd frontage, installation date, width and/or number of lanes to be determined by City Engineer.
4. Upon development of property to the west access from Pole Line Road East shall be closed and diverted onto the planned public road on the western property boundary.

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

Applicant Presentation:

Jo Silvey, the applicant explained that he lives here in Twin Falls and has operated Superior Woodworking for 20 years. This would be the second woodworking shop he has built and it is time for more space. They are located in a manufacturing area and are here tonight because of the plans to have a paint booth.

Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated this Property is lot 1, Block 3 of the Ripley Subdivision, recorded July 1994. It has been vacant since it the agricultural use ceased. The zoning was likely set with Ordinance 2012, which established the zoning codes we utilize today.

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

Comprehensive Plan Compliance:

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

Per City Code 10-7-18:

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

Per City Code 10-11-1 thru 8:

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

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

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

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

PZ/Questions & Comments:

- Commissioner Grey asked if it is just the trash enclosure that is fenced or is the entire property fenced.
- Planner I O'Connor explained this will be reviewed upon submittal for a building permit.

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

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

- d) Request for a **Special Use Permit** to establish a residence hall, residence hotel or rooming house on property located at 640 Filer Avenue West. c/o Gerald & Millie McNabb dba Early Days, LLC (app. 2881)

Applicant Presentation:

Gerald McNabb, explained he is here to request a Special Use Permit to establish a residence hall, residence hotel or rooming house for property located at 640 Filer Avenue West. They have no plans to change the building, they will be adding additional parking at the corner of Filer Avenue West and Wendell. The gravel parking lot will be paved and will have access via Hazeldel Drive. The exterior changes will be to provide for additional parking and make the sidewalks ADA accessible. They have been in the rental business for over 10 years.

Staff Presentation:

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

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

that many residents will be independently mobile and will likely make normal daily trips in and out to work, school, shopping, etc. There are many variables when considering these impacts but the potential is there.

Comprehensive Plan Compliance:

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

Per City Code 10-4-6:

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

Per City Code 10-11-1 thru 8:

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

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

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

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

PZ/Questions & Comments:

- Commissioner Musser asked what a boarding house is vs an apartment.
- Planner I O'Connor explained they would have sanitary and sleeping quarters but not cooking facilities; they would have a communal kitchen.
- Mr. McNabb explained each room would have a fridge and a microwave, the rooms will either be a studio or one bedroom. The tenants could be students, elderly and would be single unrelated individuals. Their price range would be around 400.00 per month. They have a cross section of tenants in their facility near Idaho State University. Some of their tenants have a limited income, and this provides a safe and comfortable facility for people

to live. They have some tenants who get assistance through Idaho Housing.

- Commissioner Frank asked how they handle tenants that may be causing problems for the surrounding neighbors or neighborhood.
- Mr. McNabb explained if they have a tenant causing a problem they have no issue with evicting the tenant.
- Commissioner Grey asked if there is an office manager on site.
- Mr. McNabb stated they don't have someone on site but their daughter lives within five minutes of the property and she plans to be the manager of the property.
- Commissioner Grey asked if there are plans to have a communal kitchen and gathering spaces for the tenants or are the tenants all on their own.
- Mr. McNabb explained that remains to be seen, initially they are trying to get the units ready to rent and eventually there may be a few gathering areas but that is to be determined. They will manage the grounds and the tenant will manage their own space.
- Commissioner Woods asked if there could be some clarification between a rooming house, resident hotel, and a motel. In the R-6 motel and transient hotels are not allowed but residence halls and rooming houses are allowed.
- Planner I O'Connor explained the main difference is related to the length of stay. Hotels are temporary and the applicant's goal is to have more long-term tenants.
- Colby Ricks, Architect, explained an apartment has a kitchen in each living space. This facility has a commercial kitchen and a dining area for the tenants but there will not be cooking facilities in any of the room.
- Mr. McNabb explained the tenants will not have access to the kitchen and they will not be providing meals. Their rental agreements are month to month, each tenant has to pay a deposit and depending on their length of stay, they may or may not get that deposit back upon termination of the agreement. Many of their tenants are there for several years and it would be a life change that makes them move away.

Public Hearing: Opened

- Irene Haney, 838 Filer Ave W, stated she is not against a rooming house, but the location for this project is a concern. The research she has done, indicates they tend to be places for felons, people that are trying to adapt to life and get off of drugs, even prostitution. This facility is half a block from two schools and it is next door to two retirement centers. This could be setting up some of the communities most vulnerable individuals for a bad situation. The increase in traffic is another concern because the children walk this way to and from school.
- George Haney, 838 Filer Ave W, explained the presentation is over simplified but a good presentation. The concerns are not the physical facilities, they are concerned about the types of tenants. Some statistics would be nice, about the quality of tenants they plan to have. The type of people they rent to is a concern and he would like to know more about their screening process.
- Jim Campbell, 833 Arrowwood Court, he understands the discrimination laws and if there are 10 empty units, and there are 10 refugees to fill the room, and they can't refuse to rent to them. He would like to see a lot more about the screening of residence before he

can be supportive of the request.

- Rosalee Orton, 867 Filer Ave W, her concern is the facility being open 24 hours a day. Traffic impacts will be significant; they live in a residential area not a commercial area.
- Deana Steel, 447 Bracken St N, she stated she is a property manager of 30 units around town. She is looking at the space, parking allowances, crime, fire access for trucks, water retention, and locations for people to travel to get food.
- LaMar Orton, 867 Filer Ave W, explained he has lived at this address for approximately 40 years and they feel that to go from a nursing home to a rooming/boarding house is a substantial change that would have significant impacts to the neighborhood. He would like to see a layout of the parking spaces. The traffic impacts from this use could be substantial. As they have watched the motel along Addison Avenue change to longer-term rentals the motels consistently, go downhill, which is another concern. Once the parking spaces are added where the residents are going to go for open space to be outside. It seems like there is no plan for managing the facility on site, and yet they are open 24 hours a day without someone on site.
- Brad Breland, 405 Bracken St N, explained his concern is the traffic impacts.
- Joe Auth, 850 Filer Ave W, stated he has live at his address for over 30 years and he has concerns that this will become a flop house, like the motel along Addison Avenue and Kimberly Road. He doesn't think this is an appropriate use for this property.
- Taryn Piersol, 802 Arrowood Ct, she sees the need for low income property, but they tend to attract problems, and refugees. There is no way to screen for the type of problems they can create.

Public Hearing: Closed

Closing Statement:

- Mr. McNabb explained he has over 10 years of experience dealing with tenants. They have an application they have people complete. They do not rent to felons, people with drug related issues and they have no tolerance for drug use. They have a low crime rate for their facilities they manage. As for traffic, the cars will be coming and going at different times because of the diversity of their tenants lives. They have never had a complaint from the tenants or the neighbors of their current properties. The application is online, which requires some skills, they check backgrounds and social media. They tenants have to have previous rental history and experience references. They contact the references and verify their rental history. They have had to evict tenants in the past and have done so with a sex offender, they are not a protected class. There are many people that do not have a large income but that are quality people. They are looking for quality tenants. As for open space they exceed the requirements for open space and he showed on the overhead a plan for the additional parking spaces needed to meet code. There are sidewalks along Wendell and Filer Avenue for the children to use for walking to and from school. They will have a commercial company to cut the lawn and they will water the grass. They want to provide a safe environment for the tenants.
- Commissioner Munoz asked about screening tenants.

- Mr. McNabb explained they do a combination of things. They have an application process, they use the Idaho Repository, and they check references and check social media. If there are questionable backgrounds they won't rent to the person. They are not anxious about vacant spaces, they will wait to rent to the correct person. They have a good product; they have had years of experience and their tenants tend to be long term.
- Commissioner Woods asked about the largest property they manage.
- Mr. McNabb explained if this is approved this will be the largest property they have managed, the next largest is 40 units; a mobile home park on approximately 4 acres in size. They have several apartment units.
- Commissioner Musser asked about enforcement of the screening process.
- Planner I O'Connor explained that is not something that could be enforced by the City.

Discussion Followed:

- Commissioner Grey asked about fire code and parking requirements.
- Planner I O'Connor explained parking code requires 1 space per unit and this will be evaluated at the building permit stage. If they don't meet the code requirement they don't get their Certificate of Occupancy.
- Commissioner Frank asked about storm water requirements.
- Assistant City Engineer Vitek explained that if any additional paving is required they will have to incorporate that into the building permit requirements. As for a traffic signal, they are installed once they are warranted. A traffic count could be done, however he would suspect that there would be high counts in the morning and afternoon for approximately 15 minutes but that would not be enough to warrant a traffic signal.
- Commissioner Frank asked about fire truck access.
- Assistant City Engineer Vitek explained the Fire Marshall has looked at this and did not see anything that caused concern. This will be looked at again during the building permit process.
- Planner I O'Connor explained also that the Commission can require more parking.
- Commissioner Musser asked about parking requirements if this were to be converted to apartments.
- Planner I O'Connor explained the requirement is two parking stalls per unit and up by 1.5 if over two units. This is not meant for a family where there would be a need for two or three cars.
- Commissioner Frank asked for clarification on the number of tenants per space.
- Mr. McNabb explained they would advertise a unit as a studio with a single bed. This use would not allow for a couple. You could have two people unrelated using the room, but generally that is not what happens. As for the parking, most of the required parking is there. They are however adding a few more spaces to reach 100 spaces. They are going to pave the gravel area that has historically been used for parking.
- Planner I O'Connor explained a re-evaluation period condition can be placed on the permit.
- Commissioner Frank explained that in the past that type of condition was placed on permits because of "what if situations" and they never came to pass. He understands this

is going to be different from what has been there, however he has not heard anything that definitively says this is going to be bad. He explained when he first moved to Twin Falls, he was the type of person that could have rented such a space, he had a low paying job and needed a place to help him get acclimated before purchasing a property. With all of the CSI student, and expansion of our companies in the area, there is a lot of pressure for single people to find a place to live.

- Commissioner Munoz explained with students the applicant stated people without a rental history would be excluded, which would exclude students. As for the background check, the Idaho Repository only covers Idaho and doesn't cover people coming from other states or other countries. He thinks that this use will change the essential character of the area.
- Commissioner Grey explained he understands the concerns and that this will change the dynamics of the neighborhood slightly. His greatest concern is onsite maintenance and hiring someone to maintain the property and inspect it regularly; there are a number of apartment complexes that don't have onsite management/maintenance and are probably not very well maintained. He thinks this is a good fit and if an issue arises, the neighbors have a process to request revocation.
- Commissioner Munoz explained revocation could only be pursued if the conditions listed on the permit are violated.
- Commissioner Woods explained that he has difficulty distinguishing the difference between this use and a motel that is not permitted. He is extremely concerned that the applicant has not managed this size of facility before, and a 90 person facility is a concern. He is concerned with the reference made by the residence in this area regarding the degradation of the areas along Addison Avenue West once they became rooming houses. Those facilities even have a representative on site 24/7, this facility will not have onsite management and that bother him when this area is surrounded by residential homes. He cannot support this request.
- Commissioner Musser explained he agrees, that there is a need for this type of facility, however he is not convinced that this is the right location, and the size of the facility is concern.
- Commissioner Frank explained he understands the concerns about the size of the facility but you cannot get experience managing more without managing more. He has not heard any facts about the use that cause him concern and he thinks the positives outweigh the fear of the negatives. There is a mechanism for revocation if there are issues.
- Commissioner Munoz stated he still thinks this will change the character of the neighborhood and does not meet all of the conditions the Commission has to consider when approving a Special Use Permit.

Motion:

Commissioner Hawkins made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. Members Frank, Grey and Hawkins voted in favor of the motion and members Munoz, Musser and Woods voted against the motion.

Motion Failed 3-3.

d) General Public Input

- Zoning & Development Manager Carraway-Johnson explained Council would be moving their meeting from August 21, 2017 to August 23, 2017 due to the solar eclipse.

6) Upcoming Meeting(s)

- a) July 25, 2017 Public Hearing
August 2, 2017 Work Session

7) Adjournment

Lisa A. Strickland, Administrative Assistant



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Real Deals</u>	)	CONCLUSIONS OF LAW,
<u>c/o Nate & Carrie Kelsey</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on July 11, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East with in the Aol, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East with in the Aol
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 22, 2017
3. The property in question is zoned SUI pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Undeveloped; to the east; Residential; and to the west, Agricultural/Undeveloped.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East within the Aol is consistent with the purpose of the SUI Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.
3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2
4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.
5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.
6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.
7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.
8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.
9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.
10. The proposed use is a proper use in the SUI Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
11. The application for a Special Use Permit for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East within the Aol should be granted, subject

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

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

DECISION

1. The application for a Special Use Permit for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East with in the Aol is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

3. The Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to the site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to required site improvements being completed prior to occupancy.
3. Subject to the reconstruction of Pole Line Road East frontage, installation date, width and/or number of lanes to be determined by City Engineer.
4. Upon development of property to the west access from Pole Line Road East shall be closed and diverted onto the planned public road on the western property boundary.



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

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

SPECIAL USE PERMIT

Permit No.1443

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on July 11, 2017 to Real Deals c/o Nate & Carrie Kelsey whose address is 4493 Mud Creek Rd Buhl, ID 83316 for the purpose of replacing a legal non-conforming use with another non-conforming use on property located at 1881 Pole Line Road East with in the Aol and legally described as Sec 34 T 9 R 17 W 134.95' x 546.62' of E 349.95' of Lot 5 RP09S17E348410

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

This permit corresponds to Zoning Application No.2879

1. Subject to the site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to required site improvements being completed prior to occupancy.
3. Subject to the reconstruction of Pole Line Road East frontage, installation date, width and/or number of lanes to be determined by City Engineer.
4. Upon development of property to the west access from Pole Line Road East shall be closed and diverted onto the planned public road on the western property boundary.

