



Twin Falls Planning & Zoning Commission Agenda

Tuesday, February 9, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

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

Area of Impact: David Detweiler

1) Call In Instructions

- a) To call in for Public Comment on the items on this agenda, please call 1-208-939-6718, Conference ID: 750 517 907#. Calls must be received between 6:00 pm - 6:10 pm and will be put into the queue to speak during the Public Hearing portion of the meeting.

2) Confirmation of Quorum/Call Meeting to Order

3) Consent Calendar

- a) **ACTION ITEM:** Approval of Minutes from the following meeting: January 26, 2021
By:

4) Items of Consideration

- a) **ACTION ITEM:** Request for a consideration of a Preliminary Plat for the Claret Subdivision consisting of 8 lots (Lot 8 as Retention), and 1.81 acres (+/-) located on the west side of Harrison Street South, between Highland Avenue and Park Avenue, c/o EHM Engineers, Inc. on behalf of Greg Olsen. (PZ20-0152)
By: Lisa Strickland, City Planner
- b) **PRESENTATION:** Preliminary Presentation for a request for a recommendation to City Council of an Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for 11.08 (+/-) acres located at the southwest corner of Federation Road and Washington Street North c/o EHM Engineers, Inc. on behalf of Hepworth Family Landholdings, LLC. (PZ21-0004)
By: Jonathan Spendlove, Planning & Zoning Director

5) Public Hearings

- a) **ACTION ITEM:** Request for a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue c/o Wendee Gardner. (PZ20-0151)
By: Elizabeth Hart, Senior Planner

6) Upcoming Meeting(s)

a) **INFORMATIONAL:** Tuesday, February 23, 2021

7) Adjournment

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

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

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



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 26, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

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

Area of Impact: David Detweiler

1) Call In Instructions

2) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 6:02 PM

A quorum was present.

Members Present: Titus, Kelley, Musser, Bolton, Detweiler, Hansen

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

3) Consent Calendar

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

Commissioner Musser seconded the motion.

Approved by a vote of 5-0-1

- a) Approval of Minutes from the following meetings: January 6, 2021 and January 12, 2021

4) Items of Consideration

- a) Request for consideration of the Preliminary Plat for the Fieldwood Subdivision No. 2, a PUD, approximately 1.49 (+/-) acres to develop five (5) lots on property located at 1085 Cheney Drive West c/o EHM Engineers, Inc. on behalf of Brad Wills. (PZ20-0144)

Staff Presentation:

City Planner Strickland presented the request for consideration of the Preliminary Plat for the Fieldwood Subdivision No. 2, a PUD, approximately 1.49 (+/-) acres to develop five (5) lots on property located at 1085 Cheney Drive West c/o EHM Engineers, Inc. on behalf of Brad Wills. (PZ20-0144)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to, including total number of lots, street layout, sidewalk connections, and other similar items.

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. 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

The subject property was approved for a zoning district change from R-4 PRO PUD to R-2 on September 21, 2020.

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

As this area has developed it has become more residential in nature and staff does not anticipate this request, if approved, would create negative impacts to the surrounding properties.

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

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

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for consideration of the Preliminary Plat for the Fieldwood Subdivision No. 2, a PUD, approximately 1.49 (+/-) acres to develop five (5) lots on property located at 1085 Cheney Drive West. He stated the property is zoned R2, with five (5) residential lots for duplexes.

PZ/Questions & Comments: none

Discussion Followed:

- Commissioner Kelley stated this request is straightforward as it fits nicely with the like surroundings.
- Commissioner Detweiler agreed stating duplexes fit well in the surroundings.

MOTION: Commissioner Kelley made a motion to approve the request for consideration of the Preliminary Plat for the Fieldwood Subdivision No. 2, a PUD, approximately 1.49 (+/-) acres to develop five (5) lots on property located at 1085 Cheney Drive West c/o EHM Engineers, Inc. on behalf of Brad Wills, PZ20-0114, as presented with staff recommendations. Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 6-0.

5) Public Hearings

- a) Request for an Amendment to Special Use Permit #PZ18-0088 to expand the Automobile Dealership on property located at 1725 Park View Drive c/o EHM Engineers, Inc. on behalf of Rydell Management Company. (PZ20-0142)

Staff Presentation:

City Planner Strickland presented the request for an Amendment to Special Use Permit #PZ18-0088 to expand the Automobile Dealership on property located at 1725 Park View Drive c/o EHM Engineers, Inc. on behalf of Rydell Management Company. (PZ20-0142)

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

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

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

The property became part of the Canyon Properties PUD #229 in 2003. On November 27, 2018, the Planning & Zoning Commission approved SUP PZ18-0088 (see attached) with grouped landscaping.

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Commercial" therefore, staff has determined this request is in compliance with the 2016 comprehensive plan. Staff does not foresee the impacts of this expansion being detrimental to the neighboring properties.

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

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

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for an Amendment to Special Use Permit #PZ18-0088 to expand the Automobile Dealership on property located at 1725 Park View Drive. He stated the owners have had the opportunity to acquire more inventory and have found there is a greater need for their product. They have purchased an extra 4.67 acres, with no plans for a building at this point. The front part of the land will be hard surfaced for extra vehicle storage and display. He stated the reason for expansion of the approved landscaping from SUP PZ18-0088 is due to Canal Company rules.

PZ/Questions & Comments:

- Chairperson Titus asked where the extended land boundaries are.

- Mr. Vawser clarified the 4.67 acre expansion goes to the northern boundary of the original property, but will farm northern portion at this time.

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Kelley is in favor of this request as an expansion of the original request.
- Commissioner Bolton agreed with Commissioner Kelley.
- Commissioner Musser has no issues with this request.

MOTION: Commissioner Bolton moved to approve the request for an Amendment to Special Use Permit #PZ18-0088 to expand the Automobile Dealership on property located at 1725 Park View Drive c/o EHM Engineers, Inc. on behalf of Rydell Management Company, PZ20-0142, as presented with staff recommendations.

Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 6-0.

Change to order of Agenda: Public Hearing item #C heard prior to item #B

- b) Request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C1 PUD to C1 CRO ZDA for property located at 287 & 292 River Vista Place c/o EHM Engineers on behalf of Federation Pointe, LLC. (PZ20-0138)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C1 PUD to C1 CRO ZDA for property located at 287 & 292 River Vista Place c/o EHM Engineers on behalf of Federation Pointe, LLC. (PZ20-0138)

Per City Code 10-6-1 The procedure for establishing a ZDA shall follow the procedure for zoning map amendments as set forth in chapter 14 of this title with the following addition: The planning and zoning commission shall complete a preliminary review of the proposed conceptual development plan at a meeting prior to the public hearing for a zoning district and zoning map amendment.

The property is currently zoned C-1 with a Canyon Rim Overlay. The western portion of the property exists under the River Vista PUD. Under the current proposal a portion of what is part of the River Vista PUD will be included in this ZDA.

The applicant is proposing to lay out the property in four (4) rows of town homes all served by private roads and each town home having their own driveway with a two-car garage. Three (3) rows of town homes will be three (3) stories while the fourth (4th) row will be two (2) stories in order to meet the height requirement relating to the canyon rim overlay.

The applicant is proposing to add landscaped buffers to the development which will include a fifteen (15') foot buffer from the property line adjacent to Canyon Crest Drive with the exception of vehicular turn-outs as well as a five (5') foot landscaped buffer between the

residential and commercial elements to the east and west of the development. Buffers may include sidewalk or other hard surfaces providing access to the Canyon Rim trails or other adjacent accessible routes.

Required parking will be provided by the driveways built for each of the units with the addition three (3) visitor parking spaces.

The applicant has declared a few modifications from the applicable City Code:

1. Modification to the C-1 and CRO, to allow zero lot line townhomes in groupings of three (3) or more.
2. Modification to the lot area requirement for lots to be no less than 680 sf.
3. Allowing each residential lot to contain 100% occupancy or to have a portion thereof be used for decks, driveways, and /or yard area.
4. Open space to have no minimum or maximum square footage and may include landscaping, access and utility corridors, lighting, and trash enclosures.
5. To allow no property line building setbacks to be required from residential lot lines. Setbacks from the subdivision boundary will be in conformance with the C-1 district.
6. To allow for horizontal projections, including cantilevered decks and eave projections to project over the Canyon Rim Setback line as defined by the Canyon Rim Study or over the interior lot lines into common area/ open space by a distance of and not to exceed eight (8) feet. To also allow for concrete patios to project into common area/ open space areas by a distance of and not to exceed ten (10) feet.

All site regulations will be checked by staff during the building permit process.

City Staff finds the modifications from current code are not anticipated to create undue impacts to the surrounding properties nor to the nature of the canyon rim as the project is an infill development that mirrors the surrounding mixed use developments.

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

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

PZ/Questions & Comments:

- Commissioner Kelley asked for the buffer zone difference since the first presentation.
- City Planner Zollinger clarified the buffer zone difference from ten feet (10') to five feet (5'), on either side of the property line.
- Commissioner Kelley asked to outline the Canyon Rim Overlay boundary and where the overlap occurs.
- City Planner Zollinger clarified the Canyon Rim Overlay setback and which of the units patios will overlap into it.
- Commissioner Hansen asked about the accesses to this development.
- City Planner Zollinger stated the plans show one access point to the development for residents, with an access to Canyon Crest Drive for fire access only.
- Chairperson Titus asked for clarification on modification #5.
- City Planner Zollinger stated there are no conflicting setbacks and will conform to C1

setback.

