



NOTICE OF AGENDA
TWIN FALLS CITY PLANNING & ZONING COMMISSION
February 25, 2014 6:00PM
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

Rebecca Mills Sojka

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): **February 5, 2014 Work Session**
February 11, 2014 Public Hearing
2. Approval of Findings of Fact and Conclusions of Law:
• Fieldstone Professional (pre-plat 02-11-14) • Crandall (SUP 02-11-14) • TF Chamber of Commerce (SUP 02-11-14)

III. ITEMS OF CONSIDERATION:

1. Request for approval of the preliminary plat for the Sun West Subdivision-No. 1, A PUD consisting of 31 (+/-) acres with 20 lots for a planned commercial development on property located at the southeast corner of Pole Line Road and Washington Street North **BLM& W, KLS&W & Canyon Vista Family LTD, Lazy J Ranch c/o Dave Thibault / EHM Engineers, Inc.**
2. Request for approval of the preliminary plat for the Westpark Commercial #8 Subdivision, A PUD consisting of 2.03 (+/-) acres with 2 lots and 1 tract for commercial development on property located west of Pole Line Road & Canyon Crest Road **Westpark Partners, LLC c/o Gerald Martens / EHM Engineers, Inc.**

IV. PUBLIC HEARINGS:

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West **ProWest Engineering c/o Dan Thiel / Mtn. Sun Construction, LLC.** (app.2619)
2. Request the Commission's recommendation on a request to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive **Castle Twin Falls, LLC c/o Gerald Martens/EHM Engineers, Inc.** (app. 2620)
3. Request for a Special Use Permit to serve alcohol for consumption on site as an accessory to the operation of a restaurant on property located at 1007 Blue Lakes Boulevard North **c/o Kathryn Aitchison dba KIWI's Fish-N-Chips** (app.2621)
4. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South **c/o Judith Rayborn** (app.2622)

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

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber)

1. **Work Session-March 5, 2014 -- 12:00PM-1:00PM**
2. **Public Hearing-March 11, 2014 -- 6:00PM-9:00PM**

VII. ADJOURN MEETING:

Si desea esta información en español, llame Leila Sanchez al (208) 735-7287

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Lisa A. Strickland at (208) 735-7267 at least two (2) working days before the meeting.

CITY OF TWIN FALLS
PLANNING & ZONING COMMISSION
Public Hearing Procedures for Zoning Requests

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - **A complete explanation and description of the request.**
 - **Why the request is being made.**
 - **Location of the Property.**
 - **Impacts on the surrounding properties and efforts to mitigate those impacts.**The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.
4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
 - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
 - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
 - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed-**No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

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



Public Hearing: **TUESDAY, February 25, 2014**

To: Planning & Zoning Commission

From: Rene'e V. Carraway, Community Development Dept.

AGENDA ITEM III-1

Request: Request for approval of the preliminary plat for the Sun West Subdivision-No. 1, A PUD consisting of 31 (+/-) acres with 20 lots for a planned commercial development on property located at the southeast corner of Pole Line Road and Washington Street North **BLM& W, KLS&W & Canyon Vista Family LTD, Lazy J Ranch c/o Dave Thibault / EHM Engineers, Inc.**

Time Estimate:

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

Background:

Applicant:	Status: Owner/Developer	Size: 30.98(+/-) acres
BLM&W, KLSM&W, Canyon Vista Family, LTD Partnership, Lazy J Ranch c/o EHM Engineers	Current Zoning: C-1-PUD	Requested Zoning: Approval of a preliminary plat
	Comprehensive Plan: Commercial/Retail	Lot Count: 20 lots
	Existing Land Use: undeveloped	Proposed Land Use: Phase 1 future commercial development under PUD
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers Inc. 621 North College Road, Ste. 100 Twin Falls, ID 83301 David Thibault 208-734-4888 dthibault@ehminc.com	North: C-1 PUD; Northbridge PUD; Pole Line Rd, Walgreens/ commercial and vacant property	East: C-1 PUD; Sun West / Lazy J C-1 PUD #259 residential, Lazy J Mobile Home Park
	South: R-4 CSI PUD; Cheney Dr (extended), undeveloped PUD property and new medical educational building	West: C-1 PUD; North Haven PUD; Washington St N, commercial and undeveloped PUD property/Wal-Mart/Chick-Fillet
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-12-2.3 and the Sun West / Lazy J C-1 PUD Agreement #259	

Approval Process:

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

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

Budget Impact:

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

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

In March of 1973 the Lazy J Mobile Home Park Master Plan was approved by Twin Falls County and the City of Twin Falls.

In May of 1985 the City Council approved Ordinance #2143 to amend the zoning of the 200, 300, and 400 blocks of the south side of Pole Line Road from R-4 to R-4 MHP to allow the expansion of the Lazy J Mobile Home Park. The expansion never occurred.

Special Use Permit #0906 was issued to Lazy J Mobile Home Park by the Planning and Zoning Commission on December 28, 2004, for the construction of a 4000 sq ft shop building. The building was constructed and received final inspections in October of 2007.

A Preliminary PUD Presentation that included this property was made to the Planning and Zoning Commission on September 14, 2010. On September 28, 2010 a public hearing was held for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 Business Park PUD on 70 (+/-) acres. Planning and Zoning recommended denial.

Planning and Zoning also heard a request for annexation with R-4 designation on September 28, 2010. The Commission recommended approval.

On October 25, 2010 the Council approved the annexation and zoning designation of R-4 of 35 (+/-) acres with the following 3 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 arterial and collector streets adjacent within the property being rebuilt or built to current City standards upon development of the property; 3) Subject to this property being included in and approved as part of the Sun West C-1 Business Park PUD.

The Council also heard the request for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 Business Park PUD on 70 (+/-) acres on October 25, 2010. No action was taken. This request was heard again on February 7, 2011. Council approved the request 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 requirement and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.

Plus the following conditions / Revisions to the presented Draft PUD Agreement:

No development of the area designated on the Master Development Plan as Lazy J Mobile Home Park shall be developed for a period of 5 years following the date of rezoning to C-1, annexation and PUD approval with the following specific exceptions:

1. The mobile home located at Space #141, adjacent to the Williams Road entrance from Pole Line Road, may be relocated within the Lazy J Mobile Home Park at Lazy J Mobile Home Park expense.
2. The Lazy J Mobile Home Park spaces adjacent to Cheney Drive, as generally depicted on the Master Plan, may be minimally impacted by grading for Cheney Drive on adjacent land owned by College of Southern Idaho. No relocation or removal of mobile homes on said spaces will occur without approval of the owner of the mobile home.

3. Following five years after the date of rezoning to C-1, annexation, and PUD approval there shall be no development restrictions and Lazy J may develop any or all acres the Lazy J Mobile Home Park with no relocation or consolidation obligations provided said development is in conformance with the approved zoning, the revised Master Plan, and the applicable PUD Agreement.
4. Construction of Williams Street will include a 6-foot high screening fence on the east side of the roadway to buffer the Lazy J residents from commercial activities that may occur to the west. Specifications for construction of Williams Street will also include requirements for construction, dust control, and restriction to preclude construction activity between 8:00 p.m. and 8:00 a.m. daily.
5. Lazy J management will provide all residents with a periodic updated report on developments that may impact the resident including scheduled roadway construction, building schedules when known, marketing updates, and anticipated impacts to the mobile home park. These written reports will be prepared on no less than an annual basis. The purpose of the report, in addition to informing the residents, is to minimize the impacts of unfounded rumors.

On February 14, 2012 Planning and Zoning approved Special Use Permit #1258 allowing temporary recreational vehicle parking within an existing mobile home park.

Analysis:

This Preliminary Plat for the Sun West Subdivision-No. 1, A PUD, includes 30.98 (+/-) acres and is zoned C-1 Business Park PUD (Planned Unit Development) zone. The request is to plat twenty (20) lots. The site is located south of Pole Line Road and east of Washington Street North.

The proposed plat will allow for a planned mixed use development consisting of commercial retail and light industrial uses. The minimum lot area for a commercial or industrial use is to be of sufficient size to provide for the building, required setbacks, required landscaping and required off-street parking.

This is the first phase of platting the Sun West Subdivision, A PUD. A revised Master Development Plan and a revised PUD Agreement must be brought before Planning and Zoning and City Council before any development of the area designated as Lazy J Mobile Home Park can be developed as commercial uses.

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

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

This request is in conformance with the Comprehensive Plan which designates this area as appropriate for commercial/retail.

Conclusion:

Staff recommends the Commission approve the preliminary plat of the Sun West Subdivision-No. 1, A PUD, as presented, and subject to the following conditions:

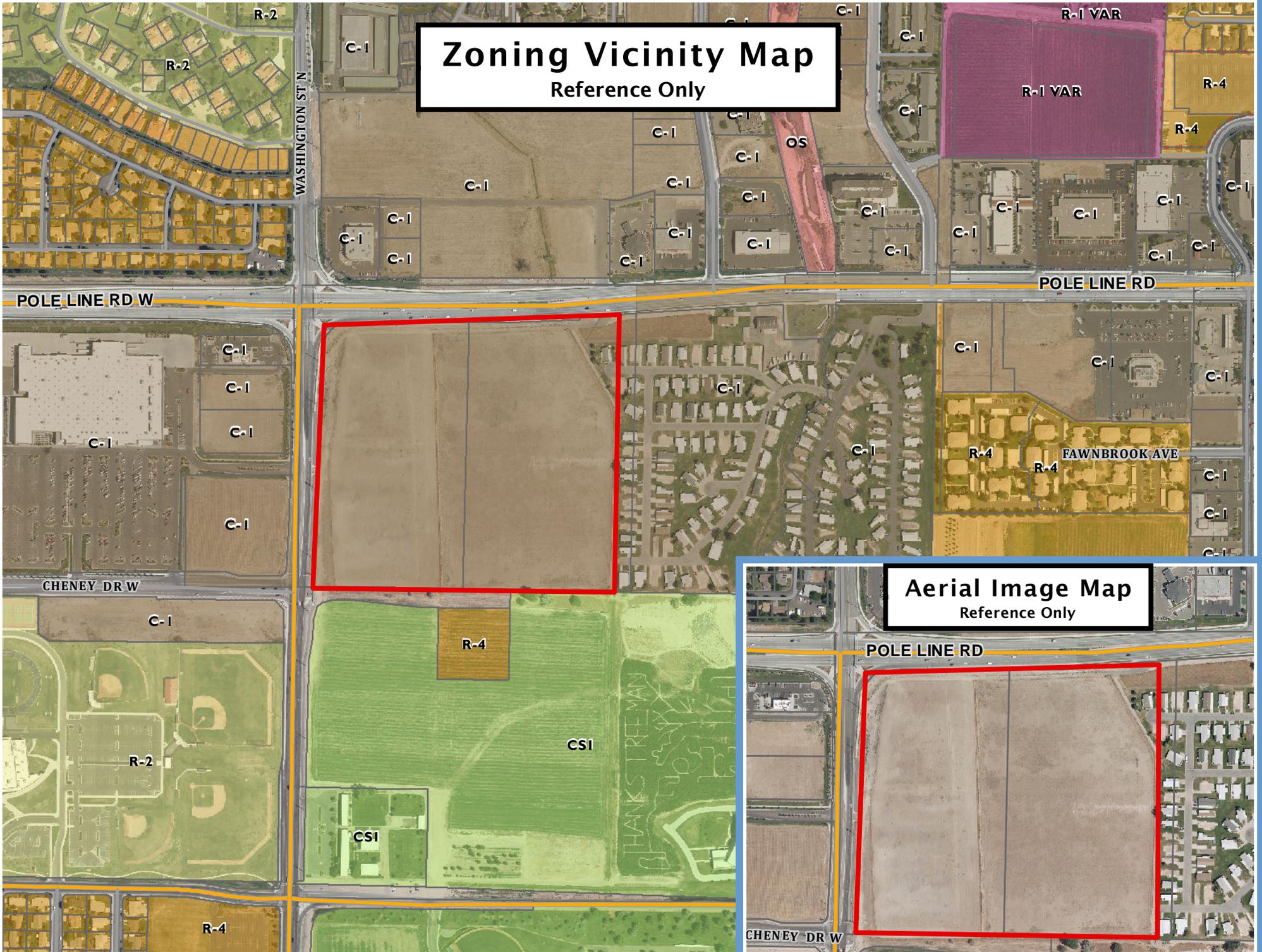
1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards and the Sun West/Lazy J PUD Agreement #259.
2. Subject to changing the name on the preliminary and final plat to Sun West Subdivision-No. 1, A PUD.

