



Twin Falls Planning & Zoning Commission Agenda

Tuesday, August 22, 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 the Minutes for the following meeting: July 25, 2017
Approval of the Findings of Fact and Conclusions of Law for July 25, 2017 public hearing:
 - Preliminary Plat of Eastpark Subdivision No. 3, a ZDA (now Pineford Subd, a ZDA)
 - Bill Riebesel SUP
 - Early Day SUP-Denied
- 3) Items of Consideration
- 4) Public Hearings
 - a) Request for a **Special Use Permit** to operate a hooka lounge and indoor dance club with extended hours of operation on property located at 360 Main Avenue North. c/o Adrian Quiroz (app. 2886)
Purpose: Action By: Steve O'Connor, Planner I
 - b) Request for a recommendation to **Vacate** the Garnand Conveyance Plat located at 129 Eastland Drive. c/o Fran Florence on behalf of Gary Garnand (app. 2887)
Purpose: Action By: Jonathan Spendlove, Senior Planner
- 5) General Public Input
- 6) Upcoming Meeting(s)
 - a) WS Wednesday, September 6, 2017
PH Tuesday, September 12, 2017
- 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 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

Present Members: Frank, Grey, Dawson, Hall, Hawkins

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

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

2) Consent Calendar

- a) Approval of Minutes from the following Meeting: July 11, 2017
- b) Approval of Findings of Fact and Conclusions of Law for: July 11, 2017
Real Deals (SUP) Superior Woodworking (SUP)

Motion:

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

Unanimously Approved

3) Items of Consideration

- a) Request to consider the **Preliminary Plat** for 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 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. Purpose: Action By: Steve O'Connor

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc. representing the applicant, stated the this is a request for approval of a preliminary plat for Eastland Park Professional Subdivision No.3, a ZDA this property came through earlier this spring for a ZDA Agreement. The property is located behind Home Depot and is bound on the west side by Locust Street, on the east side by Madrona Street, on the north side by Bridgeview Blvd, and on the south side by Cheney Drive, it is

approximately 7.34 (+/-) acres. They have prepared a plat that is in conformance with the ZDA Agreement and will consist of 11 lots. They will be doing improvements on Madrona Street and Cheney Drive with curb, gutter, sidewalk and they will be extending water through the subdivision.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated 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. 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.

Planner I O'Connor stated upon 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.

PZ/Questions & Comments:

- Commissioner Grey asked about the remaining road improvements, curb, gutter and sidewalk.
- Mr. Thibault showed on the overhead the location for the planned improvements and explained that Madrona Street will be widened as well as Cheney Drive along the frontage of this plat. Sidewalks will also be installed.
- Commissioner Frank asked about the city's philosophy for lighting along the streets.
- Assistant City Engineer explained that lights are put in at intersections any additional lighting is at the developers discretion.

Public Hearing: Opened & Closed Without Comments

Discussion Followed: Without Concerns

Motion:

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

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: Steve O'Connor

Applicant Presentation:

Rex Harding, Riedesel Engineering, representing the applicant, he displayed on the overhead the original Master Development Plan and explained that it showed Valencia Street with at a 26' width an islands. The original request was recommended for denial in April 2016, the applicant withdrew the request so that amendments could be made. Valencia Street is identified as a collector street on the Twin Fall Master Street Plan, 26' is the collector street width in the plan. They brought back the Master Development Plan with a reduction in the

number of units, moving some things around and reorienting the units. This plan was recommended for approval for approval in June 2016, the request was scheduled later for City Council in July 2016 and was approved by City Council. Between the Planning & Zoning hearing and City Council hearing the applicant submitted a preliminary plat and on that preliminary plat it showed that there would be a 48' width from lip of gutter to lip of gutter including the islands for Valencia Street, and the width of the street cannot include the islands. After the City Council approval they received a comment letter regarding their review of the preliminary plat and within that letter they were instructed to remove the islands.

Following the review letter the applicant re-submitted the preliminary plat with the islands removed. A second review letter was sent out explaining that the islands cannot be removed without an amendment to the ZDA Agreement that was approved by the City Council and that the design will have to provide 24' of width on each side of the island. At the time of the original approval the drawing that was approved by City Council did show that the street would have 26' from the center line to the top back of curb and included the islands. A second amendment to the preliminary plat was submitted with the islands shown on the plat, however they did not revise the width of the road.

As a final note in the staff analysis for this amendment, it states that Valencia Street shall meet collector width standards unless a lesser width was approved by the City Council as part of the ZDA. As part of the approval process City Code 10.1.4 (A) states requirements for a ZDA shall be set forth in the written commitment document and shall include, but not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, multiuse transportation access and pathways, screening, landscaping, architectural standards, project phasing or scheduling, management associations, and other requirements as the Planning and Zoning Commission and/or the City Council may deem appropriate. The ZDA Development Plan approved by the City Council shows the proposed width of Valencia Street for the development. It 2 E in the ZDA Development Commitment it states Valencia Street will be developed as a public street through the development from 3600 North Street to Southwood Avenue. City Code 10.6.1.4 (B) states the ZDA shall conform to all sections of this title unless specifically addressed in the written commitment document. All applications to the city shall list all requested variations from the standard requirements. The applicant was not requesting a variation to the road width they were showing that the islands were included in the road width, and it was not specifically included in writing but was on the ZDA Master Development Plan.

The request tonight is to remove the islands for the following reasons. Valencia Street in the Twin Falls Master Transportation Plan (TFMTP) is identified as a collector street. The TFMTP also shows Valencia Street North and South are called out as a collector and shown constructed as a residential street. Southwood Avenue west of Valencia is classified as a collector street existing, and Southwood Avenue east dead ends into the South Hills Middle School entrance. South of 3600 North Road Valencia Street extended will dead end into a trailer park and further south is the low lying canal so it is doubtful that a collector street will be built in this direction without the trailer park going away.

As for the reasons that the islands were proposed initially was based on providing traffic calming because it had to be a collector street with the width that was required. The International Institute of Transportation Engineers (IITE) describes traffic calming measure center island narrowing as raised islands located along the center-line of the street that narrow the lanes at that location. The City proposes based on an email that was received that there would have to be 24' of pavement on each side of the islands which doesn't narrow the travel lanes. The road would have one 24' lane each direction or (2) 12' lanes on each side or the other option is two 12' lanes going both directions with a 12' center turn lane and 6' shoulders on each side of the road. Changing the size of the line to 24' on each side does not provide traffic calming measures. The proposed width of 24' and the width of the islands increases the size of the road to a full 57'. If they do change the width to 24' a couple of things will have to change, either the landscape area has to be reduced to 6 inches or the right of way has to be expanded out to 87'. In order to either of these options an amendment to the ZDA would need to be completed, because it would require a change in the layout of the ZDA either with smaller landscape strips or wider right of way.