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

DATE

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

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

cc: Building Inspection



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Superior Woodworking, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o Joe Silvey</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on July 11, 2017 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: June 22, 2017
3. The property in question is zoned M-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Undeveloped; to the south, Storage/Eldridge Avenue; to the east; Manufacturing; and to the west, Undeveloped.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue is consistent with the purpose of the M-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

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

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

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

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

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

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

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

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

10 The proposed use is a proper use in the M-2 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a Special Use Permit for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

3. The Special Use Permit shall be issued, as presented.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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

APPLICATION #2880
SUP# 1444



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

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

SPECIAL USE PERMIT

Permit No.1444

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on July 11, 2017 to Superior Woodworking, LLC c/o Joe Silvey whose address is P.O. Box 5479 Twin Falls, ID 83303 for the purpose of constructing and operating a hand crafted furniture manufacturing business with an indoor paint booth on property located at 2387 Eldridge Avenue and legally described as Twin Falls Ripley Subd Lot 1 Block 3 RPT45510030010A

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

This permit corresponds to Zoning Application No.2880

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

CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

ADMINISTRATOR SIGNATURE

DATE

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

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

cc: Building Inspection



Public Hearing: **TUESDAY, JULY 25TH, 2017**
 To: Planning and Zoning Commission
 Presenter: Steve O'Connor, Planner I
 Authors: Jonathan Spendlove & Steve O'Connor
 Editor: Renee V. Carraway-Johnson, Zoning Administrator

AGENDA ITEM 3-b

Request: Request to consider the **Preliminary Plat** for Eastpark Professional Subdivision No. 3, a ZDA, approximately 7.74 (+/-) acres consisting of 11 lots on property located on the west side of Madrona Street North and the north side of Cheney Drive c/o EHM Engineers, Inc.

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: ~7.74+/- ac.
Andrew Jarvis 1411 Falls Ave E. Ste 1131 Twin Falls, ID 83301 208.308.6908 aztecjarvis@gmail.com	Current Zoning: R-2 PRO ZDA	Requested Zoning: Approval of a Preliminary Plat
	Comprehensive Plan: Town Neighborhoods	Lot Count: 1 Block, 11 Lots
	Existing Land Use: Vacant	Proposed Land Use: Professional Office/Some Retail
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers c/o Dave Thibault 621 N. College Rd., Ste 100 Twin Falls, ID 83301 dthibault@ehminc.com	North: C-1 PUD, Bridgeview Blvd; Home Depot; R-4 PRO PUD, undeveloped	East: R-1 VAR PUD, Madrona St, undeveloped
	South: R-1 VAR PUD, Cheney Dr/Stoneybrook Neighborhood	West: R-2 PRO PUD; Eastpark PUD #213- developing professional complex
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-4-18, 10-4-6. 10-12-1 through 4; Eastpark Professional ZDA	

Approval Process:

As per Twin Falls City Code 10-12-2.3 Action on Preliminary Plat:

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

Budget Impact:

As the request is for a Preliminary Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat 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.

History:

This property is part of the Eastpark PUD #213, which went through the Public Hearing process in 1994-5. This PUD assigned the Zoning Districts and placed limitations on the uses allowed on the property. In 2005, a single lot subdivision was approved and recorded at the NE corner of Locust and Cheney, Eastpark Professional Subdivision No 1, a PUD. A Sup was granted to develop a professional office. The office did not get built. In 2007 the Interstate Amusement Subdivision-A Conveyance Plat, consisting of the remainder of the property between Locust-Bridgeview-Madrona and Cheney. The plat was recorded with 2 lots. The intent of a conveyance plat is to allow for property to be sold – it does not allow for development. The code further states whichever lot is developed first all street and utilities are required to be developed for both lots at that time.

In October 2015, the new property owner, Mr. Welch and his Associates, wanted to develop the property in phases so they requested the City Council waive the required improvements for portions of the Interstate Amusement Conveyance Plat. This waiver was granted. The result was development of the property was allowed to move forward through the platting and development process without triggering the development of the remaining portions of land contained in the original Conveyance Plat. Platting and development has occurred on Eastpark Professional Sub #2, a PUD. The property owner wished to market the property to include some uses not permitted under the current PUD. In February 2017, the Commission forwarded a positive recommendation to City Council for a proposal to a rezone the remainder of the subject property to R-2 PRO ZDA to include a variety of retail opportunities. City Council approved the rezone in May 2017, and both the ordinance and the Zoning Development Agreement have been recorded.

Analysis:

This is a request for approval of the preliminary plat of the Eastpark Professional Subdivision #3, a ZDA. The subdivision consists of 1 block with 11 lots to be sold and developed in compliance with the ZDA.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system. No building permits shall be issued until the PI Station is built and operational.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as a transition zone between Town Neighborhood and Mixed Use.

Conclusion:

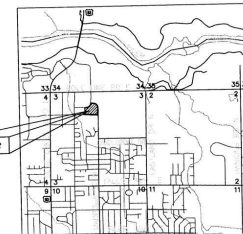
Staff recommends the commission approve the preliminary plat of the Eastpark Professional Subdivision No. 3, a ZDA, as presented, and subject to the following conditions:

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 and the ZDA.

Attachments:

1. Preliminary Plat
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Photos

Preliminary Plat
EASTPARK PROFESSIONAL
SUBDIVISION NO. 3
A Zoning Development Agreement
A Re-subdivision and Re-Numbering of Lot 1,
INTERSTATE AMUSEMENT SUBDIVISION,
a Conveyance Plat
Located In
Gov't Lot 3, Section 3
Township 10 South, Range 17 East, Boise Meridian
Twin Falls County, Idaho
2017



Vicinity Map
NOT TO SCALE

Notes:

- EASEMENTS FOR UTILITIES AND ACCESS ROADS SHALL BE DETERMINED BASED ON FINAL LOCATIONS AND BE INCLUDED ON THE FINAL PLAT OR GRANTED BY SEPARATE DOCUMENT.
- ALL LOTS AND LOT OWNERS SHALL BE SUBJECT TO A PROPERTY OWNERS ASSOCIATION AND AN ARCHITECTURAL CONTROL COMMISSION.
- ALL LOTS AND RIGHT OF WAY LANDSCAPING SHALL BE IRRIGATED WITH A PERMANENT NON-POTABLE PRESSURIZED IRRIGATION SYSTEM.
- DEVELOPER SHALL CONSTRUCT PRESSURE IRRIGATION STATION IMPROVEMENTS AS REQUIRED TO SUPPORT THIS DEVELOPMENT. NO BUILDING PERMITS SHALL BE ISSUED UNTIL THE PRESSURE IRRIGATION STATION IS CONSTRUCTED.
- A CROSS-USE AND MAINTENANCE RECIPROCAL AGREEMENT WILL BE REQUIRED FOR ACCESS, PARKING, STORM DRAINAGE, AND UTILITIES IF NEEDED.
- EACH LOT OWNER SHALL BE RESPONSIBLE FOR THE RETENTION OF ALL STORM WATER GENERATED ON INDIVIDUAL LOTS AND RIGHT OF WAY FRONTING THOSE LOTS. FINAL LOCATION OF RETENTION FACILITIES TO BE DETERMINED UPON DEFINITION OF USERS AND LAYOUTS. RETENTION AREAS MAY BE RESPONSIBLE FOR ON SITE RETENTION OF STORM WATER UNLESS MULTIPLE LOTS ARE DEVELOPED CONCURRENTLY WHICH WILL ALLOW FOR COMBINED STORM WATER RETENTION.
- REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF EACH LOT OWNER FOR INSTALLATION AND MAINTENANCE.
- TEMPORARY RETENTION BARRIERS/SHIELDS PROTECTING ADJACENT STREETS AND LOTS FROM RUNOFF WILL BE REQUIRED BY THE CITY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- DEVELOPMENT OF THE COMMERCIAL LOTS WITHIN THIS SUBDIVISION SHALL BE FOR INDIVIDUAL SITE PLANS SUBMITTED TO THE CITY OF TWIN FALLS BUILDING AND ENGINEERING DEPARTMENTS. ALL BUILDING PLANS, PARKING LAYOUTS, LANDSCAPING, LIGHTING, RETENTION, ETC. IS SUBJECT TO CHANGE UPON SUBMITTAL OF INDIVIDUAL SITE PLANS PROVIDING ALL CHANGES MADE TO ANY LOT COMPLY WITH THE REQUIREMENTS OF THE ZDA AGREEMENT AS WELL AS THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TWIN FALLS AND THE CITY OF TWIN FALLS ZONING ORDINANCE.

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

STAMP
APPROVED: D. THIBAUT
DESIGN: D. THIBAUT
DRAWN: V. SMITH
DATE: 4/10/2017
SCALE: AS SHOWN
DWG. NO.: 239-16 PPT
SHEET

PPI

Drainage Calculations:

NOTE: DRAINAGE RUNOFF FACTORS: $V=1.6/12(A/100)^{0.7}$

LOT	IMPERVIOUS AREA	LANDSCAPE AREA	IMPERVIOUS AREAS = 0.05	LANDSCAPE AREAS = 0.25	PRE-DEVELOPMENT = COMMERCIAL	NO ALLOWANCE	DRY WELL NET AREA = VOODS 40%
LOT 1	39,513SF	4,390SF	1.6/12*39,513*95 = 5,009CF	1.6/12*4,390*25 = 1,466CF	5,151CF		
LOT 2	36,440SF	2,338SF	1.6/12*36,440*95 = 3,349CF	1.6/12*2,338*25 = 880CF	3,447CF		
LOT 3	31,641SF	3,516SF	1.6/12*31,641*95 = 4,008CF	1.6/12*3,516*25 = 1,110CF	4,120CF		
LOT 4	19,218SF	2,135SF	1.6/12*19,218*95 = 2,434CF	1.6/12*2,135*25 = 712CF	2,506CF		
LOT 5	18,597SF	2,066SF	1.6/12*18,597*95 = 2,356CF	1.6/12*2,066*25 = 682CF	2,438CF		
LOT 6	26,270SF	2,919SF	1.6/12*26,270*95 = 3,327CF	1.6/12*2,919*25 = 1,232CF	3,424CF		
LOT 7	29,826SF	3,314SF	1.6/12*29,826*95 = 3,787CF	1.6/12*3,314*25 = 1,102CF	3,889CF		
LOT 8	28,492SF	1,062CF	1.6/12*28,492*95 = 3,609CF	1.6/12*1,062*25 = 371CF	3,714CF		
LOT 9	26,054SF	2,895SF	1.6/12*26,054*95 = 3,300CF	1.6/12*2,895*25 = 862CF	3,396CF		
LOT 10	28,572SF	3,175SF	1.6/12*28,572*95 = 3,619CF	1.6/12*3,175*25 = 1,062CF	3,725CF		
LOT 11	28,748SF	3,194SF	1.6/12*28,748*95 = 3,641CF	1.6/12*3,194*25 = 1,082CF	3,747CF		
TOTAL	11,471SF	1,453CF	1.6/12*11,471*95 = 1,453CF				
MADRONA	20,505SF	2,597CF	1.6/12*20,505*95 = 2,597CF				

INDIVIDUAL SITE DEVELOPMENT PLANS WILL ADDRESS ACTUAL CALCULATIONS AND CAPACITIES UPON FURTHER DEVELOPMENT.

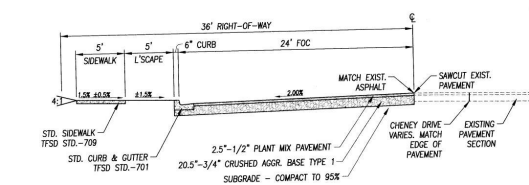
Design Data:

PARCEL NUMBER: RPT1816000010
OWNER/DEVELOPER: JASON VICKREY
TITLE ONE
1411 FALLS AVE. E., STE. 1131
TWIN FALLS, IDAHO 83301
PH: 208-933-2650
ENGINEER: EHM ENGINEERS, INC.
621 N. COLLEGE RD., STE 100
TWIN FALLS, ID 83301
(208) 734-4888
EXISTING ZONE: R-2 PRO/ZDA
PROPOSED ZONE: R-2 PRO/ZDA
EXISTING USE: BARE GROUND
PROPOSED USE: OFFICES
DEVELOPMENT AREA: 7.74 ACRES
VARIANCE: NONE REQUESTED

SEWER: CITY SEWER
WATER: CITY WATER
STREETS: NO NEW PROPOSED PUBLIC STREETS
SETBACKS: BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE STANDARDS FOR THE R-2 ZONING DISTRICT IN EFFECT AT THE TIME OF ISSUANCE OF BUILDING PERMITS.
EASEMENTS: AS SHOWN
IRRIGATION: PRIVATE NON-POTABLE
UTILITIES: UNDERGROUND POWER, TELEPHONE, GAS, & CABLE TELEVISION
BENCHMARK: 6080-3034 BRIDGEVIEW BLVD. 430' E OF LOCUST ST. N. EL. = 3658.905

Legend:

PROPOSED	EXISTING
PROPERTY BOUNDARY	PROPERTY BOUNDARY
ROADWAY CENTERLINE	ROADWAY CENTERLINE
EASEMENT LINE	EASEMENT LINE
WATER LINE	WATER LINE
SANITARY SEWER LINE	SANITARY SEWER LINE
STORM SEWER LINE	STORM SEWER LINE
PRESSURE IRRIGATION LINE	PRESSURE IRRIGATION LINE
GRAVITY IRRIGATION LINE	GRAVITY IRRIGATION LINE
OVERHEAD POWER LINE	OVERHEAD POWER LINE
STANDARD CURB & GUTTER	STANDARD CURB & GUTTER
ROLLED CURB & GUTTER	ROLLED CURB & GUTTER
EDGE OF ASPHALT	EDGE OF ASPHALT
SEWER SEWER	SEWER SEWER
CLEAN-OUT	CLEAN-OUT
FIRE HYDRANT	FIRE HYDRANT
MANHOLE	MANHOLE
IRRIGATION BOX	IRRIGATION BOX
VALVE	VALVE
POWER POLE	POWER POLE



TYPICAL ROADWAY SECTION
CHENEY DRIVE, MADRONA STREET NORTH

N.T.S.