Attachments:

1. Zoning Vicinity/Aerial Map
2. Preliminary Plat Exhibit
3. Sun West PUD Master Development Plan
4. Pictures

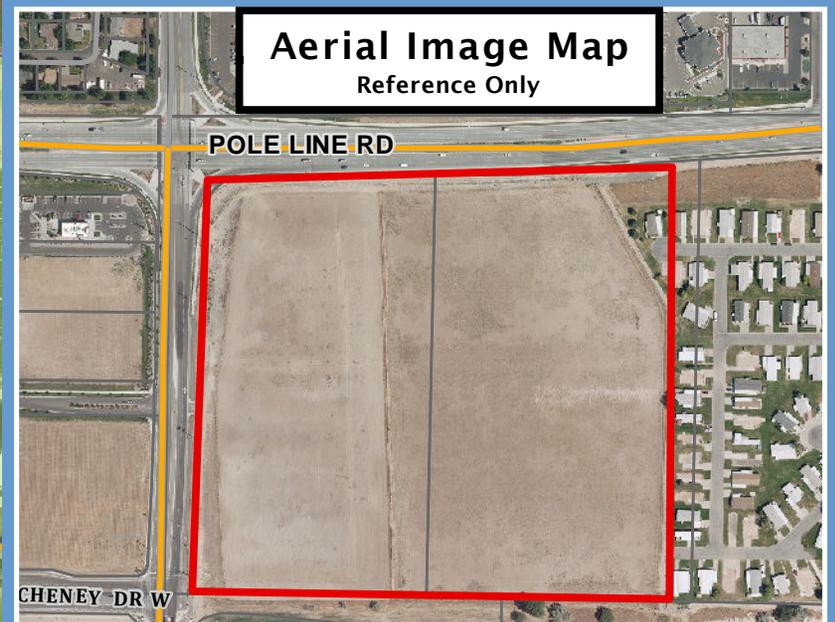
Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only





Looking East: From
Washington St North

02/18/2014 12:18 PM



Looking East: From Corner of
Washington St N and Pole Line Rd

02/18/2014 12:20 PM



Looking South: From Corner of
Washington St N and Pole Line Rd

02/18/2014 12:20 PM



Looking South-West: From Corner of
Washington St N and Pole Line Rd

02/18/2014 12:20 PM



Public Hearing: **TUESDAY, February 25, 2014**
 To: Planning & Zoning Commission
 From: Rene'e Carraway, Community Development

AGENDA ITEM III-2

Request: Request for approval of the preliminary plat for the Westpark Commercial #8 Subdivision, A PUD consisting of 2.03 (+/-) acres with 2 lots and 1 tract for commercial development on property located north of Pole Line Road & west Canyon Crest Drive **Westpark Partners, LLC c/o Gerald Martens / EHM Engineers, Inc.**

Time Estimate:

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

Background:

Applicant: Westpark Partners, LLC c/o Gerald Martens 621 N. College Rd, Ste 100 Twin Falls, Idaho 83301 208-734-4888 208-420-2461cell gmartens@ehminc.com	Status: Property Owner Current Zoning: C-1 PUD Comprehensive Plan: Commercial – Retail Existing Land Use: undeveloped	Size: 2.03(+/-) acres Requested Zoning: Approval of a preliminary plat Lot Count: 2 lots Proposed Land Use: commercial/retail
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 PUD; undeveloped	East: C-1 PUD; Farmer's National Bank
	South: C-1 PUD; Pole Line Rd, undeveloped	West: C-1 PUD; undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6-1 through 4, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-12-2.3 and the Northbridge PUD Agreement	

Approval Process:

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

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

Budget Impact:

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

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

This area was part of a request for a Comprehensive Plan Map change from residential to commercial and open space and a rezone from R-1-4300 to C-1 PUD and OS, which was reviewed by the Planning and Zoning Commission on February 9, 1993. The Commission recommended approval of the request as a C-1 & R-4 PRO PUD zoning. The request was approved by the City Council on April 19, 1993, with the Commission's recommendations, including the following:

1. Lot 6 at the intersection of Pole Line Road and Washington St N be rezoned R-4 PRO PUD.
2. Accesses to the lots on Pole Line Road to be limited to minimum 660 foot spacing and limited to shared accesses between the lots.
3. Relocate the access between lots 6 & 7 further from Washington St N and access lots 7 through an internal access easement through lot 6.
4. Provide a 44 foot wide public access road along the east side of Lot 1 to serve future development to the north. This is at the 1/2 mile (Harrison St) alignment. Make provisions to delete the approach aligned with the existing Lazy J access upon full development of the Harrison St intersection.
5. Provide a 44 foot wide public north-south access road off Pole Line Road through the C-1 PUD area to the future residential development to the north.
6. Dedicate a 40 foot 1/2 right-of-way on Washington St N and build to a 32 foot wide half arterial section.
7. A landscaped berm required on the west side of Lot 5.
8. Public parking required on Lots 1 & 2 for public access to the Perrine Coulee green belt.

As per condition #1 The PUD rezoned a 4.5 acre parcel, referenced as "Lot 6", located at the northeast corner of Washington St N and Pole Line Road as R-4 PRO.

Westpark Commercial Subdivision, No. 3 was recorded in May 2006. The plat consists of 24 (+/-) acres with 3 commercial lots. Lot 6, Block 2 is 2.98 acres and is located at the northeast corner of Pole Line Road and Washington Street North. Lot 6, Block 2, 2.98 acre lot (+/-), was zoned R-4 PRO PUD. The owner wanted to develop a Walgreens and requested a PUD Modification/rezone of this lot from R-4 PRO PUD to C-1 PUD.

The City Council approved an amendment to the Northbridge PUD on September 24, 2007 rezoning Lot 6, Block 2 Westpark Commercial Subdivision #3-a PUD from R-4 PRO to C-1 PUD. At the time the applicants only owned the 3 acre platted lot, leaving the remaining 1.5 acre parcel to the north zoned R-4 PRO. They purchased the remaining 1.5 acre parcel of Lot 6, Block 2 of West Park Commercial Subdivision #3-a PUD and on July 14, 2008 the City Council approved a PUD Modification of the Northbridge PUD rezoning the remaining 1.5 R-4 PRO zoned parcel to C-1 PUD.

On January 8, 2008 the Commission approved a Special Use Permit to operate a retail business outside the permitted hours of operation of 7:00 am to 10:00 pm, to operate a drive-through facility, and to operate a 32 sf message center sign. The sign code has since been modified, allowing a message center sign without a special use permit.

A Certificate of Occupancy was issued for the new Walgreen's store located on the proposed Lot 1, Block 1 of the Magic Valley Marketplace Subdivision on October 1, 2009.

May 16th, 1994 Council approved the Northbridge #2 PUD Agreement. August 22nd, 2005 the Council approved a PUD modification to the Northbridge #2 PUD to allow a storage unit facility.

On April 23, 2012 there was a Preliminary PUD Presentation on the rezone / PUD request made to the Commission at a public meeting. Westpark Commercial Subdivision, #7 was recorded on July 29, 2013. Westpark Commercial #7 PUD Agreement was recorded on June 28, 2013.

Analysis:

This Preliminary Plat for the Westpark Commercial Subdivision #8 – a PUD includes 2.03 (+/-) acres and consists of two (2) lots. The proposed subdivision is zoned C-1 PUD. The site is located north of Pole Line Road and

west of Canyon Crest Drive. The property is currently vacant. It is located in Lot 4; Block 2 of the Westpark Commercial Subdivision #3. The proposed lots are covered under the Northbridge PUD. This proposed subdivision will conform to the uses and development standards stated in the Northbridge PUD.

The intended use for the Westpark Commercial Subdivision #8 – a PUD is to allow the commercial development of a restaurant in one lot and unknown commercial use in the other. There is not a minimum lot square footage requirement in the C-1 zone for commercial uses; the lot is required to be of “sufficient size to provide for the building, the required setbacks, off street parking and landscaping”. A full review of required improvements will be made by the Building, Planning, Fire and Engineering Departments for full compliance with minimum development standards prior to issuance of any building permits.

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

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for commercial/retail uses.

Conclusion:

Staff recommends the Commission approve the preliminary plat of the Westpark Commercial Subdivision #8- A PUD, as presented, and subject to the following conditions:

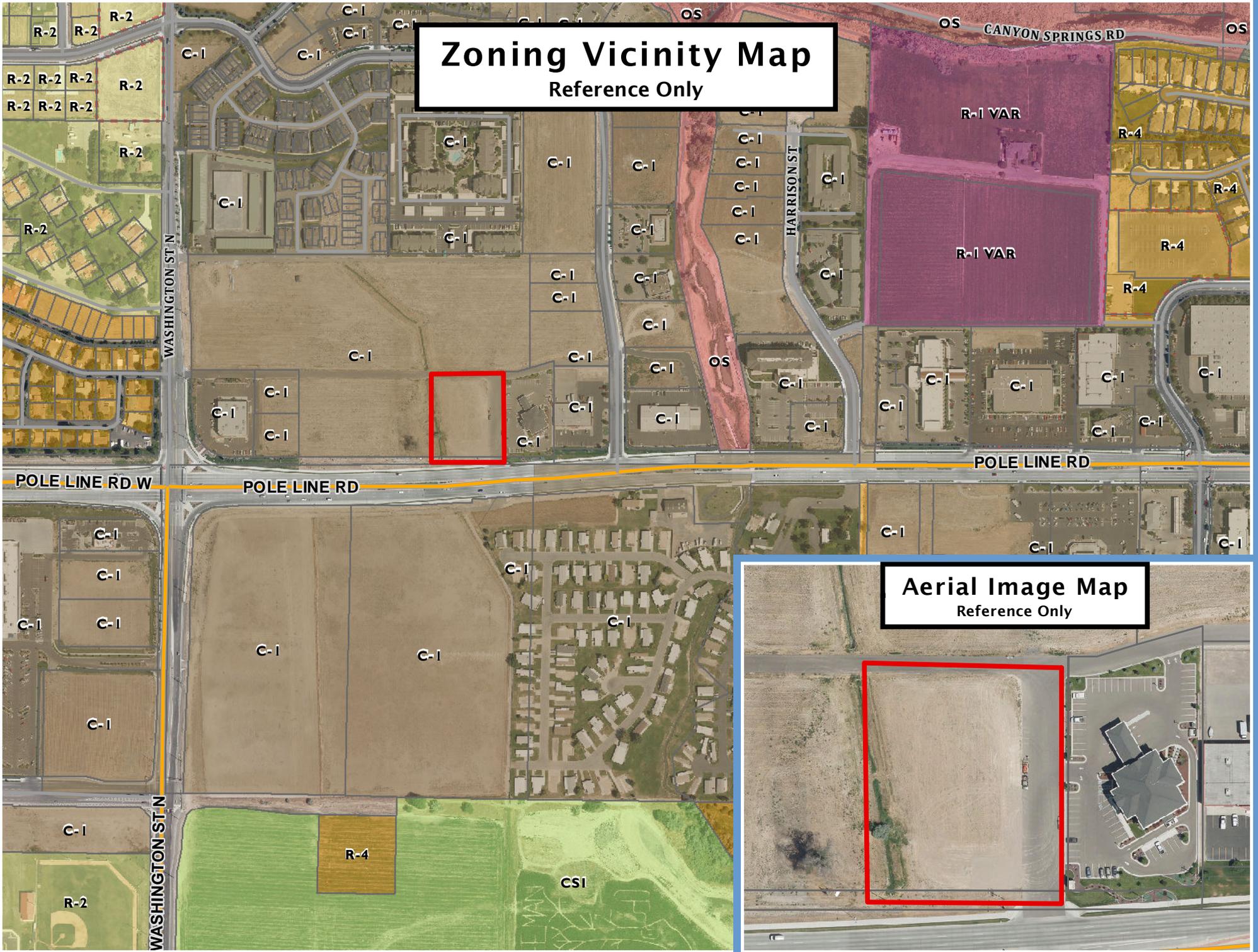
1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with Northbridge PUD.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Attachments:

- | | |
|---|----------------------------|
| 1. Zoning Vicinity/Aerial Map | 4. Master Development Plan |
| 2. Current West Park Commercial Subdivision | 5. Photos |
| 3. Preliminary Plat Exhibit | |

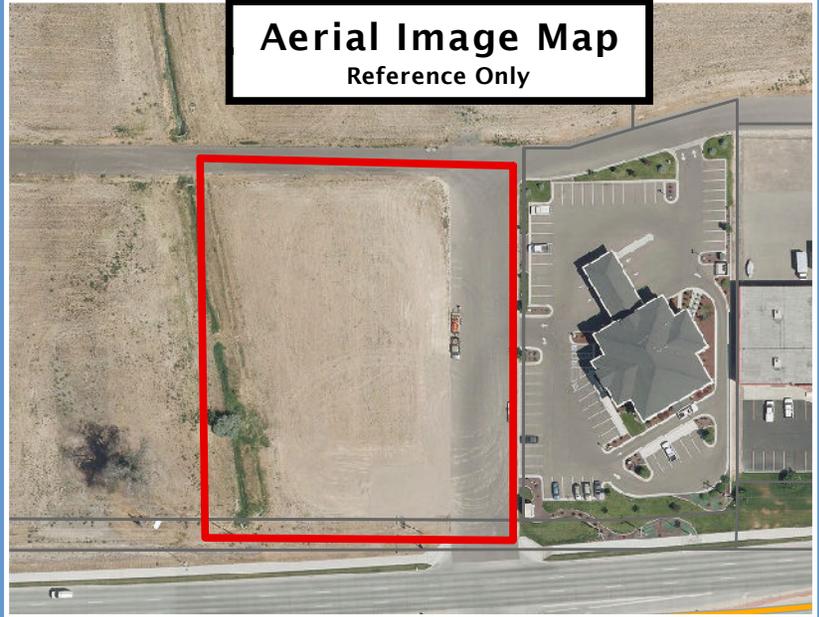
Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only



FOUND 5/8" REBAR & CAP
CP # 909919

32 33

UNPLATTED

RIVERCREST APARTMENTS
P.U.D.