- Commissioner Detweiler asked about access going through the parking lots and why is there not an access from the east side.
- City Planner stated it is a continuation of existing accesses.
- PZ Director Spendlove stated the applicant stated they are proposing that there is a right to the parking lot access through a private access agreement on that property and there is an issue with our Engineering department for an eastern access.
- Commissioner Bolton asked if there is written agreement to use existing access.
- PZ Director Spendlove stated the applicant has declared there is an existing agreement.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C1 PUD to C1 CRO ZDA for property located at 287 & 292 River Vista Place. He introduced JJ McBride as a potential investor should this project goes forward. He clarified the changes since the preliminary presentation. The reason for the buffer change to 5' is for the fire aisle, inclusive with sidewalk. The variance of the number of buildings is requested due to unknown costs and may change to a lesser density. He stated they are still providing private easements. He addressed the access points. These are individual residences, sold as townhomes.

PZ Questions:

- Commissioner Hansen asked if the access between 278 & 284 River Vista Pl. is a private drive is or accessible for public use.
- Mr. Vawser stated he believes the the cul de sac was blocked off between the residences and the offices and will not be used for public use.

Public Hearing: Opened

- Larry Jones, citizen, stated his concern regarding needing an entrance to the development closer to the Canyon Crest Restaurant. He stated he does not believe have one access through the parking lot will work, as there are too many people going through the lot now.
- Mr. Vawser gave a closing statement and stated EHM can revisit with the Engineering department to address an eastern access.
- Chairperson Titus asked about # of units and if all will be sold as single-family dwellings.
- Mr. Vawser stated all 25 units will be sold as single-family dwellings.

Public Hearing: Closed

Discussions Followed:

- Commissioner Musser stated he believes this is an overall good project, but has concerns with the weft access, and would rather see a different access point.
- Commissioner Detweiler stated he does not like using cul de sac access through a business parking lot for this residential development.
- Commissioner Kelley believes the northern access is a good access, but not perfect. He stated he believes the project is good for this lot and is in favor of the request.
- Commissioner Bolton likes the request, but would like to see access on east side of property.

- PZ Director Spendlove stated this is a recommendation to City Council and the commission can add conditions of approval to be discussed at City Council.
- Commissioner Hansen stated he does not believe the request should be denied, but is worried about the access.
- Chairperson Titus likes the infill project and has no issue with Canyon Rim Overlay setback and with the buffer change. She stated her only concern is the access.
- Commissioner Kelley stated this is not an apartment complex, but are single-family dwellings, with not as many vehicles. He stated he does not believe this development will be adding more cars than are there now. He is okay with the request as is.
- Commissioner Hansen agreed he does not want the project to go away, as it is a good infill project.
- Chairperson Titus clarified she thinks access could still be a concern, but if there could be an alternative to the accesses that be looked in to.
- Commissioner Musser agrees this is a good project, and asked for help with adding a condition.
- PZ Director Spendlove helped with a possible condition from the Planning and Zoning Commission to City Council.
- Discussion ensued on the addition of a condition regarding the accesses.

MOTION: Commissioner Hansen moved to add a condition to add an additional access point on the eastern most boundary that would access Canyon Crest Drive.
Commissioner Detweiler seconded the motion.

Motion approved by a vote of 5-1.

MOTION: Curtis Hansen moved to recommend approval to City Council for a Zoning District Change and Zoning Map Amendment from C1 PUD to C1 CRO ZDA for property located at 287 & 292 River Vista Place c/o EHM Engineers on behalf of Federation Pointe, LLC, PZ20-0138, with the added condition and staff recommendations.
Commissioner Musser seconded the motion.

Unanimously approved by a vote of 6-0.

- c) Request for a recommendation to City Council for the vacation of platted easements on property located at 287 & 292 River Vista Place c/o EHM Engineers, Inc. on behalf of Federation Pointe, LLC. (PZ20-0137)

Staff Presentation:

PZ Director Spendlove presented the request for a recommendation to City Council for the vacation of platted easements on property located at 287 & 292 River Vista Place c/o EHM Engineers, Inc. on behalf of Federation Pointe, LLC. (PZ20-0137)

He explained the vacation process and which platted easements are being requested to be vacated with this request. Not involved in the private easement agreements between owners. Utility letters will be collected prior to presentation to City Council.

Per City Code 10-16-1: Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied. The subject property exists under the River Vista PUD (recorded 2008) and is part of the Pinnacle Subdivision (recorded 1996).

Per the applicant the purpose of the proposed vacation of platted easements is to move forward with a Townhouse Development on the subject property. The applicant also stated that they will rededicate easements as needed through the platting process for the future development.

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

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

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a recommendation to City Council for the vacation of platted easements on property located at 287 & 292 River Vista Place. He stated that the Pinnacle Subdivision has drastically changed from the original map. He stated this request is only for the eastern portion of lots 10 and 11.

PZ/Questions & Comments: none

Public Hearing: Opened

- Don Gilster, citizen, stated a concern for the vacation of easements and their locations. He would like to see the easements remain as they are, and is against this request.
- Mr. Vawser gave a closing statement. He clarified the effect on Mr. Gilster's property. He stated there is one private easement on that property, and is working with the owners and is not part of this request.

Public Hearing: Closed

Discussions Followed:

- Commissioner Detweiler stated the easement is not being used by utilities at this time, and he is not opposed to this request.
- Commissioner Kelley agreed, as the private easements are not part of this request.
- Commissioner Bolton agreed, as the request is only for the utility easements.
- Chairperson Titus stated that all utility letters are required before the request goes to City Council.

MOTION: Commissioner Kelley moved to approve the request for a recommendation to City Council for the vacation of platted easements on property located at 287 & 292 River Vista Place c/o EHM Engineers, Inc. on behalf of Federation Pointe, LLC. (PZ20-0137), as presented with staff recommendations.

Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 6-0.

6) Upcoming Meeting(s)

- a) Wednesday, February 3, 2021 Worksession
Tuesday, February 9, 2021

7) Adjournment

The meeting adjourned at 07:22 PM

Kelli Ebersole, Administrative Assistant



Date: Tuesday, February 9, 2021
To: Planning and Zoning Commission
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request for a consideration of a Preliminary Plat for the Claret Subdivision consisting of 8 lots (Lot 8 as Retention), and 1.81 acres (+/-) located on the west side of Harrison Street South, between Highland Avenue and Park Avenue, c/o EHM Engineers, Inc. on behalf of Greg Olsen. (PZ20-0152)

Time Estimate:

The presentation should take approximately 5-10 minutes with questions/comments to follow.

Background:

This is a request to consider the preliminary plat for the Claret Subdivision. The property is approximately 1.89 acres and is zoned R-4. The subdivision is approved would allow for 7 residential lots and 1 tract for retention.

Approval Process:

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including total number of lots, street layout, sidewalk connections, and other similar items.

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.

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.

Budget Impact:

n/a

Regulatory Impact:

This preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding the R-4 Zoning District development standards.

All general criteria for approval have been met, per State Statute 50 - Chapter 13.

History:

There is no known history for this property.

Analysis:

This subdivision if approved would allow for a small infill project to occur. The Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". Staff has determined this request complies with the 2016 Comprehensive Plan. It complies with the the City's General Subdivision Provisions and State Statute Chapter 50-13.

Conclusion:

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

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

Attachments:

1. PZ20-0152 PrePlat Staff Report
2. Vicinity Map
3. Exhibit
4. Photos

Comprehensive Staff Report

Agenda Item XX



To: Planning & Zoning Commission

Presenter: Lisa Strickland, City Planner

Request: for consideration of the **Preliminary Plat** for the Claret Subdivision approximately 1.81 (+/-) acres into 8 lots located along the 400 Block of Harrison Street South.

Application: PZ20-0152

Applicant & Representative:

Greg Olsen
c/o EHM Engineers, Inc
621 N College Rd, Ste 100
Twin Falls, ID 83301

Public Hearing: February 9, 2021

Background:

This request is to consider a preliminary plat for the subdivision of approximately 1.81 acres into 7 residential lots and 1 lot for retention to construct duplexes.

Approval Process:

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including total number of lots, street layout, sidewalk connections, and other similar items.

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.

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.

Applicable Zoning Regulations:

This preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding the R-4 Zoning District development standards.

All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan "Grow with Us" designates this area as "Town Neighborhood". Staff has determined this request complies with the 2016 Comprehensive Plan.

Conclusion:

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

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

Attachments:

1. Vicinity Map
2. Exhibits
3. Photos



Current Zoning: R-4

Existing Land Use: Undeveloped

Comprehensive Plan: Town Neighborhood

Proposed Land Use: Residential

Surrounding Zoning Designations & Land Use(s)

North: Residential

East: Residential, Harrison Street South

South: Vacant

West: Vacant

Applicable Regulations

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

- ☞ EXISTING CRACK, GUTTER AND SOBRANIT
- ☞ EXISTING ASPHALT PAVEMENT (EXIST. 1" OF INCONCRETE)
- ☞ EXISTING PRESSURE HYDRANT MAIN - MAIN AND PROTECT
- ☞ EXISTING SEWER MAIN - MAIN AND PROTECT
- ☞ EXISTING WATER MAIN - MAIN AND PROTECT
- ☞ EXISTING GROUND APPURTENANCE - MAIN AND PROTECT
- ☞ EXISTING FENCE - REMOVE AND REPAIR
- ☞ EXISTING SHADES - REMOVE BRICKS, FULMINEAR & WOOD.