EASTPARK PROFESSIONAL SUBDIVISION NO. 2
ZONE R-2 PRO/PUD

BTONEYBROOK SUBDIVISION NO. 8 PUD
ZONE R-1 VAR

BTONEYBROOK SUBDIVISION NO. 6 PUD
ZONE R-1 VAR

BTONEYBROOK SUBDIVISION NO. 4 PUD
ZONE R-1 VAR

UNPLATTED
ZONE R-1 VAR PUD

UNPLATTED
ZONE R-1 VAR PUD

EXISTING EDA

EXISTING EDA

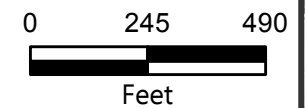
EXISTING EDA

EXISTING EDA

EXISTING EDA

Zoning Vicinity Map

-  Area of Impact
-  PUD
-  C-1
-  R-1 VAR
-  R-2
-  R-4
-  R-6
-  SUI



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Magic Valley Mall
Magic Valley
Mall 215

Rio
Vista/Notch
Butte 0

Rex
TV 212

Eastpark 213

C-1

C-1

R-4 PRO

Eastpark 213

Eastpark 213

R-2
PRO
Eastpark
#3 ZDA 0

R-4

C-1

R-4

R-2

R-2

R-2

R-2

Stoneybrook
2303

R-2

R-2

R-6
Ziegler
Tamura
206

R-1
VAR

R-1 VAR

Stoneybrook 2303

R-1
VAR

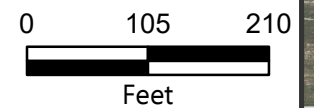
R-1
VAR

R-1
VAR

R-1
VAR



Aerial Map



**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



2017-010101

No. Pages: 16

Fee: \$

KRISTINA GLASCOCK

County Clerk

Deputy: BHUNTER

ORDINANCE NO. 2017-015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, **REZONING** REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENTS TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP AND THE REVISED AREA OF IMPACT.

WHEREAS, Pineford Falls, LLC c/o Andrew Jarvis had made application for a rezone of properties located at the northwest corner of Cheney Drive and Madrona Street North City of Twin Falls, and an amendment of the Revised Area of Impact and Comprehensive Plan Land Use Map; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 28 day of February, 2017, to consider the Zoning Designation, necessary Zoning and Planning Map amendment upon a REZONE of the real property below described, and an amendment to the Revised Area of Impact and Comprehensive Plan Land Use Map; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 03 day of April, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property located at the northwest corner of Cheney Drive and Madrona Street North is the subject of a Zoning District Change and Zoning Map amendment from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA.

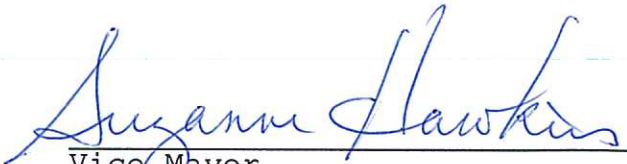
See Exhibit "A" and Exhibit "B"

SECTION 2. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same are hereby amended to reflect the rezoning designation of the real property above described.

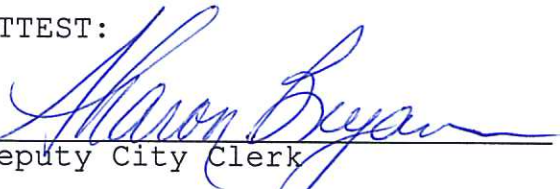
SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

PASSED BY THE CITY COUNCIL
SIGNED BY THE VICE MAYOR

June 19, 2017.
June 19, 2017.


Vice Mayor

ATTEST:


Deputy City Clerk

PUBLISH: Thursday June 22, 2017

Exhibit "A"

**Legal Description
Eastpark Professional ZDA
Twin Falls County, Idaho**

Being all of Lot 1 as shown on that certain map entitled "INTERSTATE AMUSEMENT SUBDIVISION", a conveyance plat, recorded November 26, 2007, as instrument no. 2007-028231, of official record, in the office of the county recorder of Twin Falls County, said parcel of land also being a portion of Section 3, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

End of Description

RECEIVED

JUN 13 2017

Eastpark Professional, a ZDA
Zoning Development Agreement

CITY OF TWIN FALLS
PLANNING & ZONING

This ZDA – Zoning Development Agreement is made and entered into this ____ day of _____, 2017, by and between the City of Twin Falls, State of Idaho, a municipal corporation, hereinafter called "City" and Pineford Falls L.L.C., hereinafter called "Developer" for the purpose of developing a mixed use; professional and commercial property as a planned Zoning Development Agreement (ZDA). The Legal description of the property is 7.74 Acres, Lot 1, INTERSTATE AMUSEMENT SUBD., a conveyance plat located in the northwest corner of Section 3, Township 10 South, Range 17 East, Boise Meridian in Twin Falls county Idaho. More specifically described in attached Exhibit A.

Development and Improvements shall conform to the standards and regulations of the Twin Falls City Code Title 10-Chapter 4-Section-18 for R-2 PRO, Professional Office Overlay and Chapter 6-Section -1, and all references to other sections herein, as amended, except for the following:

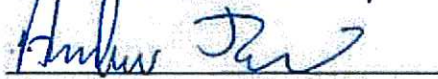
- (1) Permitted Land Uses:
 - A. Libraries
 - B. Finance and Investment Offices
 - C. Insurance and Related Offices
 - D. Real Estate and Related Offices
 - E. Doctor's Offices
 - F. Photography
 - G. Beauty and Barber
 - H. Professional Offices
- (2) Special Use Permit Uses: Additional Land Uses upon Lots 2, 3, 4, and 5 (as shown on Master Development Plan), which require Special Use Permits:
 - A. Construction Trade Office with Showrooms
 - B. Apparel and Accessories
 - C. Home Furnishings with onsite Storage allowed
 - D. Sporting Goods
 - E. Bakeries (retail)
 - F. Flower Shops
 - G. Hobbies and Toy Stores
- (3) Property Development Standards:
 - A. The area of R-2 PRO Overlay between Cheney Drive and Bridgeview Boulevard, West of Madrona and East of Locust will be restricted such that all buildings will be constructed using residential style architecture and will have an architectural finish that is aesthetically pleasing.

- B. All buildings in the development will be limited to single story construction.
- C. Building design in this area will be regulated by an architectural control committee responsible for enforcement of the restrictive covenants for that area.
- D. **Maximum 6,000 square feet per building per lot** along Cheney Drive and within the interior of the development, which includes lots **6, 7, 8, 9, 10, and 11** as indicated on the Master Development Plan.
- E. **Maximum 10,000 square feet per building per lot** along Madrona Street North and Bridgeview Boulevard, which includes lots **1, 2, 3, 4, and 5** as indicated on the Master Development Plan.
- F. No outside storage of materials or ware yard storage shall be permitted.
- G. Landscaping requirements, for all lots, shall require landscaping equal to or greater than ten percent (10%) of the total required parking area developed on a lot or three percent (3%) of the total land area, or as determined by the ZDA process, whichever is greater. Perimeter Landscaping shall be consistent with Eastpark PUD #213.

If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:

- A. The city may initiate process to change the zoning classification, or
- B. New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for the any portion of the ZDA subject parcel.

Pineford Falls L.L.C.,
An Idaho Limited Liability



By: Andrew Jarvis

STATE OF IDAHO)
)ss
County of Twin Falls)

On the _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared _____ personally known or identified to me to be the _____, the municipal corporation that executed the within and foregoing instrument and acknowledged to me that such municipal corporation executed the same.

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

Notary Public for Idaho

Residing in _____

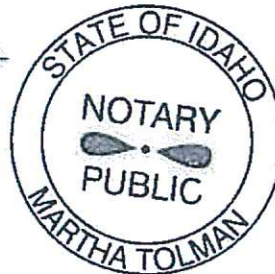
Commission Expires _____

STATE OF IDAHO)
)ss
County of Twin Falls)

On this 12th day of June, 2017, before me, a Notary Public in and for said State, personally appeared Andrew Jarvis, known or identified to me to be a partner of the general partnership of Pineford Falls L.L.C., and the partner who subscribed said general partnerships name to the foregoing instrument and acknowledged to me that he executed the same in said general partnership name.

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

Martha Tolman
Res. Twin Falls
Exp 10/17/18



EASTPARK PROFESSIONAL R-2 PRO ZDA

CC PH April 03, 2017
6:00 P.M.

IV. PUBLIC HEARINGS:

1. Request for a **Zoning District Change & Zoning Map Amendment** from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA for 7.74 (+/-) acres, a portion of the Eastpark PUD #213, to develop a planned commercial development consisting of retail and professional office uses for property located at the northwest corner of Cheney Drive and Madrona Street North. % Andrew Jarvis (app.2841)

Dave Thibault, EHM Engineers, Inc., asked for a **Zoning District Change & Zoning Map Amendment** from R-2 PRO PUD and R-1 VAR PUD to R-2 PRO ZDA for 7.74 (+/-) acres, a portion of the Eastpark PUD #213, to develop a planned commercial development consisting of retail and professional office uses for property located at the northwest corner of Cheney Drive and Madrona Street North. % Andrew Jarvis (app.2841)

Senior Planner Spendlove gave staff report.

City Council discussion ensued on the following:

- Placement of sidewalks.
- Indirect lighting on Cheney Drive.
- Madonna and Cheney concern with the height of the building.
- Width of landscaping and setbacks.
- Subdivision name.
- Development of a City Park.
- Traffic concerns.

Public Hearing Opened

- Mits Inouye - 1401 Riverridge Street concerned with widening of Cheney and Madonna.

Public Hearing Closed.

Dave Thibault, EHM Engineers, Inc. explained the plans for widening of Cheney and Madonna and the planned exits.

MOTION:

Councilmember Talkington moved to approve the request for a **Zoning District Change & Zoning Map Amendment** from R-2 PRO PUD and R-1 VAR PUD to **R-2 PRO ZDA** for 7.74 (+/-) acres, a portion of the Eastpark PUD #213, to develop a planned commercial development consisting of retail and professional office uses for property located at the northwest corner of Cheney Drive and Madrona Street North. % Andrew Jarvis (app.2841) with 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.
2. Subject to the written Zoning Development Agreement being modified as follows:
 - a. Modify Section (s) as follows: "Additional Land Uses upon Lots 2, 3, 4 and 5 (as shown on Master Development Plan), which require Special Use Permits:"
 - b. Remove all reference to "Eastpark **Commercial Subdivision** No. 3".
3. Subject to a **Master Landscape Plan** as per the Master Development Plan, submitted and approved by Staff prior to recordation of the ZDA.
4. Subject to a **Master Lighting Plan** submitted and approved by Staff prior to recordation of the ZDA.
5. Subject to a **Master Sign Plan** submitted and approved by staff prior to recordation of the ZDA.
6. Subject to the Master Development Plan removing all references to "Eastpark **Commercial Subdivision** No. 3".

Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0**

MASTER DEVELOPMENT PLAN
 for
EASTPARK PROFESSIONAL, a ZDA

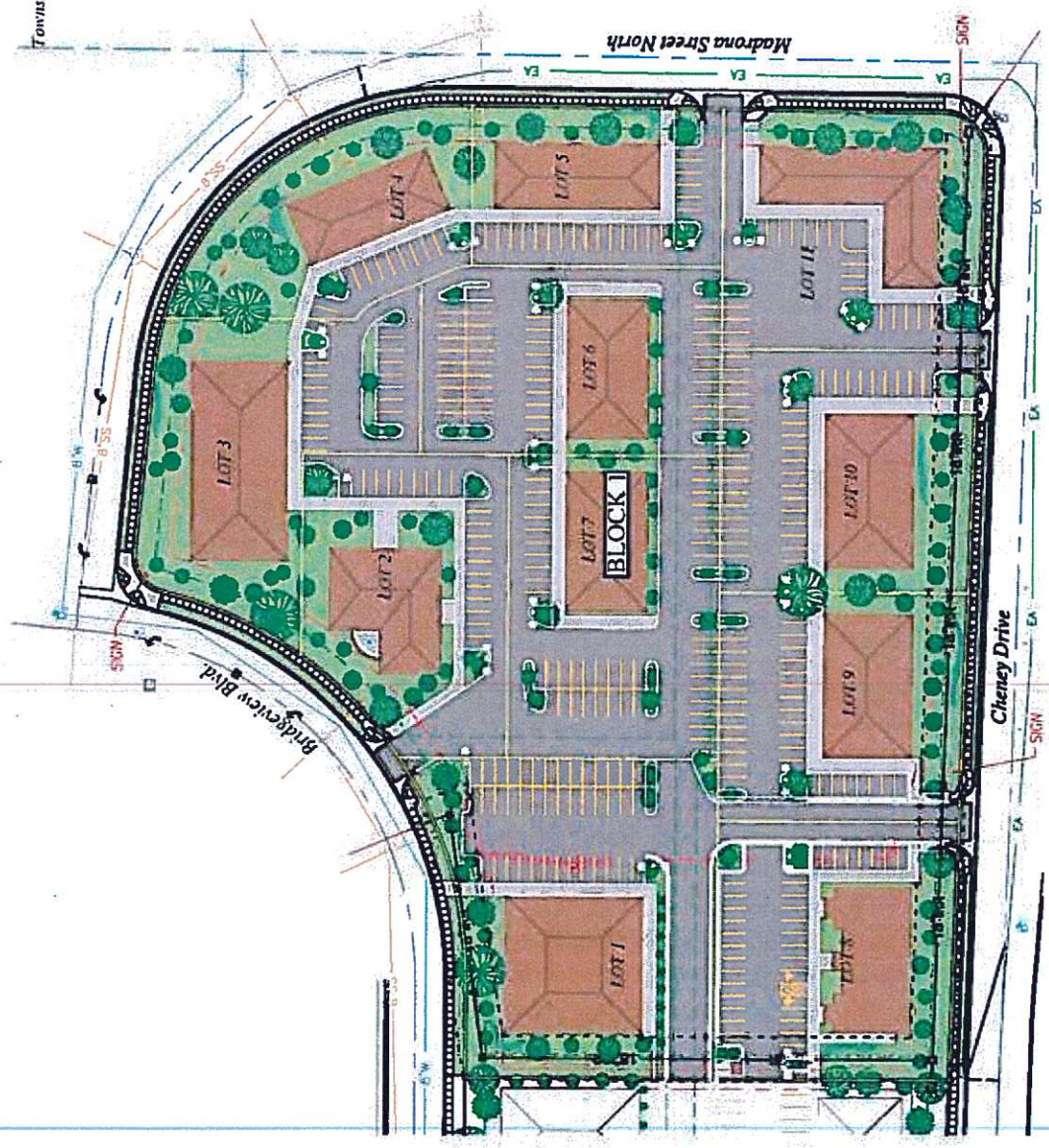
EXHIBIT			
DATE	7/19/2017	BY	JR
REVISION	25-11-17	BY	JR
DATE	25-11-17	BY	JR

Located In
 Gov't. Lot 3, Section 3
 Township 10 South, Range 17 East, Boise Meridian
 Twin Falls County, Idaho
 2017

PERIMETER LANDSCAPING TREE/SHRUB COUNT
 20' FROM BACK OF CURB INCLUSIVE OF ALL SIDEWALKS,
 UTILITIES, DRAINAGE, FEATURES, ETC.
 (LANDSCAPING ALONG BRIDGEVIEW BLVD., CHENEY DR.,
 MADRONA STREET N.)