UNPLATTED

770.16'

N89°34'43"E 1305.04'

504.78'

30.10'



1" = 100'

WESTPARK COMMERCIAL SUBD. NO. 3

Located In
S2 SW4, Section 33
T. 9 S., R. 17 E., BM.
Twin Falls County, Idaho
2005

BLOCK 2

Lot 4
19.19 Acres

Washington Street North
N 00°00'00"E 2841.09'
HIGHWAY PROJECT DHP-NH-F-2390(104)

VILLA DEL RIO ESTATES

C3

C2

P0

M.C. 75.10 N

C7

Lot 6
2.98 Acres

N 89°34'43"E 410.79'

1732

88.98

S 00°25'17"E 329.97'

137

263.12'

N 89°34'43"E 39.07'

N 73°38'19"E 94.98'

20'

57.78'

20'

152.76'

60'

N 00°25'17"W 324.73'

Lot 5
1.45 Acres

WESTPARK COMMERCIAL
SUBDIVISION NO. 1

REAL POINT
OF BEGINNING

317

84.26'

102.00'

N 00°25'17"W 32.83'

S 85°10'51"W

T. 9 S.

T. 10 S.

32 33

5 4

FOUND 5/8" REBAR & CAP
CP # 909920

BASE BEARING - WESTPARK COMMERCIAL SUBD. NO. 1
Pole Line Road

UNPLATTED

FOUND COPPER WELD ROD
CP # 909921

TWIN FALLS COUNTY
RECORDED FOR:
E.H.M. ENGINEERS
1:41:03 pm 05-18-2006
2006-011944
NO. PAGES: 2 FEE: \$22.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: COUNBAR

Curve Data

CVE.	DELTA	RADIUS	ARC	CHORD	TANGENT	CH. BRC.
C1	82°32'47"	137.80'	198.53'	181.80'	120.95'	N 49°08'53"W
C2	03°22'50"	8257.86'	487.23'	487.16'	243.69'	N 01°41'08"W
C3	00°35'23"	8146.31'	83.85'	83.85'	41.93'	N 03°04'51"W
C4	00°52'24"	8257.86'	125.89'	125.89'	62.95'	N 00°25'55"W
C5	02°30'26"	8257.86'	361.34'	361.31'	180.70'	N 02°07'20"W

Health Certificate

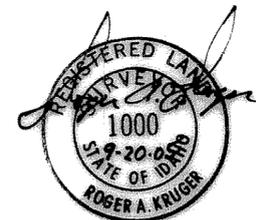
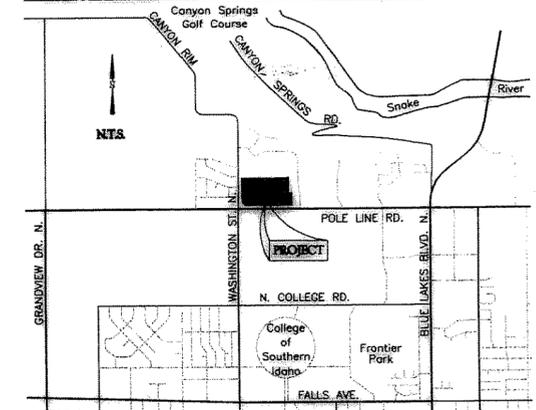
Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 are in force. No owner shall construct any building, dwelling or shelter which necessitates the supplying of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Date: July 29, 2005 [Signature] # 219
District Health Department, EHS

Legend

- PROPERTY BOUNDARY LINE
- LOT LINE
- SECTION LINE
- UTILITY, VEHICULAR ACCESS & DRAINAGE ESMN'T.
- SET 5/8" x 30" REBAR & CAP (LS 1000)
- FOUND 5/8" REBAR & CAP (LS 1000)
- SET 1/2" x 24" REBAR & CAP (LS 1000)
- FOUND I.T.D. R/W MONUMENT (ALUM. CAP)
- FOUND 1/2" REBAR - REPLACED WITH 5/8" x 30" REBAR & CAP (LS 1000)

Vicinity Sketch



E.H.M. Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

Preliminary Plat For Westpark Commercial Subdivision No. 8 PUD

Located in
A Portion of
Lot 4, Block 2
WESTPARK COMMERCIAL SUBDIVISION NO. 3
In
SW 4 SW 4, Section 33
Township 9 South, Range 17 East, Boise Meridian
Twin Falls County, Idaho
2013



DESIGN DATA

Owner/Plattee: Westpark Properties, LLC
1000 N. Main St., Suite 100
Twin Falls, ID 83401
(208) 734-4888
Westpark Properties, P.C. Project Eng.
2000 17th St. N.
Twin Falls, ID 83401
(208) 734-4888

Engineer: EHM Engineers, Inc.
221 Engineers, Inc. Suite 100
1000 N. Main St., Suite 100
Twin Falls, ID 83401
(208) 734-4888

Subdivisor: Subdivisor and certifier in
Twin Falls, Idaho, and
City of Twin Falls, Idaho, and
Twin Falls County, Idaho.
(208) 734-4888

Zone: Development Area 2.5 Acres (164,000 sq ft)

Setback: Street & Utility City Street and Utility
Utilities Underground Service, Gas, TV,
and Telephone
Easements As shown

Proposed Use: Commercial (Retail/Service)

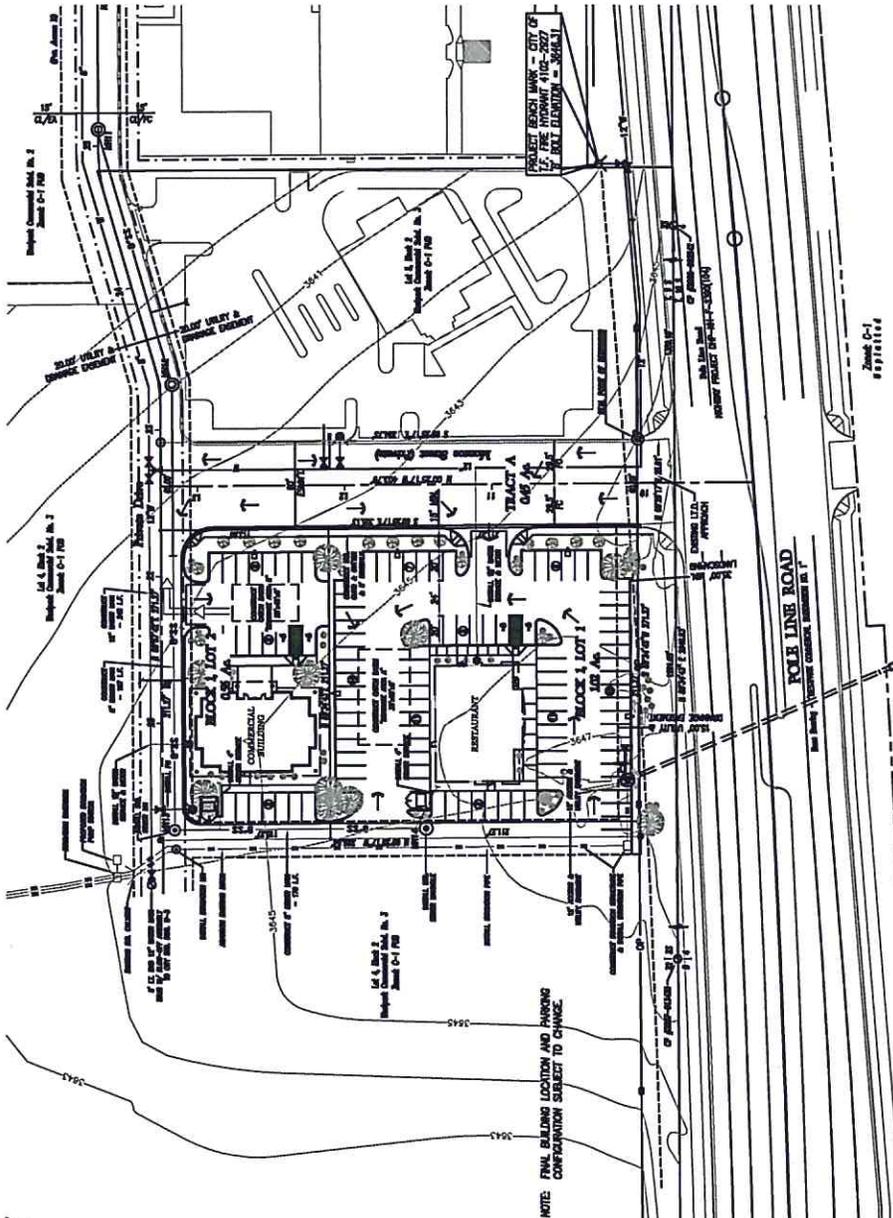
Utilities: Gas, Telephone, Sewer

Setback: As shown

LEGEND

PROPERTY BOUNDARY	PROPOSED
LOT LINE	PROPERTY BOUNDARY
ROAD CENTERLINE	ROAD CENTERLINE
UTILITY, MANHOLE, LAMPPOST, ACCESS & ERECTION	UTILITY, MANHOLE, LAMPPOST, ACCESS & ERECTION
STANDARD CURB, GUTTER, & SIDEWALK	STANDARD CURB, GUTTER, & SIDEWALK
SEWER MAIN	SEWER MAIN
STORM SEWER MAIN	STORM SEWER MAIN
CONCRETE LINE	CONCRETE LINE
WATER MAIN	WATER MAIN
WATER SERVICE	WATER SERVICE
FIRE HYDRANT	FIRE HYDRANT
UNDER WALK	UNDER WALK
UNDER DRIVEWAY SERVICE	UNDER DRIVEWAY SERVICE
MANHOLE	MANHOLE
UTILITY BASE	UTILITY BASE
SEWER MANHOLE	SEWER MANHOLE
STORM SEWER MANHOLE	STORM SEWER MANHOLE
100 YEAR FLOOD BOUNDARY	100 YEAR FLOOD BOUNDARY
UTILITY POLE	UTILITY POLE

VICINITY MAP

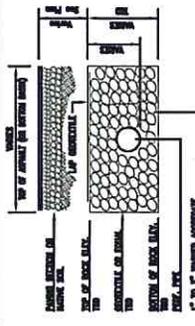


NOTE: FINAL BUILDING LOCATION AND SHADING CONSIDERATION SUBJECT TO CHANGE.