The islands only provide traffic calming measures if the lanes narrow, with the proposed 24' width plus the width of the island, the traffic calming measure is lost and it provides a wider section or roadway for pedestrians to navigate making it unsafe for them to travel, they can also impact viability of pedestrians as well as traffic. The Street Department and the Engineering Department have requested that the islands be removed. In order to meet the requirements and keep the islands would reduce the landscape area between the curb and sidewalk to 6" or would require additional right of way and an amendment to the ZDA Agreement. If additional right of way is required an amendment to the design of the project would have to be made in order to meet the requirements.

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated that the presentation by the applicant's representative was very detailed and staff does not have anything to add to the presentation. She did clarify that this is a request to modify a Zoning Master Development Plan. When the plans come in they are not detailed like a plat. What occurred with this specific plan was the idea the landscape islands with the detached sidewalk and landscaping would provide a traffic calming measure in a very dense development. That concept went through the process and was approved. The details that came out later is what has caused this conflict. The Commission can recommend approval with the islands remaining and with reduction in the width of the road or they can recommend that the islands be removed and the road be built to collector width standards.

Planner I O'Connor stated upon conclusion should the Commission deem the proposed request appropriate of a positive recommendation, staff recommends 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.

PZ Questions/Comments:

- Commissioner Grey asked if the property at the northeast corner of the property is going to be developed and is parking on the street going to be allowed.
- Assistant City Engineer Vitek explained that the property at the northeast corner is school property, and that collector streets do not allow for parking.
- Commissioner Frank asked if there is another collector street with islands here in Twin Falls.
- Assistant City Engineer Vitek explained Park View Drive has islands and is a collector street.
- Commissioner Grey asked about maintenance agreements for the islands.
- Assistant City Engineer Vitek explained that the current code states the property owner can identify the island in the CCR's and set up a (CAM) Common Area Maintenance Agreement. However after speaking with the City Attorney Wonderlich, CCR's are not easily enforced and typically dissolve after twenty years. The City Attorney Wonderlich has recommended that verbiage be recorded on the plat stating which areas will be included in the Common Area Maintenance Agreement and a small fee is included on their water bill.
- Commissioner Frank clarified that in the design of these islands they don't have to be full of grass and trees, but can be designed with low maintenance in mind.
- Assistant City Engineer Vitek explained the City would prefer low maintenance and no trees because they grow and can become a site obstruction and maintenance issue.
- Commissioner Hall asked for the width of the islands.
- Mr. Harding stated the width is 9 feet.

Public Hearing: Opened

- Dennis Hourany explained that he is the developer for the project, he would ask that these islands be removed. If they have to meet the collector width standards and leave the islands it will create a high speed zone with the wider lanes. Without a compromise for the width of the road or the removal of the islands so the street can be built to full width, the project will fail.
- Mike Shetler, 2183 Canyon Trail Way, stated he hates the islands on Park View Drive they are not maintained and that street is a speed zone.

Public Hearing: Closed**Discussion Followed:**

- Commissioner Grey asked what the width of the road would be if the islands were not removed and the width of the road were not changed, would it be designed as one lane each direction.
- Assistant City Engineer Vitek stated that is correct.
- Commissioner Frank asked staff to clarify the recommendation options.

- Zoning & Development Manager Carraway-Johnson stated keep the islands as presented in the Master Development Plan with a smaller road width. The other option is to have the islands removed and have Valencia Street developed to full collector width. This is a recommendation only.
- Commissioner Grey asked with the surrounding area in mind is there truly a need for this road to be designed to full collector width for this portion of Valencia Street.
- Assistant City Engineer Vitek explained it is hard to predict the future, however, collectors act as collectors, they take the funnel the residential traffic through the area and handle higher density traffic. He can't say for sure this is a necessity for this to be developed as four lanes.
- Commissioner Grey clarified that traffic could funnel from 3600 North Road via Valencia Street to get to those residential areas.
- Assistant City Engineer Vitek explained yes that is possible, but that he does agree south of 3600 North Road the likelihood of Valencia Street continuing through as a collector is not in the foreseeable future unless the trailer park goes away. As for the putting in a bridge over the canal the Canal Company would not allow that to happen.
- Commissioner Frank explained that this is going to be a high density development and with the school in the area he thinks the islands should be there and the road should be smaller in width.
- Commissioner Dawson explained she understands from a design perspective the islands are nice, however, she has traveled Park View Drive and the islands are a hazard in this area. The road doesn't even go all the way through because the canyon is on the north end and people still speed through the area. The other concern is maintenance, if trees are planted in them they create site obstructions, she has some concerns and at the same time if the islands are maintained they are nice.
- Commissioner Hall stated with the winter time and the snow plows the islands get damaged, the maintenance is a big issue, it does probably slow people down, however it does provide another obstacle for people to hit. He has seen a few dangerous wrecks caused by islands too. He would recommend getting rid of the islands.
- Commissioner Grey asked what the next step is for the developer after the Commission makes a recommendation.
- Zoning & Development Manager Carraway-Johnson explained the recommendation will be sent forward to City Council on Monday, August 28, 2017 and they will make a final decision. The other thing to keep in mind is that if the Commission chooses to recommend approval with the islands and the smaller road width, if approved as such, the road would not be built as wide as Park View Drive. The detached sidewalk would remain as shown on the plan.
- Commissioner Hawkins clarified if left as proposed in the Master Development Plan it would be a single lane with the islands.
- Commissioner Dawson asked if the original design shown on the Master Development Plan is recommended would that require additional right of way.
- Assistant City Engineer Vitek explained no. If it is approved as shown on the Master Development Plan it would not require more right of way, and it would not be built to full collector width. The third option is to have the developer build the road to collector

width, keep the islands, and keep the detached sidewalk. This option however, would require additional right of way and essentially "kill" the project according to the developer.

- Commissioner Hawkins explained that he hates to see the road width minimized because it needs to be able to support the traffic, the simpler solution to him is to remove the islands.
- Commissioner Frank explained he has seen these work in other communities and it is difficult to add the islands later if someone gets hurt. Pedestrians are a concern for him.
- Commissioner Grey explained that for the design of this neighborhood the islands work well and it is the design that the neighbors saw in the original proposal.

Motion:

Commissioner Grey made a motion to recommend to keep the landscaped traffic calming islands within Valencia Street and allow for a reduction in the required width of the asphalt roadway. Commissioner Hawkins seconded the motion. Members Dawson, Grey, Hawkins and Frank voted in favor of the motion and Member Hall voted against the motion.

Recommended for Approval to City Council, As Motioned
Scheduled for City Council Public Hearing, August 28, 2017

- 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

Applicant Presentation:

Mike Shetler, Mike Shetler Homes, representing the applicant, explained they had a public hearing for the accessory building previous to this one that was approved, this is just to request an expansion to what was originally approved. The original building has been constructed, the expansion just provides additional space for the solar roofing and was an afterthought once construction began.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated 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.

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.

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.

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 occupancy within this structure.

PZ/Questions & Comments: Without Concerns

Public Hearing: Opened & Closed Without Comments

Discussions Followed: Without Concerns

Motion:

Commissioner Dawson made a motion to recommend approval of the request, as presented.
Commissioner Hall seconded the motion. All members present voted in favor of the motion.