SIGNS
 FREESTANDING SIGNS SHALL BE MONUMENT AND BE NO
 LARGER THAN 60 S.F. AND A MAX OF 8' TALL,
 MEASURED FROM THE TOP OF CURB.

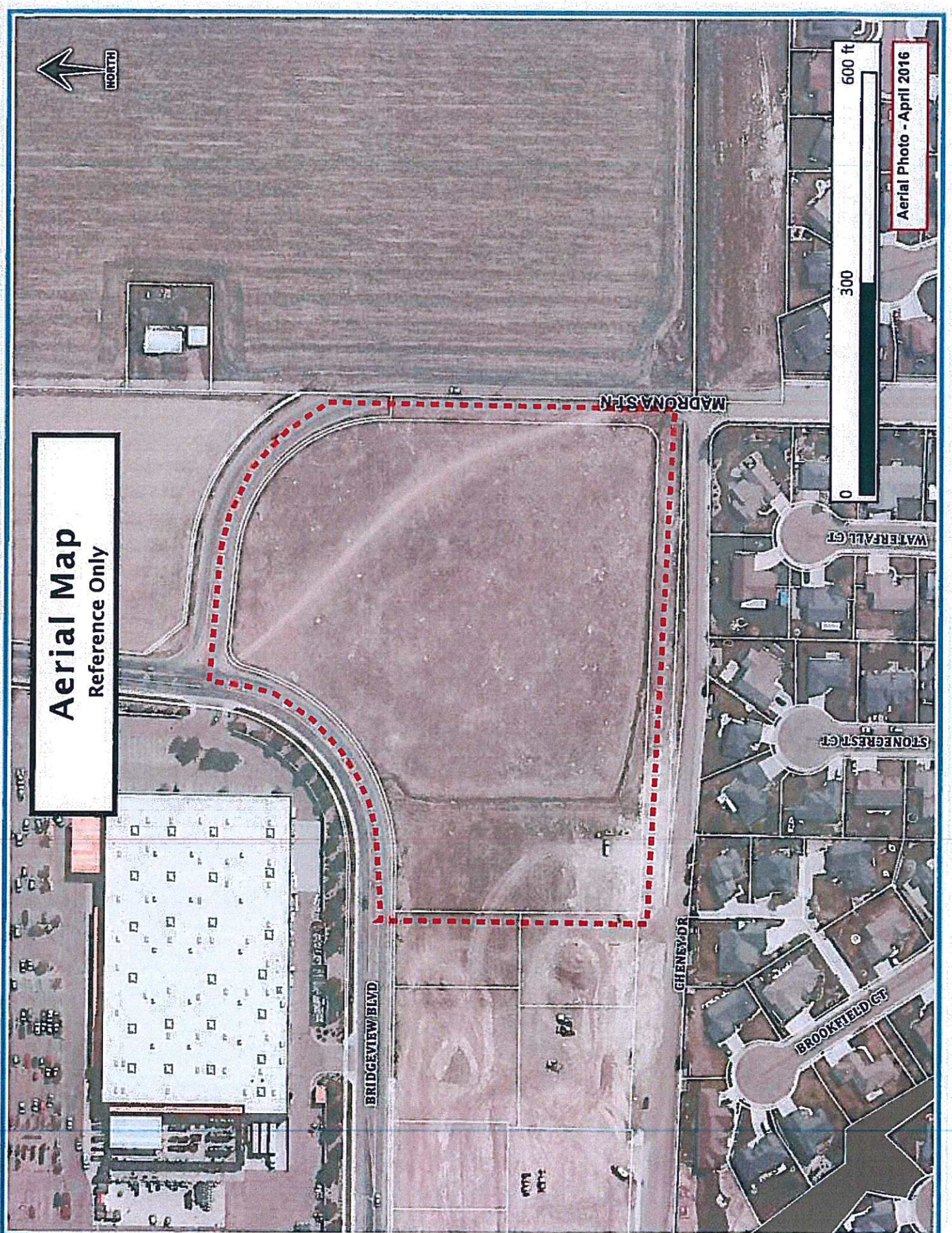
LIGHTING
 ALL LIGHTING SHALL BE SHIELDED DIRECTIONALLY TO
 PROTECT IMPACTS TO RESIDENTIAL NEIGHBOHS.



Aerial Map
Reference Only



Aerial Photo - April 2016



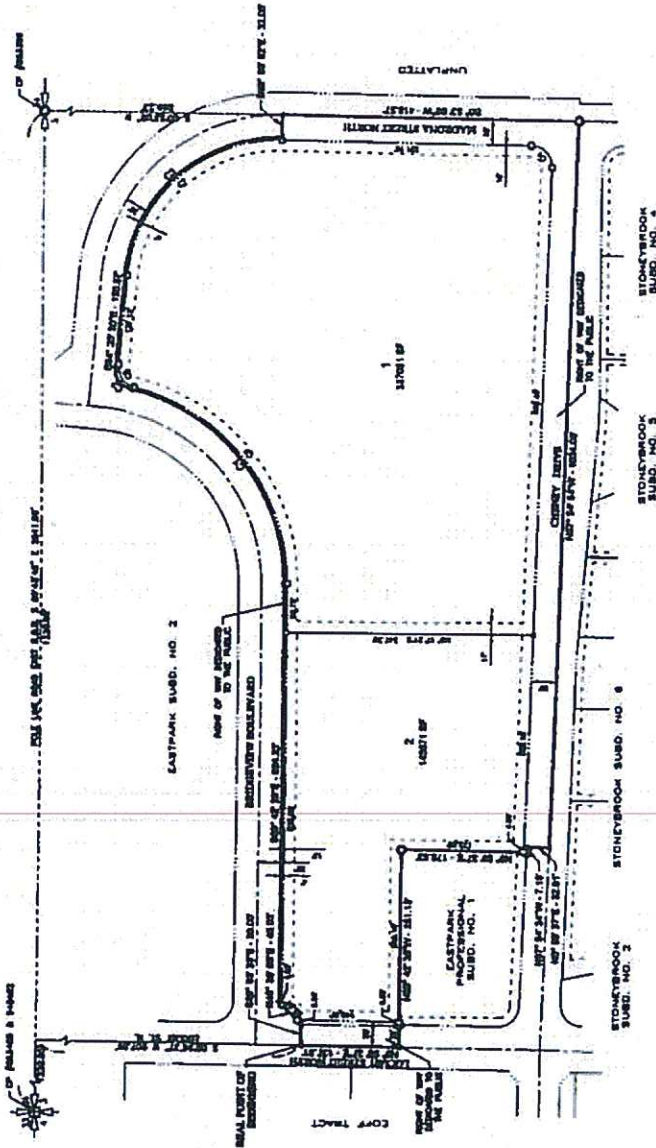
INTERSTATE AMUSEMENT SUBDIVISION

A PORTION OF
GOV'T. LOT 3, SECTION 3
T. 10 S., R. 17 E., B.M.
TWIN FALLS COUNTY, IDAHO
2007
13.985 ACRES



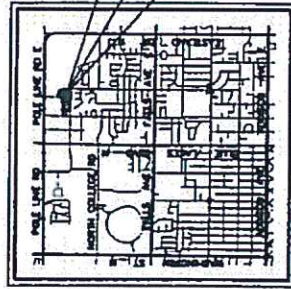
LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- CENTERLINE
- RIGHT OF WAY
- UTILITY EASEMENT
- ALUMINUM CAP FOUND
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- SET 1/2" 24" REBAR & CAP
- SET 5/8" 30" REBAR & CAP
- COMPUTED POINT NOT SET
- LOT NUMBER
- BACKS OF BEARINGS
- CORNER IDENTIFICATION NUMBER
- ACRE
- SQUARE FEET



CURVE DATA TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	79°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C2	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C3	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C4	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C5	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C6	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E
C7	81°19'59"	238.00'	277.89'	248.81'	222.77'	S 81°19'59" E



VICINITY MAP
NOT TO SCALE

NOTE: A CONVEYANCE PLAT IS A RECORD OF PROPERTY BY THE CITY OF TWIN FALLS, IDAHO, FOR THE PURPOSE OF SALE OR CONVEYANCE IN ITS DISCRETION TO INTERESTS THEREIN. NO BUILDING PERMIT SHALL BE ISSUED UNTIL A FINAL PLAT IS APPROVED, FILED OF RECORD AND PUBLIC NOTICE IS GIVEN. ANY INTERESTS IN THE PROPERTY SHOWN ON THIS PLAT ARE SUBJECT TO THE CITY OF TWIN FALLS CITY CODE, CHAPTER 13, ARTICLE 13.01, WHICH PROVIDES THAT ANY INTERESTS IN THE PROPERTY SHOWN ON AN APPROVED, FILED AND ACCEPTED CONVEYANCE PLAT IS A VIOLATION OF CITY CODE. EACH LOT IS SUBJECT TO A RETENTION AREA TO RETAIN STORM WATER RUNOFF IN ACCORDANCE TO THE CITY OF TWIN FALLS RETENTION.

OUTLINE DEED #2006-018109, WARRANTY DEED #2006-018108.

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 30, CHAPTER 13, ARE IN FORCE. NO CONSTRUCTION, INCLUDING DRILLING OR BOREHOLE WHICH EXCEEDS THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PURPOSES USING SUCH PURPOSES UNTIL SANITARY RESTRICTIONS REQUIREMENTS ARE SATISFIED.

