

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
<i>Vice Mayor</i>			<i>Mayor</i>			



AGENDA
 Meeting of the Twin Falls City Council
 Monday, May 13, 2013
 City Council Chambers
 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for May 7 – May 13, 2013. 2. Consideration of a request from Robin Dober and the Twin Falls Tonight Committee to approve the 15 th annual weekly Twin Falls Tonight Concerts commencing on June 19, 2013, and concluding August 21, 2013.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan Dennis Pullin
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of a Certificate of Appreciation to Christina Bruce, President of the Twin Falls City Youth Advisory Council. 2. Presentation of the Multi-Jurisdiction All Hazard Mitigation Plan by Rick Fawcett, President of Whisper Mountain Professional Services. 3. Consideration of a request of Thomas and Heather Wangeman to waive the non-conforming building expansion permit process to allow an expansion of an existing non-conforming residence located at 4006 Canyon Ridge Drive. 4. Consideration of a request to use Street Impact Fee Funds to install a traffic signal at the intersection of North College Road and Fillmore Street. 5. Public input and/or items from the City Manager and City Council.	Presentation Presentation Action Action	Rebecca Mills Sojka/ Suzanne Hawkins Jackie Frey/TFC Dept. of Emergency Services Mitchel Humble Jacqueline Fields
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to NCO PUD for 4.71 (+/-) acres to allow a planned mixed use development consisting of a combination of neighborhood commercial uses, including a financial institution facility, on property located at the northwest corner of Eastland Drive North and Addison Avenue East, TOMERYL, LLC/Tom & Cheryl Arledge c/o Scott Allen/The Land group. (app.2563)	Public Hearing	Mitchel Humble
V. <u>ADJOURNMENT:</u> Executive Session 67-2345(1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. 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.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.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select 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. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council 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.



Date: Monday, May 13, 2013, Council Meeting
To: Honorable Mayor and City Council
From: Staff Sergeant Dennis Pullin, Twin Falls Police Department

Request:

Consideration of a request from Robin Dober and the Twin Falls Tonight Committee to approve the 15th annual, weekly Twin Falls Tonight Concerts commencing on June 19, 2013, and concluding August 21, 2013. These activities will be held each Wednesday evening from 6:00 p.m. to 9:00 p.m. and will take place near the fountain on Main Avenue in downtown Twin Falls.

Time Estimate:

Due to the success of this event over the past 14 years, this application may be considered on the Consent Calendar and, with the Council's consent, requires no further discussion.

Background:

As over the last 14 years, this season's weekly concerts will be held on Main Avenue East and Main Avenue South, from Shoshone Street to Idaho Street East. The 100 Block of Hansen Street East will also be occupied. The event will include vendors, set up on Main Avenue near the fountain, and live music each week. The band stage will be on Hansen Street East. Alcohol will be served by Soran's and the Beacon; identification will be checked by the Twin Falls Tonight Committee members and wristbands will be issued accordingly. The upcoming events will be held on the following dates: June 19, June 26, July 3, July 10, July 17, July 31, August 7, August 14 and August 21, 2013. There will not be an event held on Wednesday, July 24, 2013.

Based on last year's attendance, Committee Member Robin Dober estimates that 600 to 1,000 people will attend each Wednesday night. Alcohol will be sold in conjunction with live bands playing and amplified music for three hours each Wednesday evening. In order to ensure a safe viewing area and to accommodate the setup and removal of equipment, the Committee has requested that Main Avenue from Shoshone Street to Idaho Street be blocked during the event. City Staff has reviewed the application and believes there is an effective plan in place for a safe and enjoyable series of events. There will be two (2) Twin Falls County Sheriff's Reserve Deputies providing security for the events on Main Avenue.

In past years, the Farmers Market, located on Main Avenue North and West, was held on the same nights as the Twin Falls Tonight concerts. This year, the Farmers Market will be joining the Twin Falls Tonight event and will set up in the area of Main Avenue South and East. This will bring both events together.

The Staff has the following recommendations:

- The amplified music could generate a noise complaint from the residential neighborhood near the downtown area. The volume of the amplification should therefore be set at a level sufficient to minimize the possibility of a noise disturbance complaint.

- The Patrol Supervisor will be advised to contact Twin Falls Tonight Committee Member Robin Dober, or her designee, should any person call regarding a noise complaint. The on-duty Police Supervisor shall have the authority to order event organizers to mitigate the volume of amplified music and, if the noise complaints become habitual, the Patrol Supervisor shall have the authority to order the music terminated.

Approval Process:

Consent by the City Council

Budget Impact:

The 100 and 200 Blocks of Main Street East and South will be closed from Shoshone Street to Idaho Street. The 100 Block of Hansen Street East will be closed between Main Avenue East and 2nd Avenue East. The streets will be closed with the use of barricades. The Twin Falls Tonight Committee has access to barricades and cones for use in blocking the streets so there is no budget or regulatory impact to the City.

Regulatory Impact:

None

Conclusion:

Staff recommends that the City Council approve the Special Events Application submitted for the Twin Falls Tonight events to be held every Wednesday beginning June 19, 2013, through August 21, 2013, excluding July 24, 2013, based on the information provided.

Attachments:

None

DP:aed

Certificate of Appreciation

We, the Mayor and City Council of the City of Twin Falls, Idaho, do hereby award this certificate to

Christina Bruce

in recognition of her years of service to this great City and its residents as a leader and member of the Youth Council. We do express our sincere gratitude and honor her for her demonstrated civic pride and duty, reminiscent of that of the ancient Athenians.



Awarded this 13 day of
May, 2013

Gregory L. Lanting
Mayor

The Athenian Oath

We will never bring disgrace to this our city by any act of dishonesty or cowardice, nor ever desert our suffering comrades in the ranks; We will fight for the ideals and sacred things of the city, both alone and with many; We will revere and obey this city's laws and do our best to incite to a like respect and reverence those who are prone to annul or set them at naught; We will strive unceasingly to quicken the public sense of public duty; That this, in all these ways, we will transmit this city, not only, not less, but greater, better and more beautiful than it was transmitted to us.

**TWIN FALLS COUNTY
DEPARTMENT OF EMERGENCY SERVICES**

660 Shoshone Street East
TWIN FALLS, ID. 83303-0126
(208) 736-4234
(208) 733-7310 FAX
Idaho Relay (TTY) 1-800-377-3529
Twin Falls County is an Equal Opportunity Employer
jfrey@co.twin-falls.id.us

April 15th, 2013

Honorable Mayor Lanting:

Over the last several months Twin Falls County has been working on the revision to the Multi-Jurisdiction All Hazard Mitigation Plan. The plan is nearing completion, and one of the requirements set forth by the Federal Emergency Management Agency is that a presentation on the risk ranking for each jurisdiction be made to the elected officials in a public meeting. As such we are requesting 15 minutes on your City Council meeting agenda to present the risk ranking for your respective City. The presentation will be made by Dr. Rick Fawcett, President of Whisper Mountain Professional Services who is the contractor for the plan. His presentation includes an over view of the Analysis Process, Risk Rankings for the City's geographical boundaries, and then a solicitation from the Council on suggested Mitigation Projects which might be implemented to reduce the risks presented.

At this time, we are requesting to be on the agenda for an upcoming meeting, and would ask that you please look at your schedule and contact me by email at jfrey@co.twin-falls.id.us with the date, and time of the meeting for us to address the AHMP. Please note: we will be available starting the first week of May, and depending on scheduling issues with all of the 8 cities, our goal is to have all of the meetings completed no later than mid- June.

In closing, we appreciate your time in this matter and look forward to hearing from you.

Sincerely,

Jackie Frey

Jackie Frey, Coordinator
Twin Falls County Department of Emergency Services



Date: Monday, May 13, 2013

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

Request: CONSIDERATION OF THE REQUEST OF THOMAS & HEATHER WANGEMAN TO WAIVE THE NON-CONFORMING BUILDING EXPANSION PERMIT PROCESS TO ALLOW AN EXPANSION OF AN EXISTING NON-CONFORMING RESIDENCE LOCATED AT 4005 CANYON RIDGE DRIVE.

Time Estimate: Staff presentation may take five (5) minutes. Applicant will be there to answer any questions.

Background: Attached is a request from Thomas & Heather Wangeman who are asking to be allowed to build an addition to an existing nonconforming residence located at 4005 Canyon Ridge Dr. The home is located in the SUI Zone in the Area of Impact. The property has three frontages; Falls Ave E to the south, Canyon Ridge Dr to the east and East Ridge Place to the north. The SUI zone requires a minimum 30' building setback from property line along all street frontages and a 7' building setback from the side yard property line. The home is non-conforming as the eastern side of the home, which fronts onto Canyon Ridge Drive, lies approximately 2' +/- from the property line which means the home encroaches 28' (+/-) into the minimum 30' building setback.

The Wangeman's would like to add a 559 sq ft addition onto the west side of their home. The addition, as proposed, meets the required 7' side building setback and does not expand the non-conforming portion of the home.

City Code Section 10-3-4 deals with non-confirming buildings and uses. Section 10-3-4(D) provides for a process to allow a non-conforming building expansion permit, which requires a hearing before the Planning and Zoning Commission. The last sentence of the first paragraph of Section 10-3-4 states:

“The requirements of this section may be waived for residences and residential uses by motion and minute entry of the City Council.”

Conclusion:

If the Council wishes, it may waive the requirements of Section 10-3-4 and the applicant could apply for a building permit and proceed with the addition without a public hearing. If the Council feels that the Wangeman's should go through the non-conforming building expansion permit process, an application would be required and a public hearing held before the Commission. The process takes about 30-45 days from the date of application. Appeals would extend the time another 30-45 days.

The proposed expansion meets the required side yard setback and does not add to the existing non-conformance. Staff recommends approval of the request as presented.

Attachments:

1. Narrative
2. Zoning Map
3. Area/GIS Map
4. Site Plan

RECEIVED

MAY 03 2013

CITY OF TWIN FALLS
PLANNING & ZONING

May 3, 2013
~~April 12, 2013~~

We would like to expand our home at 4005 N Canyon Ridge Dr. We want to make an addition of a master bedroom and bathroom. We currently have 4 bedrooms 2 bathrooms, and one of the rooms is only 8 x 10 feet. The house will remain 4 bedrooms, but the small room will no longer be a bedroom, but an office leading into the master bedroom. We have two adults and five children living in the home, and need more space. The addition would be 559 sq. ft.