5) General Public Input

Zoning & Development Manager Carraway Johnson explained two PUD were approved by City Council the first PUD was for a 5(+/-) acre parcel located at the NW corner of Washington Street North and Cheney Drive and is called HB Properties PUD. The second PUD that was approved was for the 80 acres located at the southwest corner of Grandview Drive and Falls Avenue and is called Meadow West PUD. The Breckenridge annexation was approved with a split zone, R-4 CRO for the property within the Canyon Rim Overlay, and R-6 for that part of the property located south of the Canyon Rim Overlay

6) Upcoming Meeting(s)

- a) August 2, 2017 Work Session
August 8, 2017 Public Hearing

7) Adjournment

Chairman Frank adjourned the meeting at 7:12 p.m.

Lisa A. Strickland, Administrative Assistant



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

In Re:	)	
	)	
<u>Preliminary Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>Andrew Jarvis</u>	)	CONCLUSIONS OF LAW,
<u>c/o EHM Engineers, Inc.</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the July 25, 2017 hearing for consideration of 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, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the preliminary plat of 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
2. The property in question is zoned R-2 PRO ZDA pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhoods 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, Bridgeview Boulevard/Home Depot; to the south, Cheney Driver/Stoneybrook Neighborhood; to the east, Madrona Street; to the west, Eastpark PUD #213 Professional Office Complex
5. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water

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

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

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

CONCLUSIONS OF LAW

1. The preliminary plat 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 is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

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

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

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

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

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

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

DECISION

The request for approval of the preliminary plat 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 is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

1. Subject to final technical review and amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements, standards and the ZDA.



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

In Re:	)	
	)	
<u>Special Use Permit, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Bill Riebesell</u>	)	CONCLUSIONS OF LAW,
<u>c/o Mike Shetler/Shetler Homes</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on July 25, 2018 for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: July 6, 2017
3. The property in question is zoned SUI CRO (AoI) pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Rural Residential in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Snake River Canyon; to the south, Residential/Pasture; to the east; Residential/Pasture; and to the west, Residential/Farm.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact is consistent with the purpose of the SUI CRO (AoI) 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 CRO (Aol) Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a Special Use Permit for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

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

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

"EXHIBIT NO. A"

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

APPLICATION #2883
SUP# 1446



**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.1446

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on July 25, 2017 to Bill Riebesell whose address is 898 Canyon Rim Road Twin Falls, ID 83301 for the purpose of constructing a 4500 sq. ft. detached accessory building on property located at 898 Canyon Rim Road within the Area of Impact and legally described as RP09S17E295680A Sec 29 T 9 R 17 Tax #2029. S of Rimrock of Snake River Canyon In NW SW

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.2883

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 occupancy within this structure.

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</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Gerald & Millie McNabb</u> ,	)	CONCLUSIONS OF LAW,
	)	
<u>Applicant(s)</u>	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on July 11, 2017, for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of establishing a residence hotel or rooming house, 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 to establish a residence hotel or rooming house.
2. All legal requirements for notice of public hearing have been met.
3. The property in question is zoned R-6 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-5, 10-10-3, 10-11-1 thru 9 10-13-2.2, Twin Falls City Code.

5. The existing neighboring land uses in the immediate area of this property are: to the north, residential; to the south, vacant; to the east, assisted living facility; to the west, residential.

6. This property contains a facility that was formerly a nursing home with 140 residents and 30+ staff. The Applicants wish to convert the facility to a rooming house with up to 90 units, with one resident per room and two full-time employees.

7. The proposed rooming house with potentially 90 new independent residents in and around the facility, as well as additional vehicles traveling to and from the facility, will constitute a substantial change from the prior use as a nursing home and a substantial change to the character of the neighborhood.

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

CONCLUSIONS OF LAW

1. The proposed use of the facility as a residential hotel or rooming house will not be harmonious with the existing character of the general vicinity and will change the essential character of the same area.

2. The proposed use of the facility as a residential hotel or rooming house will be disturbing to existing neighboring uses.

3. The proposed use of the facility as a residential hotel or rooming house will involve uses and activities that will be detrimental to neighboring properties by reason of excessive noise and traffic.

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

DECISION

The application for a Special Use Permit to operate the facility as a residential hotel or rooming house is hereby denied.

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

APPLICATION #2881



Date: Tuesday, August 22, 2017
To: Planning and Zoning Commission
From: Steve O'Connor, Planner I

Request:

Request for a **Special Use Permit** to operate a hooka lounge and indoor dance club with extended hours of operation on property located at 360 Main Avenue North. c/o Adrian Quiroz (app. 2886)

Time Estimate:

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

Background:

Applicant:	Status: Lessee	Size: .21 +/- acres, 3158 sqft Bldg
Adrian Quiroz 715 Center St. E. #114 Kimberly, ID 83341 adrianquiroz@eaglemail.csi.edu 208.219.6484	Current Zoning: CB, Central Business District with P-1 Overlay	Requested Zoning: Hookah Lounge with extended Hours and Dancing
	Comprehensive Plan: Downtown	Lot Count: 1 Lot
	Existing Land Use: Commercial; Restaurant; Tocos Dos Hermanos	Proposed Land Use: Commercial; Hookah Lounge
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North West: Eden St. N.; CB P-1; Commercial, Bar/Lounge (Klover Klub Lounge)	North East & East: CB P-1; Residential
	South East: CB P-1; Commercial Office (Music Magic Events)	South West: Main Ave W; CB- P-1; Commercial (Times News Storage)
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7, 10-10-12(A), 10-11-1 thru 8	

Approval Process:

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

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

If an applicant or interested party appeals the decision of the Commission within fifteen (15) days from the

date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to establish a Hookah Lounge with operating hours from 5pm to 12:30 am Monday thru Thursday and 5pm to 3:30am Friday & Saturday and including a dance floor.

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:

In June 2007 this Commission approved SUP #1035 for a Restaurant and Lounge with Extended hours to 1am Monday thru Thursday, and until 3:30am Friday & Saturday at this site. In 2015, a new business moved in advertising itself as a Hookah Lounge. They operated for approximately 7-8 months in this location under the original SUP #1035. Since then Tacos Dos Hermanos has moved in and advertises as operating from 9am to 9pm, well within the allowed hours.

Analysis:

This is a request to operate a Hookah Lounge with extended hours and dancing, an activity classified as "Indoor Recreation" at 360 Main Ave. The Hookah lounge itself does not require an SUP per the CB zone, however, the extended hours and Indoor Recreation do. Since there has been a lapse in some time of the approved use of SUP #1035, the applicant is required to acquire an SUP before operating the Dance Club and operating the sale of product at the Hookah Lounge past 10pm. There is no alcohol proposed at this time.