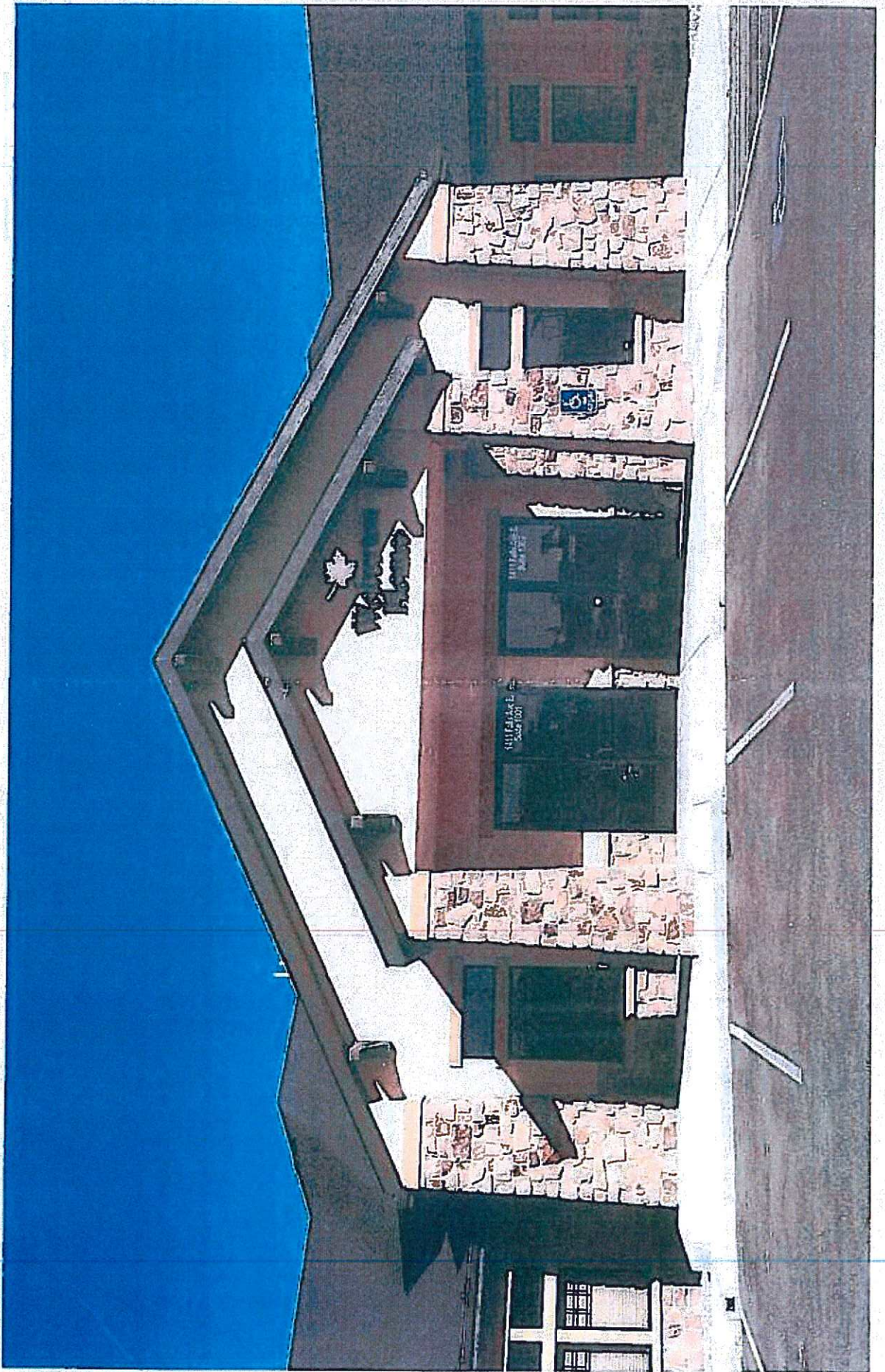
DATE 11/1/07

11/1/07

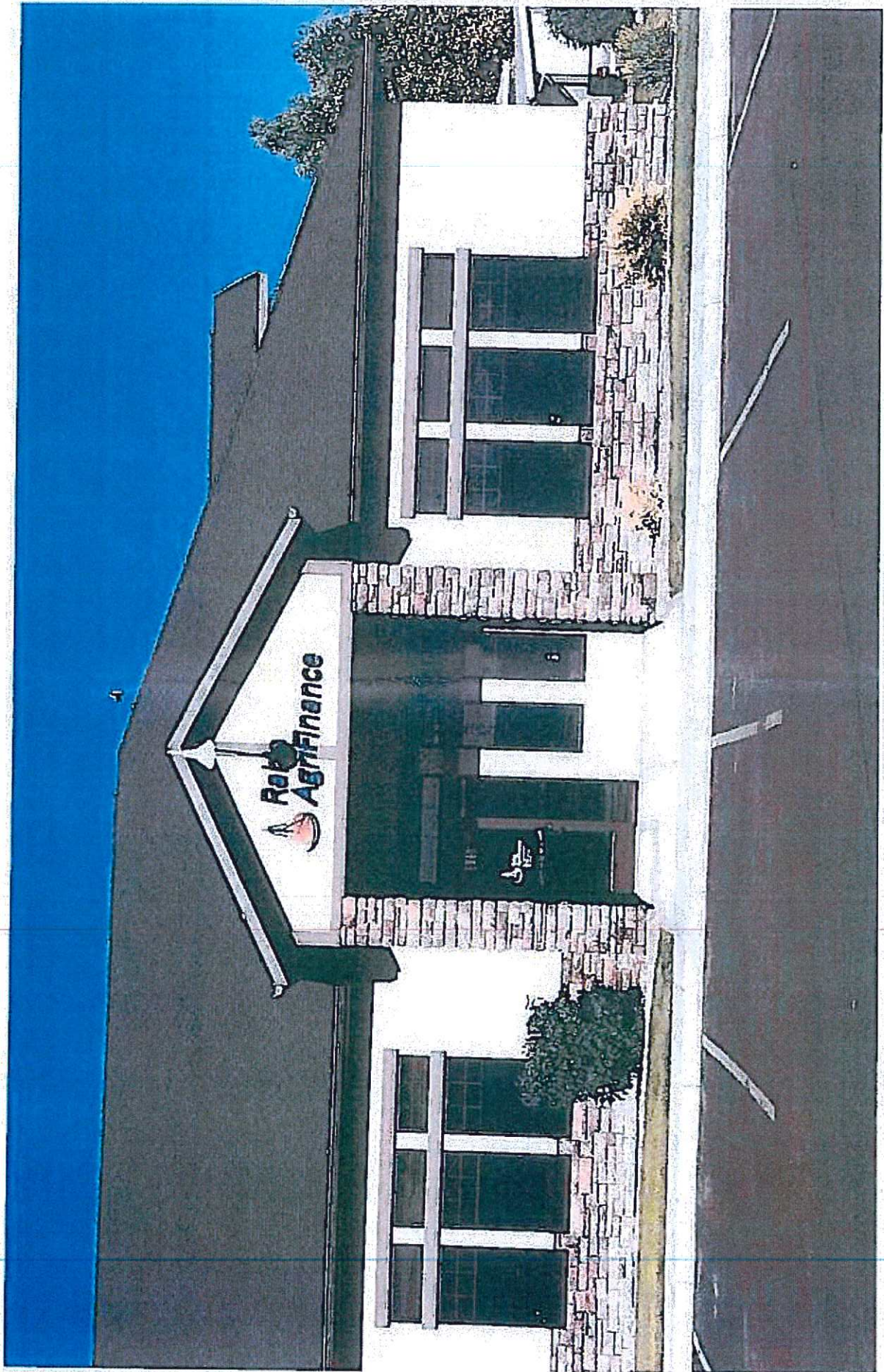


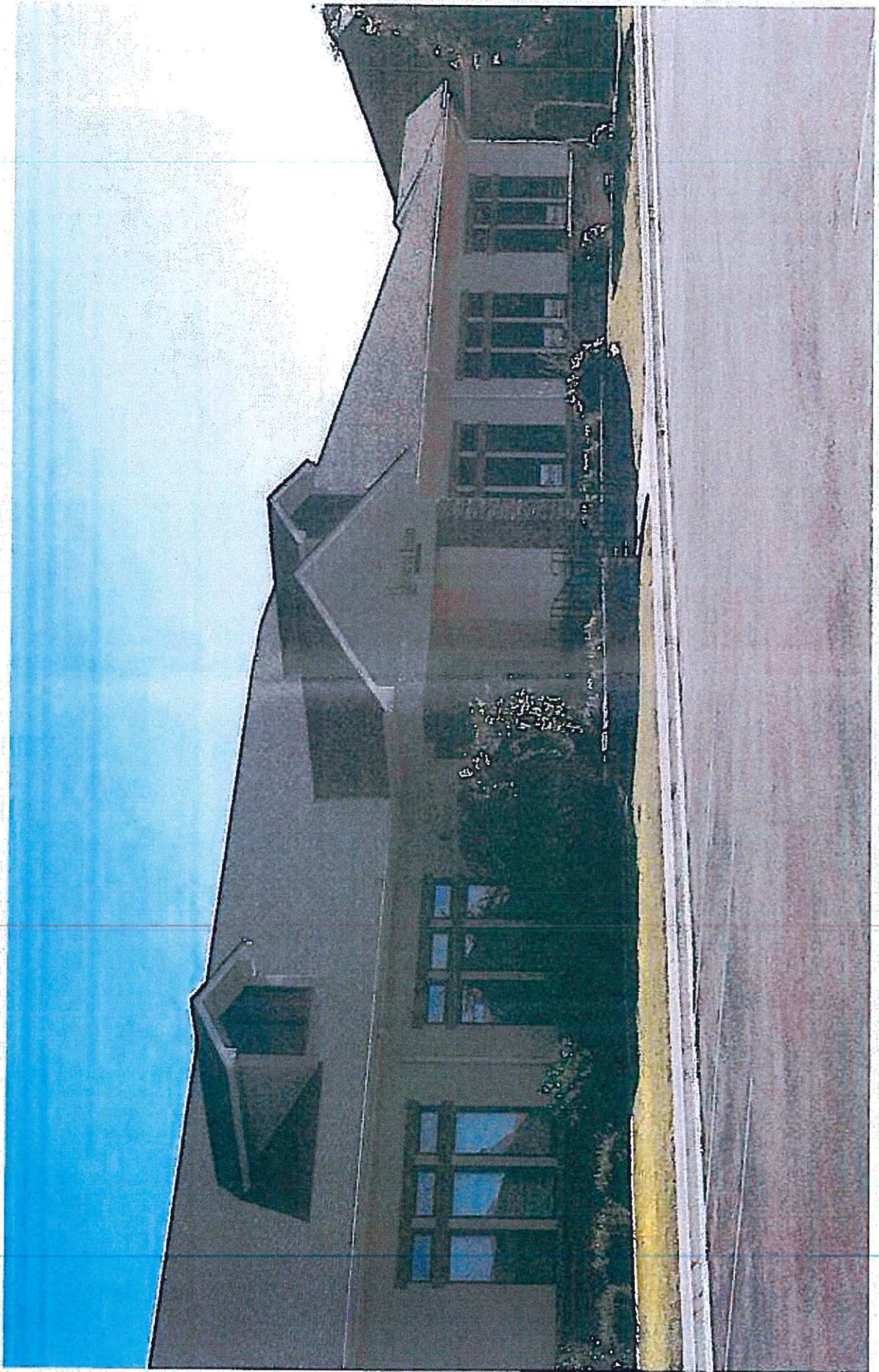
RIEDEL ENGINEERING, INC.
202 FALLS AVENUE
TWIN FALLS, IDAHO 83301
20877-02231
INTERSTATE AMUSEMENT SUBDIVISION
SHEET 1 OF 2

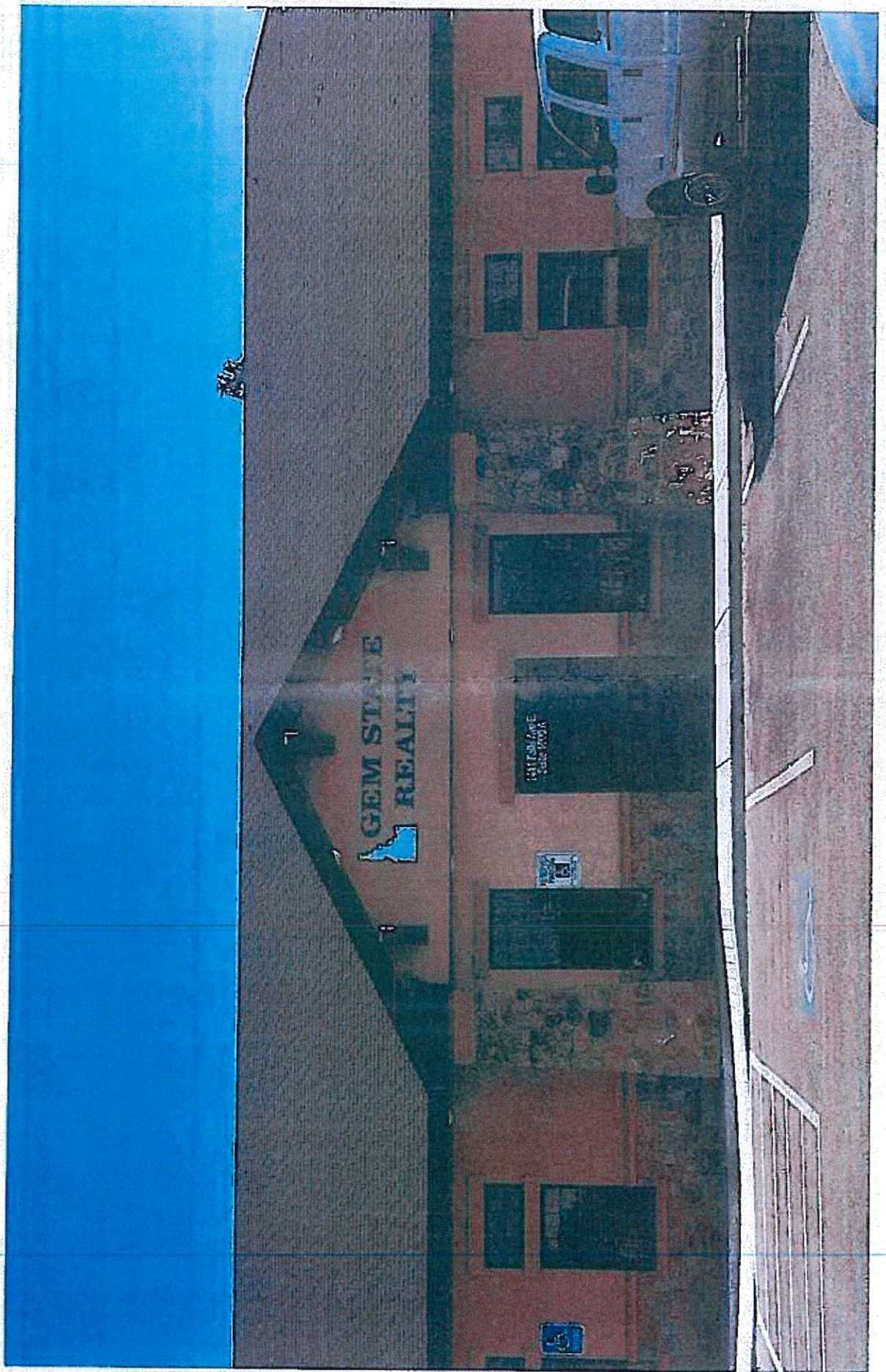
NOTE: SOUTH CENTRAL DISTRICT HEALTH













Public Hearing: **Tuesday, July 25th, 2017**

To: **PLANNING AND ZONING COMMISSION**

Presenter: Jonathan Spendlove, Senior Planner

Authors: Jonathan Spendlove & Steve O'Connor

Editor: Renee V Carraway-Johnson, Zoning Administrator

AGENDA ITEM 4-a

Request: Request for the Commission's recommendation on an **Amendment** to the **Valencia Park ZDA - Master Development Plan**, to remove the landscaped traffic calming islands within Valencia Street for property located along Valencia Street from Southwood Avenue south to 3600 North Road.

c/o Rex Harding/Riedesel Engineering, Inc. on behalf of Dennis Hourany (app. 2882)

Time Estimate:

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

Background:

Applicant:	Status: Property Owner	Size: 9 (+/-) acres
Dennis Hourany PO Box 122 Freedom, WY 83120 925-766-2875 dennis@elitetile.usa	Current Zoning: R-4 -ZDA	Requested Zoning: ZDA Amendment to remove Landscaped Traffic Calming Islands
	Comprehensive Plan: Town Neighborhood	Lot Count: 84 lots, 1 Tract
	Existing Land Use: Undeveloped/Agricultural	Proposed Land Use: Planned Townhome/ Row house development
Representative:	Zoning Designations & Surrounding Land Use(s)	
Rex Harding Riedesel Engineering Inc. 526 Shoup Ave W, #C Twin Falls, ID 83301 (rharding@riedeseleng.com)	North: R-4, Valencia Ave/Residential	East: R-4, South Hills Middle School under construction
	South: 3600 North Road; R-4, Skylane Trailer Park/Residential	West: R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-6-1, 10-7-6, 10-9, 10-10-1 through 3, 10-11-1 through 9, 10-12-1 thru 4, Valencia Park ZDA	

Approval Process:

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

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

The permitted uses, Increase in density, Increase in building height, Increase in building coverage of the site, Reduction in the off street-parking ratio, reducing the building setbacks provided at the boundary of the site,

Reduction of any open space plans, or Alteration of the overall design theme, primary architectural elements, or building materials. (Ord. 3082, 12-8-2014)

Budget Impact:

Approval of this request should have no financial impact on the City budget.

Regulatory Impact:

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

History:

In June, 2016, this commission forwarded on a positive recommendation to city council to approve the Valencia Park Zoning Development Agreement with the following conditions;

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase, subject to Engineering review of the plat.
3. Subject to the perimeter fence being installed prior to issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.