DRAINAGE CALCULATIONS

Area	Runoff Coefficient	Runoff Area	Runoff Volume
Building Footprint	0.75	10,000 sq ft	10,000 gal
Parking Area	0.50	20,000 sq ft	20,000 gal
Pre-developed Commercially Developed Area	0.50	10,000 sq ft	10,000 gal
Runoff Area "A"	0.50	10,000 sq ft	10,000 gal
Runoff Area "B"	0.50	10,000 sq ft	10,000 gal
Runoff Area "C"	0.50	10,000 sq ft	10,000 gal
Runoff Area "D"	0.50	10,000 sq ft	10,000 gal
Runoff Area "E"	0.50	10,000 sq ft	10,000 gal
Runoff Area "F"	0.50	10,000 sq ft	10,000 gal
Runoff Area "G"	0.50	10,000 sq ft	10,000 gal
Runoff Area "H"	0.50	10,000 sq ft	10,000 gal
Runoff Area "I"	0.50	10,000 sq ft	10,000 gal
Runoff Area "J"	0.50	10,000 sq ft	10,000 gal
Runoff Area "K"	0.50	10,000 sq ft	10,000 gal
Runoff Area "L"	0.50	10,000 sq ft	10,000 gal
Runoff Area "M"	0.50	10,000 sq ft	10,000 gal
Runoff Area "N"	0.50	10,000 sq ft	10,000 gal
Runoff Area "O"	0.50	10,000 sq ft	10,000 gal
Runoff Area "P"	0.50	10,000 sq ft	10,000 gal
Runoff Area "Q"	0.50	10,000 sq ft	10,000 gal
Runoff Area "R"	0.50	10,000 sq ft	10,000 gal
Runoff Area "S"	0.50	10,000 sq ft	10,000 gal
Runoff Area "T"	0.50	10,000 sq ft	10,000 gal
Runoff Area "U"	0.50	10,000 sq ft	10,000 gal
Runoff Area "V"	0.50	10,000 sq ft	10,000 gal
Runoff Area "W"	0.50	10,000 sq ft	10,000 gal
Runoff Area "X"	0.50	10,000 sq ft	10,000 gal
Runoff Area "Y"	0.50	10,000 sq ft	10,000 gal
Runoff Area "Z"	0.50	10,000 sq ft	10,000 gal

DRYWELL DETAIL

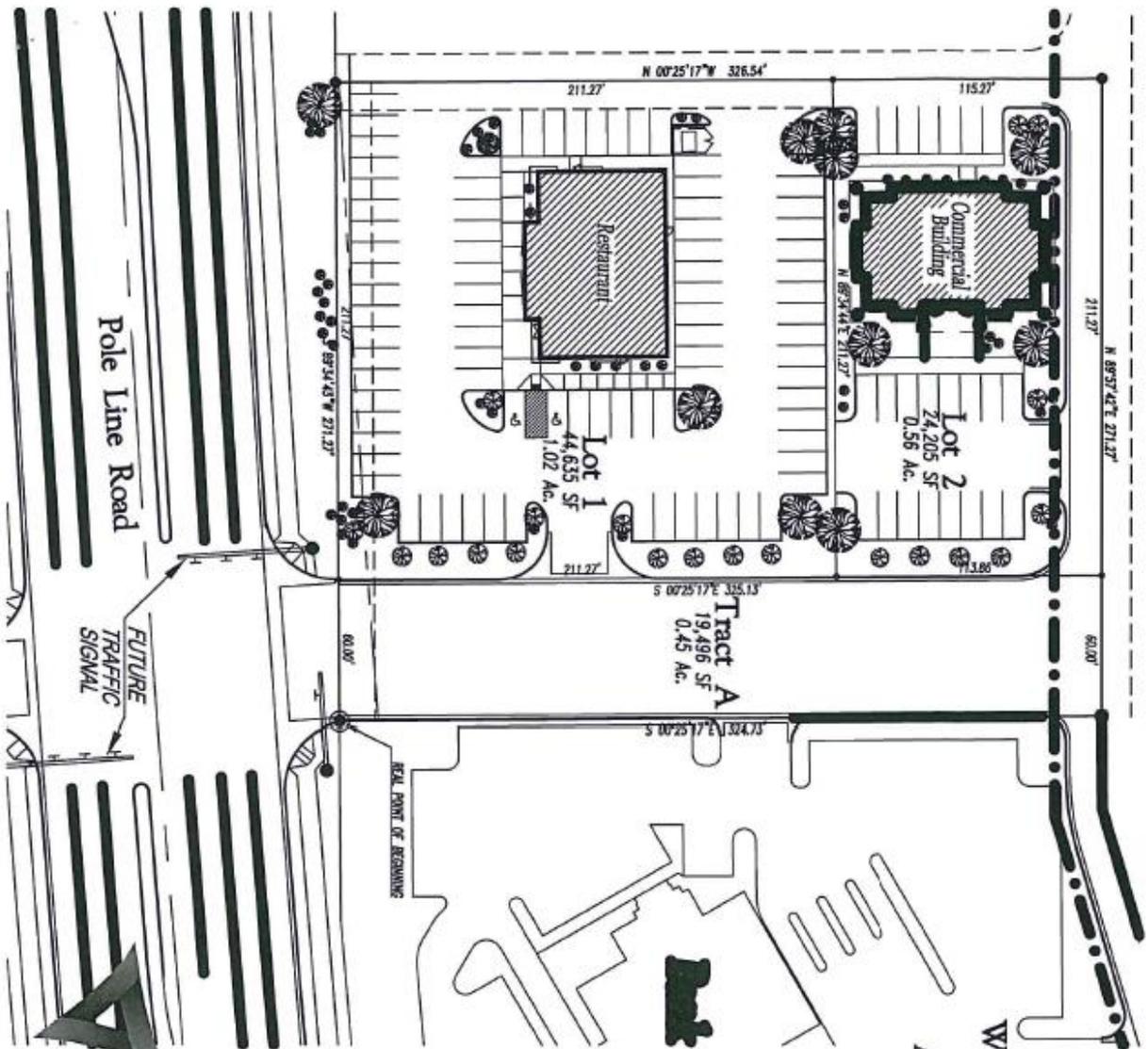


NOTE: Storage for Area "X" shall be 30" x 40" x 2' deep. Dry well below on shown. They may be installed in accordance with the plan shown. 1,000 gal. capacity.

Storage for Area "Y" shall be 30" x 40" x 2' deep. Dry well below on shown. They may be installed in accordance with the plan shown. 1,000 gal. capacity.

Cells shall be in accordance per City of Twin Falls Standard Drawing D-1.

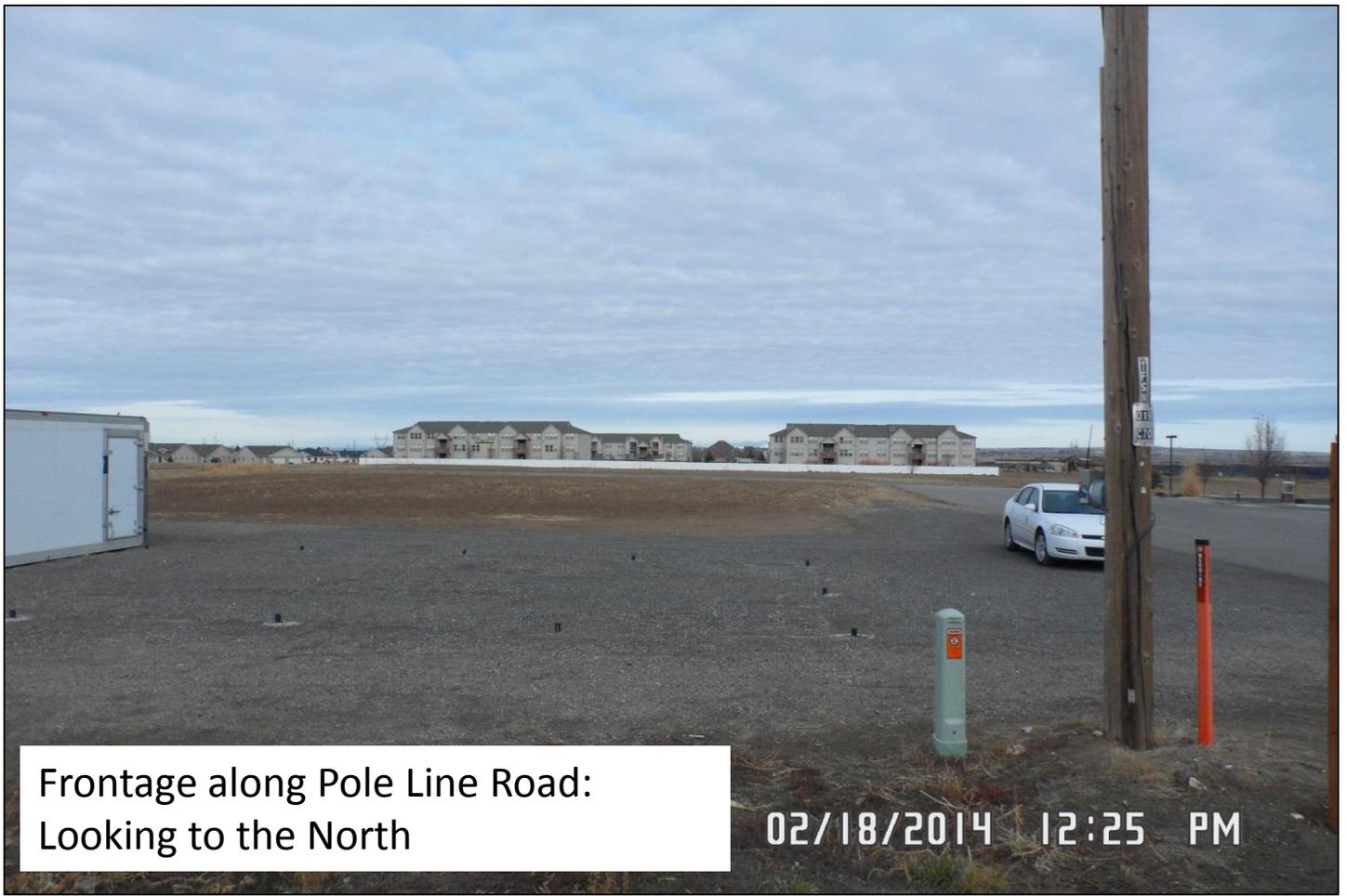
NO.	DATE	DESCRIPTION
1	08/14/13	ISSUED FOR PERMIT
2	08/14/13	ISSUED FOR PERMIT
3	08/14/13	ISSUED FOR PERMIT
4	08/14/13	ISSUED FOR PERMIT
5	08/14/13	ISSUED FOR PERMIT
6	08/14/13	ISSUED FOR PERMIT
7	08/14/13	ISSUED FOR PERMIT
8	08/14/13	ISSUED FOR PERMIT
9	08/14/13	ISSUED FOR PERMIT
10	08/14/13	ISSUED FOR PERMIT
11	08/14/13	ISSUED FOR PERMIT
12	08/14/13	ISSUED FOR PERMIT
13	08/14/13	ISSUED FOR PERMIT
14	08/14/13	ISSUED FOR PERMIT
15	08/14/13	ISSUED FOR PERMIT
16	08/14/13	ISSUED FOR PERMIT
17	08/14/13	ISSUED FOR PERMIT
18	08/14/13	ISSUED FOR PERMIT
19	08/14/13	ISSUED FOR PERMIT
20	08/14/13	ISSUED FOR PERMIT



"EXHIBIT B"
 Master Development Plan
 For
 Westpark Commercial Subdivision
 Number 8
 A Planned Unit Development



EHM Engineers, Inc.



Frontage along Pole Line Road:
Looking to the North

02/18/2014 12:25 PM



Front along Poleline:
Looking to the West

02/18/2014 12:25 PM



Looking to the West: From Farmers
National Bank Access Road

02/18/2014 12:26 PM



Public Hearing: **Tuesday, February 25, 2013**

To: Planning & Zoning Commission

From: Rene'e V. Carraway, Community Development

AGENDA ITEM IV-1

Request: Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West **ProWest Engineering c/o Dan Thiel / Mtn. Sun Construction, LLC.** (app.2619)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 1.15 Acres
ProWest Engineering 598 Addison Ave W Twin Falls, ID 83301 208-733-2101 801-884-7090 (cell) joshc@prowesteng.com	Current Zoning: C-1 & R-6 PRO	Requested Zoning: C-1 (Highway Commercial)
	Comprehensive Plan: Commercial/Retail	Lot Count: 1 Lot
	Existing Land Use: Existing Special Use Permit for Legal Non-Conforming Use	Proposed Land Use: No change from existing.
Representative:	Zoning Designations & Surrounding Land Use(s)	
Dan Theil Mtn. Sun Const. LLC 451 Eastland Ste 7 Twin Falls, ID 83301 208-969-0668 (cell) mtnsun@ymail.com	North: R-6 PRO, Residential Apts	East: C-1, Commercial
	South: C-1, Office Buildings/Addison Avenue West	West: Martin Street; C-1, County Offices
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-6, 10-4-8, 10-4-18, 10-14-1 through 9	

Approval Process:

At the conclusion of this Public Hearing, the Planning Commissioners will be asked to make a recommendation on the requested zoning of the property. The recommendation will be forwarded to the City Council for consideration.

Budget Impact:

Approval of this request will have no significant impact on the City budget.

Regulatory Impact:

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

History:

In July 1986 a Special Use Permit was granted to Roger Powell to operate an Auction House. At that time the building had been used as a warehouse. Since that time, it is believed the building changed hands multiple times at one time or another Norco used it for storage, Magic Valley Medical Center also used it for some purpose, and most recently Twin Falls County had been using it as a mechanic shop and storage facility.