Police Input: The Twin Falls Police Department has seen a pattern of negative impacts with establishments, such as hookah lounges, operating past the hours of the normal closing time of the bars in town. There have been three (3) other known hookah lounges in town, with one previously at the location of this request. During its operation from April 2015 to no later than November 2015 (when Tacos Dos Hermanos received their Gas Permit), nine (9) calls for Police response were requested through dispatch. Of those 9 incidents, 8 involved a fight or battery. There were two other hookah lounges in town, which operated between May 2011 and May 2015, requiring 39 direct police response calls, usually involving some sort of disturbance, fight, or other altercation. In response to this trend, the Police Department recommends any SUP for extended hours be subject to closing by 1:30 AM, the same time as most bars in the area.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown." Downtown is defined as supporting and serving a diverse mix of uses from restaurants, retail, civic uses for regional and local activities, and high density residential. A Hookah lounge can be considered "Cultural" in that the activity is commonly practiced in South East Asia, the Middle East and parts of Northern Africa. The Downtown Future Land Use designation specifically calls out Entertainment, Arts,

and Cultural activities as categories that should be supported through this designation. Staff has determined this request complies with the 2016 Comprehensive Plan; "Grow With Us".

Per City Code 10-4-7:

A Special Use Permit is required for any operation that operates outside the normal business hours of 7am to 10pm, and for Indoor Recreation establishments such as a dance club.

Per City Code 10-11-1 thru 8:

Required improvements will be assessed and all applicable code requirements will be enforced at the time of building permit submittal.

The impacts from extended hours in conjunction with a Hookah lounge and dance club presents a conflict, which has historically shown to provide many opportunities for individuals to get into trouble. It is not the establishment itself which is the issue but the hours of operation. According to conversations with the Police Department, individuals who would usually go home after the bars close, end up at locations still open. This provides the opportunity and location for individuals to continue drinking. These impacts are exacerbated by the fact there is residential uses adjoining and very near 360 Main Ave N.

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 the business closing its doors to customers at 1:30am. Block access from Eden St N to this property.
3. Subject to blocking access from Eden Street North into this property.
4. Subject to no operation of the business until COO is issued if determined a change of use.

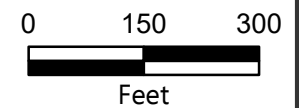
Attachments:

1. Quiroz Staff Report Attachments

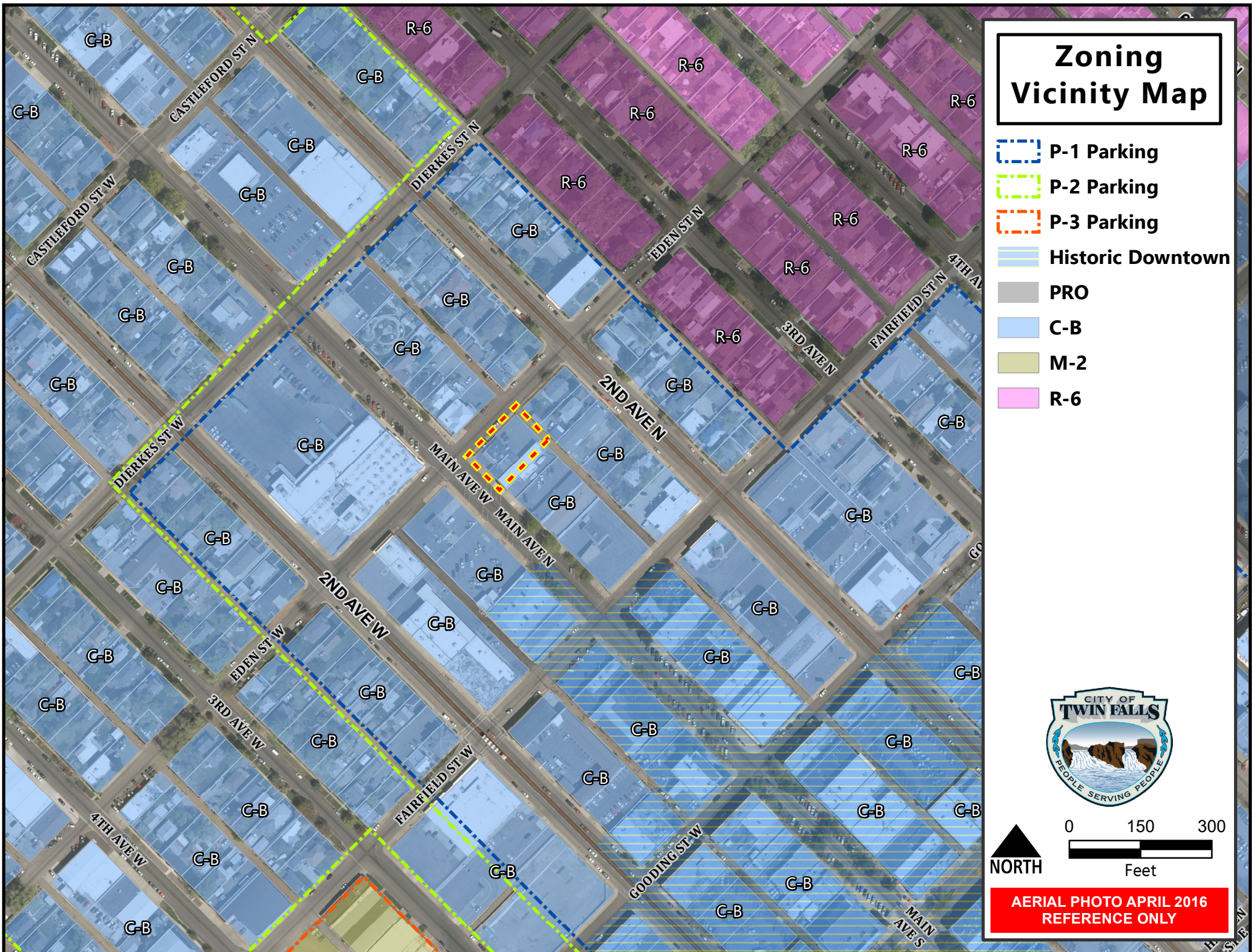
The reason for the request is to open a hookah lounge. For the people that do not know what a hookah is; it is a single or multi stemmed water pipe instrument for vaporizing and smoking flavored tobacco called shisha. The reason I want to open this hookah lounge; is to give the people of Twin Falls and the surrounding people to come to Twin Falls or to this business is to have a great cultural experience for people from around the world. When you come to this place it will be a spot to come relax, vent with your friends, and meet new people. Also, to come and have an experience where you can dance the night away with your friends. The hours that I will be requesting are Monday thru Thursday 5 PM to 12:30 AM., Friday and Saturday 5 PM to 3:30 AM, and Sunday I will be closed. The capacity of the building is 137 people. The traffic I anticipate to have Monday thru Thursday on each one of those days is 15 to 20 people. Friday and Saturday I anticipate having 80 to 100 people. The number of employees would be 4 employees 2 employees serving the hookah to the customers and 2 securities Friday and Saturday. Monday thru Thursday I will have 1 employee serving the customers and 1 security and I will always be present Monday thru Saturday from open to close. There will be no noise and vibration complaints from the surrounding businesses. Next door is Music Magic Events (MME). Their hours are 10 AM to 3 PM Tuesday thru Thursday and Friday 10 AM to 12 PM and Saturday, Sunday and Monday they are closed. My business hours will be from 5 PM and up so there should be no conflict. Across the street is a bar so I will not be doing anything different from what they are doing. To the people in the back they will not be able to hear the noise because I will have the back doors closed at all times. No noise or vibration should be heard in that direction and customers will be entering all in the front entrance. The front entrance will be closed at all times also and will only be open when people are entering and exiting out of the door. There will be no glare or fumes.