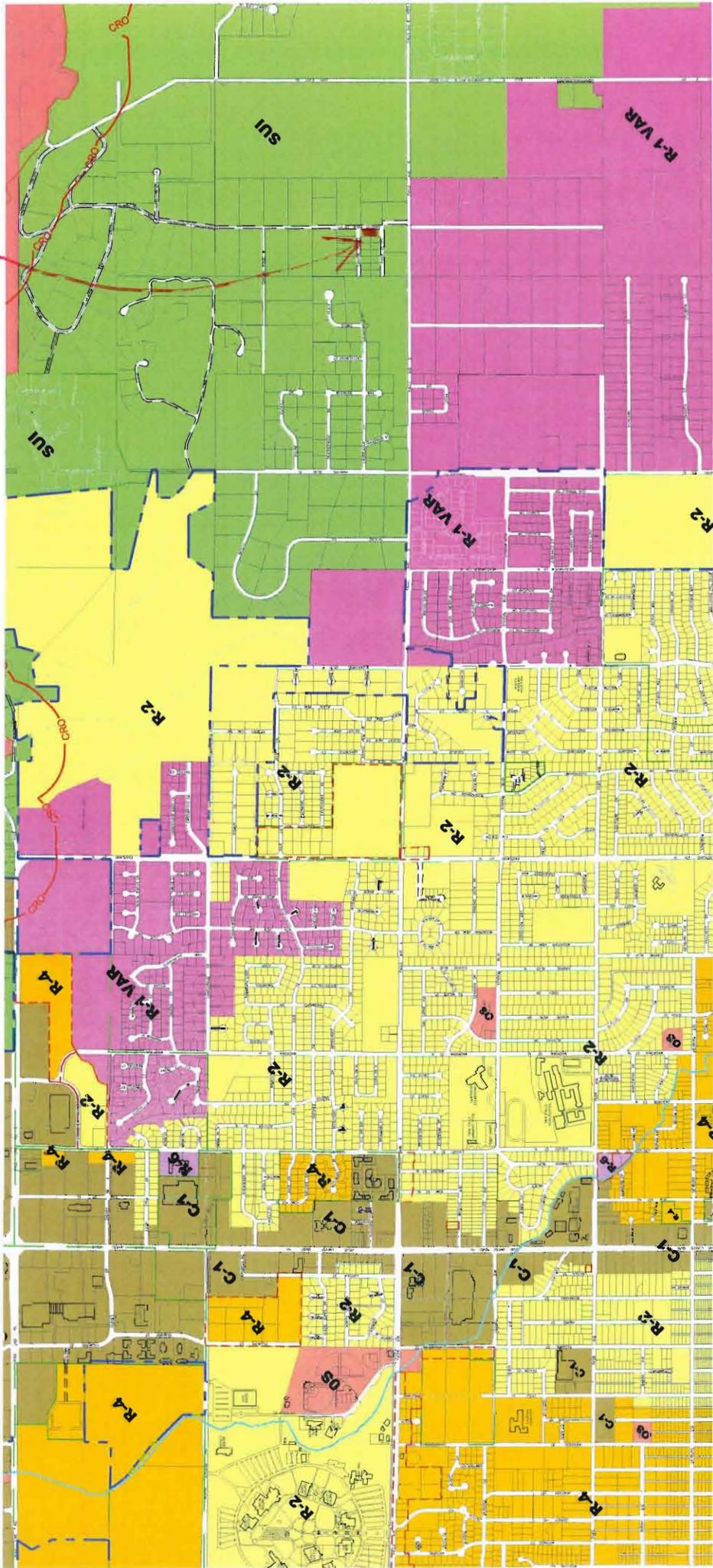
We were told the home we recently purchased is non-conforming, because on the east side of the home, the garage is 14 ft. 7 in. from the road, instead of the 30 ft. required by local building code. This addition will be on the west side of the house, will be within setback requirements, and will make no change to the non-conforming status.

There should be no negative effects to the adjoining property, because it is within the allowable setback regulations. The adjoining property's border is a fence, trees, and their garage, so there will be no change in view for them. Our home will be nicer with a master suite, and this should increase the property value, which is also good for the adjoining property or any adjacent properties. As one of the oldest homes in the neighborhood, built in 1940, this addition will cause our home to be more compatible with the rest of the homes in the neighborhood, which are much newer and larger than ours.

We thank you for your consideration.

Thomas Wangeman and Heather Wangeman

SITE



Setback Area

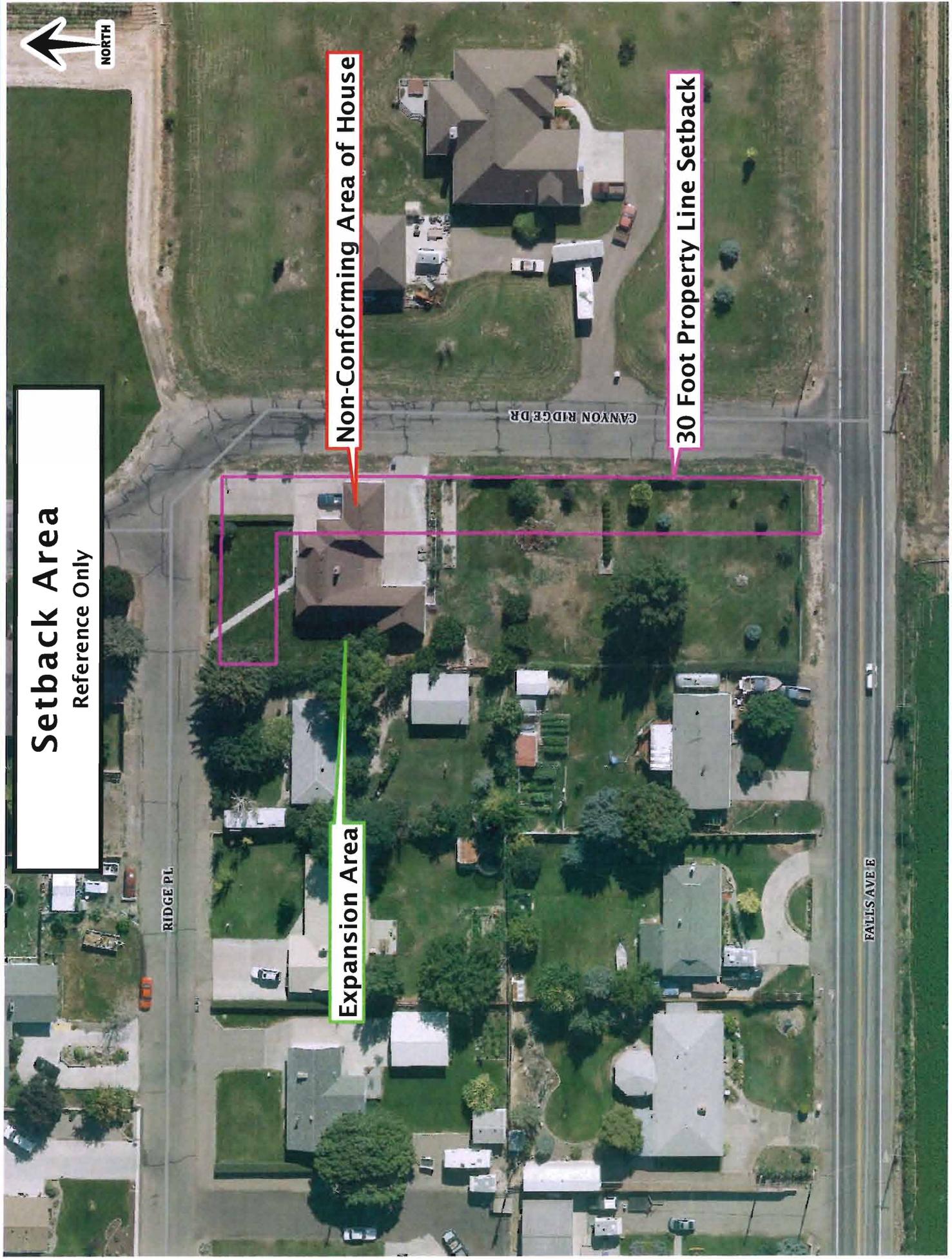
Reference Only



Non-Conforming Area of House

30 Foot Property Line Setback

Expansion Area





Date: Monday, May 13, 2013
To: Honorable Mayor and City Council
From: Jacqueline D. Fields, City Engineer

Request:

Consideration of a request to use Street Impact Fee Funds to install a traffic signal at the intersection of N. College and Fillmore.

Time Estimate: 5 minutes

Background:

When the Impact Fee Study was developed, the Capital Improvement Plan (CIP) included a signal at the intersection of N. College and Cheney, near the Perrine Coulee. The plan was adopted with the vision that a signal would occur here and then the signal at Fillmore and North College was not anticipated to be warranted. At the time of adoption, a warrant for a signal at N. College and Fillmore did not exist.

Subsequent to the adoption of the CIP, the federal-aid project to develop Cheney Dr. from Washington to N. College progressed through preliminary design. The current configuration alleviates the near term need for a signal at Cheney and N. College. However, the signal warrants for the intersection of N. College and Fillmore now exist. Therefore, staff is proposing to install the traffic signal that was included in the CIP for Cheney and N. College at N. College and Fillmore instead.

The City Attorney has reviewed the request. Impact Fee funds can only be spent on growth related projects and for the purpose for which the funds were collected. Since the signal at Fillmore and N. College was not warranted when the CIP was developed and it is now, it is a growth related expense. Also, street impact fees are collected to construct traffic signals, and this request is to construct a traffic signal. Moving the CIP signal on N. College from Cheney to Fillmore is an acceptable use of impact fee funds. If the Council chooses to approve the amendment, then Engineering will design the signal with the intent to construct in fall, 2013.

Approval Process:

A majority vote of the Council is required to approve this request.

Budget Impact:

Approval will mean that the impact fees budgeted during this fiscal year will be spent. Denial will mean that the impact fees will continue to accrue until a suitable project is developed.

Attachments:

1. Vicinity maps

Figure 1 – Vicinity Map

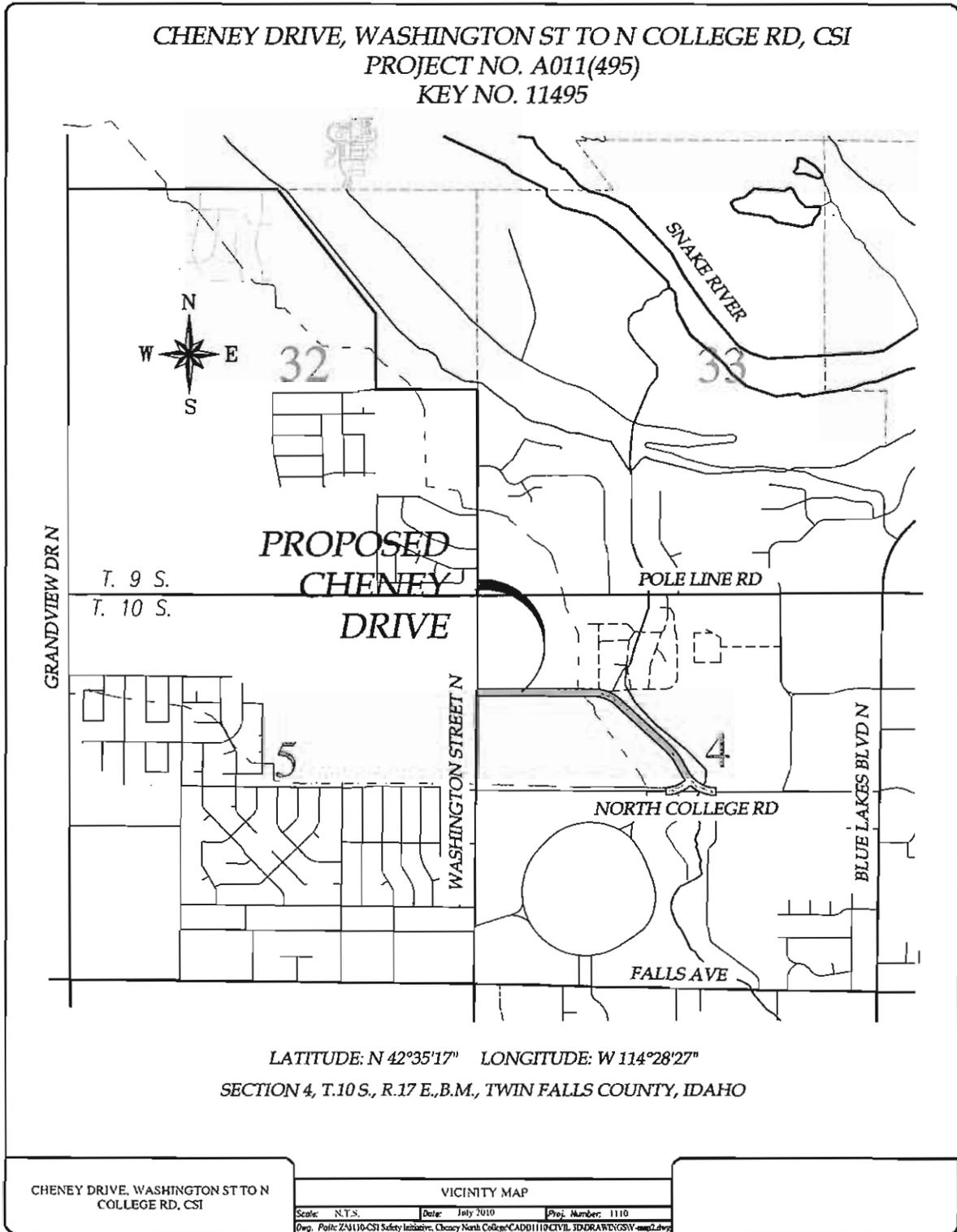
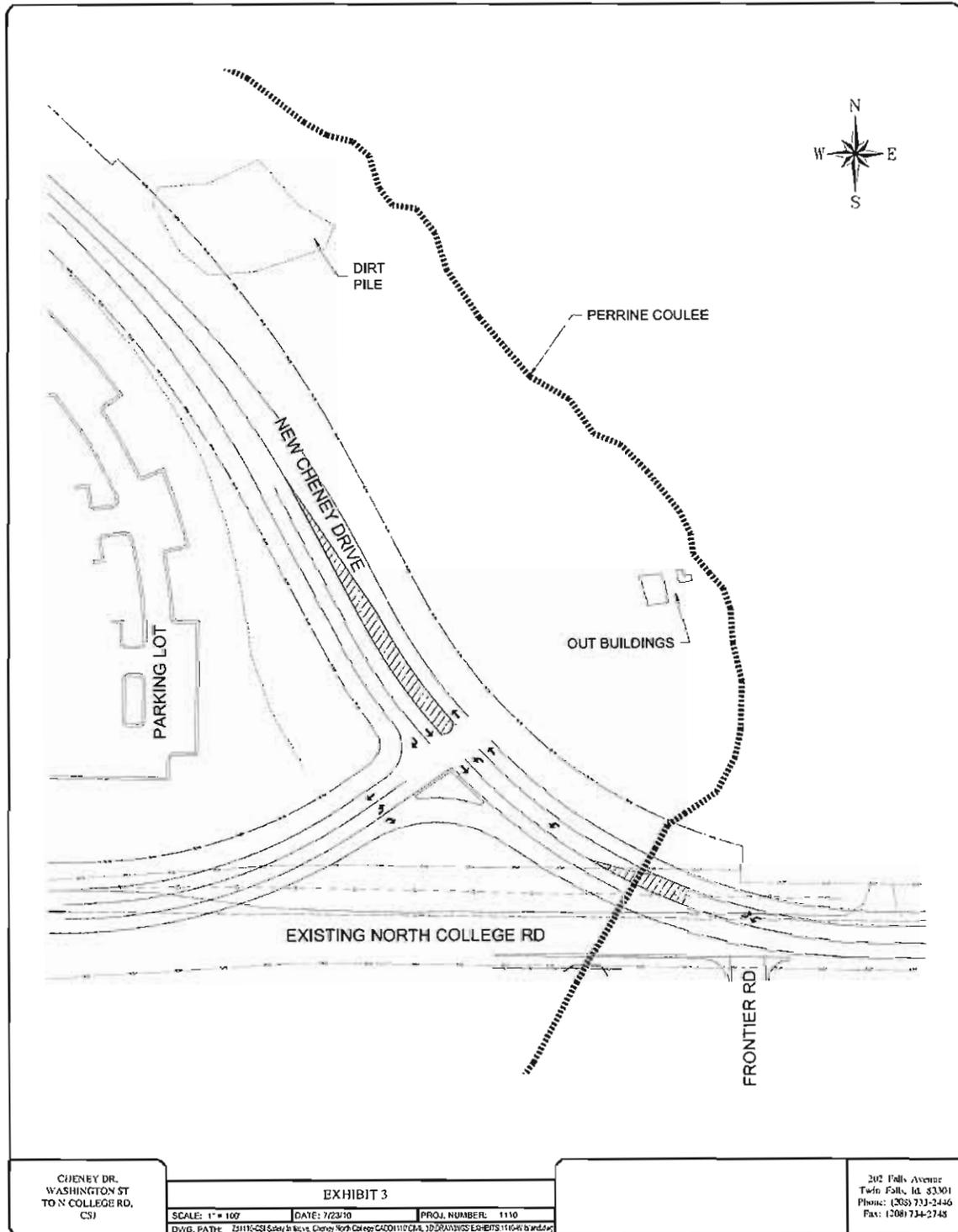


Figure 3 – Proposed Layout of the North College Rd & Cheney Dr Intersection



CHENEY DR,
WASHINGTON ST
TO N COLLEGE RD,
CSJ

EXHIBIT 3

SCALE: 1" = 100'	DATE: 7/23/10	PROJ. NUMBER: 1110
DWG. PATH: Z:\1110-CSE\Study In Name, Cheney North College\ASD\1110\GRA. 10\DRAWINGS\EXHIBITS\1110-03.mxd		

202 Falls Avenue
Twin Falls, Id. 83301
Phone: (208) 733-2446
Fax: (208) 734-2748



Public Hearing: **MONDAY, May 13, 2013**

To: Honorable Mayor and City Council Members

From: Mitch Humble, Community Development Department

ITEM IV-1

Request: Request for a Zoning District Change And Zoning Map Amendment from R-2 to NCO PUD for 4.71 (+/-) acres to allow a planned mixed use development consisting of a combination of neighborhood commercial uses, including a financial institution facility, on property located at the northwest corner of Eastland Drive North and Addison Avenue East, TOMERYL, LLC/ Tom & Cheryl Arledge c/o Scott Allen/The Land Group. (app. 2563)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff presentation may take up to five (5) minutes.

Background:

Applicant: TOMERYL, LLC Tom & Cheryl Arledge 2147 Addison Ave East Twin Falls, Idaho 83301 208-420-6002-cell cuttertoma@yahoo.com	Status: Owner/Developer	Size: 4.71 (+/-) acres
	Current Zoning: R-2	Requested Zoning: R-2 NCO PUD
	Comprehensive Plan: Neighborhood Center adjacent to Residential Business to the west and Commercial – Retail to the East	Lot Count: Existing 5 parcels. Proposed development 5 Lots
	Existing Land Use: Residential	Proposed Land Use: Neighborhood Commercial; mixed use planned development consisting of a combination of neighborhood commercial uses including a financial institution facility
Representative: Scott Allen, Sr. Planner The Land Group 340 Falls Avenue Twin Falls, Idaho 83301 733-4041/ 410-2309 cell scott@thelandgroupinc.com	Zoning Designations & Surrounding Land Use(s)	
	North: R-2; residential	East: C-1; Eastland Drive, commercial
	South: R-2 PRO; Addison Ave E, accountant's office/residential	West: R-2 PRO; photography studio
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-4-21, 10-6-1, 10-7-6, 10-7-12, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 9	

Approval Process:

The Planning and Zoning Commission heard a Preliminary Presentation regarding this PUD on April 9, 2013 followed by a public hearing on April 23, 2013. At the conclusion of the Public Hearing, the Planning Commissioners made a recommendation only, which has been forwarded to the City Council for a decision.

Budget Impact:

Approval of this request will impact the City budget as developed Neighborhood Commercial uses on the property may be assessed at a higher value than undeveloped residential property.

Regulatory Impact:

Approval will allow the project to be developed as approved.

History:

In 2001 the City of Twin Falls initiated an application to rezone Addison Ave E from Sunrise Blvd to Eastland Drive from R-2 to R-2 PRO as a number of properties in the area had individually been rezoned with a PRO designation. The Commission held a public hearing on October 9, 2001, and recommended denial of the rezone. On October 15, 2001, the City Council decided not to proceed with the application.

Maverik, Inc., applied for a Comprehensive Plan Amendment for the subject properties of this application and a public hearing was held on June 25, 2008, with the Planning and Zoning Commission. The Commission tabled the request as the City was in the process of revising the Comprehensive Plan document and associated maps in their entirety. Maverik, Inc. representatives were involved in the Comprehensive Plan update public meetings and public hearings. The subject properties were discussed at the public hearings with the Commission and Council regarding adoption of the Comprehensive Plan on November 12, 2008, and January 5, 2009 respectively. This site is designated as appropriate for Neighborhood Commercial development on the Future Land Use Map with the adjacent property to the west and south designated as Residential Business.

On May 27, 2009 the Planning & Zoning Commission heard a preliminary presentation on a proposed zoning district change and zoning map amendment from R-2 to NCO PUD. The applicant withdrew their application before the June 9, 2009 public hearing.

In late 2011, TOMERYL submitted a request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for this site. The Master Development Plan included a gas station with a convenience store within the southern third of the property.

On January 24, 2012, there was a preliminary presentation followed by a public hearing on February 14, 2012. The Commission unanimously recommended denial of the request as presented. On April 2, 2012 the City Council held a public hearing and denied the request by a vote of 1 for and 5 against.

On April 9, 2013, a Preliminary Presentation was made to the Planning and Zoning Commission regarding this current Planned Unit Development Zoning District Change and Zoning Map Amendment request followed by a public hearing on April 23, 2013.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 (+/-) acres to allow a planned mixed use development consisting of a combination of neighborhood commercial uses, including a financial institution facility, on property located at the northwest corner of the intersection of two (2) major gateway arterials, Eastland Drive North and Addison Avenue East.

This intersection is in the process of transitioning from a primarily residential area to a commercial/retail/professional service area. Two of the four corners of the intersection have commercial uses currently operating and the adjacent property to the west is a photography studio / residence. The Twin Falls Comprehensive Plan Future Land Use Map indicates the subject parcels to be "Residential Business" and "Neighborhood Center".