ProWest Engineering purchased the property from the County in May 2012. Since that time they have been using it to assemble electrical components into various sizes of cabinets and as a temporary storage facility for the assembled cabinets and larger cabinets/storage trailer/units. In December 2013, ProWest applied for a Special Use Permit to replace an existing non-conforming use with another non-conforming use. This Special Use Permit was approved by the Commission with conditions.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment for approximately 30 feet of property along the northern boundary of Lot 6, Holohan Addition; from R-6 PRO (Residential Multi-Household Professional Office Overlay) to C-1 (Highway Commercial). There is an existing building on site that is zoned both C-1 and R-6 PRO. The Official Zoning Districts Map has the boundary line bisecting the building itself into two (2) differing zones.

The use of the property, and the building, will not change with this application. The applicant has expressed that the rezone request stems from wanting to clean up the zoning issues with the property, and remove possible encumbrances on the property if sold or if buildings were possibly expanded.

The Comprehensive Plan and Future Land Use Map designate the particular area wishing to be rezoned as Commercial/Retail. The area immediately to the East, South, and West are currently C-1 and have Commercial and Government uses established. The area to the north is zoned R-6 PRO and is currently a multi-family housing project. This proposed rezone would be compatible with the adjacent land uses in the area and does follow the Future Land Use Map and goals of the Comprehensive plan.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: **1-** to determine whether the request is in conformance with the Comprehensive Plan and **2-** to evaluate the request to determine the extent and nature of the amendment requested.

Conclusion:

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that **1-** the request is in conformance with the Comprehensive Plan and **2-** the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

If the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Attachments:

1. Letter of Request
2. Zoning Vicinity and Aerial Map
3. Site Plan and Rezone Exhibit (2)
4. Comprehensive Plan – Future Land Use Map
5. Site Photos(2)

Sir/Ma'am,

Terry Robinson & Josh Collins, owners of Pro West Engineering, Western Enclosure and of the property at 598, 588 & 580 Addison Ave. W. of Twin Falls Idaho would like to request a zone change at said property from R-6 PRO to C-1.

The reasons for the request are manifold. Currently the property is mostly zoned C-1, but the north approximately 30 feet are under the zone of R-6 PRO. A rezone would clean up the property and remove possible future encumbrances on the property if sold or if buildings were possibility expanded.

The current Western Enclosure building is on the northeast side of the property and is currently operating under a Special Use Permit granted by the Planning & Zoning Commission on December 10, 2013. This building is a non-conforming use building and under the present zoning the north 20 to 30 feet of the building are zoned R-6 PRO. This limits the use of part of the building due to the zoning restrictions on R-6 PRO. A rezone would put the building closer to conforming to the C-1 zone. The building would still be a non-conforming use building, but a rezone would make the building less non-conforming.

To our knowledge a rezone of this strip of land would not affect the Comprehensive Plan established as the standard for the City of Twin Falls.

A rezone would be in compatibility with the surrounding area. The R-6 PRO area north of the property would remain R-6 PRO and the remainder of the surrounding area is already C-1 zoning.

There is no plan to develop this property any more than is currently on the property. The Western Enclosure building is not being expanded and will be operating under the guidelines set by the Commission for the Special Use Permit.

We thank you for your time and consideration in this matter,

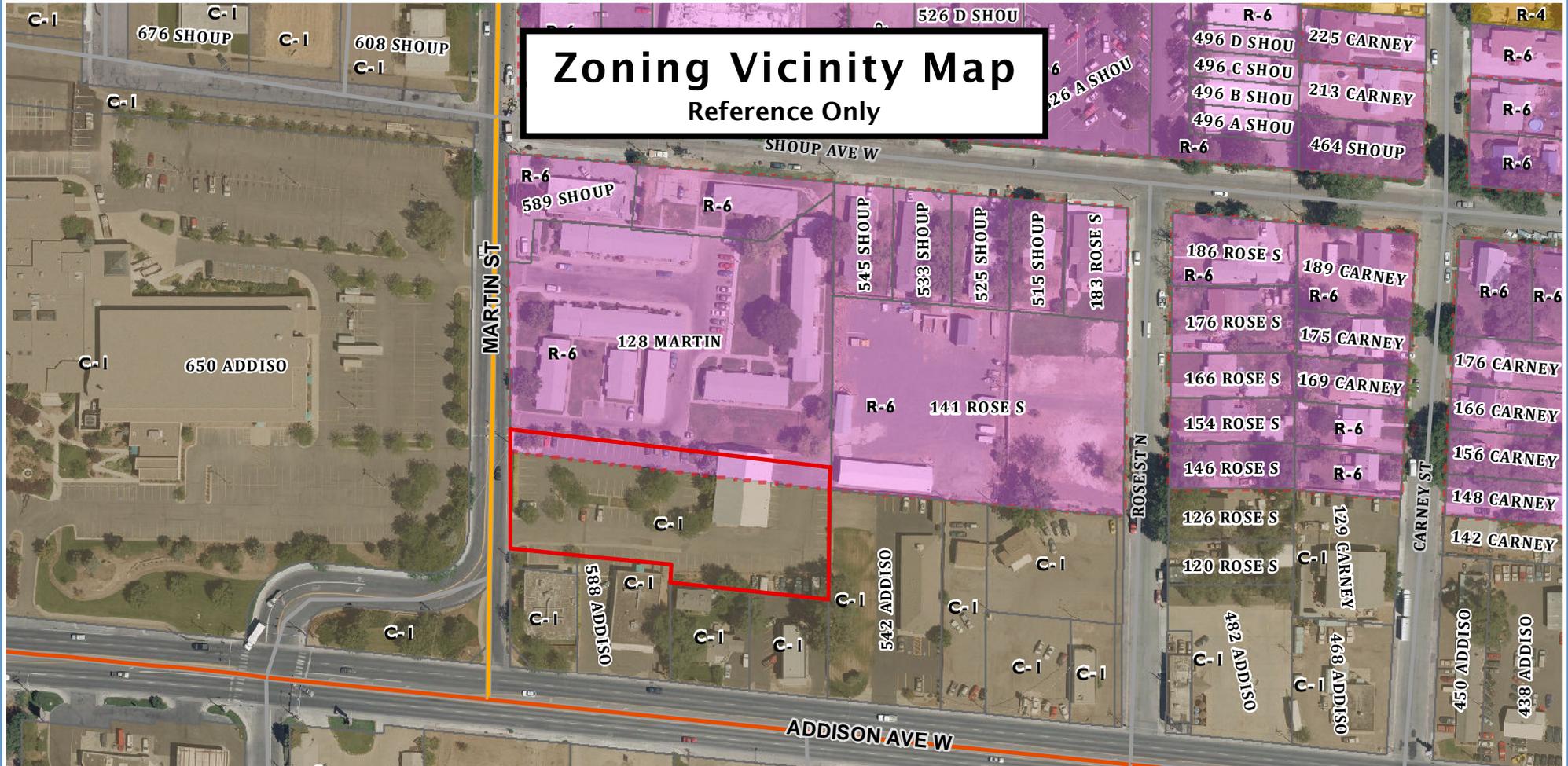
Sincerely,

Terry Robinson & Josh Collins

Pro West Engineering

Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only



Zoning Map Amendment Exhibit

Reference Only



R-6
141 ROSE S

Proposed Rezone Area

C-1
650 ADDISO

MORRISON ST

C-1

MARTIN ST

ADDISON AVE W

C-1 598 ADDISO

C-1 588 ADDISO

C-1 576 ADDISO

C-1 542 ADDISO

C-1

C-1

R-6

C-1

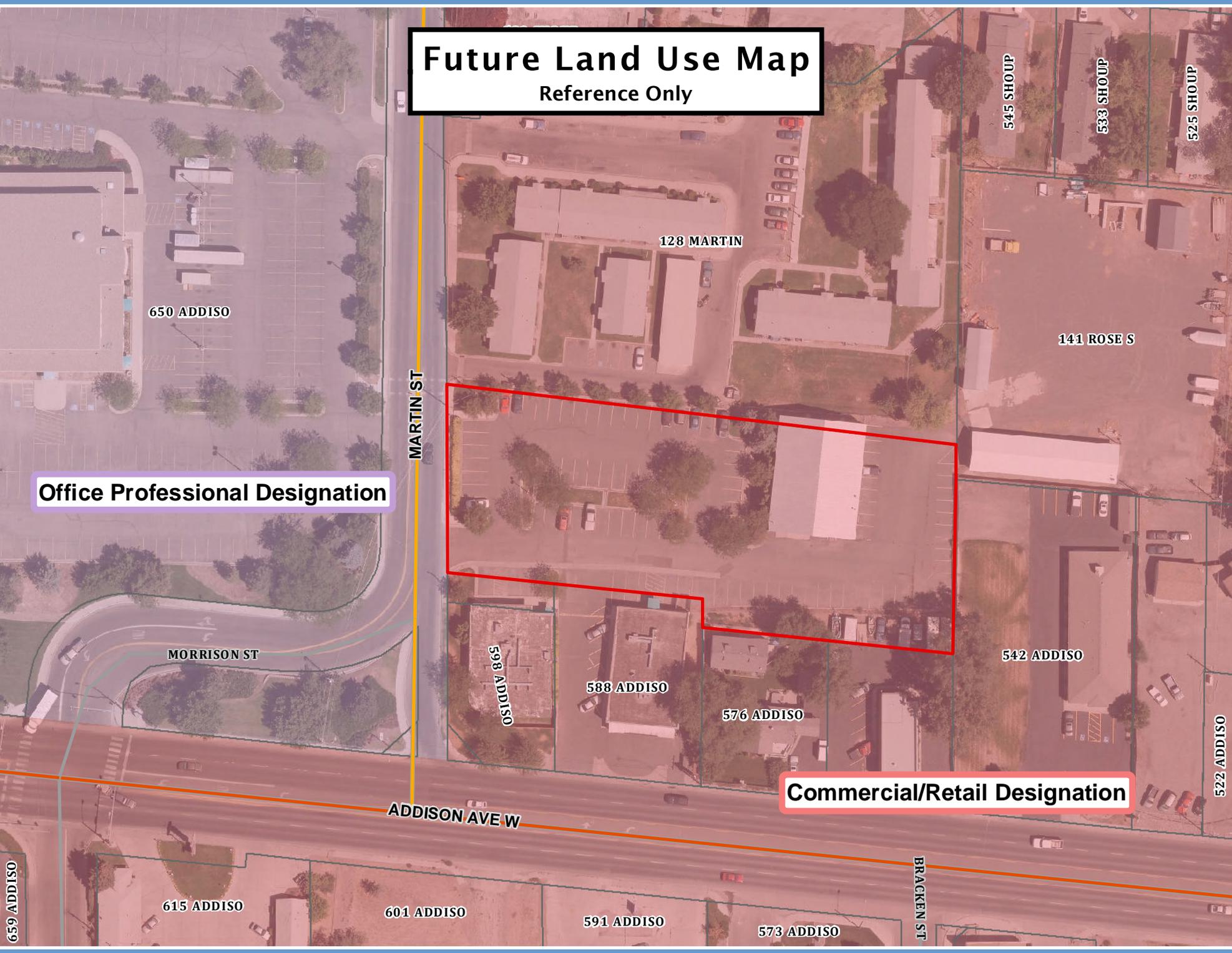
Future Land Use Map

Reference Only

Office Professional Designation



Commercial/Retail Designation





View from Martin St – Near County Bldg

02/18/2014 12:39 PM





Rear/East Portion of building and Lot



Public Hearing: TUESDAY, February 25, 2014

To: Planning & Zoning Commission

From: Rene'e V. Carraway, Community Development Department

AGENDA ITEM IV-2

Request: Request the Commission's recommendation on a request to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive **Castle Twin Falls, LLC c/o Gerald Martens/EHM Engineers, Inc.** (app. 2620)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff's presentation may be up to ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 6' x 186.62' – 1119.72 sq ft
Castle Twin Falls, LLC P.O. Box 98 Carey, ID 83320	Current Zoning: Utility, drainage, access and irrigation easement within the C-1 PUD Zone	Requested Zoning: vacation of a utility, drainage, access and irrigation easement
	Comprehensive Plan: Commercial/retail	Lot Count: 1
	Existing Land Use: Utility, drainage, access and irrigation easement.	Proposed Land Use: Installation of fuel storage tank within vacated easement.
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 ehm@ehminc.com	North: C-1 PUD; Pole Line Rd W., undeveloped	East: C-1 PUD; undeveloped
	South: C-1 PUD; undeveloped	West: C-1 PUD; Park View Dr., undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Council will conduct a public hearing and approve, modify or deny the vacation. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Deed for the vacated rights or way.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed to the City Council with their request to vacate a portion of a 23' +/- (6' x 186.62' portion) platted utility, drainage, access and irrigation easement near Pole Line Road West as shown on the site plan.