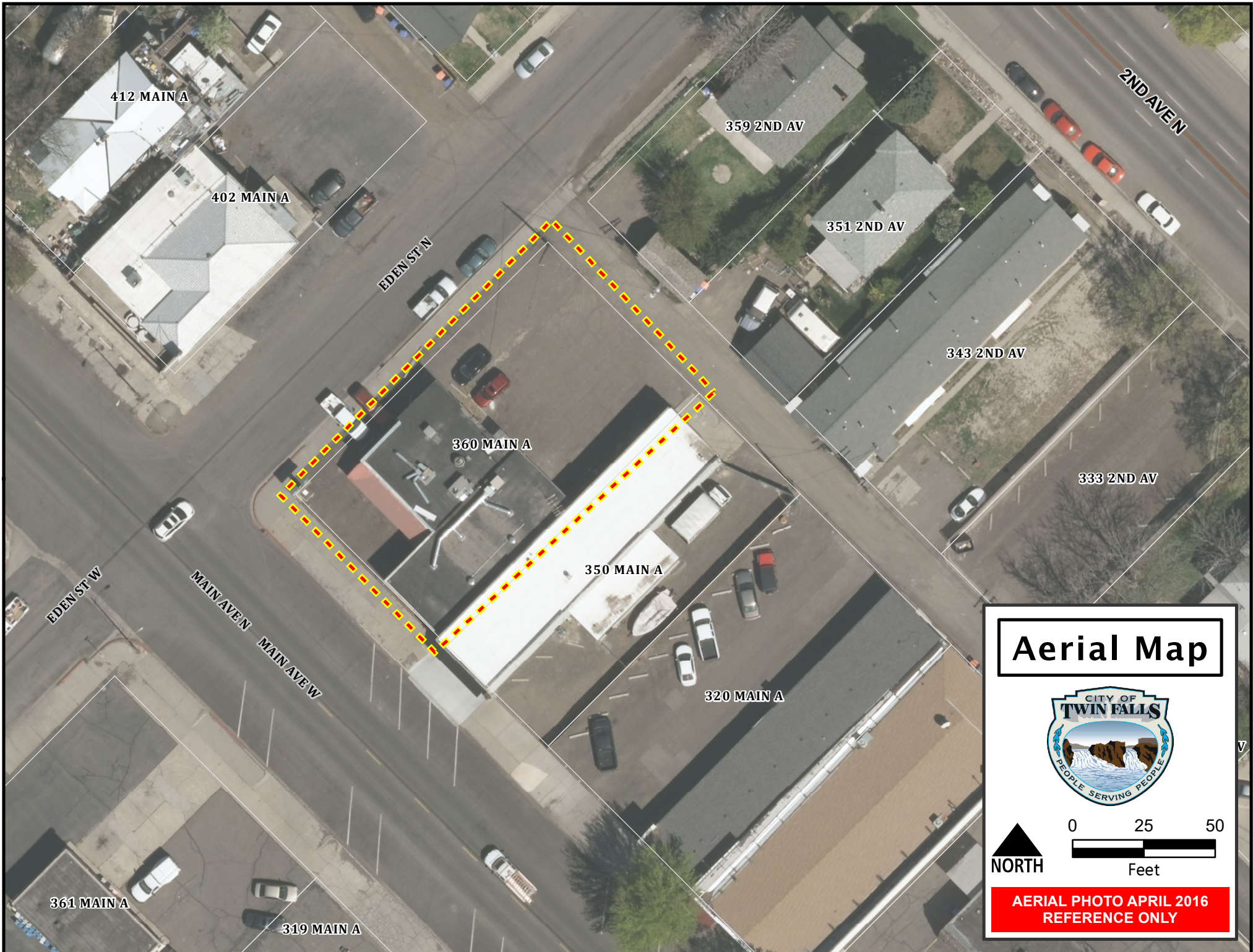
Zoning Vicinity Map

- P-1 Parking
- P-2 Parking
- P-3 Parking
- Historic Downtown
- PRO
- C-B
- M-2
- R-6

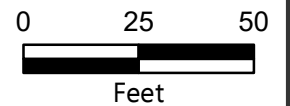


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REFERENCE ONLY





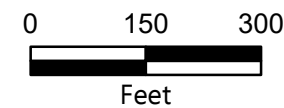
Aerial Map



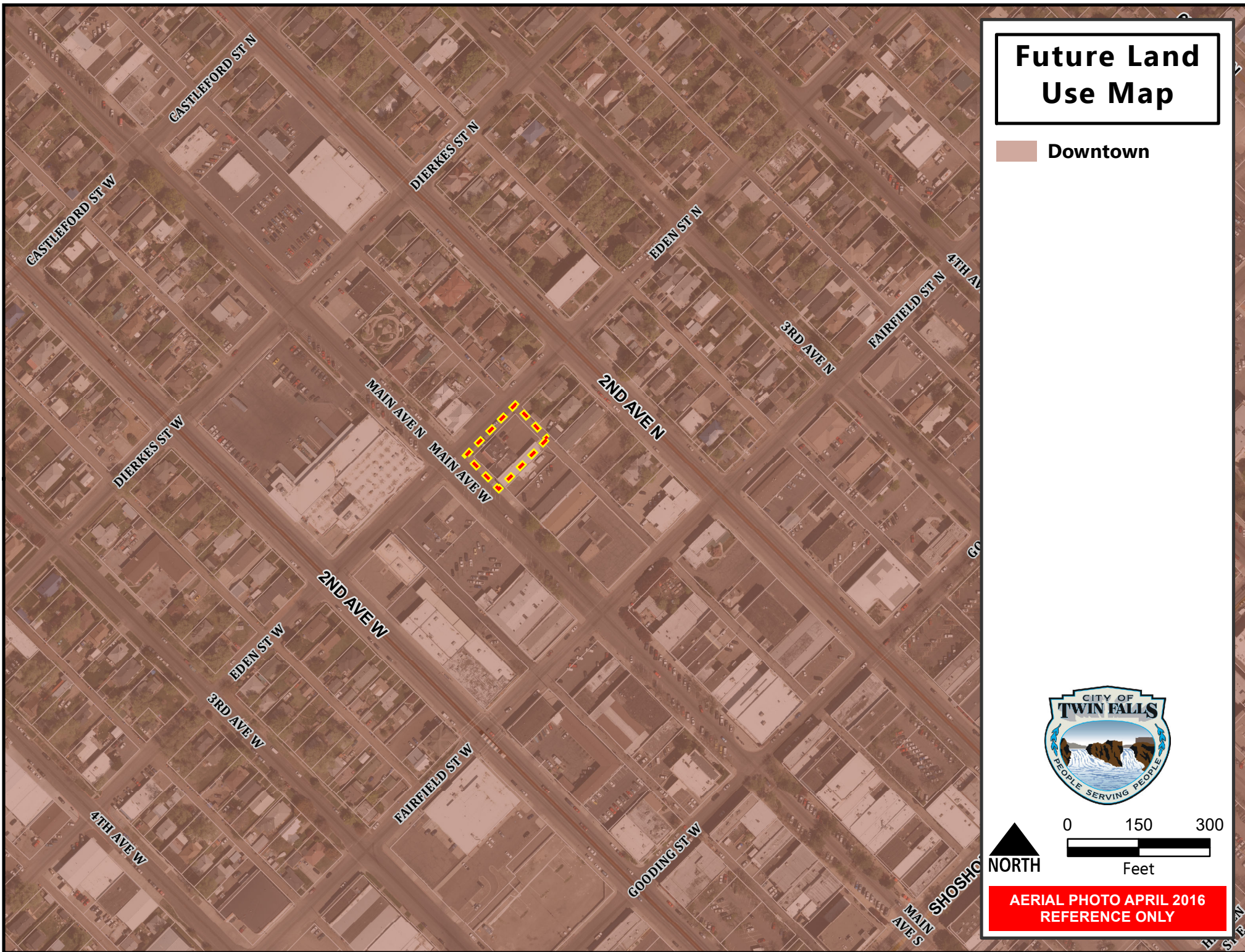
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REFERENCE ONLY**