The applicants are requesting the entirety of the project be developed consistent with a Neighborhood Center for the sake of continuity of the project as a whole. City Code 10-4-21 Neighborhood Commercial Overlay may be placed over the R-2, R-4 or R-6 zoning districts and states "This overlay district is intended to provide for limited commercial and service activities within residential zoning districts and serving the local neighborhood, and which are integrated into a residential setting. Development of this overlay is allowed only through the PUD process."

A financial institution with a drive-thru on the north or east side will be permitted outright on the southern one-third of the property. The applicant has created a limited list of allowed and special uses within the PUD Agreement. This list differs from City Code 10-4-21 in that many of the allowed uses in 10-4-21 have been removed. A comprehensive list of the uses delineated within the proposed PUD Agreement is attached to the staff report.

The Master Development Plan, provided by the applicant, shows a financial institution on the southern portion of the property, with a drive-thru window on the north side of the proposed building and the northern portion of the property being developed as small retail/office buildings. These northern buildings will be constructed with pitched roofs to resemble residential structures, and city code allows a maximum building height of 25 ft. The applicant has provided sample photographs of what the proposed buildings would look like-these will be included within the PUD Agreement. It has been expressed that the color, size, shape and materials will be similar, but may not be exact copies of those shown in the photographs.

The Landscape Plan provided by the applicant satisfies or exceeds the landscape requirement established by City Code 10-4-21.3(G), which states a minimum of 20% of the site shall be landscaped. The submitted Landscape Plan shows 37% of the total site being landscaped. Particular attention has been given to the west side of the development. With a residence being next door, the applicant has taken measures to create a buffer between the properties in order to mitigate any adverse affects that may occur, including light and noise. This buffer consists of a six foot (6') fence and a thirty foot (30') wide landscape area.

A Sign Master Plan has been submitted with the PUD application. Two monument type signs for the financial institution are shown on the plan, as well as one monument type Multi Tenant Sign. The PUD Agreement states that all signs will conform to City Code Requirements. However, there is some language in the PUD that addresses "Off-Premise Signs". This language will need to be removed prior to approval. Please see the attachment addressing the changes. Any and all signs will go through a full review for compliance at the time of their construction.

Street, sewer, Water, and Drainage Improvements will be designed and constructed in accordance with Twin Falls City Standards, and Twin Falls City Engineering Department approval.

The access points off Addison and Eastland shown on the Master Development Plan were negotiated between the City and the Owners of the property during the construction of the intersection of Eastland Drive and Addison Ave.

Development Criteria including construction, building standards and building setbacks, shall be in accordance with the current Twin Falls City Code requirements

Off-street parking requirements, trash enclosures, setbacks shall be reviewed in full at the time of building permit application.

On April 23, 2013 the Commission held a public hearing on this request. There were several neighbors who spoke. The comments were in the positive and stated it was a good development. Both the public and the Commission commented on the hard work and communication between the owners/applicants and the neighborhood was very appreciated.

The Commission unanimously recommended approval of the request as presented and subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the section "Covenants 4-E-4: Signage" being amended as shown in "Attachment 12" of the staff report.

Staff Concurs with the recommendation.

Attachments

1. Letter of Request
2. Zoning Vicinity Map
3. Aerial of the Project Site
4. Comprehensive Plan Land Use Map
5. Master Development Plan Map
6. Flood Plain Map
7. Building Reference Photos
8. Schematic Lot Line Exhibit
9. Schematic Landscape Plan
10. Schematic Sign Plan
11. Land Uses as listed in PUD
12. Amended PUD Section "Covenants 4-E-4:Signage"
13. Current Site Photos
14. Portion of the April 23, 2013 P&Z Minutes.

PROJECT DESCRIPTION & COMPATIBILITY STATEMENT
For
Thomas and Cheryl Arledge & TOMERYL, LLC
Rezone Application

4 (a) - The reason for the request:

- The applicants are requesting that their subject property be rezoned from R-2 to R-2 / NCO / PUD to allow the property to be used for the highest and best use. The property is located immediately adjacent to two (2) gateway arterials, Addison Avenue East and Eastland Drive South, which have a combined daily vehicle count of 26,000 plus. This high level of traffic loading is not conducive to residential development.

4 (b) i - How the proposed zoning change relates to the Comprehensive Plan:

- The Twin Falls Comprehensive General Plan Update (Map 2-4 – see attachment) indicates that the subject parcel should be utilized as a “Neighborhood Center”. Also a small portion of the property, located in the southwest corner, is designated as “Residential Business”. Since the uses in the Residential Business District are less restrictive than those permitted in the NCO zone the entire property will be rezoned to NCO. This subject zone will provide as much protection to the existing neighborhood residents as possible. The applicants are requesting a rezone that would bring the zoning of the subject parcel into conformance with the Comprehensive Plan and surrounding neighborhood.
- It should be noted that the Comprehensive Plan also indicates that the uses on the properties located immediately east and southeast should be Commercial/Retail; the properties located immediately south should be Residential Business; the properties located immediately north should be Rural Residential and the properties located immediately west and southwest should be Rural Residential and Residential Business. The proposed zone will act as a buffer between the commercial and residential uses that currently exist.

4 (b) ii – Compatibility with the surrounding area:

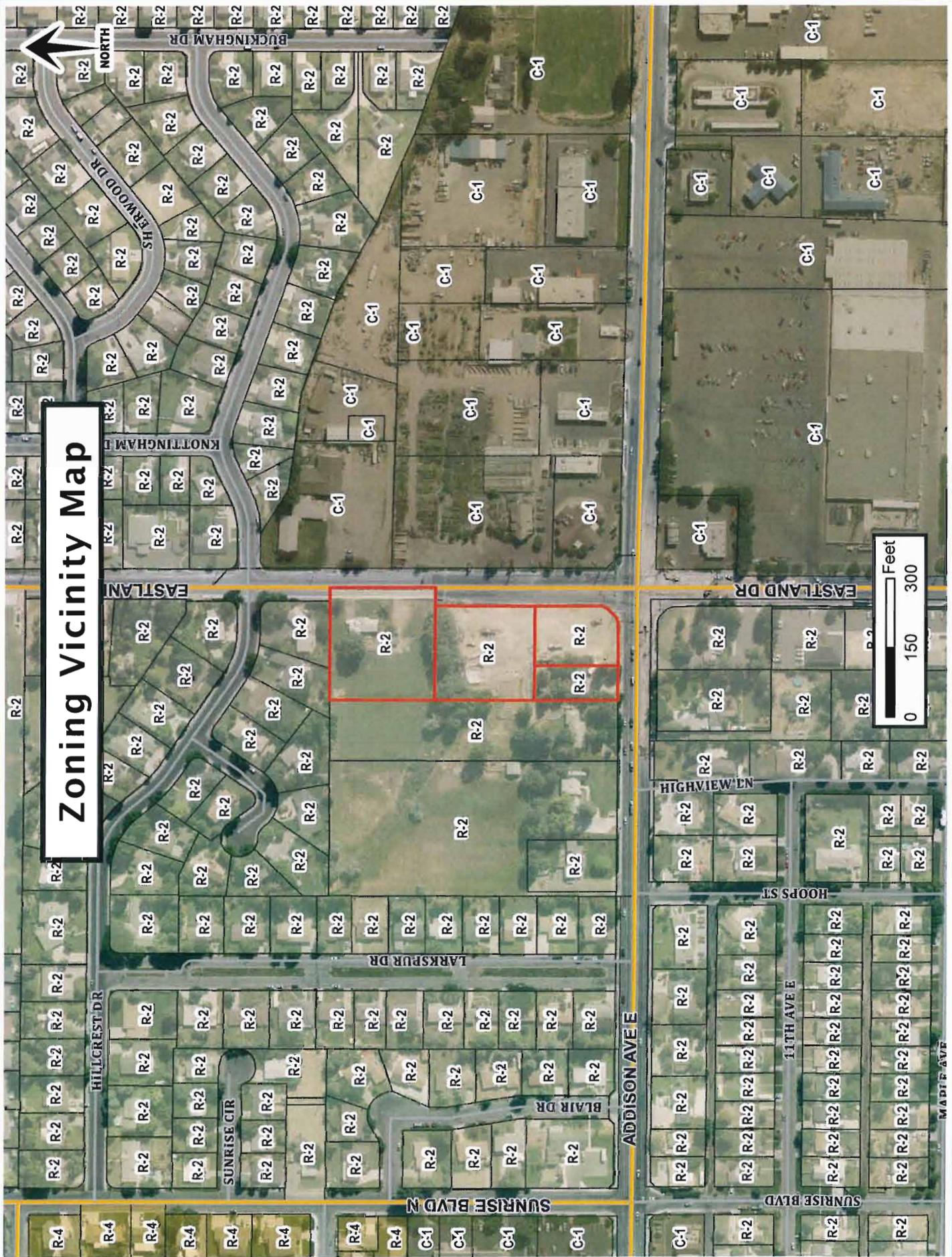
- The property is surrounded by a plethora of uses. To the east and southeast commercial and retail uses exist that include a landscape nursery, day spa, convenience store and big box retailer (K-Mart). To the north is a developed residential subdivision. To the west is vacant pasture land and residential business. To the south are residential businesses and residential structures.
- The restrictive permitted uses of the NCO zone will provide similar businesses to those already existing on adjacent residential business properties. Also, the restrictive building standards and landscape requirements of the NCO zone will blend the proposed development with the present residential and residential-business components located on adjacent properties.
- Perimeter fencing and landscape design shall provide security to the site as well as provide a safeguard against light trespass and noise to the neighbors located along the north and west property boundaries.

- Buildings and drive-isles have also been strategically placed to provide barriers for vehicle lights. In areas where buildings do not disrupt vehicle lights, landscaping and fencing shall be used as mitigation measures.
- Paramount landscape design and consistent architecture throughout the development will provide the City of Twin Falls with a dramatic gateway arterial entrance into our community.