History:

Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. The new zoning designations were assigned at that time, or when areas were annexed. The site zoned as North Haven Business Park C-1 PUD was annexed on June 14, 2004. A Preliminary Plat was approved on July 13, 2004, for a ten (10) lot subdivision. The Final Plat was approved on November 1, 2004. On January 24, 2005, the North Haven Business Park C-1 PUD Agreement was approved and recorded.

The Plat was amended to include more lots and so it was resubmitted and the amended Preliminary Plat was approved by the Planning and Zoning Commission on April 25, 2006. The amended Final Plat was approved September 11, 2006. On March 27, 2007 the Planning and Zoning Commission approved a PUD Modification to allow for a tire and lube shop with closed doors, a drive-through facility for a pharmacy, a drive-through facility for a garden center, 24-hour retail operations and signage modifications subject to the Wal-Mart site/building only. The Council approved the PUD modification on April 23, 2007. The Final Plat for the North Haven Business Park Subdivision, A PUD- Phase 2 was recorded on December 17, 2009.

Special Use Permit #1309 was approved by the Commission on December 10, 2013 for the construction and operation of a convenience store/gas station that would be open twenty-four (24) hours a day, seven (7) days a week.

Analysis:

This is a request to vacate a utility, drainage, access and irrigation easement located along Pole Line Road West. This request to vacate a portion of the easement is for the installation of fuel storage tanks. The existing easement is 22.97 +/- feet in width. The 6' vacation will leave an easement width of 16.97', which exceeds the standard 15' easement normally placed on commercial subdivision boundaries.

We have not received all the required letters from the applicable utility companies stating their approval of the vacation of the easement. Staff recommends the Commission place a condition on this proposed vacation subject to requirements recommended by the applicable utility companies.

The applicant has stated in its narrative that all utilities for the North Haven Subdivision are in place. City of Twin Falls has a sanitary sewer line located in the easement east of the proposed vacation.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

CONCLUSION:

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

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to requirements recommended by applicable utility companies.

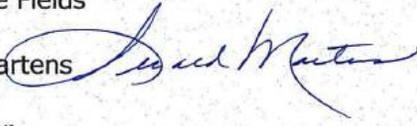
Attachments:

1. Vacation request
2. Vacation Exhibit
3. Zoning Vicinity/Aerial Map
4. Site Photo



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
WASTEWATER
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT.
GRANT ADMINISTRATION

Date: January 24, 2014
To: City of Twin Falls
Attn: Jackie Fields
From: Gerald L. Martens 
Via: Hand Deliver
Regarding: Vacation of Partial Easement

Please find attached an application for vacation of a small portion of an existing platted easement as shown on the attached exhibit and as we discussed.

The reason is to allow a fuel storage tank to remain in place without encroaching into an easement. The requested vacation leaves a 16.97 foot wide easement, which should be sufficient for any utility requirements.

Attached are letters sent to all utilities. The response letters will be forwarded upon response.

Thank you for attention to this matter.

027-12

1721 PARK

1724 PARK

1730 PARK

Easement Vacation Exhibit

Reference Only



Approximate Location Of Existing Easements

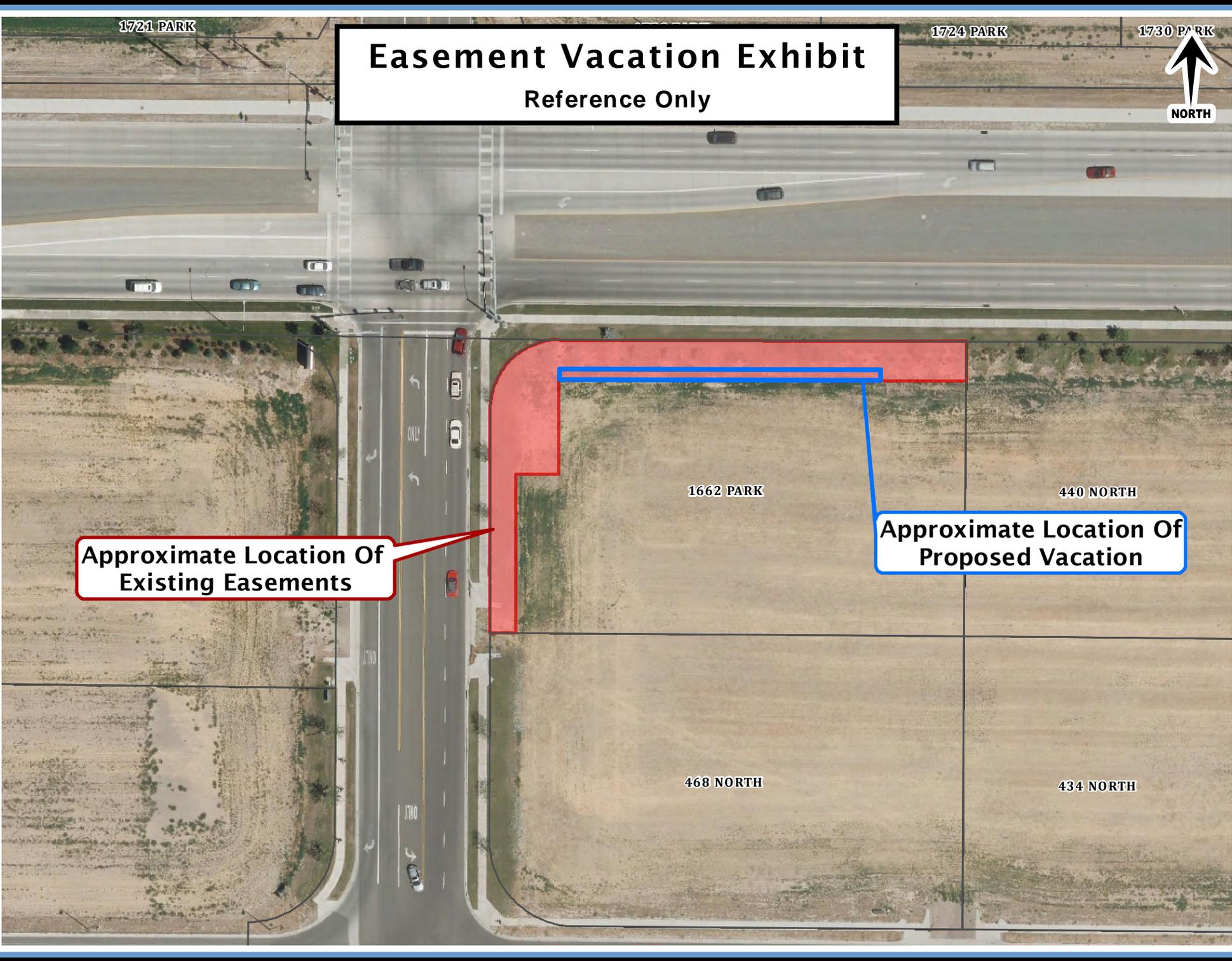
Approximate Location Of Proposed Vacation

1662 PARK

440 NORTH

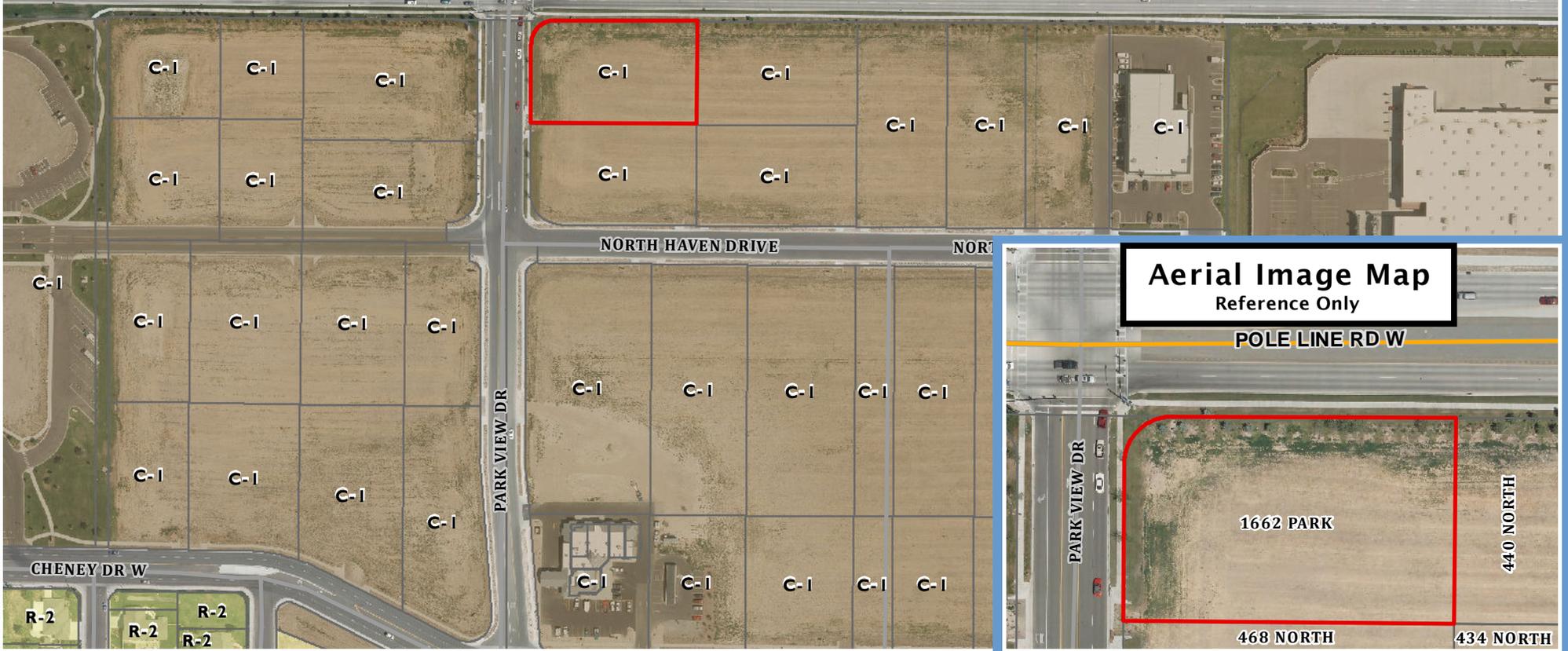
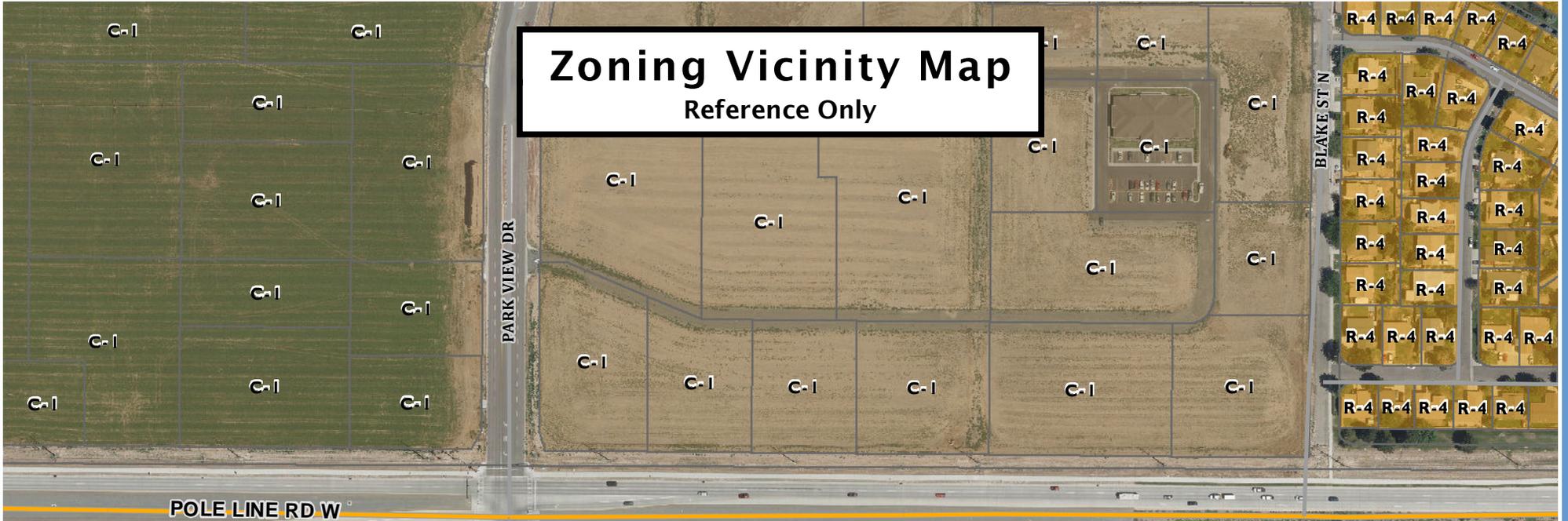
468 NORTH

434 NORTH



Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only

POLE LINE RD W

1662 PARK

468 NORTH

440 NORTH

434 NORTH



Front of Building. Looking East from Parkview Blvd.