Future Land Use Map

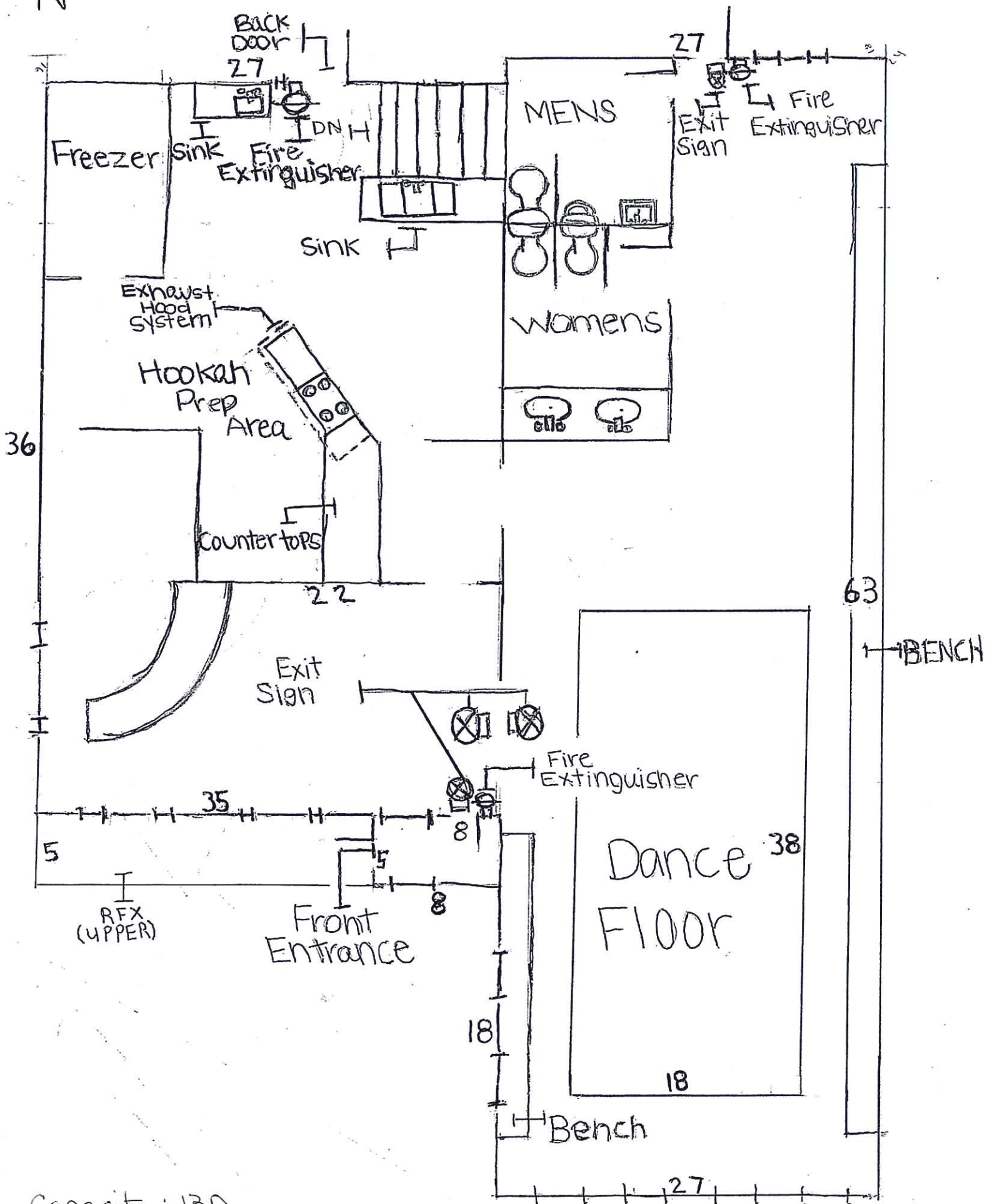
 Downtown

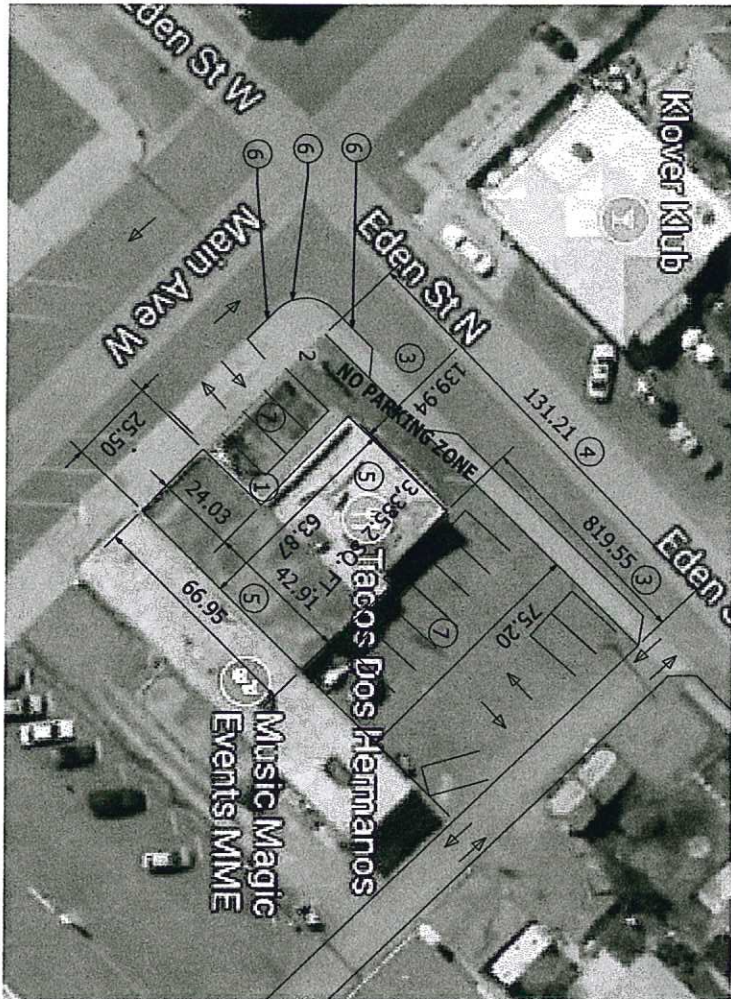


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REFERENCE ONLY**



N





LEGEND:

- ① FRONT ENTRANCE
- ② SIGN
- ③ SET BACKS-FROM PROPERTY LINES-FRONT, BACK, SIDE
- ④ PROPERTY LINE & LOT DIMENSION
- ⑤ LOCATION OF ALL BUILDINGS, SQUARE FOOTAGE & DIMENSIONS
- ⑥ FIRE LINES
- ⑦ PARKING PLAN, 12 PARKING SPACES
- ⑧ LAND SCAPING, (NOT APPLICABLE)
- ⑨ HEIGHT & TYPE OF FENCE (NOT APPLICABLE)



K DESIGNS

POCATELLO, ID
208-312-7210

**LOT 17 BLOCK 84
TWIN FALLS TOWN SITE**

**EL COMPA HOOKAH
360 MAIN AVE. N
TWIN FALLS, ID**

REV.	ISSUED FOR REVIEW	DATE
0		7/6/2017
	DESCRIPTION	
	REVISIONS	

DRAWING SIZE	SCALE	DATE CREATED	DRWG #	SHEET	REV
11" X 17"	1"=420'	7/7/2017	KD-01	1 OF 4	0



Notice Along Main Ave.



Notice Along Eden St.



N Corner Looking S



E corner Looking W



Date: Tuesday, August 22, 2017
To: Planning and Zoning Commission
From: Jonathan Spendlove, Senior Planner

Request:

Request for a recommendation to **Vacate** the Garnand Conveyance Plat located at 129 Eastland Drive. c/o Fran Florence on behalf of Gary Garnand (app. 2887)

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: 3.084+/- acres
Gary L. Garnand 129 Eastland Dr. Twin Falls, ID 83301 208-734-5744 garnmbt@gmail.com	Current Zoning: C-1; Commercial Highway District	Requested Zoning: Vacation of Conveyance Plat
	Comprehensive Plan: Commercial	Lot Count: 2 Lots
	Existing Land Use: Commercial; Office	Proposed Land Use: Commercial; Office
Representative:	Zoning Designations & Surrounding Land Use(s)	
Fran Florence 195 River Vista Pl, Ste 304 Twin Falls, ID 83301 208-280-5800 jff@westerra.cc	North: C-1; Commercial, LineX, Construction Supply, Auto Auction	East: Eastland Dr.; C-1; Commercial, Bank, First Federal
	South: C-1; Commercial, Ruby Mtn. Motors Auto Dealership	West: C-1; Commercial, Auto Auction
	Applicable Regulations: 10-1-4, 10-1-5, 10-16-1	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1 Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

Regulatory Impact:

Approval of this request will allow the applicant to proceed to the City Council with the request to vacate

the conveyance plat, including easements, as listed in the description.

History:

This request covers two lots, which are part of the Garnand Conveyance Plat, recorded in March 2008. According to County records the building was constructed in 1978 and has been an office ever since.

Analysis:

This is a request to vacate the previously approved Garnand Conveyance Plat, which contained two Lots. Neither lot has been sold. At this time, the owner wishes to recombine them and sell the property as one parcel. There is no requested change in the use of the land. We have received approval letters from all (except Cable One as of 08-01) interested utility companies (except Cable One as of 08-01-17) and no comments have been received from the applicable political subdivisions.

The vacation of a Plat does not release the property owner of all obligations for improvements to the subject property. Typically, the improvements (Curb, gutter, sidewalk, road widening, sewer and water service), are designed during the platting phase and installed as part of subdivision construction. In this case, no development has occurred and no subdivision construction has taken place. However, these types of improvements may also be required as part of building permit approval per City Code 10-11. The extent of the improvements would depend on the proposed use or development of the property. Staff has determined since no sale or development of property has taken place since the recording of the conveyance plat, the request to vacate is reasonable. It will facilitate an easier sale of the property for the applicant. Vacating the plat will not release the current or future owner of required improvements should there be redevelopment or a change in use of the development as stated above.

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.
2. Subject to the City of Twin Falls keeping the dedicated Easements and the Right of Way directly adjacent to Eastland Dr.
3. Subject to any conditions placed by applicable Utility Companies for vacation approval.

Attachments:

1. Garnand Staff Report Attachments

129 Eastland Drive, Twin Falls, ID

Vacation Application, Section C

1. Personal Representative's Deed (Provided)
2. Site Plan (Provided)
3. Detailed Area Map with area and adjoining properties (being worked on)
4. Written explanation of the below 2 questions:

a. The reason for the request and intended use of vacated property:

The Property will be sold and future use will be as one parcel.

b. An evaluation of the effects of the vacation on all adjoining properties:

No significant effects. Less density.

5. Provide:

a. Letter from owners of sold lots. Not applicable.

Current owner is requesting to vacate existing plat. No lots have been sold.

b. Written Statements from Utility Companies.