- ☒ PROPOSED ASPHALT ON CONCRETE DRIVEWAY
- ☒ PROPOSED WALKWAY STREET SIDEWALK - SEE SHEET J FOR DETAIL
- ☒ PROPOSED SLOPE WASH EXTERIOR - SLOPE REQUIRED
- ☒ PROPOSED INTERIOR WASH
- ☒ PROPOSED FIRE WALKWAY
- ☒ PROPOSED PRESSURE WASHING EXTENSION
- ☒ PROPOSED GUTTER INSTALLATION
- ☒ PROPOSED ACCEPTANCE DRIVE

 LANDSCAPE DESIGN — DESIGN AND PLAY BY OTHERS FOR OWNERS

Building Square Footage	= 2,281/sq. Each
Required Parking	Per 70s: 10-40-8
Duplex Dwelling	= 2 Spaces for each dwelling unit
Spaces Required	28
Spaces Provided	28

Note: Does not include attached garage parking - one per unit

Client/Company:	Greg & Andrea Stone 3601 General St. San Francisco, CA 94133 (415)729-0344	Designer:	ESM Engineers, Inc. 401 W. Chicago Ave. Ste 100 Los Angeles, CA 90010 (213)754-1989 David M. Hall, P.E.
Dist. Area:	San Jose St. (1st Ave.)		
Zone:	B-4		
Building Type:	Residential		
Proposed Use:	Ecological Development		
Siteowner:	Suburban steel mill owner in City of San Jose living and working in the neighborhood		
Address:	City Street, Water & Potable Wastewater, Underground Power and Gas City Use		
Comments:	As Shown on Plan		

Index

Crustacean Burial Facies: 11-15, 120 [RXX]

Impervious Area: 0.605

Landcover Area: 0.425

Pre-Development: -0.35

Post-Development Area: -79.21 (0.21 AE)

Total Lot Area: 179.13 (0.13 AE)

Total Impervious Area: -0.4318 (0.13 AE)

Impervious Area: 0.4318

Impervious Area: 0.6338 1.6/12/10 338.85m Butler

Landcover Area: 0.4318 1.6/12/10 120.00m = 25.91

Pre-Development: 0.605 1.6/12/10 49.30m = 25.91

Pre-Development: 0.605 1.6/12/10 49.30m = 25.91

Storm Runoff is to be Reduced to 30/12/13 Deep Dry-Well at Street

30/12/13 Reduced Runoff: 0.605

Impervious Area: 0.605

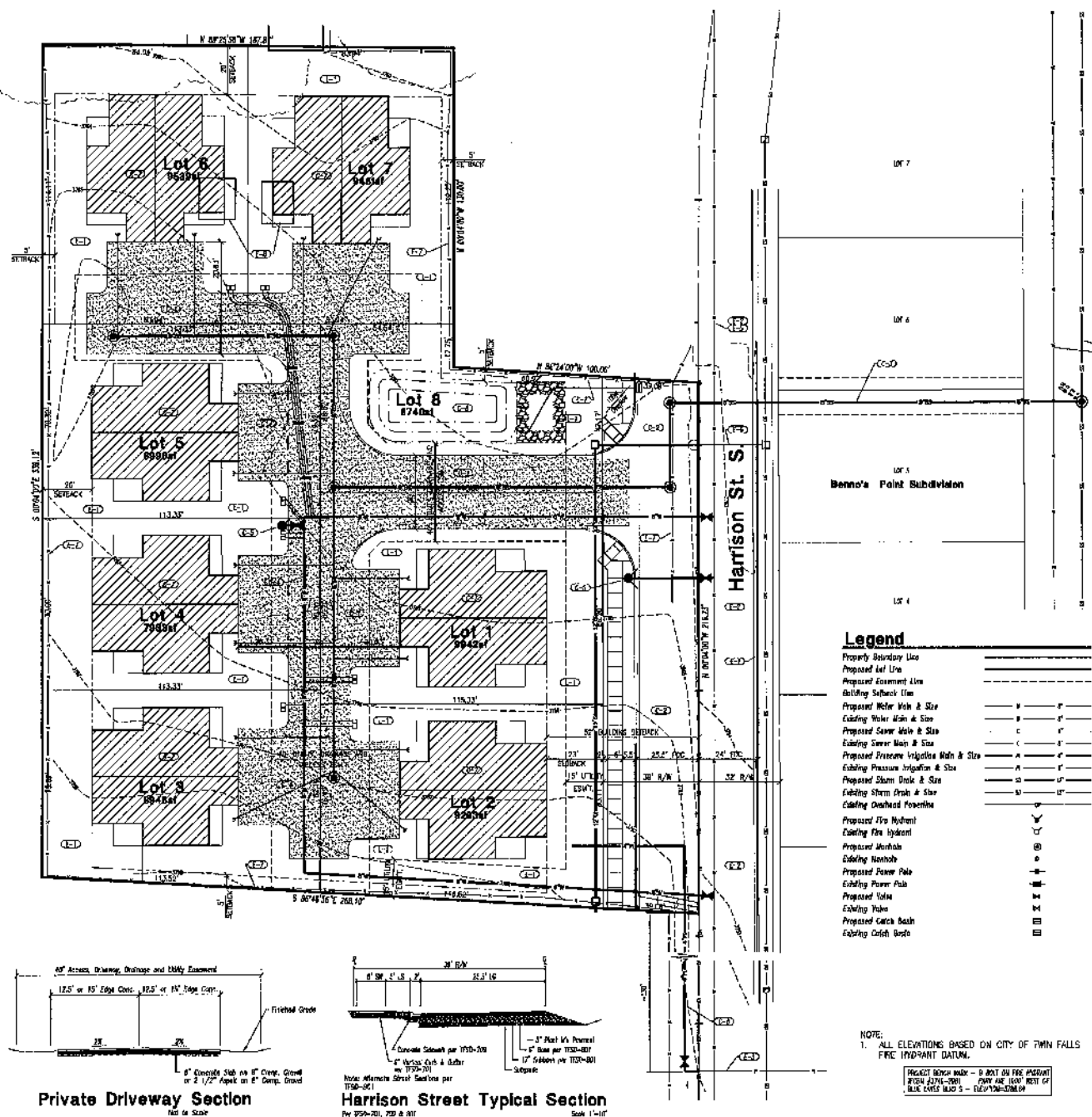
Impervious Area: 0.605 1.6/12/10 338.85m Butler

Landcover Area: 0.4318 1.6/12/10 120.00m = 25.91

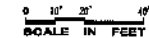
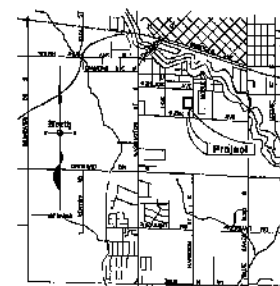
Pre-Development: 0.605 1.6/12/10 49.30m = 25.91

Pre-Development: 0.605 1.6/12/10 49.30m = 25.91

Storm Drainage to be Retained in 48"x60"x2' Deep Basin
1,856cf Retention Req'd.
2,076cf Retention Provided



Andrea Subdivision
Located in
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho

[illegible]

Vicinity Map

EHM Engineers Inc.
Engineers / Surveyors / Planners
21 N College Rd., Suite 100 Twin Falls, ID 83301 - (208)734-4883

Preliminary Plat For:
Andrea Subdivision
Twin Falls, Idaho

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONDITIONS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DISCREPANCY
IMMEDIATELY. DISCREPANCIES OR
DISCREPANCIES BEFORE BEGINNING
OR PROCEEDING ANY WORK.

APPROVED	BY: [Signature]
PREPARED	BY: [Signature]
MAILED	DATE: [Signature]
DATE	JULY, 2018
SCALE	AS SHOWN
CON. NO.	201-10 PFE-PLA





Google



Date: Tuesday, February 9, 2021
To: Planning and Zoning Commission
From: Jonathan Spendlove, Planning & Zoning Director

PRESENTATION

Request:

Preliminary Presentation for a request for a recommendation to City Council of an Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for 11.08 (+/-) acres located at the southwest corner of Federation Road and Washington Street North c/o EHM Engineers, Inc. on behalf of Hepworth Family Landholdings, LLC. (PZ21-0004)

Time Estimate:

Approximately 5-10 minutes with questions/comments to follow.

Background:

The applicant is requesting Annexation into City limits in order to develop the property. Due to the Canyon Rim Overlay, a Zoning Development Agreement is required.

Approval Process:

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

Budget Impact:

Regulatory Impact:

As per Twin Falls City Code 10-15-2 Annexation

"The Commission shall conduct at least one public hearing, to send a recommendation to City Council for the proposed plan and zoning designation,..."

As per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District: The applicant is required to do a presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council.

History:

After a previous application for this property was denied by the City Council on December 14, 2020 . The applicant has resubmitted the project with the changes proposed by the comments of the City Council during the Public Hearing.