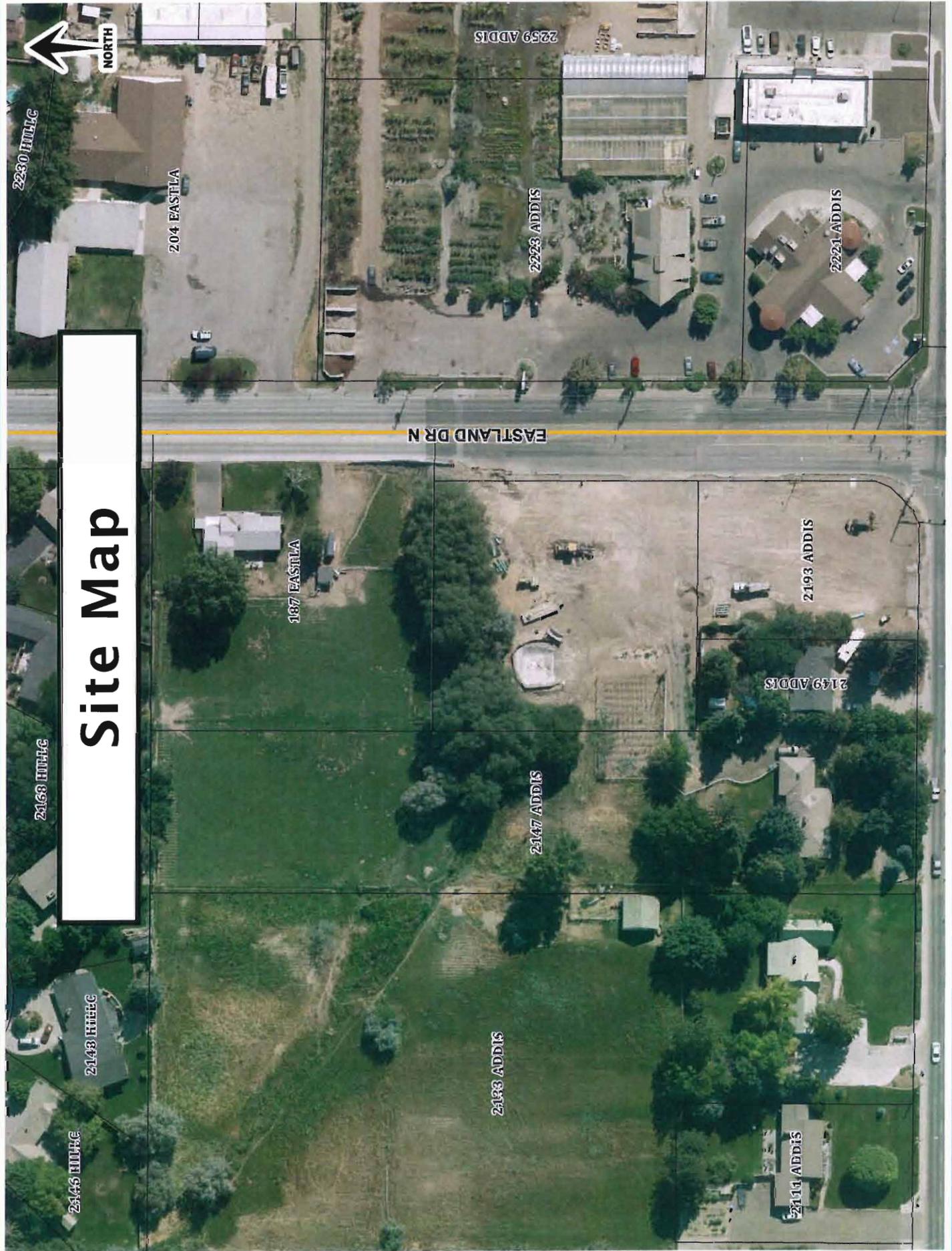
4 (b) iii – Intended use of the property:

- The property shall be developed as a planned unit development per the R-2/NCO/PUD zone restrictions. All buildings, signage and landscaping shall be consistent throughout the development to achieve the highest aesthetics possible. Uses allowed are generally professional, retail and service oriented thus helping reduce travel time for adjacent neighborhood residents. Also, the business proprietors will be able to enjoy patrons from the existing 26,000 plus vehicles that pass by the subject property daily.
- The applicants have reviewed the outright permitted uses and special uses allowed in the proposed zone. Some uses have been deleted so as to keep harmony with the existing residents and commercial properties. The uses proposed are indicated in the attached preliminary PUD Agreement.

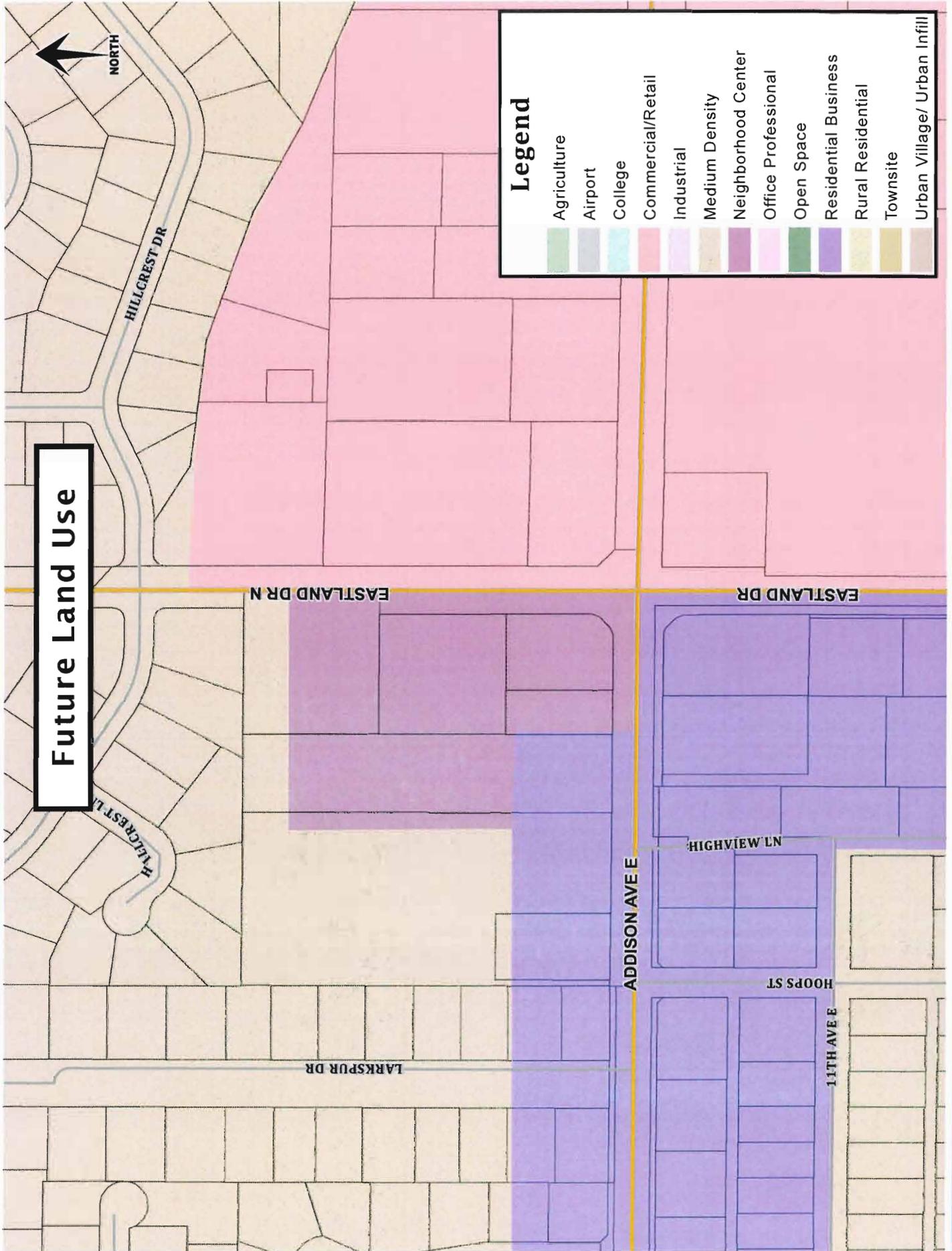
Zoning Vicinity Map



Site Map



Future Land Use



Legend

- Agriculture
- Airport
- College
- Commercial/Retail
- Industrial
- Medium Density
- Neighborhood Center
- Office Professional
- Open Space
- Residential Business
- Rural Residential
- Townsite
- Urban Village/ Urban Infill



Situated in a Portion of SE1/4 SE1/4, Located in Section 10,
 Township 10 South, Range 17 East, B.M.
 City of Twin Falls, Twin Falls County, Idaho
 2013

1" = 30'

PROPERTY & ZONE INFORMATION

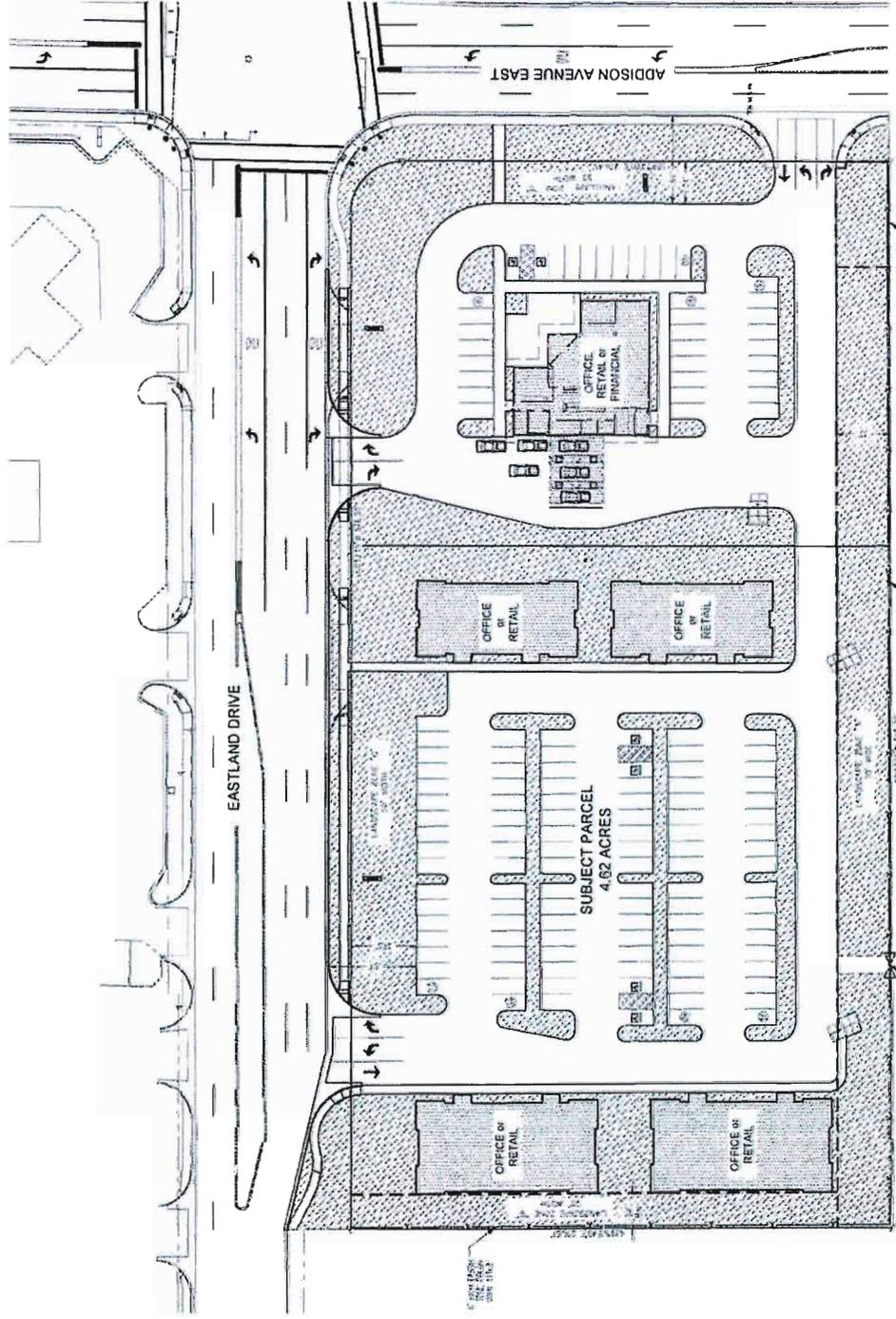
PROPERTY OWNER: [Name]
 PROJECT: [Name]
 PREPARED BY: [Name]
 DATE: [Date]

