



CORRECTED MINUTES
Twin Falls City Planning & Zoning
Commission
June 11, 2013-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods

Vice-Chairman

CITY COUNCIL LIAISON

Suzanne Hawkins Rebecca Mills Sojka

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Boyd
Derricott
Frank
Grey
Munoz
Sharp

ABSENT:

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek, Wonderlich

AGENDA

I. CALL MEETING TO ORDER:

1. Confirmation of quorum
2. Introduction of Staff

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **May 14, 2013 & May 29, 2013**
2. Approval of Findings of Fact and Conclusions of Law:
Moffitt-(SUP 05/29/13) Wills Motor Company (SUP 05/29/13)
Golay-(SUP 05/29/13) Velasquez Enterprises, Inc (SUP 05/29/13)
Flatco (SUP 05/29/13)

THE FOLLOWING ITEM HAS BEEN WITHDRAWN AND IS NOT RESCHEDULED AT THIS TIME:

1. Request for a Zoning Title Amendment to amend 10-4-8.3 (D) 1 to allow a *porte-cochere* within the required building setback c/o Bridgeview Estates (app. 2576) **WITHDRAWN**

III. ITEMS OF CONSIDERATION:

1. Reactivation of Special Use Permit #1153, granted on July 28, 2009 to Lisa McClain for the purpose of operating a drive through coffee shop on property located at 778 Falls Avenue, c/o Lisa McClain. (app. 2321)
2. Presentation on a proposal for consideration of an alternative landscape material by Hailey Barnes.

IV. PUBLIC HEARING ITEMS

1. Request for a Special Use Permit to operate an automobile and pickup retail sales business on property located at 347 Washington Street North c/o Michael Leung (app.2575)

2. Request for Special Use Permit to serve alcoholic beverages for consumption on-site in conjunction with a restaurant on property located at 1563 Fillmore Street, Unit 1B c/o Teodora Caffè, LLC (app. 2577)
3. Request for a Special Use Permit to operate a religious facility on property located at 136 2nd Avenue South c/o Church on a Mission (app.2578)
4. Request for Special Use Permit to operate a motorcycle, ATV, and snowmobile repair shop on property located at 506 Addison Avenue West c/o Expedition Motor Sports, LLC (app. 2579)

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:15 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **May 14, 2013 & May 29, 2013**
2. Approval of Findings of Fact and Conclusions of Law:
 - Moffitt-(SUP 05/29/13)
 - Golay-(SUP 05/29/13)
 - Flatco, LLC (SUP 05/29/13)
 - Wills Motor Company (SUP 05/29/13)
 - Velasquez Enterprises, Inc. (SUP 05/29/13)

MOTION:

Commissioner Sharp made a motion to approve the consent calendar with the request that Jolinda Tatum be added as an attendee for the May 29, 2013 meeting. Commissioner Munoz seconded the motion.

UNANIMOUSLY APPROVED

THE FOLLOWING ITEM HAS BEEN WITHDRAWN AND IS NOT RESCHEDULED AT THIS TIME:

2. Request for a Zoning Title Amendment to amend 10-4-8.3 (D) 1 to allow a *porte-cochere* within the required building setback c/o Bridgeview Estates (app. 2576) **WITHDRAWN**

III. ITEMS OF CONSIDERATION:

1. Reactivation of Special Use Permit #1153, granted on July 28, 2009 to Lisa McClain for the purpose of operating a drive through coffee shop on property located at 778 Falls Avenue, c/o Lisa McClain. (app. 2321)

APPLICANT PRESENTATION:

Lisa Reeder, the applicant, stated she is here to request a reactivation of a Special Use permit and it was for a coffee kiosk with a drive through. The Special Use Permit was never activated and she is ready now to proceed with her plans.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and reviewed the history of the property. He stated on July 29, 2009 a Special Use Permit was issued with three conditions for approval. Nothing has change for the surrounding area, but because the Special Use

Permit has been inactive for over a year, the applicant has to request a reactivation if they plan to initiate the use of the permit. This request is to reactive Special Use Permit #1153 to operate a drive through coffee shop on property located at 778 Falls Avenue. There are a few things that have to be considered when a request for reactivation is presented. The Commission must assess whether or not something has significantly changed in the area and whether or not circumstances have changed in the area from the time the original Special Use Permit was approved. The Commission can approve a reactivation of a Special Use Permit subject to the same original conditions. He stated the surrounding area has not changed since the original Special Use Permit was approved in 2009 and has continued to be a retail area. A building will need to be constructed for this use and a review for any required improvements at the time of construction will be completed during the building application process.