Analysis:

A full analysis of this project will be made during the public hearing at a future date.

Conclusion:

Staff makes no recommendation at this time. A comprehensive staff analysis will be provided at the public hearing.

Attachments:

1. PZ21-0004 Staff Report Preliminary Presentation
2. B-Vicinity Map
3. C- Future Land Use Map
4. Applicant Narrative
5. Proposed ZDA Document
6. Proposed Master Plan
7. Proposed Elevations Examples
8. Proposed Roadway Details



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Lisa Strickland, City Planner

Request: **Preliminary Presentation** for a Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for property located at the southwest corner of Federation Road and Washington Street North.

Application: PZ21-0004

Applicant & Representative:

Hepworth Family Landholdings, LLC
c/o EHM Engineers
621 N. College Rd, Ste 100
Twin Falls, ID 83301

Analysis

The applicant is requesting annexation and a Zoning Development Agreement within the Canyon Rim Overlay.

Approval Process

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

Applicable Regulations

As per Twin Falls City Code 10-15-2 Annexation

The Commission shall conduct at least one public hearing, to send a recommendation to City Council for the proposed plan and zoning designation, in which interested persons shall have an opportunity to be heard. The hearing shall not

consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

As per Twin Falls City Code 10-6-

1.4(E) Approval of a ZDA Sub-

District: The applicant is required to do a presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Conclusion

Staff makes no recommendation at this time. A staff analysis will be provided at the public hearing.

Attachments

1. Vicinity Map
2. Future Land Use Map
3. Zoning Development Agreement



- C-1
- R-2
- OS
- CRO
- PUD
- AOI

Current Zoning: R-2

Comprehensive Plan: Town Neighborhood

Existing Land Use: Undeveloped

Proposed Land Use: Residential with Commercial

Surrounding Zoning Designations & Land Use(s)

North: Gun Club/Federation Road

East: Mixed Residential/Washington Street North

South: Residential

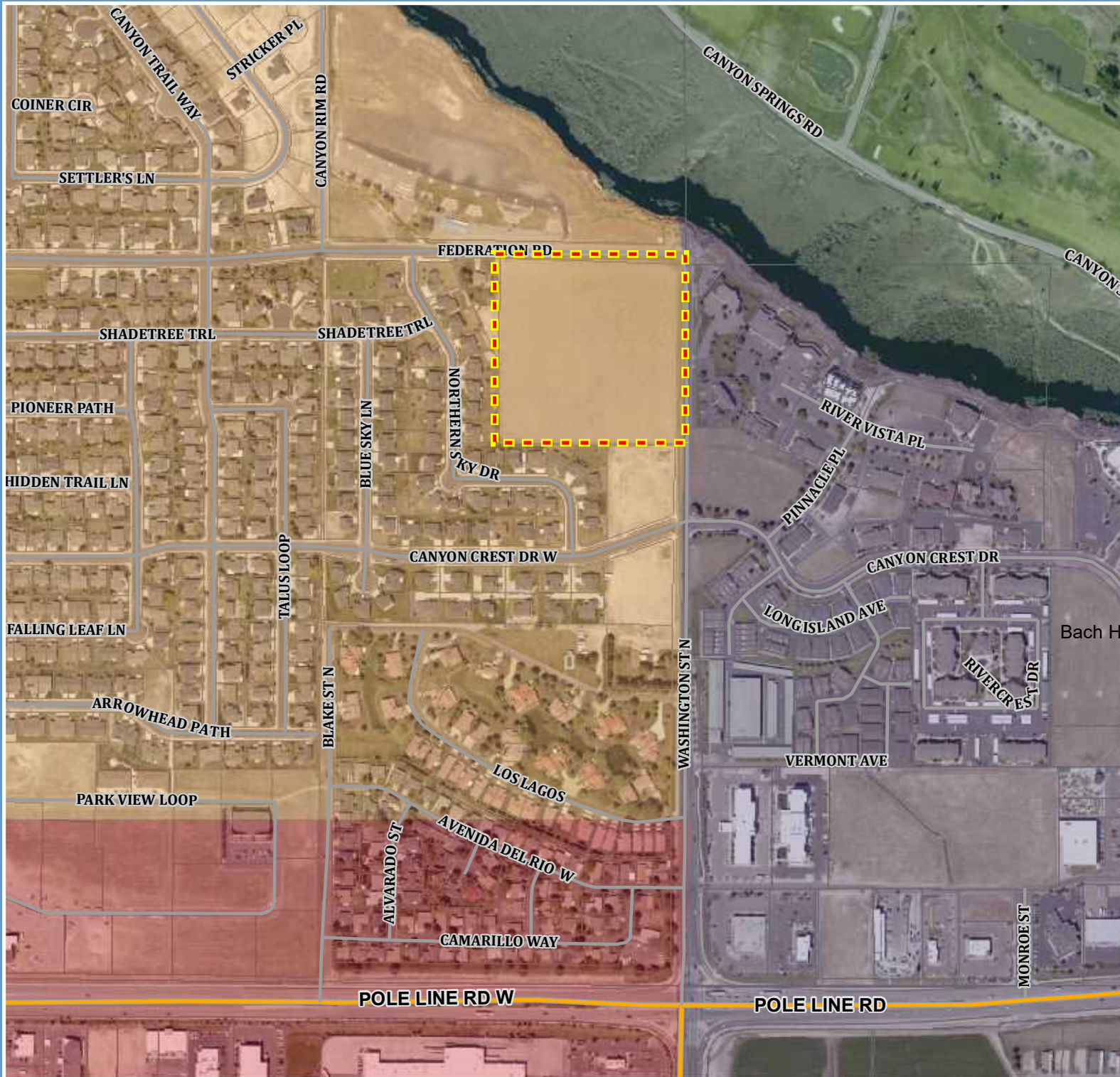
West: Residential

Applicable Regulations

10-1-4, 10-1-5, 10-4-15, 10-4-19, 10-6

Future Land Use Map

- Commercial
- Mixed Use
- Open Space
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

FEDERATION POINT, ZDA
APPLICATION NARRATIVE

4.b.i. This property is located adjacent to Federation Road and Washington Street North and the majority of the land is located in the Canyon Rim Overlay District. The future land use map shows the area as town/neighborhood and the Canyon Rim Overlay District allows for the type of limited commercial development that is depicted along Federation Road and Washington Street frontage with the multi-family residential as a transition to the existing neighboring land to the south and west of the development.

4.b.ii. The subject property is bordered on the east, west, and south by City limits. The area north of the property is impact area.

4.b.iii. This development would be compatible with the neighboring property to the east which is the Westpark and River Vista developments. It also has a residential component adjacent to the majority of residential to the west and south. The property to the north is the Twin Falls Gun Club so the commercial will act as a transitional buffer to that use from the residential. Due to neighbors testimony and comments during deliberation of the Twin Falls City Council the residential fourplex units that were originally depicted bordering other residential units within Northern Sky Subdivision have been revised to duplex units that will be similar to what would be allowed by code in that development's zoning designation and provide a transition to the fourplex units.

4.b.iv. The intended use of the development is for commercial type businesses and multifamily residential dwellings on a large lot. The plan is to develop the residential portion and then improve the commercial portion of the property over phases as users are identified.

4.b.v. Specific exceptions of uses or development standards include permitting of multiple residential buildings on one large lot as well as a few limited commercial uses not already allowed within the Canyon Rim Overlay District such as an antique shop, art galleries and or frame shops, cottage businesses, general merchandise, hardware store, and laundry facilities. Since there will be private access and/or parking areas as well as additional dedication of right of way and improvements for trail extensions, exceptions are also being requested for setbacks that work with the master plan as depicted. It should be noted that setbacks adjacent to existing residential uses have been depicted to comply with the zoning district requirements in those developments.

Federation Point, ZDA

A Residential Mixed Use and Limited Commercial Zoning Development Agreement

This Zoning Development Agreement (ZDA) is made and entered into this ____ day of _____, 2020, by and between the City of Twin Falls, State of Idaho a municipal corporation, hereinafter called "City" and Steve Hepworth (hereinafter called "Developer") for the purpose of developing Residential Mixed Uses and Limited Commercial Uses on property located West of Washington Street North and South of Federation Road, known as Federation Point Subdivision, a ZDA.

NOW THEREFORE:

1. All future development, improvements, and uses shall conform to the standards and regulations of the Twin Falls City Code Title 10 – Chapter 4 – Section 15; RM, Residential Mixed Use District or as amended, Title 10 – Chapter 4 – Section 19; CRO, Canyon Rim Overlay District or as amended, and all references to other sections therein including the following deviations:
2. RM and CRO, Residential Mixed Use District and Canyon Rim Overlay District modified to include the following;
 - A. Permitted uses;
 1. Governmental facilities:
 - a. Governmental office buildings.
 2. Medical facilities:
 - a. Doctor's offices.
 3. Residential:
 - a. Bed and breakfast facilities.
 - b. Household units in the same building as an allowed use by the owner or an employee of the allowed use.
 - c. Household units in the upper floors of commercial or professional buildings.
 4. Retail Trade:
 - a. Antique shop.
 - b. Apparel and accessories.
 - c. Art galleries and frame shops.
 - d. Bakery.
 - e. Bookstore.
 - f. Craft shop, in conjunction with retail business.
 - g. Eating places.
 - h. Florist shop.
 - i. Food, drugs, etc.
 - j. General merchandise.
 - k. Hardware store.
 - l. Hobby and toy store.
 - m. Home décor, excluding appliances

Federation Point, ZDA

A Residential Mixed Use and Limited Commercial Zoning Development Agreement

- n. Home furnishings and appliances.
- o. Ice cream store.
- p. Import store.
- q. Laundering and dry cleaning.
- r. Laundromats.
- s. Music store.
- t. Sporting goods store.

5. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Cottage businesses.
- e. Finance and investment offices.
- f. Insurance and related business.
- g. Photographic studios.
- h. Professional organizations.
- i. Professional services.
- j. Real estate and related business.

Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit.

- B. Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the District unless special provisions are taken. Special use permits may be granted for the following uses:

1. Misc.:

- a. Any facility with drive-through service.

2. Parks:

- a. Public parks and playgrounds with crowd attracting facilities.

3. Public Assembly:

- a. Funeral chapels.
- b. Schools – private, single purpose.
- c. Schools - private, vocational and/or academic.
- d. Schools – public.
- e. Theaters – indoor.
- f. Wedding chapels and/or reception halls.

4. Residential:

- a. Accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings except those physically attached garages built at the

Federation Point, ZDA

A Residential Mixed Use and Limited Commercial Zoning Development Agreement

same time the home is built.

- b. Motels or transient hotels
- c. Nursing homes, rest homes, and assisted living facilities.

5. Retail Trade:

- a. Alcoholic beverages, when consumed on premises where sold.
- b. Permitted retail/trade operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- c. Pet shop.

6. Services:

- a. Dog Grooming.

7. Sports Facilities:

- a. Athletic areas.
- b. Indoor recreation facility.

3. Property Development Standards to be modified to include the following;

The following property development standards shall apply to all land and buildings in the RM district:

A. Use Of Lots:

- 1. Each building is not required to be located on a separate lot. If desired, multiple buildings (including dwellings – duplex, triplex, fourplex) may be located on one contiguous lot/parcel.

B. Lot Area:

- 1. Commercial Uses: The lot area for shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping. No commercial building shall occupy more than sixty percent (60%) of a lot.
- 2. Multi-family Residential: The lot/parcel area shall be a minimum of six and one-tenth (6.1) acres and shall contain 19 fourplex buildings and 7 duplex buildings with a total of 90 residential units per 6.1 acre parcel as depicted upon the master development plan included as Exhibit B.

C. Yards:

- 1. The front building line shall be as depicted on the master development plan. All front yard building setbacks shall be twenty feet (20') from the property line or when multiple units are on one parcel a minimum of twenty-five feet (25') from the centerline of a private drive.

Federation Point, ZDA

A Residential Mixed Use and Limited Commercial Zoning Development Agreement

2. The side building line shall not be closer than five feet (5') to the side property line.
3. The rear building line shall not be closer than ten feet (10') to the rear property line for multifamily units or five feet (5') for commercial units.
4. Rear, front, or side building lines adjacent to Federation Road and Washington Street North shall be fifteen feet (15') from the right of way line. No other building setback limitations shall be applicable to this development.
5. Rear, front, or side building lines adjacent to the western and southern boundary of the development shall be twenty feet (20') from the subdivision boundary.

D. Other Development Criteria:

1. Perimeter Landscape Buffer and Screening: A landscaping buffer of twenty-five feet (25'), including sidewalks, shall be installed from back of curb along Washington Street North and Federation Road. A six foot (6') high masonry wall shall be installed along the south and west boundary of the development adjacent to existing residential lots.
2. Streets: Federation Road and Washington Street North shall be constructed per the attached Exhibit C with a ten foot (10') wide concrete path on the north side of Federation Road adjacent to the development boundary for infill of a portion of the Canyon Rim Trail Extension.

Federation Point, ZDA
A Residential Mixed Use and Limited Commercial
Zoning Development Agreement

Developer: Steven F. Hepworth

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

"CITY"
CITY OF TWIN FALLS

By: _____
Mayor

ATTEST:

City Clerk

"DEVELOPER"
Hepworth Family Landholdings, LLC
Steven F. Hepworth, Member

By: _____

SATE OF IDAHO)
 ss.
County of Twin Falls)

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

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

Residing at _____

Residing at _____

EXHIBIT A
Legal Description
Proposed Annexation
Twin Falls County, Idaho

Being a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Beginning at the East Quarter corner of said Section 32 as shown on that certain map entitled "Northern Sky Subdivision", recorded November 21, 2007 as Instrument No. 2007-030627 in the office of the County Recorder of Twin Falls County and being the REAL POINT OF BEGINNING;

Thence, along the East Boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, South 00°00'00" East 662.96 feet to a point on the Boundary of said map;

Thence, along said Boundary, North 89°48'21" West 685.43 feet;

Thence, continuing along said Boundary, North 00°34'11" East 302.37 feet;

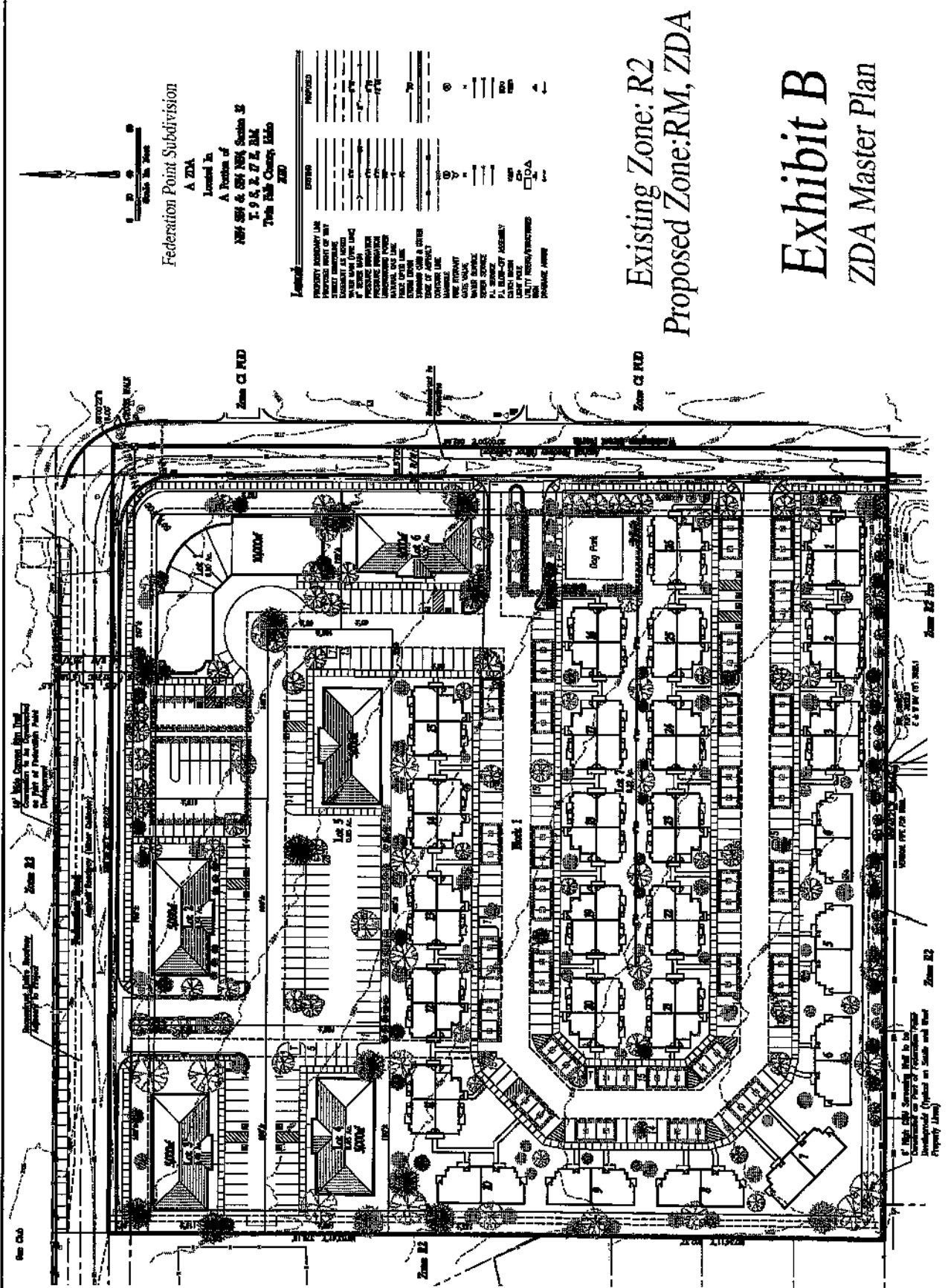
Thence, leaving said Boundary, North 00°03'41" East 404.15 feet to a point on the centerline of Federation Road;

Thence, along said centerline, South 89°50'35" East 682.00 feet to a point on the East Boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32;

Thence, along said East Boundary, South 00°00'22" West 44.00 feet to said REAL POINT OF BEGINNING.

Containing approximately 11.08 acres.