LANDSCAPE ZONE INFORMATION

ZONE: "R-2" RESIDENTIAL
 USE: RESIDENTIAL USE OF A SINGLE OR TWO-FAMILY DWELLING.
 MAXIMUM HEIGHT: 35 FEET.
 SETBACKS: 25 FEET FRONT, 10 FEET SIDE, 5 FEET REAR.
 LOT AREA: 10,000 SQ. FT. (MINIMUM)
 LOT WIDTH: 100 FEET (MINIMUM)
 LOT DEPTH: 100 FEET (MINIMUM)
 MAXIMUM GROUND COVER: 50%
 MAXIMUM GRASS COVER: 25%
 MAXIMUM TREE COVER: 10%
 MAXIMUM SHRUB COVER: 5%
 MAXIMUM FOLIAGE COVER: 10%
 MAXIMUM FOLIAGE COLOR: GREEN
 MAXIMUM FOLIAGE DENSITY: 100%
 MAXIMUM FOLIAGE HEIGHT: 10 FEET
 MAXIMUM FOLIAGE WIDTH: 10 FEET
 MAXIMUM FOLIAGE LENGTH: 10 FEET
 MAXIMUM FOLIAGE THICKNESS: 10 FEET
 MAXIMUM FOLIAGE WEIGHT: 10 FEET
 MAXIMUM FOLIAGE VOLUME: 10 FEET

GENERAL NOTES

1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF TWIN FALLS ZONING ORDINANCES.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF TWIN FALLS.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS WATER AND SEWER DISTRICT.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS FIRE DEPARTMENT.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS HEALTH DEPARTMENT.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS PLANNING DEPARTMENT.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS POLICE DEPARTMENT.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS SHERIFF'S OFFICE.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY CLERK'S OFFICE.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY COMMISSIONER'S OFFICE.
11. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF COMMISSIONERS.
12. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF HEALTH.
13. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF EDUCATION.
14. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF SOCIAL SERVICES.
15. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF SENIORS.
16. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF DEVELOPMENT.
17. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF ECONOMIC DEVELOPMENT.
18. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF LABOR RELATIONS.
19. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF INDUSTRIAL RELATIONS.
20. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REGULATION.
21. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL STANDARDS.
22. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL ETHICS.
23. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL DISCIPLINE.
24. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REVISION.
25. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REVOCATION.
26. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL RESTITUTION.
27. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REINSTATEMENT.
28. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL RECALL.
29. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPEAL.
30. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPRISAL.
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32. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPROSECUTION.
33. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPROSECUTION.
34. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPROSECUTION.
35. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TWIN FALLS COUNTY BOARD OF PROFESSIONAL REPROSECUTION.



THE LAND GROUP

1234 5th Street
 Twin Falls, ID 83430
 Phone: 208.333.4444
 Fax: 208.333.4444

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 DATE: [Date]

SCALE: 1" = 30'

PROJECT: [Name]

DATE: [Date]

BY: [Name]

CHECKED BY: [Name]

DATE: [Date]

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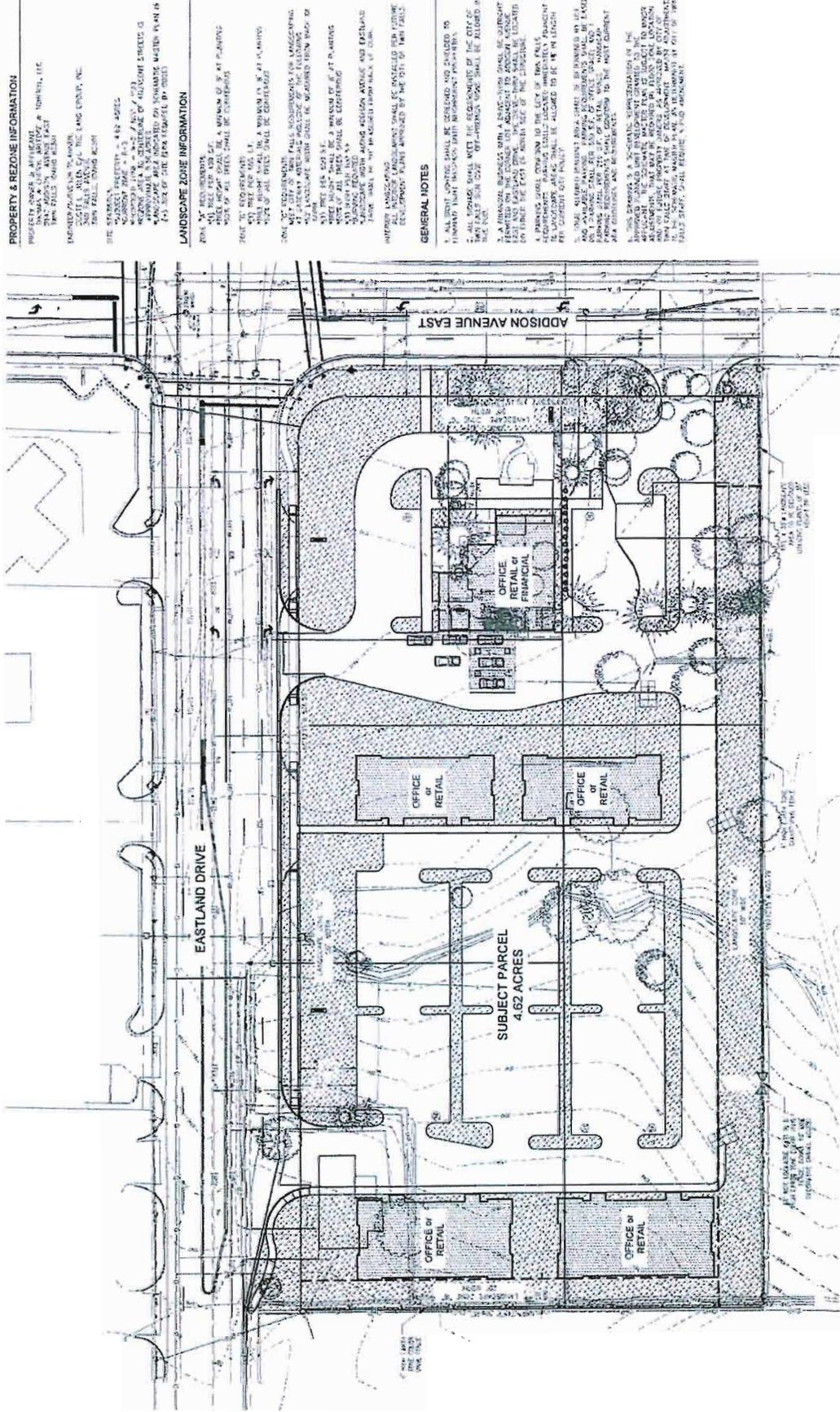
SCALE: 1" = 30'

PROJECT: [Name]

DATE: [

Situated in a Portion of SE1/4 SE1/4, Located in Section 10,
 Township 10 South, Range 17 East, B.M.
 City of Twin Falls, Twin Falls County, Idaho
 2013

2.  1" = 30'



PROPERTY & REZONE INFORMATION

PROJECT OWNER: ARDEGE MASTER PLAN
 2141 ADDISON AVENUE EAST
 TWIN FALLS, IDAHO 83402
 ENGINEER: JAMES W. HARRIS
 200 EAST 8th AVE., TWIN FALLS, IDAHO 83402
 SITE VISUAL IMPACT STUDY: 442-4252
 GROUND PLAN: 4-3
 REZONE AREA: 4.62 ACRES
 REZONE TO: R-2/NCO/PUD ZONE
 REZONE AREA: 4.62 ACRES
 REZONE AREA: 4.62 ACRES

LANDSCAPE ZONE INFORMATION

PER: 10' MINIMUM
 MINIMUM HEIGHT SHALL BE A MINIMUM OF 9' AT PLANTING
 WIDTH OF ALL TREES SHALL BE CONFORMANT
 TREE TO BE REPLANTED
 ALL TREES SHALL BE REPLANTED WITHIN 18" OF ORIGINAL
 WIDTH OF ALL TREES SHALL BE CONFORMANT
 ALL TREES SHALL BE REPLANTED WITHIN 18" OF ORIGINAL
 WIDTH OF ALL TREES SHALL BE CONFORMANT
 ALL TREES SHALL BE REPLANTED WITHIN 18" OF ORIGINAL
 WIDTH OF ALL TREES SHALL BE CONFORMANT

GENERAL NOTES

1. ALL UTILITIES SHALL BE DELETED AND CHANGED TO
 CONFORM WITH THE REZONE PLAN.
 2. ALL UTILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER.
 3. ALL UTILITIES SHALL BE DELETED AND CHANGED TO
 CONFORM WITH THE REZONE PLAN.
 4. ALL UTILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER.
 5. ALL UTILITIES SHALL BE DELETED AND CHANGED TO
 CONFORM WITH THE REZONE PLAN.
 6. ALL UTILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER.

Ardege Rezone
R-2 / NCO / PUD ZONE
 City of Twin Falls, Idaho

SCHEMATIC MASTER PLAN
 Addison Ave. & Eastland Dr.