Planner I Spendlove stated upon conclusion staff recommends the reactivation of Special Use Permit #1153, granted on July 28, 2009 to Lisa McClain for the purpose of operating a drive through coffee shop on property located at 778 Falls Avenue, with the same original 3 conditions.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Munoz asked about the hours of operation and if the Commission could modify the hours of operation along with the reactivation.
- Planner I Spendlove explained the conditions on the original Special Use Permit cannot be modified at this time, if the applicant would like to change the hours of operation a request for an amendment to the Special Use Permit would require a new public hearing.

PUBLIC COMMENTS/QUESTIONS: OPENED & CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

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

APPROVED, AS PRESENTED, SUBJECT TO THE ORIGINAL CONDITIONS AS FOLLOWS:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements an standards.
2. Subject to a cross-use-agreement for parking and access between the lots of the Turf Plaza Subdivision and the The Turf Club
3. Subject to the hours of operation being from 7:00am to 6:00pm Monday through Saturday.

2. Presentation on a proposal for consideration of an alternative landscape material by Hailey Barnes.

PRESENTATION:

Hailey Barnes, 815 Yakama Street Filer, ID, stated that she is here to make a presentation on synthetic turf. She stated that she and her husband own a company called Final Cuts and have been operating for about a year. The reason for starting the company is that she is a Civil Engineer and few of the concerns that come up when planning for landscaping is water rights and drought. Using traditional grasses can have a dramatic impact on water use and maintenance. She and her husband thought the synthetic grass would be a good alternative material, besides the fact that it would be more environmentally friendly. The product manufacturer is Synthetic Turf International and they have been in business since 1995, they started out in the golf industry and have moved into residential, commercial and playgrounds. She then presented sample to the Commission of the types of synthetic grass product they offer. She stated with this type of material the customer gets the look of grass year round, without the need for maintenance and chemicals required to manage real grass. The installation of the product requires about 4" of sub base to be removed and replaces with compacted road base so the material drains through at approximately 13 gallons per minute. It is backed with a polypropylene liner that is a weed barrier and also prevents worms, grubs and other bugs from damaging the product. Currently they are offering the product to residential property owners, some have used it for their entire yard, others have had it installed under their playground equipment for their kids, another customer just wants it for a pretty area in her yard, and one has installed it for a putting green. Tonight's presentation is to request that the City look into considering the use of this product in areas that may require special maintenance, are difficult to maintain, or have limited water resources. For example, the mow strips along Washington Street North, the look nice however when the maintenance is being done at this location it creates traffic hazards and employee safety concerns. The water is wasted because it sprays onto the road, weeds are a nuisance and mowing along the road can be dangerous, so for some areas this product makes sense. Financially the product makes sense, it reduces the cost of maintenance substantially compared to regular maintenance for natural grass. Water use is for example 2000 sq. ft. of grass would require 112,000 gallons annually; this alone is a tremendous savings. She spoke to the Parks & Recreation Director about using the product and when the padding is installed underneath the product it makes the surface ADA compliant. The product has a lot of benefits and she asks that the City consider the product as an alternative material.

STAFF PRESENTATION:

Zoning & Development Manager Carraway explained to the Commission that City Code does not have a definition for landscaping and have allowed other ground cover materials besides grass, such as gravel and bark. A residential property can use any of this material unless their CCR's addresses landscaping materials, but again City does would not enforce those. The Code does not regulate ground cover; however it does require a certain amount

of trees and bushes for development sites. This is being presented tonight because there is not a clear definition in the City Code that defines what an acceptable alternative ground cover is. Only a couple of zones address required landscaping more specifically, one is CSI-Zone which lists grass as a required ground cover material and the OS-Open Space Zone which requires natural ground cover as a material. These materials are not defined in the landscaping definition within the City's Code. Mrs. Barnes did provide a presentation to the Parks & Recreation Commission asking them to consider this product for areas that they would find the product beneficial, and the Parks & Recreation Commission voted to recommend that this product be an acceptable alternative material that they would like to see used.