City Council heard and approved the Zoning District Change and Zoning Map Amendment for this site to Valencia Park ZDA in October 2016. The ordinance was recorded in December 2016.

On July 11, 2017, a Preliminary Presentation was made to the Planning and Zoning Commission requesting an amendment to the Valencia Park ZDA-Master Development Plan.

Analysis:

This is a request to amend the Valencia Park ZDA Master Development Plan by removing the landscaped traffic calming Islands within Valencia Street. A preliminary plat was submitted on July 6, 2017. The Public Works Departments are included when a preliminary plat is reviewed. During review of the Valencia Park ZDA preliminary plat, staff from the Engineering Department and the Street Department reminded the group that Valencia Street is designated as a collector in both the city code and the MTP. This means Valencia St shall be built to collector standards, unless a lesser width was approved by the City Council as part of the ZDA. There was also a concern the preliminary plat showed islands within Valencia Street, which are not permitted within right of way. The Street Department also raised concerns regarding maintenance and maneuverability of their snow plows down Valencia Street the way it was currently designed; curved roadway with islands in the middle. As part of the ZDA process, development of Valencia St was represented and approved to meet city standards; collector widths and detached sidewalk. In 2006, a code amendment was approved requiring detached sidewalks, consisting of a minimum 6' of landscaping and 5' of sidewalk, for any residential development adjacent to arterials and collectors. The minimum 6' strip of landscaping lining the length of the arterial or collector street separates the sidewalk to provide a buffer and additional pedestrian safety.

Removal of the landscaped traffic calming islands within Valencia Street changes the overall design theme of the development, thus triggering item (H) of City Code 10-6-1.6; requiring the developer to request an amendment of the approved Valencia Park ZDA to remove the islands as approved.

Comprehensive Plan Compliance:

The original Valencia Park ZDA was evaluated under the previous 2009 Comprehensive Plan, which designated the area as “Medium Density.” The 2016 Comprehensive Plan; “Grow With Us” designates this corridor as appropriate for “Town Neighborhood.” Town Neighborhood allows for a much broader range of densities and can still accommodate medium density through a townhome development townhomes. This request does not adjust the over all density or change the townhome aspect of the development, and therefore Staff has determined it complies with the 2016 comprehensive plan.

Conclusion:

If the Commission deems the proposed request appropriate of a positive recommendation, staff proposes the following condition:

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

Attachments:

1. Letter of Request
2. Approved Master Development Plan
3. Proposed New Master Development Plan
4. a. Aerial w/ Approved MDP
b. Aerial w/ Proposed MDP
5. FLU Map
6. Site Photos
7. Valencia Park ZDA #2016-16

VALENCIA PARK ZDA TOWNHOUSE SUBDIVISION
PROPOSED ZDA DEVELOPMENT PLAN AMENDMENT

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

a. Reason for the request:

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

b. Effect of Revision:

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

c. Effect of Change on Surrounding Area:

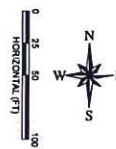
The proposed revision does not change the development concept or area and will have no effect on the surrounding area.

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

TWIN FALLS SCHOOL DISTRICT

FOR A COLDER EYE ON SUBDIVISION

TWIN FALLS SCHOOL DISTRICT



SITE LAYOUT

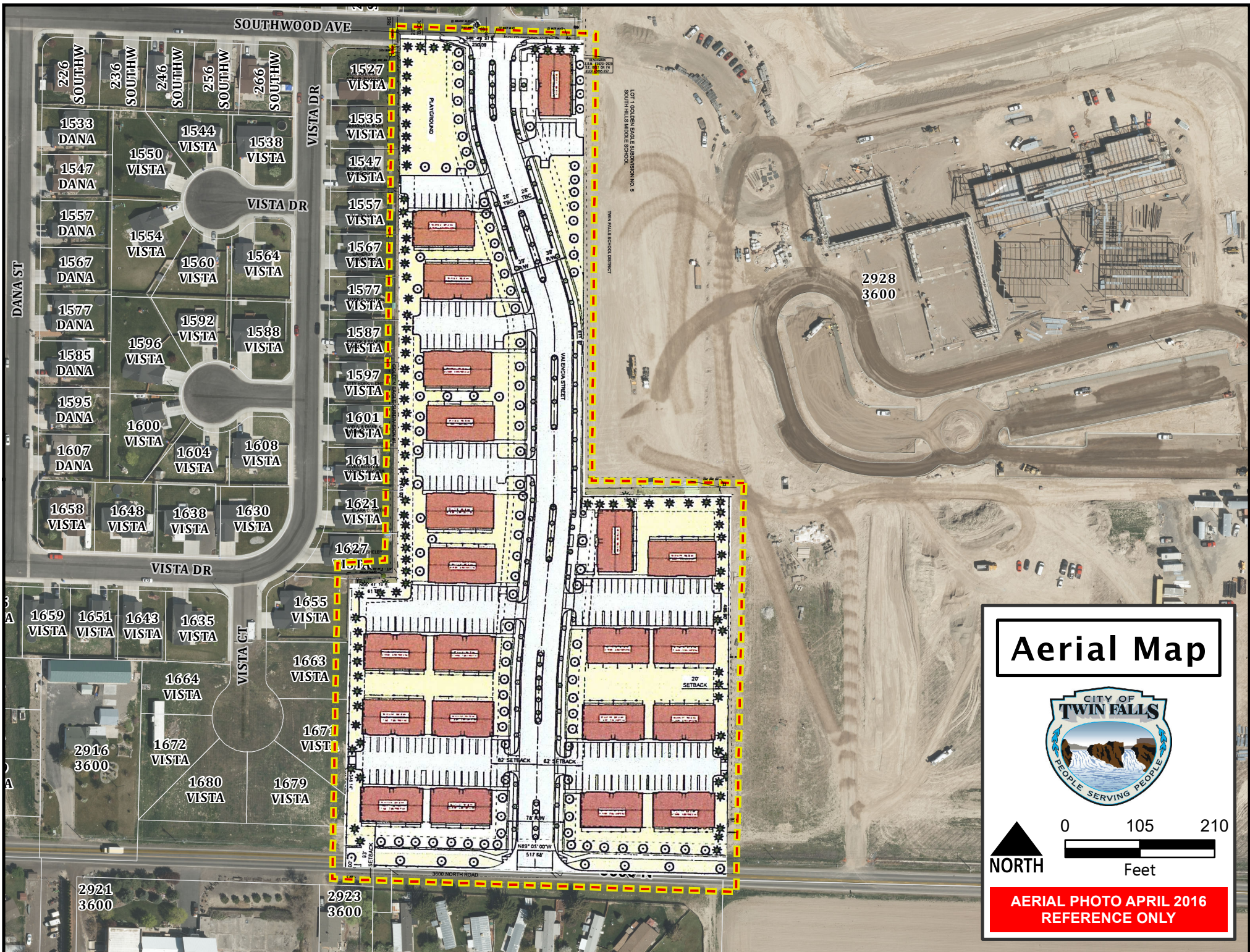
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4	01/01/00	01/01/00	01/01/00
5	01/01/00	01/01/00	01/01/00
6	01/01/00	01/01/00	01/01/00



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

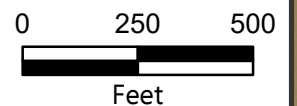
THIS DOCUMENT, AND THE IDEAS AND EXERCISES INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF NEEDLEPOINT, INC. AND IS NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER, FOR ANY OTHER USE.

DESIGNED
R/LH
DESIGN CHECKED
AW
DETAILED
DRAWING CHECKED
VAG
FILE NAME
2623.DWG
DRAWING DATE
6/2/17
DRAWING SCALE
AS SHOWN
SHEET 1 OF 1

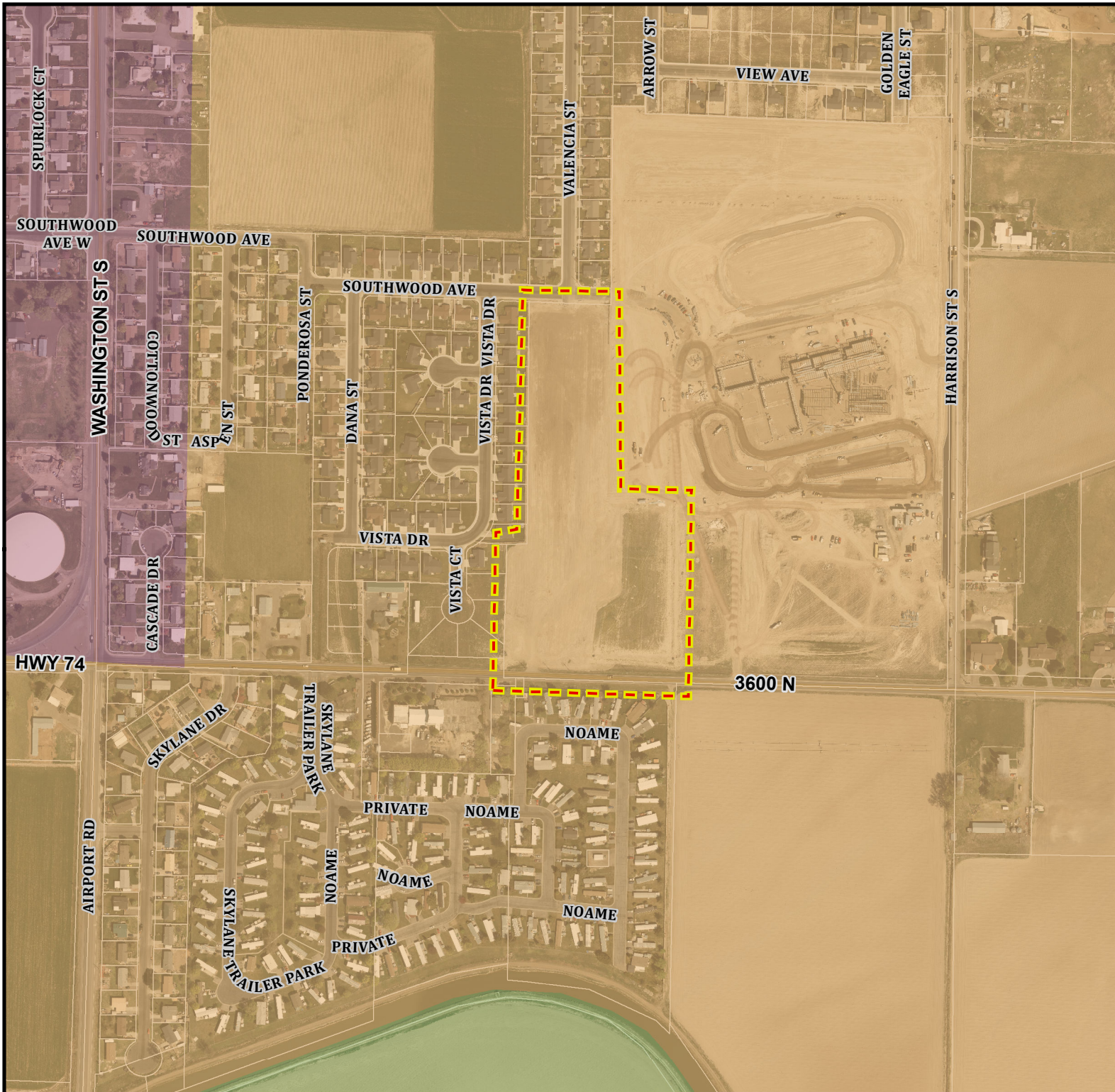


Future Land Use Map

-  Agriculture
-  Neighborhood Commercial
-  Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





South Hills M.S.

NW Corner Looking SE



South Hills M.S.

SW Corner Looking NE

ORDINANCE NO. 2016-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENTS TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP.

WHEREAS, Dennis Hourany had made application for a Zoning District Change and Zoning Map Amendment of properties located at 2916 East 3600 North within the City of Twin Falls, and an amendment of the Area of Impact and Zoning Districts Map; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 28th day of June, 2016, to consider the Zoning Designation, necessary Zoning and Planning Map amendment upon a REZONE of the real property below described, and an amendment to the Area of Impact and Zoning Districts Map; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 25th day of July, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property located at 2916 East 3600 North is the subject of a Zoning District Change and Zoning Map amendment from R-4 to R-4 ZDA:

See Exhibit "A" and Exhibit "B"

SECTION 2. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same are hereby amended to reflect the rezoning of the real property above described.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

November 7, 2016
November 7, 2016

Shannon A. Baur
Mayor

ATTEST:

Marion Bryan
Deputy City Clerk

PUBLISH: Thursday November 25th, 2016

Exhibit A

The legal description of the property is Lot 2 of the Golden Eagle Subdivision No. 4 a conveyance plat located in the Southwest Quarter of Section 28 Township 10 South, Range 17 East of the Boise Meridian in Twin Falls County, Idaho.

Consisting of 9.12 +/- Acres

Exhibit "A"

The legal description of the property is Lot 2 of the Golden Eagle Subdivision No. 4 a conveyance plat located in the Southwest Quarter of Section 28 Township 10 South, Range 17 East of the Boise Meridian in Twin Falls County, Idaho.

CONSISTING OF 9.12 +/- ACRES

Valencia Park ZDA Townhouse Residential Development

ZDA Development Commitment

Pursuant to All Parts of the Planning Exhibit "B"

This ZDA Development Commitment is made and entered into this ____ day of _____, 2016, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and Dennis Hourany and/or his successors and assigns hereinafter called "Developer" for the purpose of developing a residential subdivision as a Zoned Development Agreement (ZDA). The legal description of the property is Lot 2 of the Golden Eagle Subdivision No. 4 a conveyance plat located in the Southwest Quarter of Section 28 Township 10 South, Range 17 east of the Boise Meridian in Twin Falls County, Idaho.

Development and Improvements shall conform to the standards and regulations of the Twin Falls City Code Title 10 – Chapter 4 – Section 5 and Chapter 6 - Section 1, and all references to other sections therein, as amended, except for the following:

(1) Use Regulations:

- (A) Permitted Uses: Modified to include: Dwellings – Attached single household (aka Townhouse)
- (B) Special Uses: Special Use Requested for 4 unit multifamily buildings.
- (C) Prohibited Uses: None Requested.