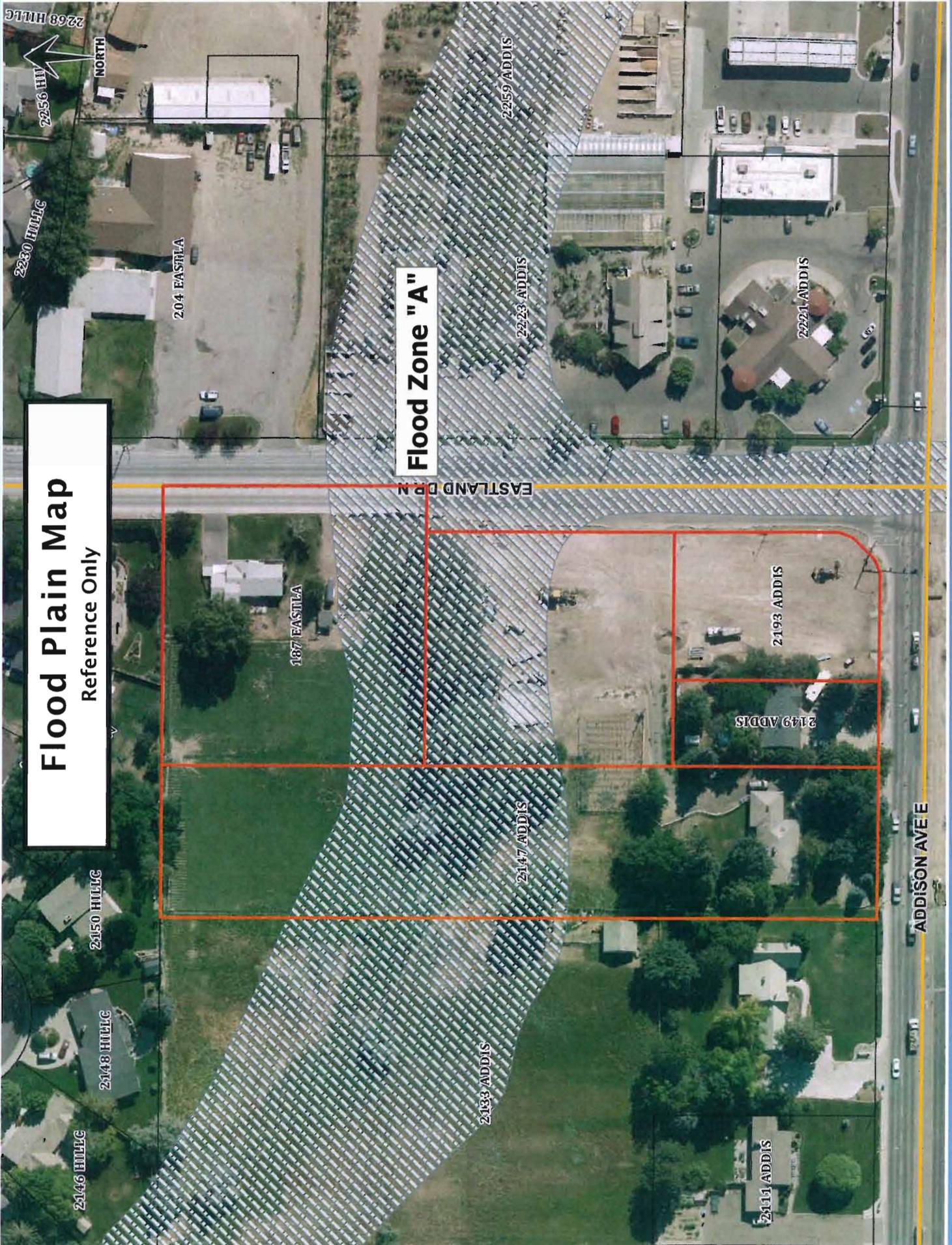
DATE	DESCRIPTION
0	4125 JULY 2013 4125 4125 4125

\$1.00

Flood Plain Map

Reference Only

Flood Zone "A"



**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
North Buildings**



**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
North Buildings**



**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
South Building**



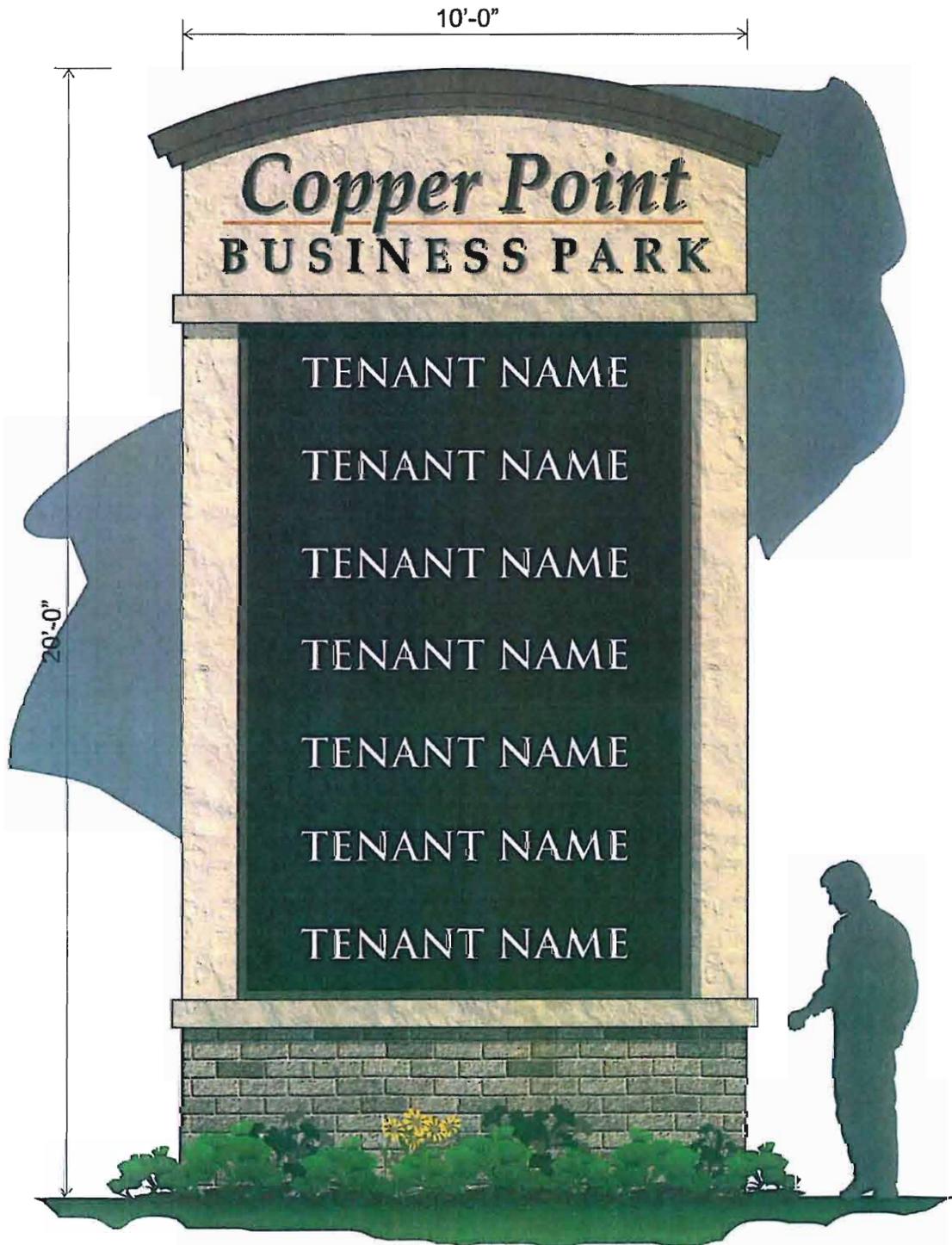
**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
South Building**



**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
Site Sign Exhibit - Signs #1 & #2**



**Tom & Cheryl Arledge, TOMERYL, LLC Rezone Attachment
Site Sign Exhibit - Sign #3**



B. USES. The Project's purpose and intended uses shall be for the construction and occupation of buildings for Office, Retail and Financial Institution uses, as allowed in the NCO zone with regard to permitted uses, special uses, and prohibited uses. Provided, however, that in any event the use of the southern one-third of the Property for the construction and operation of a bank or other financial institution with a drive through window (which must be constructed on either the East side or the North side of the building) shall be an outright allowed use. Provided further, that only the following uses shall be allowed, as provided in the City Code for the NCO zone:

Allowed uses:

1. Retail Trade:

- a. Bakery.
- b. Bookstore.
- c. Craft shop, in conjunction with retail business.
- d. Eating places.
- e. Florist shop.
- f. Food, drugs, etc.
- g. General merchandise.
- h. Hardware store.
- i. Hobby and toy store.
- j. Ice cream store.
- k. Import store.
- l. Laundering and dry-cleaning.
- m. Laundromats.
- n. Music store.
- o. Pet shop.
- p. Sporting goods store.

2. Services:

- a. Beauty and barber shops.
- b. Copy center - self-service.
- c. Duplicating and stenographic offices.
- d. Photography studios.

Uses allowed with special use permit:

1. Governmental Facilities:

- a. Governmental office buildings.

2. Medical Facilities:

- a. Doctors' offices.
- b. Medical clinics
- c. Rehabilitation services.

3. Miscellaneous:

- a. Any facility with drive-through service.

4. Retail Trade:

- a. Alcoholic beverages, when consumed on the premises where sold.
- b. Apparel and accessories.

5. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Employment agency.
- d. Finance and investment offices.
- e. Insurance and related business.
- f. Professional organizations.
- g. Professional services.
- h. Real estate and related business
- i. Welfare and charitable facilities

6. Miscellaneous:

Uses not specified above are prohibited unless administrative determination in accordance with the City Code is made that the use is similar enough to a use listed above that distinction between them is of little consequence.

3. STREET, SEWER, WATER AND DRAINAGE

IMPROVEMENTS. Developer shall be responsible for the design and construction of sewer, water and drainage systems on the Property (hereinafter "Improvements"), in accordance with City Standards. Curb, gutter and street improvements shall be constructed by and at the cost of the City, pursuant to the provisions of that particular written Agreement of the City, recorded on _____, 20__, as Instrument No. _____, records of Twin Falls County Recorder, a true and correct copy of which is attached hereto as Exhibit "B."

refuse and storage areas shall be constructed with materials and colors consistent with the exterior finishes of the buildings on the Property, so as to create a consistency of appearance throughout the Project.