End of Description



Existing Zone: R2
Proposed Zone: RM, ZDA

Exhibit B

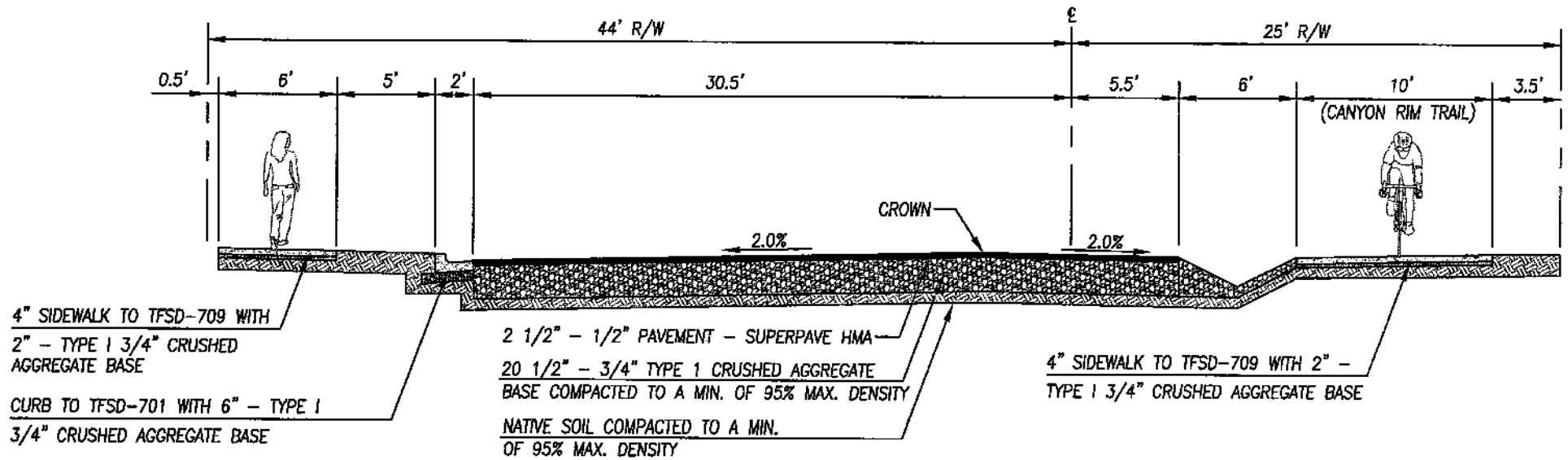
ZDA Master Plan



TYPICAL DUPLEX UNIT



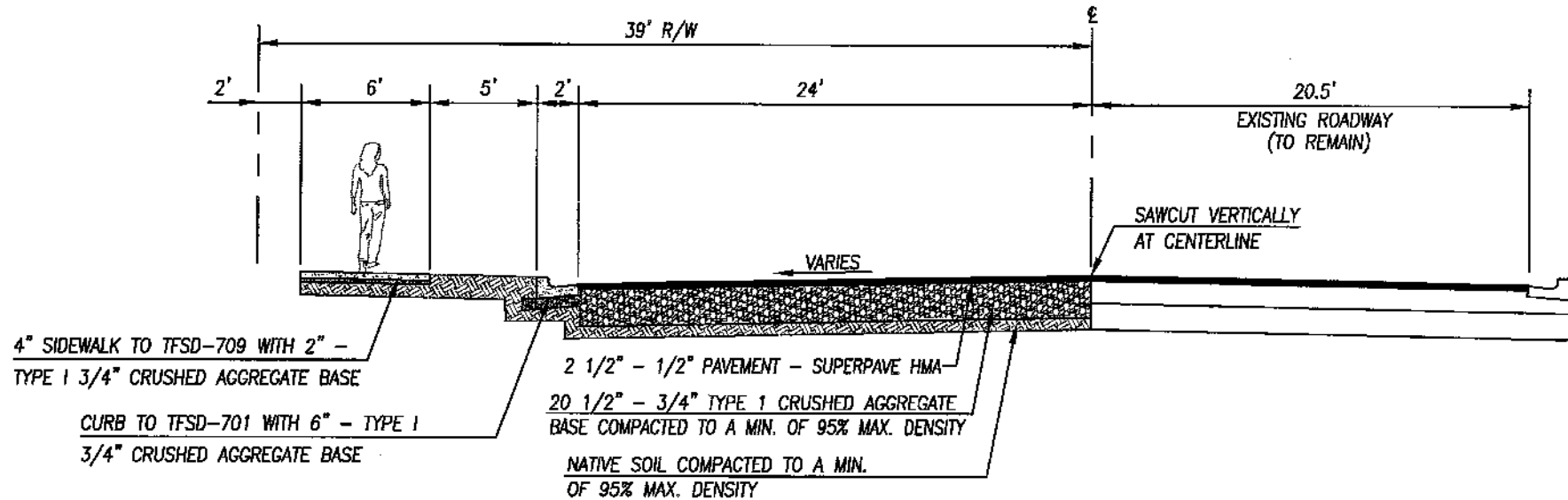
TYPICAL FOUR-PLEX UNIT



Typical Street Cross Section

Federation Road

n.t.s.



Typical Street Cross Section

Washington Street North

n.t.s.

EXHIBIT C - Roadway Details



Date: Tuesday, February 9, 2021
To: Planning and Zoning Commission
From: Elizabeth Hart, City Planner, Senior Planner

ACTION ITEM

Request:

Request for a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue c/o Wendee Gardner. (PZ20-0151)

Time Estimate:

Approximately 5-10 minutes for the presentation followed by questions and comments.

Background:

This is a special use request to operate a restaurant and bar that includes the sale and on-site consumption of alcoholic beverages located within three hundred feet (300') of a residential property and extended business hours located at 677 and 679 Filer Ave.

Approval Process:

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

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

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

Budget Impact:

NA

Regulatory Impact:

Per City Code 10-4-8.2(B)10a, a special use permit is required for a "Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.

Per City Code 10-4-8.2(B)10j, a special use permit is required for "permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M."

History:

Per City Records the multi-tenant building was constructed in the 1970s and has seen multiple businesses in its various spaces over the years.

Analysis:

The applicant has described the subject property to be a sports bar and grill. The sports bar will include a dart and pool lounge, located within 679 Filer Ave. The restaurant will be located within 677 Filer Ave. Both spaces will serve alcohol. The applicant has stated that no entertainment or loud music will take place on site.

The distance from the exterior building walls to neighboring residences located to the East and North varies from around ninety feet (90') to two hundred and fifty feet (250').

The applicant is also requesting extended business hours. Monday through Saturday from ten o'clock (10:00) A.M. to one o'clock (1:00) A.M., and Sunday from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.

Conclusion:

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the hours of operation being extended to one o'clock (1:00) A.M. Monday thru Saturday; and ten o'clock (10:00) PM on Sunday.

Attachments:

1. PZ20-0151 SUP SR - Copper Alilbi Sports Zone - Wendee Gardner Final
2. PZ20-0151 Vicinity Map
3. PZ20-0151 Narrative
4. PZ20-0151 Photos
5. PZ20-0151 Floor Plan



Comprehensive Staff Report

AGENDA ITEM 5A

To: Planning and Zoning Commission

Presenter: Liz Hart, Senior City Planner

Request: for a **Special Use Permit** to allow alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property on the property located at 677 and 679 Filer Ave with extended business hours.

Application: PZ20-0151

Applicant & Representative:

Wendee Gardner
Copper Alibi Sports Zone LLC
677 Filer Ave

P&Z Commission Public Hearing: February 9, 2021

Background:

The applicant, Wendee Gardner, is requesting approval for a special use permit (SUP) to operate a restaurant and bar that includes the sale and on-site consumption of alcoholic beverages located within three hundred feet (300') of a residential property. The applicant is also requesting extended business hours. The subject property is located within the Commercial Highway (C-1) zoning district.

History:

Per City Records the multi-tenant building was constructed in the 1970s and has seen multiple businesses in its various spaces over the years.

From city records the following uses occupied the respective spaces:

677 Filer Ave: In 1989 The Royal Lounge and Restaurant. In 1996 Garibaldi's occupied the space. In 2010 the space held Wallaby Jumps. In 2013 the space became a Hookah lounge. Then in 2014 the space became Mardi Katz Fun Center. For the last few years this space has been vacant.

679 Filer Ave: In 1998 Garibaldi's expanded into 679 Filer Ave. Since then City records indicate this space was occupied by various businesses serving Alcohol (operating as a Bar); with the most recent one being the "Europe Bar".

There were or may have been previous uses at the subject property besides what has been identified within this report, staff felt the uses identified are the most relevant to the history of the space for this request.

Approval Process:

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

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

If the Commission's decision is appealed within fifteen (15) days of

the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Applicable Regulations or Codes:

Per City Code 10-4-8.2(B)10a, a special use permit is required for a "Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.

Per City Code 10-4-8.2(B)10j, a special use permit is required for "permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M."

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Neighborhood Commercial". The Neighborhood Commercial designation allows for neighborhood-serving commercial type uses.

Therefore, staff has determined this request is in compliance with the City Comprehensive Plan.