02/18/2014 12:29 PM



Location of Easement Vacation along Pole Line. Looking to the East from Parkview

02/18/2014 12:30 PM



Public Hearing: **TUESDAY, February 25, 2014**
 To: Planning & Zoning Commission
 From: Rene'e Carraway, Community Development

AGENDA ITEM IV-3

Request: Request for a Special Use Permit to serve alcohol for consumption on site as an accessory to the operation of a restaurant on property located at 1007 Blue lakes Blvd North. c/o Kathryn Aitchison dba KIWI'S Fish N Chips (App 2621)

Time Estimate:

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

Background:

Applicant:	Status: Lease	Size: 11,000 sqft Lot; 2800 sqft Bldg
Kathryn Aitchison 1506 E 4300 N Buhl, ID 83316 kiwisblondie@yahoo.com 208-543-4621 801-230-6588	Current Zoning: C-1, Highway Commercial	Requested Zoning: SUP
	Comprehensive Plan: Commercial/Retail	Lot Count: 1 Lot
	Existing Land Use: Restaurant	Proposed Land Use: SUP to allow Alcohol Consumption on site in conjunction with a Restaurant.
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1, Commercial	East: Blue Lakes Blvd N; C-1, Commercial
	South: C-1, Commercial	West: Alley; R-2, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8.2(B)10a, 10-7-6, 10-7-12, 10-10, 10-11-1 thru 8, 10-13	

Approval Process:

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

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

If an applicant or interested party appeals the decision of the Commission, the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

Approval of this request will have marginal impact on the City budget with the change of the property from a bar to a restaurant serving alcohol for consumption on site.

Regulatory Impact:

Approval of this request will allow the applicant to serve alcohol for onsite consumption in conjunction with a restaurant.

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

History:

In 1981 Twin Falls city instigated a Zoning District and Zoning Map amendment that rezoned various properties throughout the city. It is believed this property was zoned C-1 at that time, or when it was annexed into the City Limits. There is no other known zoning history for this property. Twin Falls building files show various remodels taking place on the premises, but the original building existed prior to our records. It is known that the Oasis Tavern/Lounge was previously located on this property.

Analysis:

The applicants have supplied narrative outlining their request. They have moved their restaurant, “Kiwi’s Fish-N-Chips & Meat Pies”, from Falls Ave near the Turf Club to 1007 Blue Lakes Blvd for increased space and visibility reasons. They would like to start selling beer and wine by the drink for consumption on site. The hours of operation are 10:00 am to 10:00 pm. They have ten (10) employees currently. The applicants indicate that they don’t anticipate any noise, glare, odor, fumes, or vibrations that would make this facility incompatible with the surrounding area.

Per City Code 10-4-8: This site is zoned C-1, Highway Commercial zoning designation. In the C-1 zone, a Special Use Permit is required for alcohol sales if the subject property is less than 300’ from residential property. There are residences to the west of this site, across the alley, within the 300’ radius and so a Special Use Permit is required for this location.

Per City Code 10-7-6, 10-7-12, 10-11-1 thru 8: Site improvements are required at the time of new development or extensive remodel of existing structures. This special use permit is for the allowance of serving alcohol for onsite consumption. The applicant has not applied for an extensive remodel, or adding square footage to the existing building. If a substantial amount of remodeling or addition of square footage is done on the premises, plans will be reviewed and site improvements will be required per applicable City Codes and Standards.

Per City Code 10-10: As there are no improvements to the site no review of parking standards are required.

Possible Impacts: As this site is a restaurant, the impacts of serving alcohol are different from that of a bar-type establishment. Special Use Permits are for the property and stay with the property. The Commission may want to place a condition on the permit that it is only for a restaurant and would not be valid for a bar at this location.

The properties immediately adjacent to the north and south are commercial in nature. There are no residential approaches on Falls Ave that immediately face the subject property. The property to the west is residential. There is an alley between the two properties. There are other restaurants, eating establishments and commercial uses nearby. The impact of serving alcohol in this restaurant is not expected to have a significant impact on the surrounding area.

Conclusion:

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to serving alcohol for consumption on site being permitted as an accessory to the operation of a restaurant.
3. Subject to receipt of the property owner's written consent to allow alcohol sales/consumption onsite prior to issuance of the Special Use Permit.
4. Subject to receipt of a recorded Cross Use Parking Agreement with land owner to the North in order to accommodate parking and access requirements.

Attachments:

1. Letter of Request
2. Zoning Vicinity and Aerial Map
3. Applicant Submitted Site Plan
4. Site Photos

4. I am moving my business to a larger location. my restaurant at 778 Falls Ave can only seat 39 people. the old Oasis building is zoned for 119. plus the visual I will get from being on Blue Lakes will be much better.

Hours of Operation: 10 AM to 10 PM

Traffic anticipated: at this location 1007 Blue Lakes Blvd there are 9 parking spaces on each side of the building, along with 4 motorcycle parking spaces up front with handicap on each side. there is the TSE restaurant on one side + hair cutting salon on the other. I anticipate the usual traffic as any restaurant that can accommodate our parking spaces.

Number of Employees: 10

Noise:

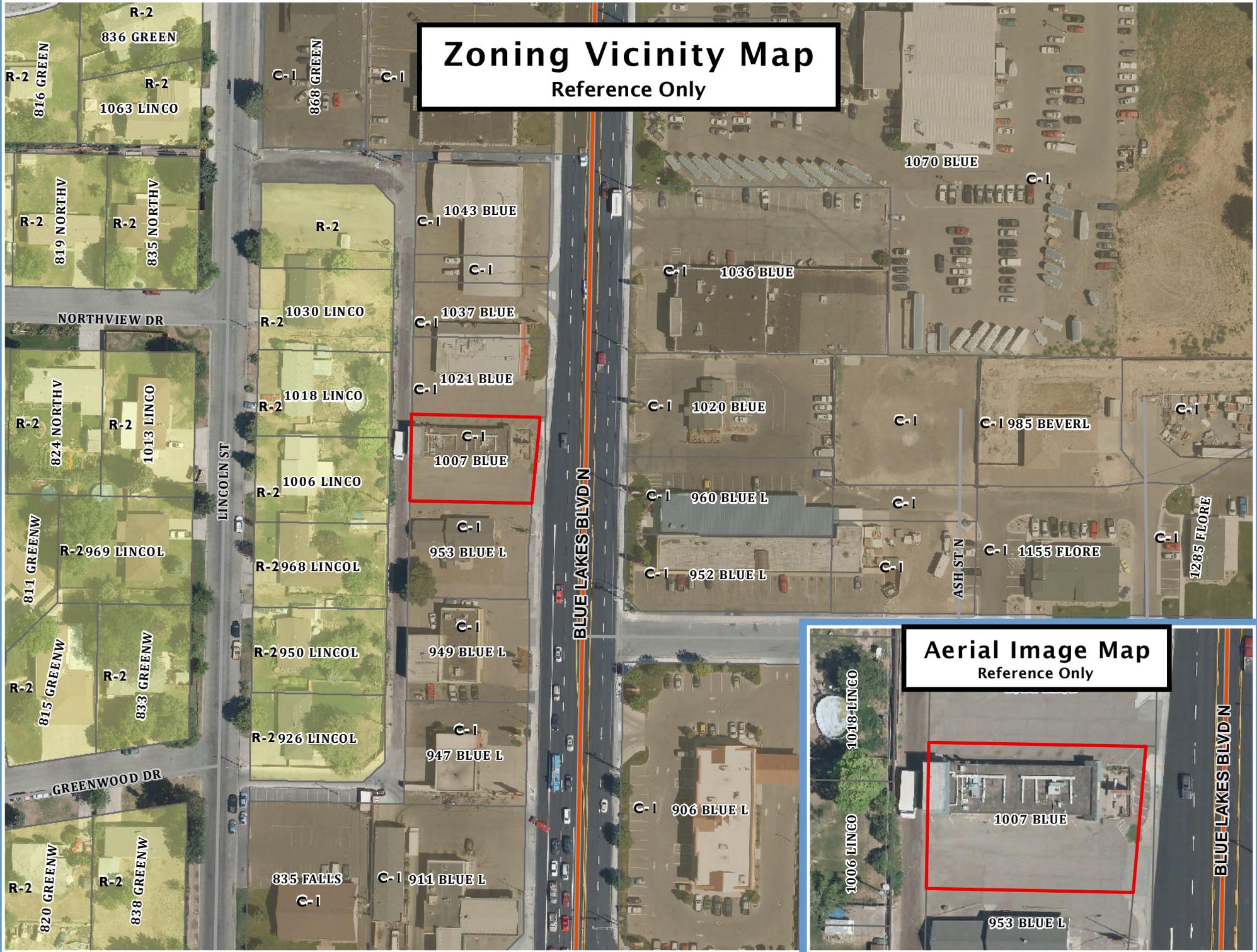
I don't anticipate any noise disturbance, this is a family dining restaurant & we aim to keep families coming back.

Glare: none

odor: no odor other than good food smells.

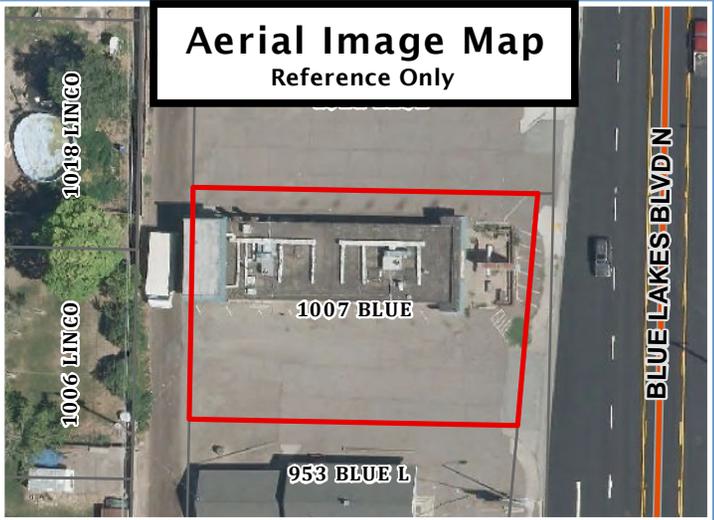
Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only





Front of building along Blue Lakes N

02/18/2014 11:55 AM



02/18/2014 11:55 AM



Rear of building along the alley way

02/18/2014 11:56 AM



Public Hearing: **Tuesday, February 25, 2013**
 To: Planning & Zoning Commission
 From: Rene'e Carraway, Community Development

AGENDA ITEM IV-4

Request: Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South. c/o Judith A Rayborn (App 2622)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 15,454 sf/0.35 Acres
Judith A. Rayborn 206 8 th Ave North Twin Falls, ID 83301 208-733-3431 731-3430 (cell)	Current Zoning: R-4	Requested Zoning: R-4 PRO
	Comprehensive Plan: Urban Village / Urban Infill	Lot Count: 1 parcel
	Existing Land Use: Single Family Residential	Proposed Land Use: Residential with a Professional Office Overlay
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: M-1 Aol and M-1; Osterloh Ave W(undeveloped); Agricultural/single family residence	East: R-2; Washington St South; Residential
	South: R-4, Residential	West: R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-4-18, 10-14-1 through 9	

Approval Process:

At the conclusion of this Public Hearing, the Planning Commissioners will be asked to make a recommendation on the requested zoning of the property. The recommendation will be forwarded to the City Council for consideration.

Budget Impact:

Approval of this request will have no significant impact on the City budget.

Regulatory Impact:

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

History:

The Farmstead Plat was recorded around 1937, this plat created the lot applying for the rezone. The City of Twin Falls does not have any history on the building that resides on the lot.

In 1981 Twin Falls City adopted an amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment to rezone a single parcel from R-4; Residential Medium Density to R-4 PRO; Residential Medium Density with a Professional Office Overlay. The parcel, located at 708 Washington Street South, is 15,454 sf/0.35 +/- acres, with a legal description of NE 66.9' X 231' of Lot A, Farmstead Subdivision-A Survey. There is an existing single family residence on the parcel.