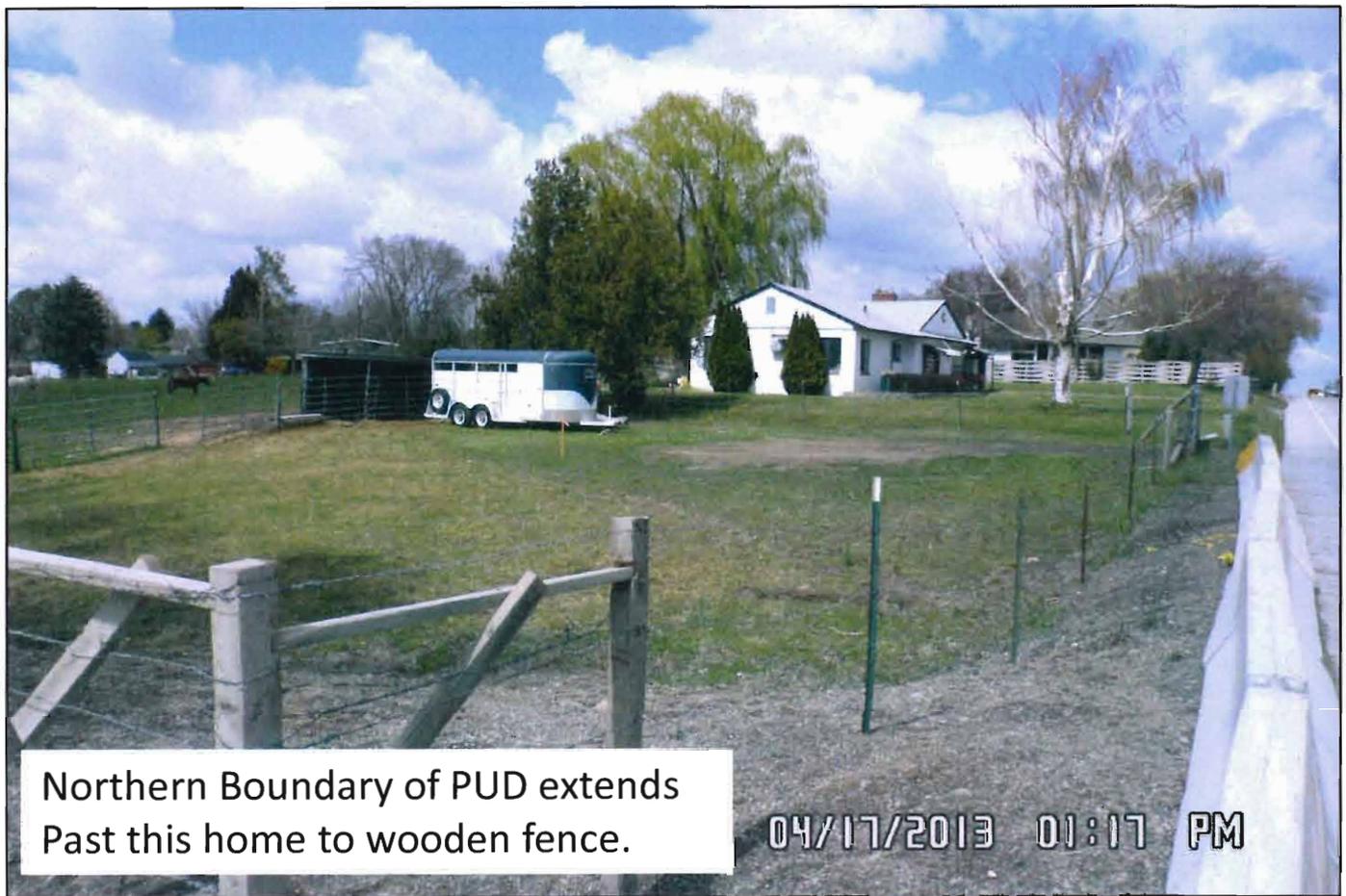
3. UTILITIES. All on-site utility service lines, including electrical lines and telecommunication lines, shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with screening material.

4. SIGNAGE. All signs shall conform to City Code requirements. ~~Off-premise signs shall be allowed, one along Addison Avenue East and one along Eastland Drive, for use by businesses located in the Project.~~ Appearance and finish of each sign shall match the appearance of the building(s) to which it pertains.

5. ILLUMINATION. Exterior lighting devices shall be so arranged or shielded so as to cast illumination in a downward direction. Parking lot lighting shall be in conformance with City Code provisions. Reasonable efforts shall be made to minimize the harshness or glare of any lighting. A photometric plan shall be part of all building plans submitted to the City.

6. CODES. All construction on the Property shall be to the standards established by applicable Codes.

5. TIME LIMITATION. The "R-2 NCO PUD" zone designation on the Property described in Exhibit "A" shall exist perpetually unless rezoned by



Northern Boundary of PUD extends
Past this home to wooden fence.

04/17/2013 01:17 PM



This approach will be moved further
north as shown on Master Dev. Map

04/17/2013 01:16 PM



2. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD to develop a planned mixed-use development consisting of neighborhood commercial uses, including a financial institution facility, on 4.7 acres (+/-) located at the northwest corner of Eastland Drive North and Addison Avenue East. c/o Scott Allen, The Land Group on behalf of Thomas & Cheryl Arledge and TOMERYL, LLC (app. 2563).

APPLICANT PRESENTATION:

Scott Allen, The Land Group, was representing the applicant. He stated part of the request is for a financial use with a drive through window be allowed outright within this PUD Agreement, if approved. He reviewed exhibits on the overhead and explained the site consists of 5 lots. The primary use has always been residential. There is a flood zone through the property which requires a flood plain study at a later date. To the north is a developed subdivision, commercial use located to the east of the property, to the south a mixture of residential/professional uses, and to the west is a professional office/photo studio / residence. The intersection sees 26,000 and 30,000 vehicles per day. The agreement was originally worded so that the drive through would be located on the east side, since then a financial institute has shown interest but would like to relocate the drive through to reduce the impacts of light and safety issues for the equipment. There has been communication with the adjacent neighbors Jim & Mary Fort, who own the property along the entire west boundary, to discuss this change and they were in agreement subject to a few conditions. The request was to place trees at a high density along the drive through area to create a buffer for light trespass. The other area of concern was to reduce the amount of planting along the entry way so that their monument sign is not blocked by landscaping, low plantings will be planted within the first 60'. The remaining concern was access to their property and irrigation. There is not a bridge in this area that can be used to get to access to the north portion of their property without crossing this parcel. A plan for a gate to be installed that they would have a key to will provide them continued access. Another requirement for the NCO zoning designation is that if a building foot print is over 3000 sf. Then 50' of landscaping must be provided along the streets. This 50' landscaping buffer is shown along Eastland Drive and Addison Avenue and the trees that are shown meet the exact amount required per City Code. The area along the west boundary per landscape plan is a 30' landscape strip and the reason for that is there is a flood plain in this area which does not allow for structures so this will provide a buffer to the neighboring property. The PUD lists a requirement for a minimum of 1 tree every 400 sf and 8' in height at time of planting with a 6' high fence along the west boundary. The landscaping buffer along the north is a 20' landscape strip because of the restrictive nature of the uses it was felt the impact was going to come from the parking areas. The other requirement for NCO zoning is that there has to be a 5' strip of landscaping between parking isles so cumulatively speaking for the entire site is at 30% code only requires 20%.

He reviewed an exhibit summarizing the different code requirements associated with each zone with regards to permitted uses, uses requiring zoning approval, setbacks, landscaping, screening and building heights. The NCO is fairly restrictive as it compares to the other zones in this area. The last item that the PUD Agreement addresses is signage. The PUD has identified three locations for signage, two for the financial institute, one facing each street frontage and one freestanding sign along Eastland Drive that will be a multi-tenant sign. This will reduce stacking of different monument signs and reduce the number of signs along the street frontages making for a cleaner site plan.

Dustee Woolstenhou, representing Idaho Central Credit Union, reviewed the business background. Currently there is a branch located on Pole Line Road with 11,244 active members in the branch. About 4-5,000 members live within 5 miles of this location and to give back they would like to build another facility in Twin Falls. The building will be approximately 5200 sf. and will employ/include 5 tellers, 4 accounts employees, loan desk and support staff, drive-up tellers and an ATM. The exterior will meet the requirements for the PUD and zoning code. The lighting heating and air conditioning will be energy efficient. They are open to being good neighbors and are willing to address any concerns.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated this is a request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD on 4.7 acres (+/-) for property located at the northwest corner of Eastland Drive North and Addison Avenue East. This PUD Agreement will allow outright a drive through for the financial institute which under normal circumstance requires a special use permit. The landscape plan exceeds the City Code requirements. The exhibits were presented showing what the signage would look like and requiring a multi-tenant sign for the other buildings to reduce the number of individual signs allowed in the PUD. Compliance with current City Code requirements will be reviewed at the time of building plan submittal, for landscaping, storm water retention and parking. Access has been negotiated with the Engineering Department in exchange for right-of-way to improve the intersection. The development standard and building setbacks will all be reviewed in full to ensure compliance with the City Code and the PUD Agreement.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of this request to City Council, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the section "Covenants 4-E-4: Signage" being amended as shown in "Attachment 12" of the staff report.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Wood asked if the requirement is that the additional buildings look a specific way.
- Planner I Spendlove stated the design requirements listed in the PUD Agreement and the NCO; Neighborhood Commercial Zoning District requires that the buildings look residential in nature and that they have pitched roofs.

Chairman Frank read into record a letter from a citizen regarding the mature landscaping that exists on the property and who requested that it be maintained as much as possible.

PUBLIC COMMENTS/QUESTIONS: OPENED

- Jim Fort, 2133 Addison Avenue East, stated that what has been presented is accurate and he would like it read into the record that current water shares will continue to be delivered as they exist currently.
- Paula Brown-Sinclair, 2146 Addison Avenue East, stated that they are proud of the transition from residential to commercial and are quite pleased with the request. She would recommend that existing trees not be removed if at all possible. Her only concern is the design of the egress and ingress to the property. She would request that it be looked at closely because of traffic concerns.
- Curtis Webb, 2158 Addison Avenue East stated he is very pleased to see this is the plan. He is in support of this request.
- Ken Stuart, 160 Larkspur Drive stated he is directly west across the pasture area. His concern is the lighting at the Stinker down the road, he is concerned that when the cars come in through the drive through the lights from the cars will be shining through the windows of the houses. He would like a little more of a barrier to address this issue. He asked if the project is going to be approved all at once or if the uses for the other buildings will come at a later date.
- Louise McManaman, 2196 Hillcrest Drive, asks if the zoning is for the entire parcel or just the parcel where the bank wants to build and what kind of retail would be allowed?

PUBLIC COMMENTS/QUESTIONS: CLOSED

CLOSING STATEMENTS:

Mr. Allen explained that until the drawings and plans are engineered the applicant will not be able to determine what trees can remain. He will convey the citizens' concerns to the developers. The PUD requires a light analysis to prevent light trespass to adjacent properties and for security; they will work with the neighbors on a schedule if necessary for lights to be turned off and on. There will not be big lights like the C-Store located down the street. The state does not allow them to hinder access to existing water uses. The City had an agreement with regards to access and right-of-way approaches. This agreement would require that the applicants provide additional right-of-way to the City along Addison Avenue and Eastland Drive and in exchange the City would pay for the approaches to the property to be constructed along with curb & gutter. After revising the plan the approaches are aligned with the approaches

to the east on Eastland Drive so that there is not a conflict with one another. There were multiple approaches along Addison Avenue but these will be replaced with one approach as far west of the intersection as possible. This is per the agreement with the City in exchange for the right-of-way. The entire parcel is being requested to be rezoned from R-2 to R-2 NCO PUD.

Currently the intent is for Idaho Central Credit Union to purchase the southerly portion of the property for development. Then the remaining portions will be placed for sale. Uses specific to the sight have been listed in the PUD Agreement with some being outright permitted and uses allowed only with a Special Use Permit approval, which would require a public hearing process. The only uses that would be outright permitted without going through the Special Use Permit process is for the financial institution with a drive-through window on the south lot. Normally this type of use would require a Special Use Permit. One other thing to consider is that the site only has two sewer credits available so the property can't be developed on until the sewer issues are resolved for the City.

DISCUSSION FOLLOWED:

Commissioner Wood stated he would like to commend the applicants and the neighbors for working through this process.

MOTION:

Commissioner Sharp made a motion to recommend approval of the request to the City Council, as presented, with staff recommendations. Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

**PUBLIC HEARING SCHEDULED BEFORE THE
CITY COUNCIL MAY 13, 2013**

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

None.

VI. UPCOMING MEETINGS:

Next Planning & Zoning Commission public meetings:

Thursday, May 2, 2013 Public Meeting Planning & Zoning Work Session

Tuesday, May 14, 2013 Public Hearing Planning & Zoning Commission

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:50 pm

Lisa A. Strickland

Lisa A Strickland
Administrative Assistant
Community Development Department