Analysis:

The applicant has described the subject property to be a sports bar and grill. The sports bar will include a dart and pool lounge, located within 679 Filer Ave. The restaurant will be located within 677 Filer Ave. Both spaces will serve alcohol. The applicant has stated that no entertainment or loud music will take place on site.

The distance from the exterior building walls to neighboring residences located to the East and North varies from around ninety feet (90') to two hundred and fifty feet (250').

The applicant is also requesting extended business hours. Monday through Saturday from ten o'clock (10:00) A.M. to one o'clock (1:00) A.M., and Sunday from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.

Potential Impacts:

The neighboring uses to the west are commercial/retail/office in nature. There are other various businesses in the immediate area. The area outside of the Campus Commons complex area is entirely residential.

The operation of a retail establishment open until one o'clock (1:00) A.M. may be a cause for concern. Due to the late hour which customers will be allowed to enter the establishment; it is reasonable to believe that customers will not leave the general area at the appointed one o'clock (1:00) A.M. This could lead to an increase in disturbances to neighboring residences.

A possible increase in disturbances and calls for police service could be hazardous or disturbing to existing or future neighboring uses, this correlates directly with the criteria the

Commission shall evaluate for Special Uses: *City Code 10-13-2-2(D)4: Standards Applicable to Special Uses – Will not be hazardous or disturbing to existing or future neighboring uses.* The commission should evaluate this request and propose any mitigating conditions it deems appropriate.

Though it is expected that traffic levels will be greater than what is currently generated by the subject property's current use, the applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties.

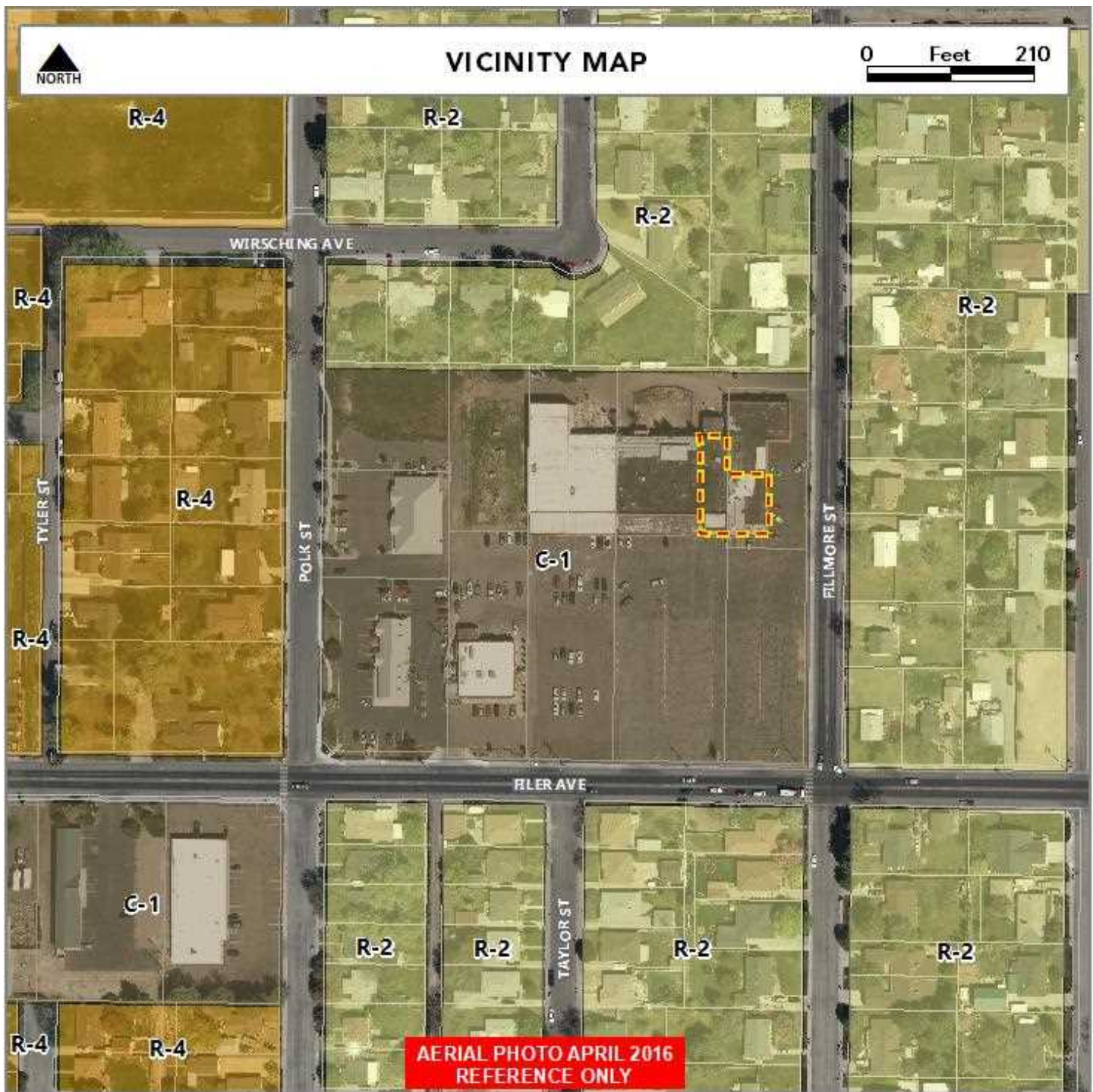
Conclusions:

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the hours of operation being extended to one o'clock (1:00) A.M. Monday thru Saturday; and ten o'clock (10:00) PM on Sunday.

Attachments:

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



Current Zoning: C-1

Existing Land Use: Vacant

Comprehensive Plan: Neighborhood
Commercial

Proposed Land Use: Retail Trade
(Restaurant/Bar)

Surrounding Zoning Designations & Land Use(s)

North: R-2

East: R-2

South: R-2

West: C-1 and R-4

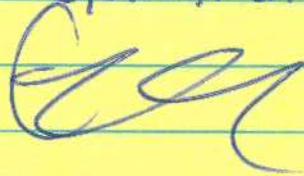
Applicable Regulations

10-1-4, 10-1-5, 10-16-1, 10-4-8.2(B), 10-13

12/29/2020

I Wendee Gardner am taking
over the Europe Bar at addresses
679 + 677 Filer Ave. I will be
expanding to 677 Filer Ave Suite
C. Where the Europe Bar is will
remain a Bar but ~~and~~ we are
building a full certified kitchen
to make a Sports bar + Grill
The expansion to 677 Suite C.
will be a 21+ Sports zone
for dart lounge, pool lounges ext.

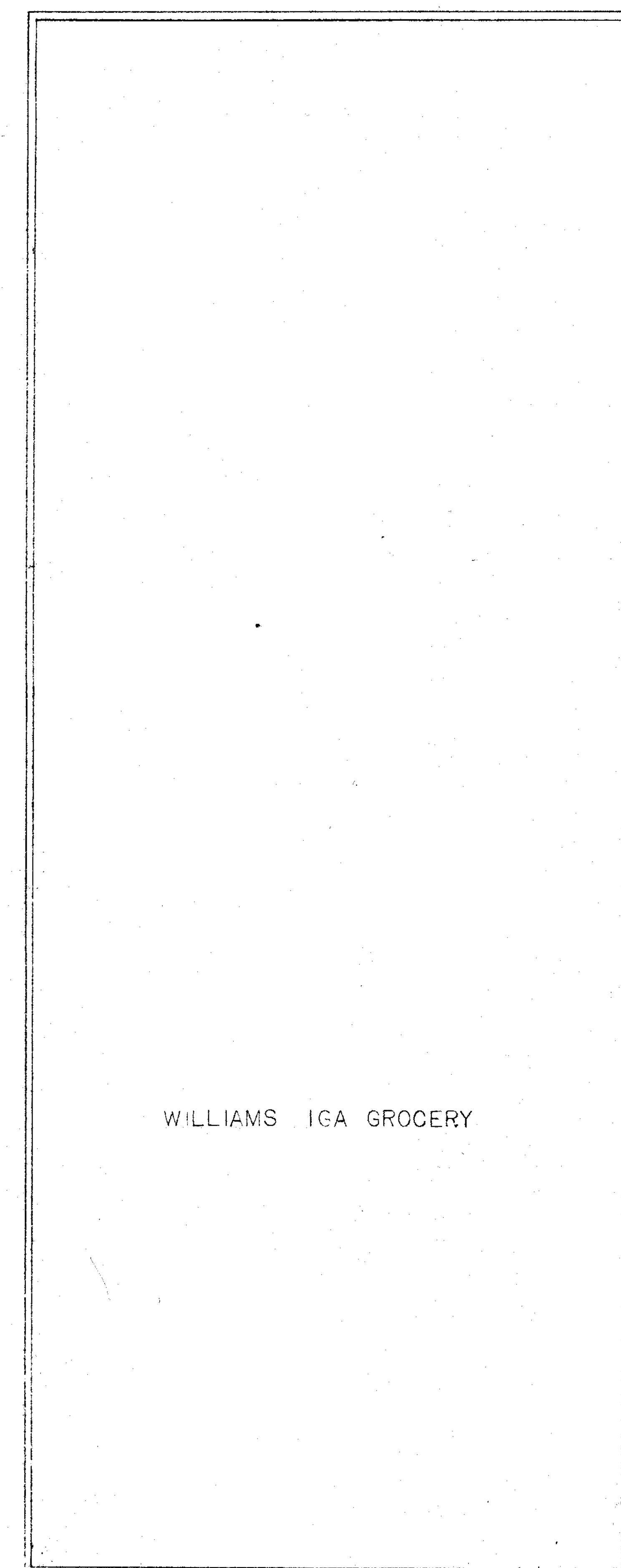
Copper Alibi Sports Zone.
Wendee Gardner