Idaho Power – provided

Twin Falls Canal Company – provided

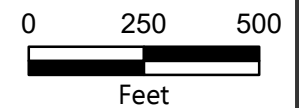
Century Link - provided

Intermountain Gas – provided

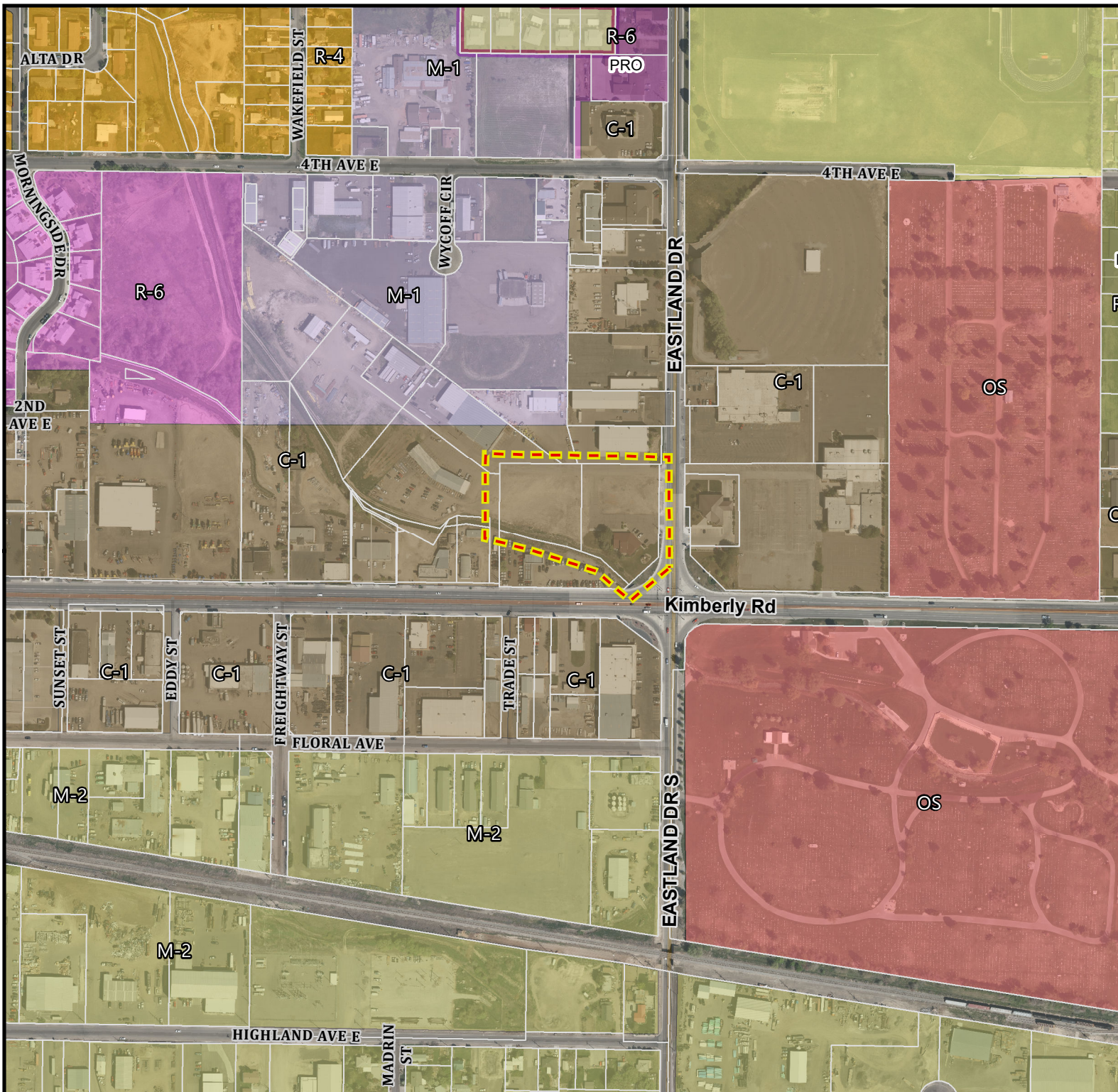
Cable One – mailed May 8, awaiting response

Zoning Vicinity Map

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

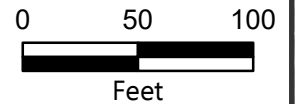


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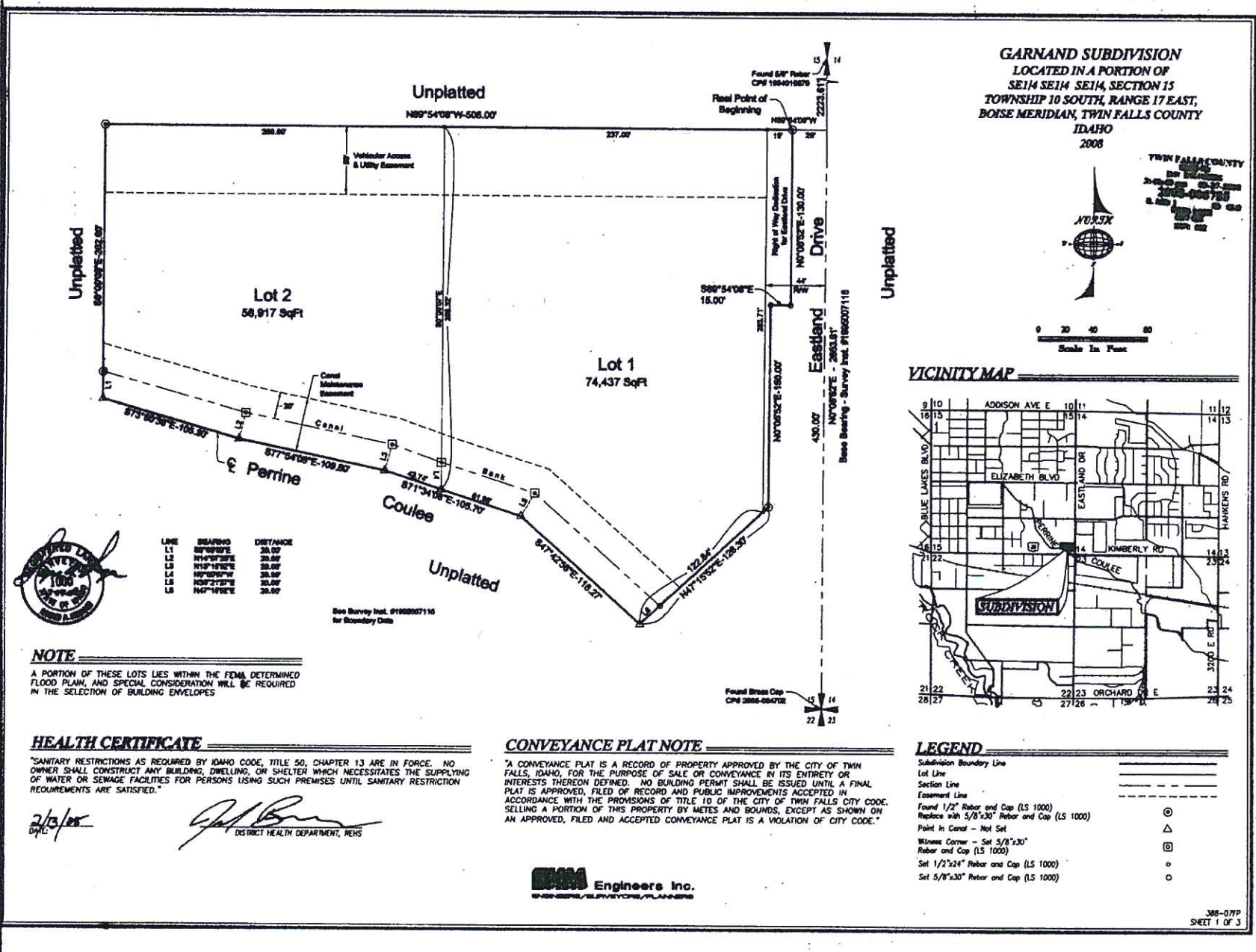




Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY





Notice along Eastland



SE Corner Looking NW



Vacant 2nd Parcel



NW Corner looking SE