Some of the advantages mentioned such as water conservation, weed management and maintenance cost were considered by the Parks & Recreation Commission, to be in the City's best interest. Staff is asking the Commission to take a look at this product and determine whether or not it could be considered an approved alternative landscape material. The areas being looked at for this type of material could include medians and along gateway arterials.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Grey stated the first thing that came to mind for this product was the medians along Washington Street North. He asked how it was decided that these medians would be planted with grass. This would be the perfect application for this type of product.
- Commissioner Woods stated he thought of Washington Street North as well because of the safety issues involved with maintaining the median strips. He has seen this product used in other places; however he would be cautious with large spaces because over time it will become worn if it is not maintained properly. For use in median strips and along gateway arterials in front of businesses would be good places for this product. It concerns him that the landscaping requirements infer grass and trees and shrubs and at the same time we are fighting drought conditions. This seems to be a way to meet the aesthetic requirement and cut down water uses.
- Commissioner DeVore asked where the product is made, what is the life expectancy, and is there a warranty.
- Mrs. Barnes explained that the product has a life expectancy of approximately 20 years with annual maintenance which consists of using a power broom yearly and they provide a maintenance program. The warranty for installation is 1 year and the manufacturer has an 8 year warranty on the product.
- Commissioner Sharp had questions about the dirt that gets under the product because of the wind and where that dirt will go.
- Mrs. Barnes explained the infill that they use with this product is a silica sand product because it doesn't compact and when the fine windblown silt, rain and dust lands on the product it actually can filter down through the product into the sub base.
- Commissioner Grey asked about the cost of the product.

- Mrs. Barnes stated they charge for materials and also have a charge for installation. Materials range from \$2.09 to \$4.50 sq. ft. and installation is an additional \$3.50 to \$4.50 sq. ft. depending on the requirements for installation.
- Commissioner Woods asked about flammability.
- Mrs. Barnes stated all of the fibers are nylon, polyethylene or polypropylene. It would be flame resistant to a cigarette butt and extreme heat would cause it to melt.
- Commissioner Munoz stated his concern is listing artificial grass as an acceptable alternative could open the door for other products that are not of the same quality. Is there a way to define the materials and the quality expected?
- Zoning & Development Manager Carraway stated this evening's discussion is to determine whether or not the Commission would like the City to look into this product more to decide whether or not to make it an acceptable alternative. Staff is looking for some direction from the Commission regarding the product.
- Commissioner Munoz asked if the product were to be used in the future would the Commission look at the sample material associated with a request.
- Zoning & Development Manager Carraway stated that if this product were accepted as an alternative material it would open the door for a more intense review of the landscaping definition, storm water calculations and could require Commission approval if used. For many years staff has encourages xeriscaping. This product could offer another choice.
- Commissioner Frank stated he likes the product however it looks almost to perfect. He thinks the current code needs to be reviewed. His experience has been that it looks artificial when it is used in larger areas or throughout neighborhoods.
- Commissioner Sharp stated he wants to see how sustainable the product is with the local weather changes that we experience and would recommend using in limited quantities for a 10 year period possibly to see if it lasts.
- Commissioner Woods stated he can see how it would be beneficial for use in park area around the playground equipment.
- Commissioner Munoz stated if this material becomes an alternative choice, medians and some areas managed by the Parks Department could be a good place to start. He would like the opportunity to see the material if someone wants to use this type of product in a different setting. There should be some review and possibly Commission approval.
- Commissioner Derricott stated he thinks it would be good alternative for sites that don't have pressurized irrigation and don't want to use rock for the landscaping material and it save potable water.
- Commissioner Woods asked if it could be done through an administrative approval if allowed.
- Commissioner Frank explained it is a material this is not allowed in certain aspects such as public areas and the request is to see if the Commission would like to consider using this product in these areas.
- Commissioner Munoz would recommend an alternative landscape plan be provided and reviewed by the Commission whenever this product is proposed.