(2) Property Development Standards:

- (A) Lot Area : Modified as Follows: Residential Lots: Minimum 722 Square Feet
Open Space or Common Area Tracts: No Minimum

- (B) Lot Occupancy: Modified As Follows: Residential Lots: 100% of Lot Area
Open Space or Common Area Tracts: 0% Occupancy

- (C) Building Height: no change requested.

- (D) Yards: Modified as Follows: Residential Lots: No property Line Setback Required
All Buildings shall be a Minimum of 20 feet from exterior boundary.
Street Setbacks: No Change Requested

- (E) Access: Modified As shown

- 1. Valencia Street will be developed as a public street through the development from 3600 North Street to Southwood Avenue. If construction phasing begins on the north end, the entirety of Valencia Street will be constructed during the first phase with the width beyond the platted phase to be determined by the City Engineer. If construction phasing begins on the south end, the entirety of Valencia will be constructed or a bond will be posted for the estimated cost of construction. Valencia will be completed by the year 2022.

2. Access to the buildings will be through private driveways and parking lots.

Each dwelling unit will have a single car garage except Building 1.

- (F) Landscaping: On-Site Landscaping shown on Master Development Plan to be installed, owned and maintained by Homeowners Association.
- (G) Off Street Parking: Two off street parking places are provided for each 2-bedroom unit. Two and one-half off street parking places are provided for each 3-bedroom residential unit.
- (H) Signs: Modified to include the following
 - 1. Freestanding signs along Valencia Street will be erected to identify the development as the Valencia Park Subdivision. The signs will be permitted through the Twin Falls Building Department. A photo of a sign similar to the one that is proposed is attached.
- (I) Walls, Fences, Hedges, Trees, Shrubs, and Landscaping Structures: Modified to Include: A minimum of 6' tall white vinyl fence will be installed as exterior screen fencing along the exterior property boundary. The fence shall be constructed for each phase prior to the issuance of a building permit.
- (J) Platting: A final plat will be recorded for each phase prior to its development.
- (3) Other Site development Criteria – if applicable
 - (A) Building Elevations: Project to be Constructed in accordance with the Building Elevations Provided with This Agreement.
 - (B) Density: No Change Requested.
 - (C) Residential Lot Width: Platted townhouse lot width will be a minimum of 20 feet.
 - (D) Residential Lot Depth: Platted townhouse lot length will be a minimum 41 feet.
 - (E) Open Space or Common Area: No minimum or maximum size
 - (F) Multi-Use Transportation Access: No amenities specifically designed for multi-use transportation access are planned.
 - (G) Park: No Change Requested to Park Dedication Procedure.
 - (H) Pathways: The sidewalks will be set back from the curb along Valencia Street and the 3600 North Road and be 6' wide.
 - (I) Screening: Modified to include the following
 - 1. Trash containers shall be visibly screened from roadways, adjacent residential areas, and adjacent properties. Screening may consist of landscaping, masonry walls, or vision barrier fencing.
- (4) Architectural Standards: The buildings will be constructed by the developer and/or its successors and assigns in accordance with the building elevations included with this application.
- (5) Management Associations: A Valencia Park Homeowner's Association will be formed with documentation recorded at Twin Falls County. The property will be managed by a property manager hired by the Homeowner's Association.
- (6) Project Phasing: The development will be constructed in 6 phases. The schedule for the construction is to complete one or more phases each year starting in 2017 and to be completed by 2022.

If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:

- (A) The city may initiate a process to change the zoning classification, or
- (B) New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for any portion of the ZDA subject parcel

On July 25, 2016 the City Council approved the development as presented subject to the following conditions:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase; if construction begins on the North end Valencia shall connect to 3600 North (Valencia connector width to be determined by City Engineer); if construction starts on the south end, either full construction of Valencia is required, or they can bond for the future phases, with a completion deadline by the year 2022; both scenarios subject to engineering review of the plat.
3. Subject to the perimeter fence being installed prior to issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.
6. Subject to an on-site or hired property manager.

Developer

[Signature]

STATE OF WYOMING
County of LINCOLN) ss.

On this 21st day of NOVEMBER, 2016, before me, the undersigned, a Notary Public for WYOMING, personally appeared DENNIS HOURANY, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



[Signature]
Notary Public for WYOMING
Residing at 135 Spur Loop, ETNA
WYOMING 83118



NE Building #1 only
no gauges



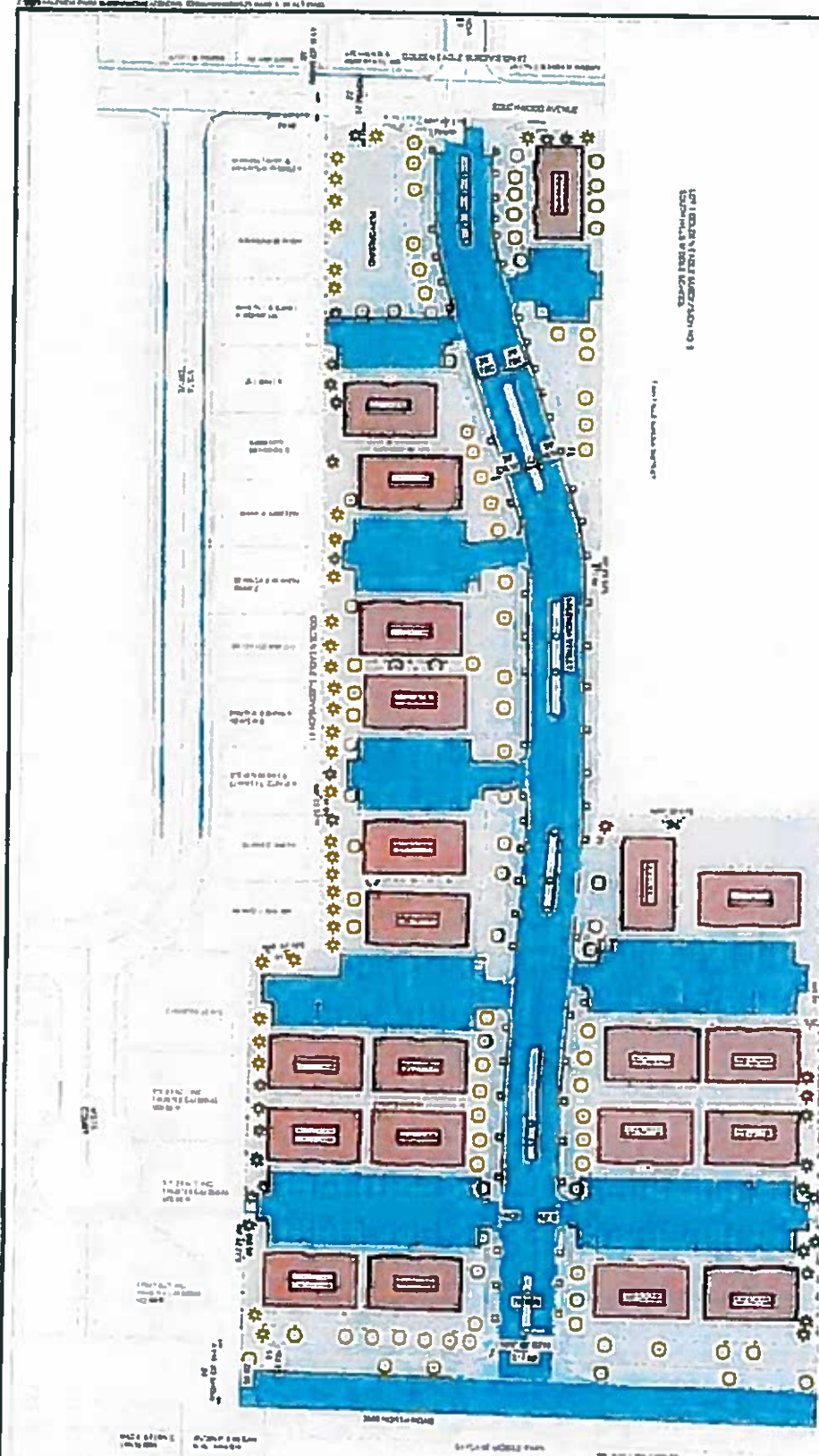
DEVELOPMENT AREA
 TOTAL PROJECT: 100,000 SQ. FT.
 EXISTING TRACT: 100,000 SQ. FT.
 REDEVELOPMENT: 100,000 SQ. FT.
 CONSTRUCTION: 100,000 SQ. FT.

LOT 1: 100,000 SQ. FT. (100,000 SQ. FT.)

100,000 SQ. FT. (100,000 SQ. FT.)

LOT 2: 100,000 SQ. FT. (100,000 SQ. FT.)

100,000 SQ. FT. (100,000 SQ. FT.)



VALLENCIA PARK SUBDIVISION 2011 DEVELOPMENT PLAN

SITE LAYOUT



NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/1/11
2	FINAL	10/1/11
3	REVISION	10/1/11
4	REVISION	10/1/11
5	REVISION	10/1/11
6	REVISION	10/1/11
7	REVISION	10/1/11
8	REVISION	10/1/11
9	REVISION	10/1/11
10	REVISION	10/1/11



Public Hearing: **TUESDAY, JULY 25TH, 2017**

To: Planning and Zoning Commission

Presenter: Steve O'Connor, Planner I

Editor: Renee V Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove & Steve O'Connor

AGENDA ITEM 4-b

Request: Request for a **Special Use Permit** to construct up to a 4,500+/- sq. ft. detached accessory building on property located at 898 Canyon Rim Road within the Area of Impact. c/o Bill Riebesell (app. 2883)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 8.98 +/- Acre Parcel
Bill Riebesell 898 Canyon Rim Rd Twin Falls, ID 83301 208-731-3565 Bill.riebesell@daviscofoods.com	Current Zoning: SUI CRO, Area of Impact	Requested Zoning: Special Use Permit
	Comprehensive Plan: Rural Residential	Lot Count: 1 parcel
	Existing Land Use: Residential	Proposed Land Use: development of a Detached Accessory Bldg >1500 sq. ft.
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: OS CRO Aol; Snake River Canyon	East: SUI CRO Aol, Residential/Pasture
	South: SUI CRO Aol, Residential/Pasture	West: SUI CRO Aol, Residential and Farm
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 10-11-1 thru 8, 10-13	

Approval Process:

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

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

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the building permit for a detached residential garage larger than 1,500, but no greater than 4,500, square feet.

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

History:

This parcel of ground is a remnant of the Government Sections. The zoning on the Property would have been reaffirmed as part of the Area of Impact Agreement with the County that took place in 2004. In May 2016, the applicant received a building permit to construct a new residential home w an attached garage- the Certificate of Occupancy was issued in April 2017. In September 2016, the applicant submitted a building permit for a new 3,130 sf detached accessory building. On October 25, 2016, this commission approved SUP #1411 for a 3,150 sq.ft. detached accessory building at this site. The permit was issued in November 2016. The applicant has now decided he would like a larger detached accessory building of up to 4,500 sf. The increase is greater than a 25% increase (40% +) therefore, a special use permit is required.

Analysis:

The site is zoned SUI CRO within the Area of Impact. The applicant has supplied a site plan showing his new single-family residence and an expanded detached accessory building measuring 4,200 sq. ft. The previously approved Special Use Permit was for a 3,150 sf building. The applicant describes the building for storage and private use, no residential or commercial activity. If the special use permit is granted the applicant will proceed to finish the detached accessory building as approved.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Rural Residential." Rural Residential is generally very low density and may or may not have integrated agricultural use. This request does not change the primary land use and therefore staff has determined it complies with the 2016 comprehensive plan.

Per City Code 10-4-2: Detached accessory buildings within the SUI Zone greater than 1500 sq. ft. are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the detached residential garage to the South West of the main residence

Per City Code 10-11-1 thru 8: Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Possible Impacts: Detached accessory buildings are common for this subdivision, and on property, this size it will remain rural in nature. The nearest property line is +/- 70 feet from this proposed accessory structure, the minimum per the SUI zone is 7 feet.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to only personal use by the occupant of the home - no business or residential use within this structure.

Attachments:

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. FLU Map
5. Site Plan
6. Elevations
7. Site Photos

26 June 2017

I, Bill Riebsell, wish to build
a shop to store personal equipment
in. IE: Camper, Four wheelers and such

- Bill Riebsell
Will Riebsell

Wish to build a shop addition.
Total Square Footage of approximately 4,500
Sq Ft Total.