The surrounding neighbors are primarily single family residences and agricultural. Along the northern boundary of this property is an undeveloped minor collector street; Osterloh Ave W. North of Osterloh the property is zoned M-1; light manufacturing with a small single family residence and agricultural farm land. That residence is in city limits and the farm ground is outside city limits. To the east of 708 Washington St S is a residential subdivision zoned R-2 developed with single family residences. To the south and west of 708 Washington St S the property is zoned R-4 with developed single family residences. Kitty-corner of 708 Washington St S across Washington St S to the north and east is a manufacturing plant zoned M-1; Light Manufacturing. There are established commercial and light manufacturing businesses located in this plant.

The applicant has expressed in her narrative that the rezone request stems from the desire to sell this property and to be able to market it other than just as a residence. With the current zoning of R-4, commercial/professional/service oriented businesses are not allowed. The rezone may allow the applicant to market the property as a possible future professional office subject to full compliance with city codes and development standards. Within the R-4 PRO zoning code, in order to convert a residence to professional office, a Special Use Permit and a building permit for a change of use would be required.

The 2009 Comprehensive Plan and Future Land Use Map designates this portion of Washington Street South corridor as appropriate for Urban Village/Urban Infill development. The Comprehensive Plan outlines the desired type of uses in the following description: *“Urban Village/ Urban Infill uses are proposed within the existing City Limits on sites that are surrounded by built-up areas and which are generally smaller than land located on the outskirts of the community. Instead of being developed with single-family homes or similar homogenous uses, a mixed-use profile is envisioned; incorporating a range of residential uses and densities, in addition to commercial and community uses which support urban lifestyles. Mixed uses would be both vertical and horizontal, depending on the design qualities of each specific project.”*

Since the adoption of the Comprehensive Plan in 2009 this land use designation of Urban Village/Urban Infill has not been adopted in Title 10 as a zoning district. The intent of the UV/UB is to allow for infill

development of light commercial/professional uses in established areas specifically along major arterials such as Washington Street South. Under staff review we determined a professional office overlay may accomplish the intent of the UV/UB description of utilizing this lot other than as a single family residence. A Home Occupation could still be operated by SUP at this site under the current zone of R-4.

If the request is approved by the City Council, development of the site would require a Special Use Permit and development of site improvements which may include paving, landscaping, storm water retention, curb/gutter/sidewalk, development of Osterloh Ave W, compliance with building codes to change the use from a residence to a professional office and review for compliance of Engineering and Fire codes.

If approved this would be the first zoning amendment to allow a professional office along this section of Washington St S for property currently zoned/developed/used as residential.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: **1-** to determine whether the request is in conformance with the Comprehensive Plan and **2-** to evaluate the request to determine the extent and nature of the amendment requested.

Conclusion:

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that **1-** the request is in conformance with the Comprehensive Plan and **2-** the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

If the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Attachments:

1. Letter of Request
2. Zoning Vicinity and Aerial Map
3. Comprehensive Plan – Future Land Use Map
4. Site Photos(2)

January 23, 2014

Attention: City of Twin Falls Planning and Zoning Commission:

My name is Judi Rayborn, I own the property located at 708 South Washington, Twin Falls, Idaho.

For the past 20 years the property has been used as a single family residence/ rental. With the widening of South Washington the steady flow of traffic has increased immensely. Commercial and industrial businesses have also increased creating a positive effect on this area. While heavy traffic at 45 miles per hour is great for businesses, it has had a negative effect on the existing homes facing Washington Street South. The ingress and egress of driveways along Washington Street South is extremely dangerous and the safety of children and pets is also a great concern.

My lot located at 708 South Washington is unique to any neighboring lot. It is situated on the corner facing South Washington with Osterloh running 231 feet along the entire North boundary. This allows access to the entire property without disrupting or narrowing the existing South Washington frontage.

The vacant portion of my lot running parallel to Osterloh would be ideal for parking.

I would like to request a zoning change to accommodate a small professional office: Real Estate, Law, Interior Design, Nail Salon, Beauty Salon, etc. This would not disrupt or infringe upon neighboring businesses or residents. I believe a zoning change from R4 to R4/PRO would be an advantage to existing R4 zoned single family property owners, allowing and creating an opportunity for future business.

I believe the highest and best use for Washington Street South is professional offices, retail, manufacturing and commercial.

To the North of my property directly across Osterloh the single family residence and property is Zoned M1 as well as the vacant land contiguous to the house running West along the North boundry of Osterloh. East of my property across Washington Street and North thereof, the property formerly known as "Jayco" is also zoned M1. The corner of Washington Street South and Orchard on the North side of Orchard is zoned C1.

I think a zoning change would be appropriate for my property currently zoned R4.

Thank you for considering my request.

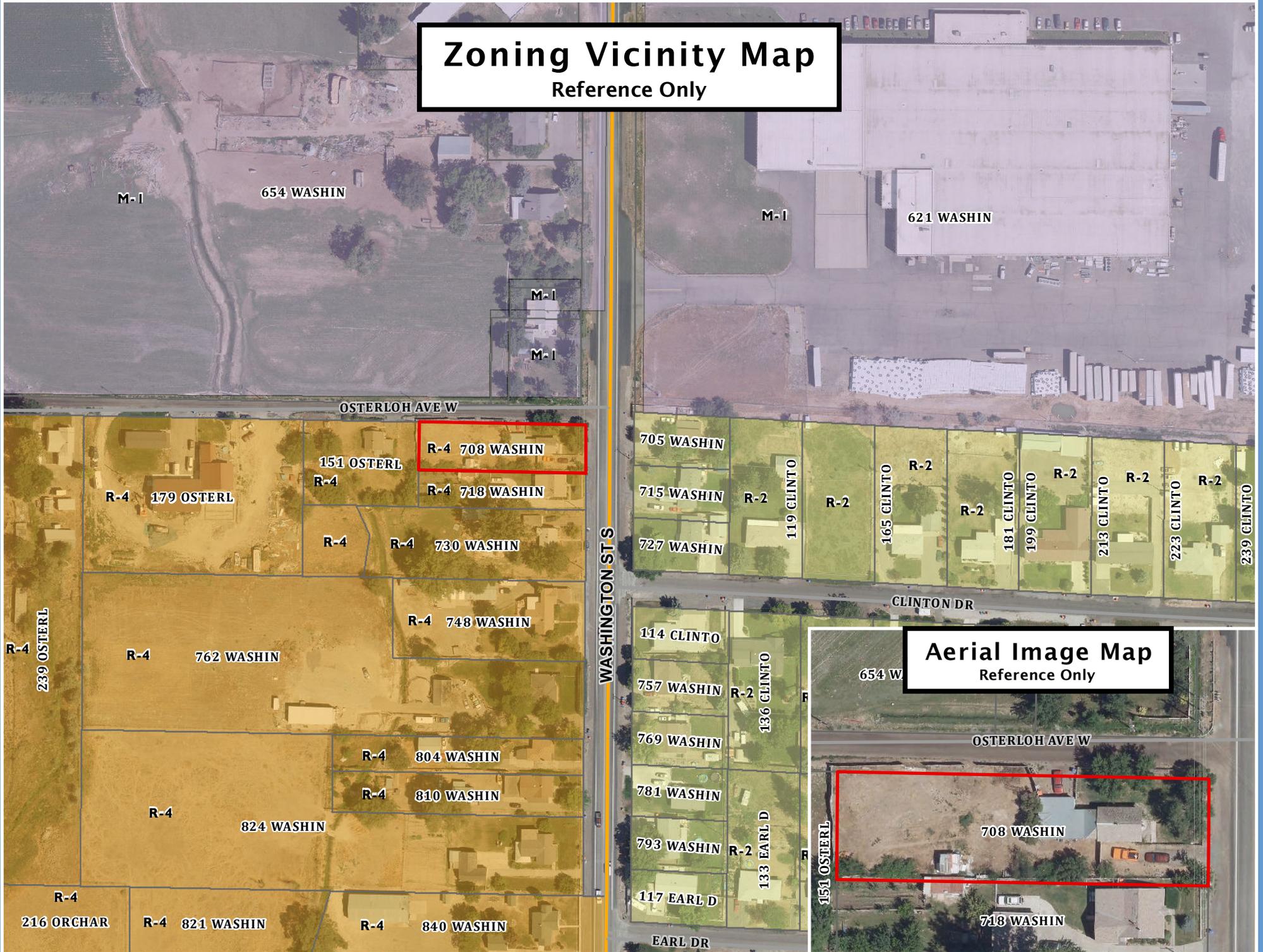
Sincerely yours,

Judith A. Rayborn

 date 1/23/14

Zoning Vicinity Map

Reference Only



Aerial Image Map

Reference Only

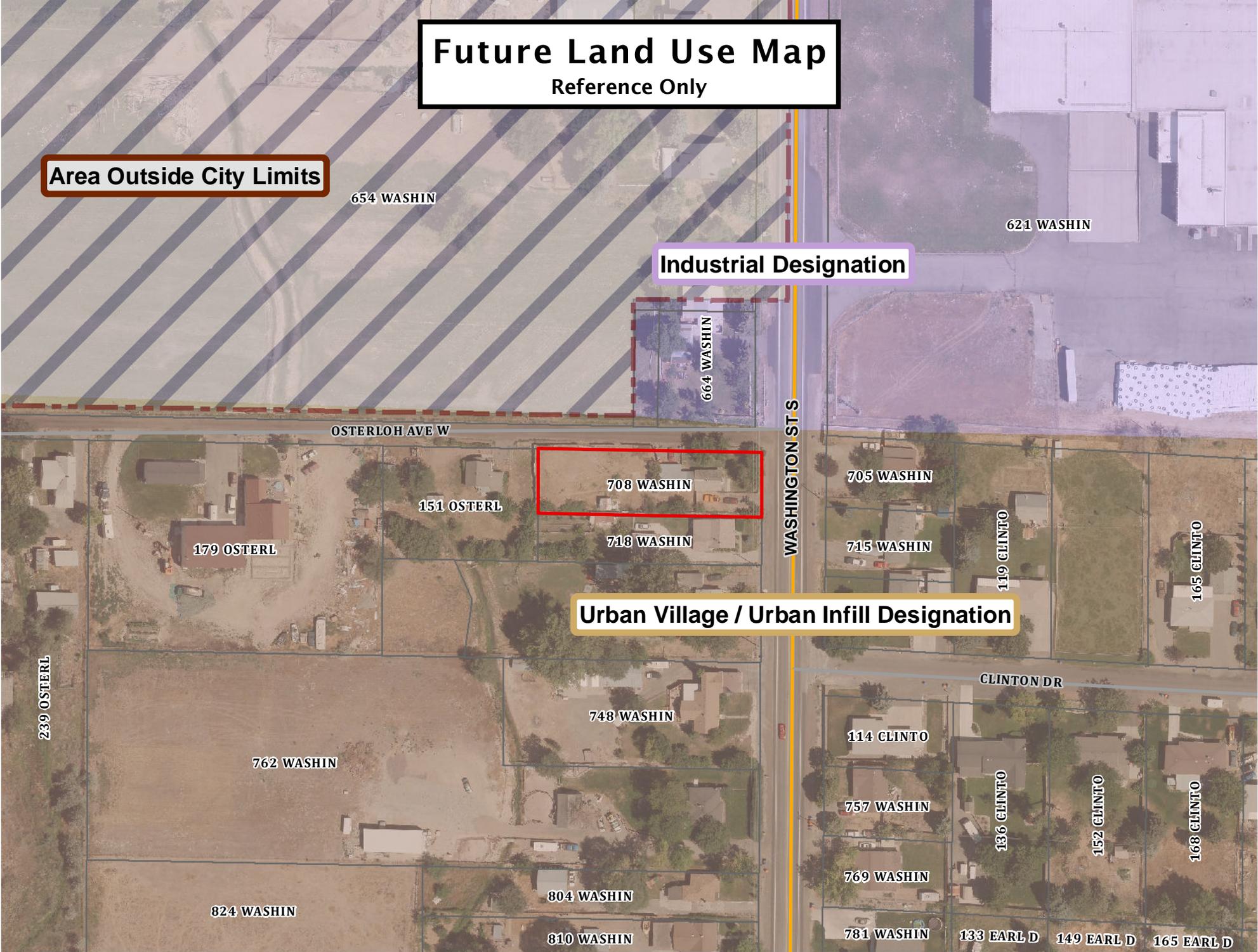
Future Land Use Map

Reference Only

Area Outside City Limits

Industrial Designation

Urban Village / Urban Infill Designation





Front of Property: On Corner of Washington St S and Osterloh Ave W

02/18/2014 12:53 PM



Front of Property: Looking to the South

02/18/2014 12:54 PM



Property to the North:
Across Osterloh Ave W

02/18/2014 12:54 PM



Property to the East: Across
Washington St South

02/18/2014 12:54 PM



Rear of Property: Looking to the West

02/18/2014 12:54 PM



Property to the North-East:
Across Washington St South

02/18/2014 12:53 PM