- Commissioner Frank stated he has some reservations about the product but would like to see more information. Code clarification is what needs to happen.

MOTION:

Commissioner Boyd made a motion to have staff review the product and specific applications for use of the product. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

IV. PUBLIC HEARING ITEMS

1. Request for a Special Use Permit to operate an automobile and pickup retail sales business on property located at 347 Washington Street North c/o Michael Leung (app.2575)

APPLICANT PRESENTATION:

Michael Leung, the applicant stated he is here tonight because he would like to relocate his family to Twin Falls, ID and in order to do that he has to have the ability to provide for them. He has been in the car business since 1995 and currently works as a used car manager for Ford in Modesto, CA. He stated he is 53 and would like to finish his career standing in front of his own business instead of someone else's. He would like to request a Special Use Permit to operate a car dealership at 347 Washington Street North.

STAFF PRESENTATION:

Planner I Spendlove stated reviewed the exhibits on the overhead and the history of the property. He stated the property was zoned C-1; Commercial in 1981 and the building has had various retail uses. Most recently it was The Smokin Head and most recently the building has been vacant without any activity on the lot. His narrative indicates there will be noise and fumes that could impact the neighbors, occasionally with the starting and moving of cars. The hours of operation the applicant listed are Monday-Saturday 9am-6:30pm. He plans to have a couple of employees with his wife being one of them. The C-1 Zone requires a Special Use Permit for automobile/truck sales, which is the reason for the request. Gateway arterial landscaping is required along the frontage of Washington Street North when development occurs. No future building is designed for this lot and the existing building is not applying for a building permit. The site plan does follow all current zoning codes and therefore the 10' of arterial landscaping is not required. To mitigate some of the impacts staff believes there should be some landscaping. He has a site plan that was submitted showing 10' of landscaping, the applicant would like to reduce this because of the size of the lot. Staff believes an alternative landscape could satisfy the concern with the review and approval of the plan by the Commission. Off street parking requirements are met. The neighboring land uses are residential therefore a screening fence should be maintained or built in order to mitigate some negative impacts to the neighboring residences. There is currently a fence on the west side of the property that should be maintained and on the north side a fence should be installed. The landscaping alternative

plan will help to beautify and negate visual impacts. The deadline for approval of the alternative landscaping plan by the Planning & Zoning Commission will be September 10, 2013.

Planner I Spendlove stated upon conclusion should the Commission approve the request as presented, staff recommends 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 a screening fence being maintained or constructed on the North and West sides of the property with the screening material being approved by staff.
3. Subject to an alternative landscaping plan being approved by the P&Z Commission and installed with a deadline of September 10, 2013.
4. Subject to no PA system being used or installed.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Woods asked about lighting conditions to keep it from impacting surrounding properties. Light intrusion to adjoining properties is a concern.
- Planner I Spendlove stated that the Commission could add a lighting condition, staff did not feel that it would be an issue, there is one light that is located on the front of the building that would shine on the cars.
- Commissioner Munoz asked about 12-15 units but looking at the site plan there are only 8 parking spaces. Are there restrictions for how many spaces have to be designated for customer parking?
- Planner I Spendlove stated there has to be 4 customer spaces and a drive aisle has to be maintained. He can only have so many vehicles on site and an revised site plan was submitted to address these concerns.
- Mr. Leung responded to the Commissions question about lighting and stated the plans is to place some spot lighting on top of the awning and it will face the lot, it is not going to shine on the adjacent properties, and the sign will not be a pole sign that could shine onto the adjacent properties.
- Commissioner Frank asked the applicant if he was aware of the staff recommendations and if he was willing to comply.
- Mr. Leung stated yes he is aware and will comply.

PUBLIC HEARING: OPENED

- Marie Mondragon, 160 Wiseman Avenue, she stated she has lots of concerns. This property is just up the street from her. To get into this business you can only go one direction which is south which impacts the neighbors by forcing traffic through the residential area when they need to get to a property on the opposite side of the median. She has seen the increase in traffic because of the median and this business will just create more traffic. She stated that with The Smokin Head business it was very disruptive to the neighborhood. She just doesn't want this to be the same thing.