Wendee 

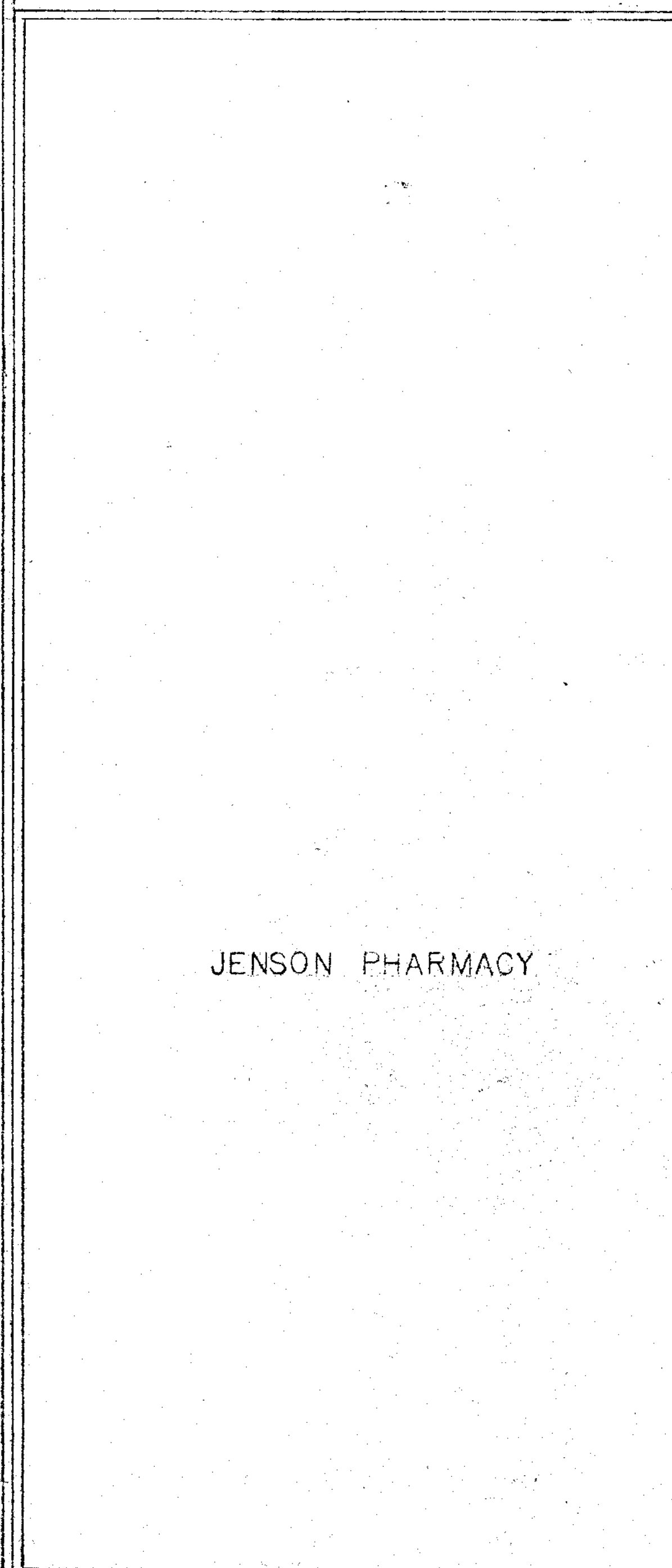




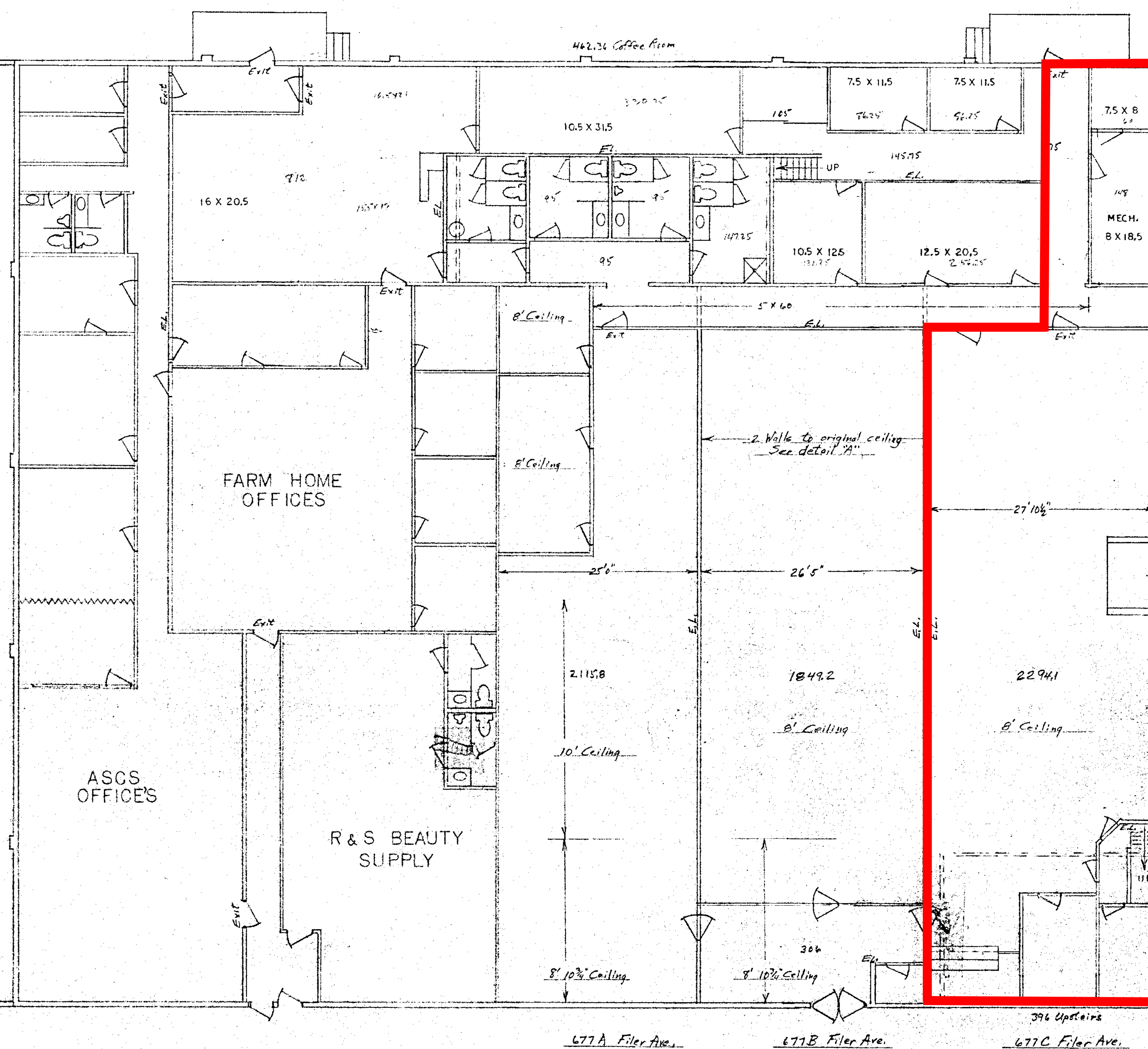
3+ ACRES UNDEVELOPED



WILLIAMS IGA GROCERY



JENSEN PHARMACY



FARM HOME OFFICES

ASCS OFFICES

R & S BEAUTY SUPPLY

MAGIC VALLEY SHOPS

DANCE STUDIO
GENES BEAUTY SHOP
PRECISION ELECTRIC
FISH BOWL
MONROE BUSINESS MACHINES
MOD. BARBER SHOP
FINCH BROWN 3M
REAL ESTATE OFFICE
CONFERENCE ROOM

Additional Space 677 A-B-C Filer Ave.
Ceiling to be Armstrong #915 Textured Fire Guard
Sprinkler system to be revised where ceiling changes are made
Emergency lighting to be added as specified - E.L.
Additional lighted Exit signs to be installed as specified - Exit
Additional Fire Extinguishers to be added as specified by the local Fire Marshal
Space (front) lighting to be revised to modern six drop-in fixtures
with light intensity meeting local codes
Fiberglass Insulation - blow in into attic

Exit - Lighted Exit signs
E.L. - Emergency Lighting
Scale: 1/8" = 1'

FRONT PARKING
FILER AVE.

CAMPUS COMMONS

CAROL B MATHIS BLD'G
675-677 FILER AVE.
TWIN FALLS, ID.

SHEET 1

CM Mathis 3-H-123

Detail "A"
Scale: Full

Building Plans
APPROVED
In accordance with
Section 565 of the IBC
Subject to Field Inspection
Page 1 of 1
Title 6/10/93
Plans Checked by J. B. J.
Building Official Lance D. Harkins

FILLMORE STREET

Campus Commons