Zoning Vicinity Map

-  Canyon Rim Overlay
-  PUD
-  OS
-  R-2
-  SUI
-  Area of Impact

Area of Impact
Outside TF City

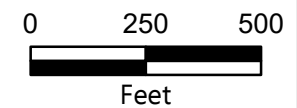
CANYON GATE PL

CANYON GATE PL

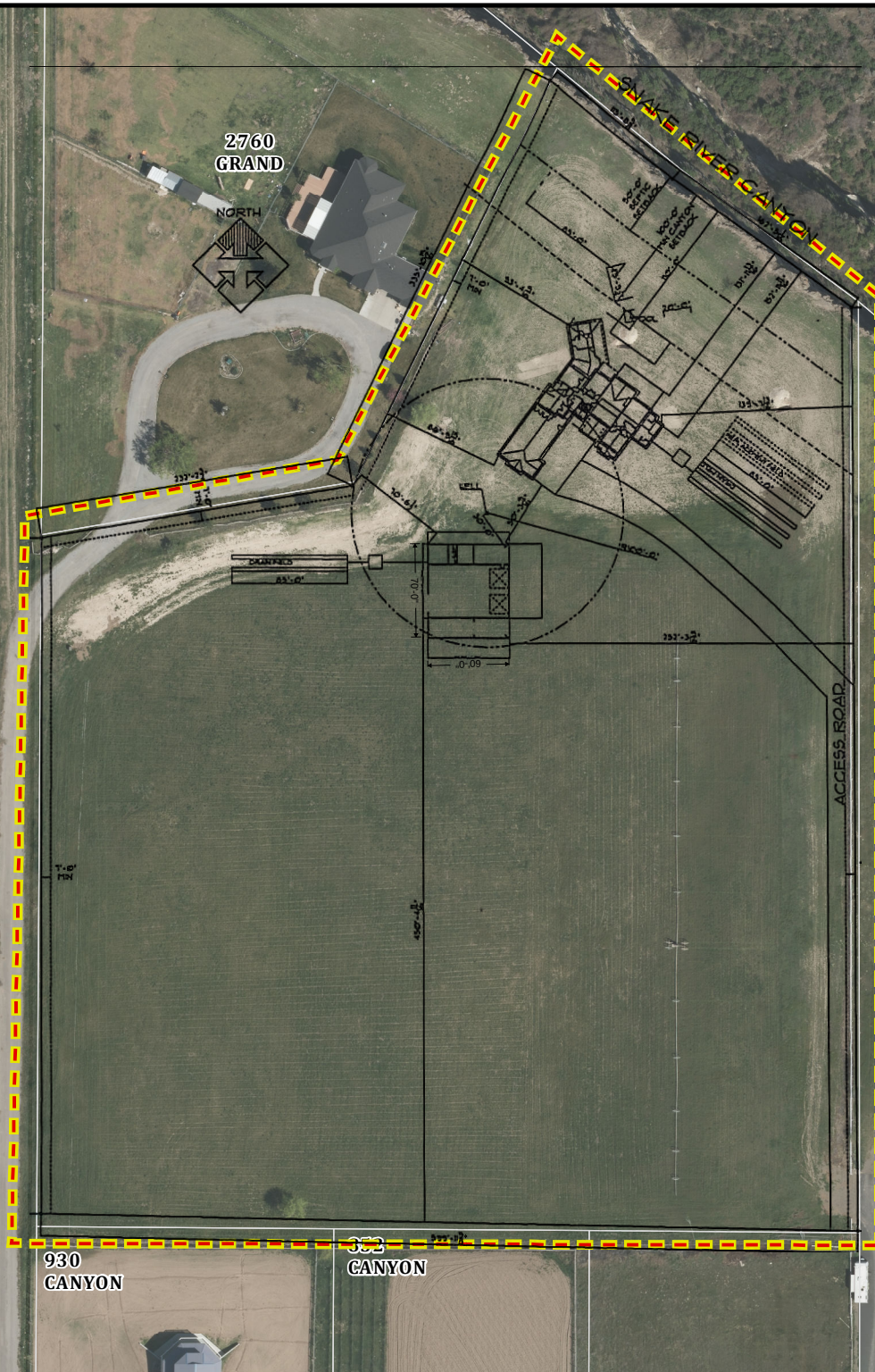
Canyon
Gate
203

CANYON
GATE PL

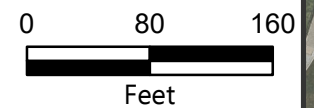
4200' N



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



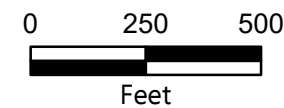
Aerial Map



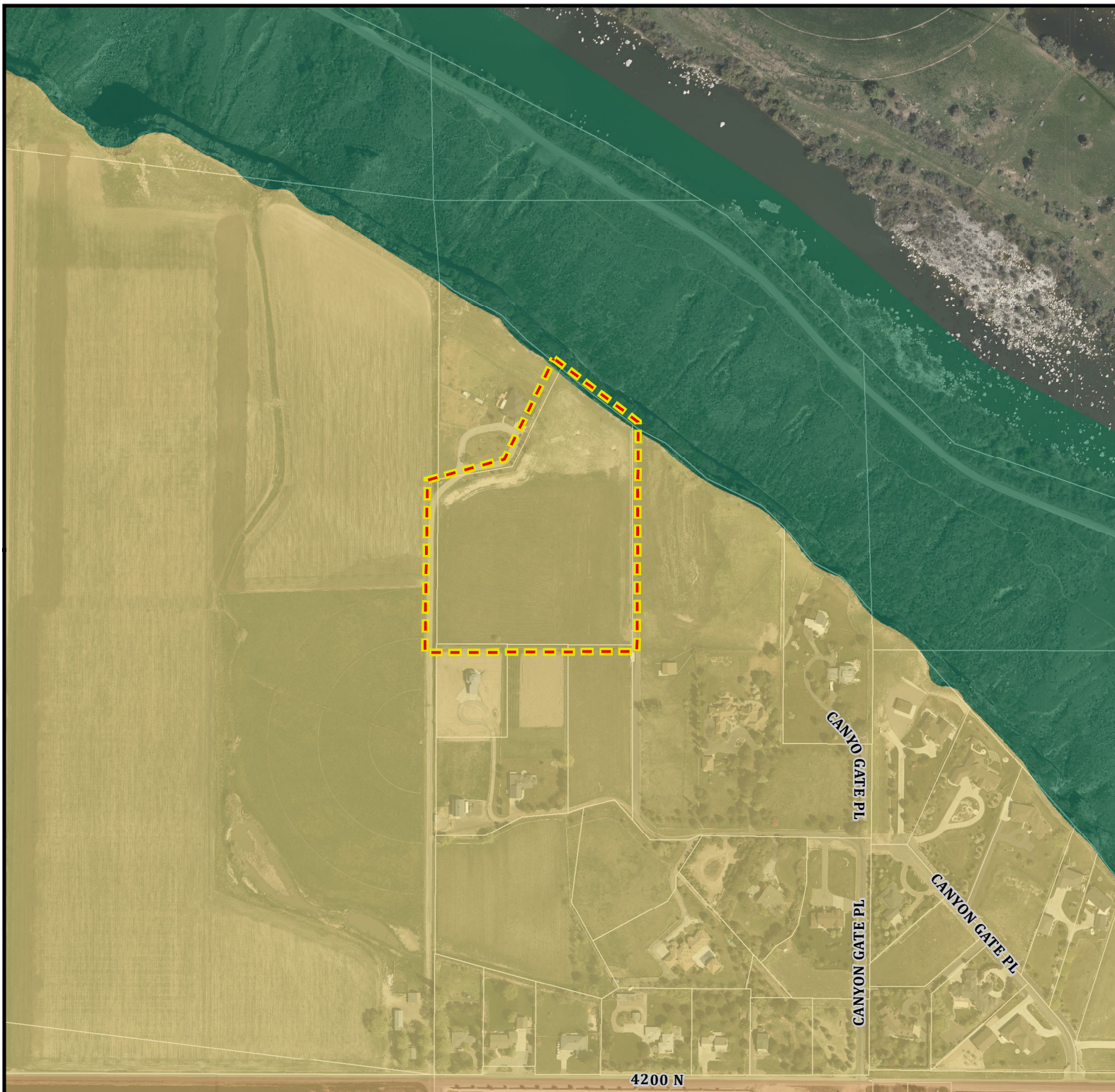
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Future Land Use Map

-  Open Space
-  Rural Residential
-  Town Neighborhood



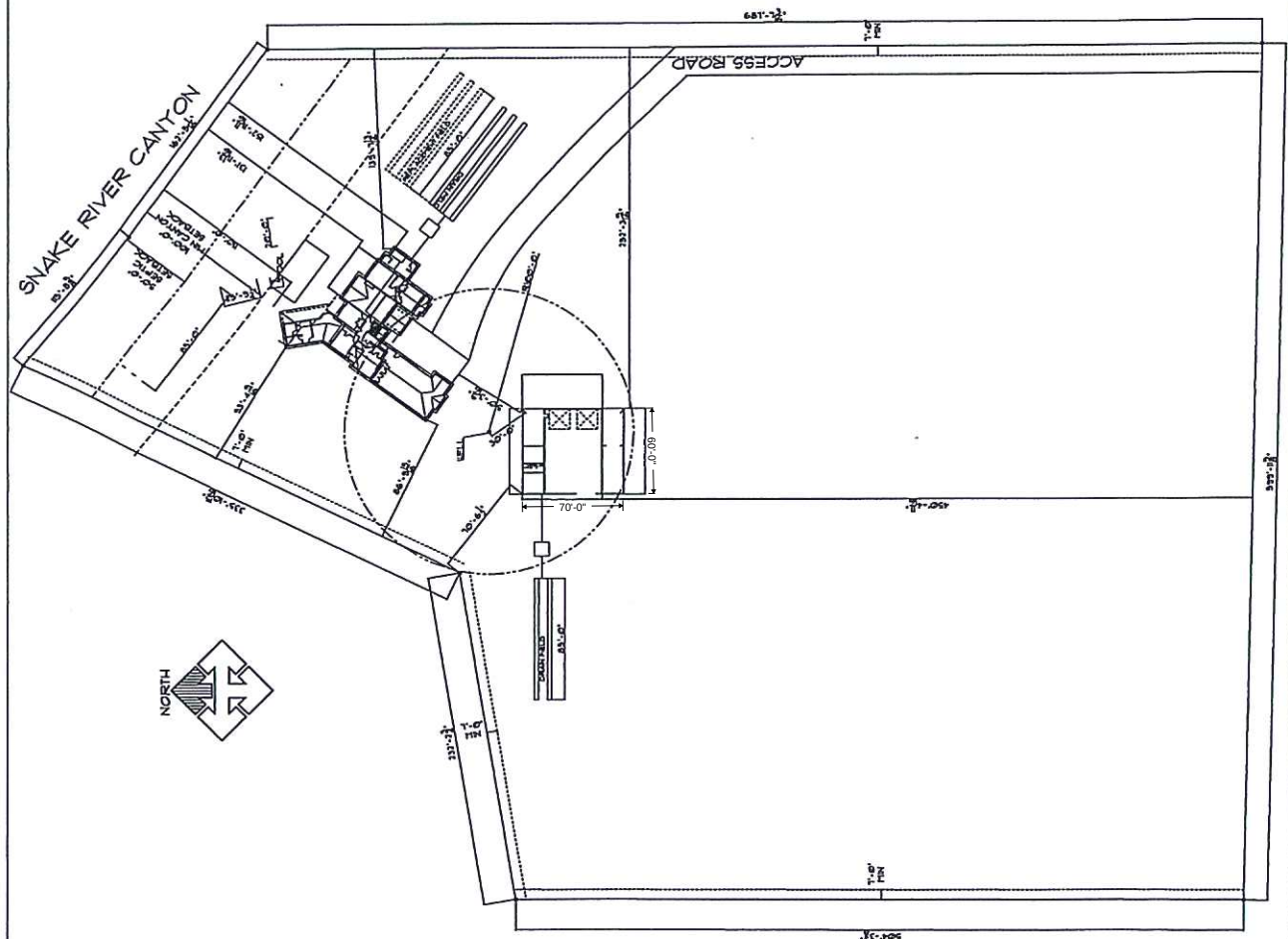
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



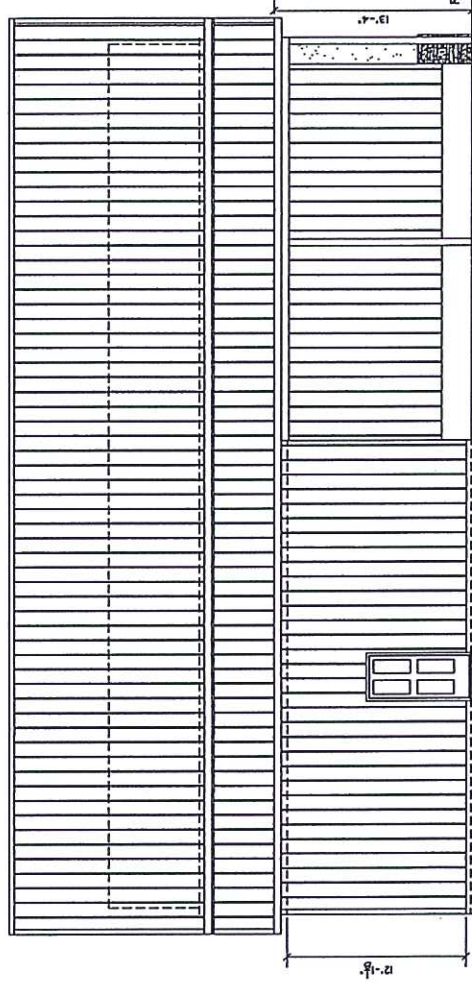
SHEET TITLE: SITE PLAN	
TWIN FALLS COUNTY	
ADDRESS:	DATE: 6-18-11
SUBDIVISION:	SCALE: 1" = 40'-0"
HOME OWNER: Bill Riddick	
CONTRACTOR: SHELTER HOMES	



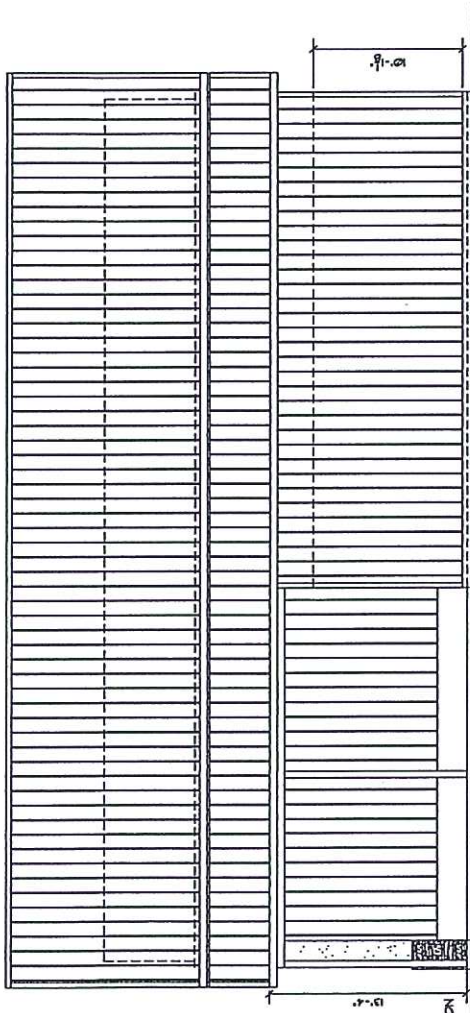
PAGE #	1
SHEET #	6



RIGHT SIDE ELEVATION



RIGHT SIDE ELEVATION





SW Corner Looking NE



Main House and Accessory Building



East Face of Building



South Face of Building



West Face of Building