- Birgit Allred-Martinez, 170 Wiseman Avenue, she stated that the neighborhood has not recovered from the impacts that The Smokin Head created. When she saw the site plan she stated it doesn't look like there is enough room for the vehicles the applicants want to display, and doesn't think it makes sense to have a car lot with only 4 or 5 cars to sell.

PUBLIC HEARING: CLOSED

CLOSING STATEMENT:

Mr. Leung stated he will have to comply with the conditions of approval regarding the number of cars, parking requirements, landscaping & fencing. He hopes to have a lot of traffic and as for safety in the neighborhood he is willing to work with the neighbors. He wants to be a good neighbor and part of the community. He wants to provide quality merchandise and wants this business to be a success. The traffic should be minimal compared to the previous business.

Commissioner Frank asked if staff has any concerns with the approaches into and out of this property.

Assistant City Engineer Vitek stated the approaches were agreed upon at the time the widening project was done and there are not any concerns currently. Staff will work with the applicant to make the lot safe for customer parking and for display of the vehicles.

DELIBERATIONS FOLLOWED:

- Commissioner Wood stated the applicant is trying to take advantage of the existing traffic, and doesn't think that there will be an increased impact to the surrounding properties.
- Commissioner Munoz stated he hears the neighbors' concerns but at the same time there could be a lot of other business that would be allowed without a Special Use Permit that would have a bigger impact on the surrounding properties. The level of traffic associated with a car dealership is minimal compared to a convenience store open all hours. The fact that this is a Special Use Permit allows citizens to file a request for revocation if the conditions of approval are not being met.
- Commissioner Frank stated his only concern is that he would like the lights to be downward facing to reduce the impacts to adjacent properties and traffic.
- Commissioner Woods asked if the downward lighting condition could be included in the original motion for approval.
- Commissioner Grey asked what the Commission will be looking at for an alternative landscaping plan when it comes up for approval.
- Planner I Spendlove stated staff will work with the applicant on the alternative landscaping giving the Commission the opportunity to approve the plan or make changes. It will be a consideration item and will not require a public hearing.
- Commissioner Boyd stated she understands the neighbors' concerns, but that this project will be an improvement to this corner. There is going to be a business at this location and this business will be low impact compared to other businesses.

MOTION:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations and an additional condition that the approval is subject to downward facing lights to minimize the impacts to the surrounding properties. Commissioner Boyd seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code requirements and standards.
 2. Subject to a screening fence being maintained or constructed on the North and West sides of the property with the screening material being approved by staff.
 3. Subject to an alternative landscaping plan being approved by the P&Z Commission and installed with a deadline of September 10, 2013.
 4. Subject to no PA system being used or installed.
 5. Subject to downward facing lights to minimize the impacts to the surrounding properties.
2. Request for Special Use Permit to serve alcoholic beverages for consumption on-site in conjunction with a restaurant on property located at 1563 Fillmore Street, Unit 1B c/o Teodora Caffè, LLC (app. 2577)

APPLICANT PRESENTATION:

Jeff Glen, representing the applicant, stated that he is here to request a Special Use Permit to allow for alcoholic beverages to be consumed onsite. This will be a family oriented restaurant and providing this would be a benefit to the business.

STAFF PRESENTATION:

Planner I Spendlove stated reviewed the exhibits on the overhead and the history of the property. He stated in 1989 the City Council approved Ordinance #2295 for rezoning the property to C-1 PUD the agreement was finalized in May of 1990. There are various retail uses in this plaza and the majority of the zoning in this area is C-1. The reason this application is being made is because the property is within 300' of a residential use which requires a Special Use Permit. The restaurant has approximately 20 seats and they don't expect approval of this permit will increase traffic or have any negative impacts to the surrounding properties. It is in compliance with the Comprehensive Plan.

Planner I Spendlove stated upon conclusion should the Commission approve the request, as presented, staff recommends the following conditions:

1. Subject to permit being limited to beer and wine consumption in conjunction with a restaurant at this location.
2. Subject to compliance with State, County and City requirements for beer and wine licensing for sale & consumption on site.

3. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

PUBLIC HEARING: OPENED & CLOSE WITHOUT CONCERNS

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

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

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject to permit being limited to beer and wine consumption in conjunction with a restaurant at this location.
 2. Subject to compliance with State, County and City requirements for beer and wine licensing for sale & consumption on site.
 3. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
3. Request for a Special Use Permit to operate a religious facility on property located at 136 2nd Avenue South c/o Church on a Mission (app.2578)

APPLICANT PRESENTATION:

Paul Jordan, representing the applicant, stated that he is requesting a Special Use Permit that will allow a retail space to be approved for use as a Church. They like the downtown area and have been operating in the area for a little while. There is minimal traffic during their hours of operation and they feel that the impacts to the surrounding area will be minimal. They currently have 3 employees, the pastor, maintenance person and a secretary. There is no set parking for this building but there is room for 5 spaces in the front with a lot of parking available across the street. They need a larger space and feel this location will fit their needs.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank asked if they provide services for Weddings and Funeral outside of the hours stated.
- Pastor Jordan, stated they have done weddings on a small scale and could possibly provide memorial services.

STAFF PRESENTATION:

Planner I Spendlove stated reviewed the exhibits on the overhead and the history of the property. This property was rezoned to CB; Central Business Zone in 1981. The building file has multiple mercantile businesses at this location. The most recent use of the building was

a photography studio that is moving. There will be occasional events throughout the year that the building will be used however staff feels this will have minimal impacts to the surrounding properties. Traffic anticipated will be 5-10 cars on Wednesday evenings and 10-20 cars on Sunday mornings. There will be noise/music for services during hours of operation. No other effects on adjoining properties are anticipated by the applicant. The site plan does meet City Code requirements, and the CB-Zone requires a Special Use Permit to operate a religious facility. The property is in a P-1; Parking Overlay, which does not require off street parking. The parking areas proposed for use are public lots and should not create a problem. The required improvements as applied to this building will be reviewed for compliance with current City Code at the time of building permit application.

Planner I Spendlove stated upon conclusion should the Commission approve the request, as presented, staff recommends the following conditions:

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

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank asked if there have been any problems reported with the current location of the church.
- Planner I Spendlove stated the City has not received any complaints.
- Commissioner Sharp asked if the existing businesses with beer, wine or alcohol licenses would that impact the businesses from being able to renew their license if it is within 300' of the church.
- Planner I Spendlove stated the existing businesses would not be impacted by the 300' rule, however new businesses wanting to serve alcohol may be impacted.
- Commissioner Grey asked if the businesses would have to go through the Special Use Permit process because of the church.
- Zoning & Development Director Carraway stated in this zone serving alcoholic beverages for consumption on-site is outright permitted. This approval would not impact a new business. A new business would have to comply with state licensing requirements.
- Commissioner Frank asked for clarification.
- City Attorney Wonderlich explained that state licensing does prohibit a new business from serving alcohol if it is within 300' of a church. It is still possible for the license to be approved; it has been done in the past.
- Commissioner Sharp stated his only other concern is having the patrons cross 2nd Avenue safely.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

MOTION:

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

APPROVAL, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject to the site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable City Code requirements and standards.
4. Request for Special Use Permit to operate a motorcycle, ATV, and snowmobile repair shop on property located at 506 Addison Avenue West c/o Expedition Motor Sports, LLC (app. 2579)

APPLICANT PRESENTATION:

Kevin Young, the applicant state he is here to request approval of a Special Use Permit. He currently has an established motorcycle, ATV, and snowmobile repair shop by Curry and he is looking to relocate to the 506 Addison Avenue West property.

STAFF PRESENTATION:

Planner I Spendlove stated reviewed the exhibits on the overhead and the history of the property. In 1981 this property was zoned C-1 and the latest tenant in the building was an animal shelter/pet store. Most recently the building has been vacant and the lot empty of any activity. The owner operated business will have one-two employees and operate between the hours of 8am & 6pm Monday-Saturday. There will be noise and fumes associated with repairing and starting of motorcycles and ATV's. The anticipated number of customers is anticipated at 5-10 per day. Sporting vehicles and motorcycle service and repair requires a Special Use Permit within the C-1 zone. The existing building does not meet setback standards for the area. If in the future the building is expanded it will need to apply for a non-conforming building expansion permit. The landscaping requirements for the lot are 198 sq. ft. The site plan provided by the applicant shows 370 sq. ft. of landscaping but does not include the 10' of gateway arterial landscaping which will be required. The site will require 5 off street parking spaces which has been shown on the site plan. All of these requirements will be reviewed for compliance at the time of building permit application. The City Engineer has made comments regarding the lack of sidewalk along Rose Street North and a deferral for this requirement is recommended. The approach along Addison Avenue West would need to be closed because of safety issues. The 10' of gateway arterial landscaping could be located along this area. The applicant shows a privacy fence along the north side of the property to provide screening.

Planner I Spendlove stated upon conclusion should the Commission approve the request, as presented, staff recommends the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to recording a deferral for sidewalk along Rose Street North with the City of Twin Falls.
3. Subject to closing the approach on Addison Avenue West, as shown on site plan.

4. Subject to a privacy fence with sight obscuring material being approved by staff prior to installation.
5. Subject to all parts, and vehicles waiting for repair, to be stored inside the building, or within a screened storage area.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank asked about requirements for grease traps associated with this use.
- Planner I Spendlove stated this will be part of the building application requirements.
- Commissioner Woods asked if there is any noise restrictions associated with this type of use.
- Planner I Spendlove explained that the Police Department responds to noise complaints.
- Commissioner Woods asked the applicant if there will be an overhead door and if it would be difficult to keep the door down when the engines are being tested.
- Mr. Young stated ventilation would be an issue if the door was closed however the testing only takes a few minutes, most of the work is done in the building. He will not be working on vehicles before 8:00am or after 6:00pm.
- Commissioner Munoz asked if any painting will be done.
- Mr. Young stated he will not be doing any type of painting.
- Commissioner Sharp asked if the applicant will be using the property to the north for loading or unloading a larger trailer.
- Mr. Young explained that he will be using the east side of the building. There will be plenty of room.

PUBLIC HEARING: OPENED

Johnny Urrutia, owner of the property, stated that this offer is pending. The building has not been used since 1970's and it would benefit the area by bring the site up to code and approving this use.

PUBLIC HEARING: CLOSED

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

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

APPROVED, AS PRESENTED WITH THE FOLLOWING CONDITIONS

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

2. Subject to recording a deferral for sidewalk along Rose Street North with the City of Twin Falls.
3. Subject to closing the approach on Addison Avenue West, as shown on site plan.
4. Subject to a privacy fence with sight obscuring material being approved by staff prior to installation.
5. Subject to all parts, and vehicles waiting for repair, to be stored inside the building, or within a screened storage area.

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

Zoning & Development Manager Carraway gave an update on the following items:

- The request to approve an amendment to a PUD Agreement by Greg Olsen (Muni-storage) was upheld by the City Council as presented. Mr. Olsen is asking for a reconsideration related to the paving requirement and that has been scheduled for another public hearing in front of the City Council on July 1, 2013.
 - The vacation for First Federal Savings Bank was approved and the ordinance is on the June 17, 2013 City Council Agenda.
 - The Westpark Commercial PUD for the hotel and the plat has both been approved.
 - The vacation for Desert Rose was heard by the Highway District twice and the final decision was to deny the request; subject to Mr. LeBaron purchasing another lot two lots west of the Hagan's property and provides a new access going north. If they reconsider the decision then it will be scheduled with the Twin Falls Board of County Commissioners.
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- Commissioner Woods asked about the Canyon Park development.
 - Zoning & Development Manager Carraway stated they are continuing the work for the round-about, but there have not been any building permits submitted. They are moving forward with the project.

VI. UPCOMING MEETINGS: (held at the City Council Chambers unless otherwise posted):

1. Public Hearing-Tuesday, June 25, 2013 6:00pm
2. Work Session-Wednesday July 3, 2013 12:00 pm

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 8:01 pm

Lisa A Strickland

Lisa A Strickland
Administrative Assistant
Community Development Department