



NOTICE OF AGENDA
TWIN FALLS CITY PLANNING & ZONING COMMISSION
MARCH 31, 2015 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301
SPECIAL MEETING

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Muñoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

City Council Liaison

Rebecca Mills Sojka

Planning & Zoning Commission Special Meeting 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): March 04, 2015 WS, March 10, 2015 PH
2. Approval of Findings of Fact and Conclusions of Law:
 - Seibel (03-10-15 SUP)
 - Johnson (03-10-15 SUP)
 - Florence (03-10-15 SUP)
 - Clepper 03-10-15 SUP)

III. ITEMS OF CONSIDERATION: **NONE**

IV. PUBLIC HEARINGS:

1. Request to Vacate a portion of a platted utility, vehicle access and drainage easement along the western boundary of property located at 1777 and 1821 Canyon Crest Drive c/o EHM, Engineers, Inc. on behalf of Westpark Partners (app. 2715)
2. Request for a Special Use Permit to operate an automobile retail business on the North side of the 500 Block of 2nd Avenue South c/o Tony Hoggarth dba Hoggarth Auto Sales, LLC (app, 2716)

V. GENERAL PUBLIC INPUT:

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

VII. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session- **April 1, 2015**
2. Public Hearing- **April 14, 2015**

VIII. 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, MARCH 31, 2015

To: Planning & Zoning Commission

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

AGENDA ITEM IV-1

Request: Request to **Vacate** a portion of a platted utility, vehicle access and drainage easement on property located at 1777 and 1821 Canyon Crest Drive c/o EHM, Engineers, Inc. on behalf of Westpark Partners (app. 2715)

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: requesting 15' x 384' of easement (5,7670 sf)
Westpark Partners PO Box 2138 McCall, Idaho 83638 c/o Gerald Martens, partner	Current Zoning: Northbridge C-1 PUD	Requested Zoning: vacation of a portion of an undeveloped utility, vehicular access and drainage easement
	Comprehensive Plan: Commercial Retail	Lot Count: 2 Lots
	Existing Land Use: Undeveloped Commercial Property	Proposed Land Use: Commercially zoned Property
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 gmartens@ehminc.com	North: C-1 PUD, Undeveloped Commercial Property	East: Canyon Crest Dr; C-1 PUD, Commercial Property
	South: C-1 PUD, Commercial Property	West: C-1 PUD, Undeveloped Commercial Property
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2 and the Northbridge C-1 PUD Agreement	

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. Approval of this request will allow Westpark Partners to vacate 15' x 384' (5,760 +/-) sf utility, vehicular access, and drainage easement.

History:

The City Council approved a rezone from R-1 43,000 to C-1 PUD/R-4 PRO PUD for this area on April 19, 1993, and September 20, 1993. Northbridge C-1 PUD Agreement was approved by the City Council on July 1993. The 2 lots and easement in question, were created in 1998 with the recordation of the Westpark Commercial Subdivision #2.

Analysis:

This is a request to vacate approximately 15' foot wide x 384' long utility, vehicular access, and drainage easement located along the western boundary of Lots 2 & 3, Block 2, Westpark Commercial Subdivision #2. These types of easements were typical at the time of platting. Since that time policy and engineering practices have both changed, effectively eliminating the need for this type of easement to exist on the rear property lines of these lots.

We have received all but one required letter from the applicable utility companies stating their approval of the vacation of the easement. A condition should be placed on approval that all applicable utility letters need to be submitted and any conditions by those utilities need to be met prior to publication of the vacation ordinance.

Staff has not received a letter from Idaho Power. We have had numerous communications with their representative regarding this project stating that Idaho Power would like to limit the vacation in size to only that portion required in order to facilitate a new building construction site. The city has not received a building permit for anything on this property and therefore would not be able to say with confidence where a building will be located. However, it is safe to assume that we can condition this easement vacation on approval of Idaho Power and any conditions they require.

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 later adopted and published.

CONCLUSION:

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

1. Subject to all applicable utility letters being submitted to the city prior to publication of the vacation ordinance.
2. Subject to all conditions of approval by the applicable utility companies being met prior to publication of the vacation ordinance.

Attachments:

- | | |
|------------------------|-------------------------------|
| 1. Narrative | 5. Westpark Commercial Sub #2 |
| 2. Aerial Map | 6. Utility Letters (5) |
| 3. Zoning Vicinity Map | 7. Photos |
| 4. Vacation Exhibit | |



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

Date: February 5, 2015

To: City of Twin Falls

From: Gerald Martens 

Via: Hand Deliver

Regarding: Lots 2 & 3, Block 2, Westpark Commercial Subdivision No. 2

Please find attached an application to vacate a portion of the 15-foot easement along the west boundary of Lots 2 and 3, Block 2, Westpark Commercial Subdivision No. 2.

The easement was provided at the time of platting as a standard procedure. Now that development of the subdivision is nearing completion and plans for Lot 2 and a portion of Lot 3 are being developed it has been determined that the easement is not needed for utilities, drainage or access to other lots.

Attached is a copy of the plat showing the easement and a preliminary development plan for Lots 2 and 3. Any development of the land to the west, Lot 4, Block 2, Westpark Commercial Subdivision No. 3 will not require the easement.

The easement on the north boundary of Lot 3, Block 2 must remain as it contains a gravity sewer main. The easement on the south boundary of Lot 2, Block 2 must remain as it contains a roadway and utilities.

The utility companies have been contacted and there comments will be forwarded upon receipt.

Please call me if there are any questions.

040-15

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049



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

February 5, 2015

City of Twin Falls
321 2nd Avenue East
Twin Falls, ID 83301

Regarding: Statement for Request
 Westpark Commercial Subdivision No. 2

This request is to vacate a portion of a 15-foot easement along the west boundary of Lots 2 and 3, Block 2, Westpark Commercial Subdivision No. 2.

The easement was provided at the time of platting as a standard procedure. Now that development of the subdivision is nearing completion and plans for Lot 2 and a portion of Lot 3 are being developed it has been determined that the easement is not needed for utilities, drainage or access to other lots.

The easement on the north boundary of Lot 3, Block 2 must remain as it contains a gravity sewer main. The easement on the south boundary of Lot 2, Block 2 must remain as it contains a roadway and utilities.

Please call me if there are any questions.

Regards,

A handwritten signature in blue ink that reads "Gerald Martens".

Gerald Martens

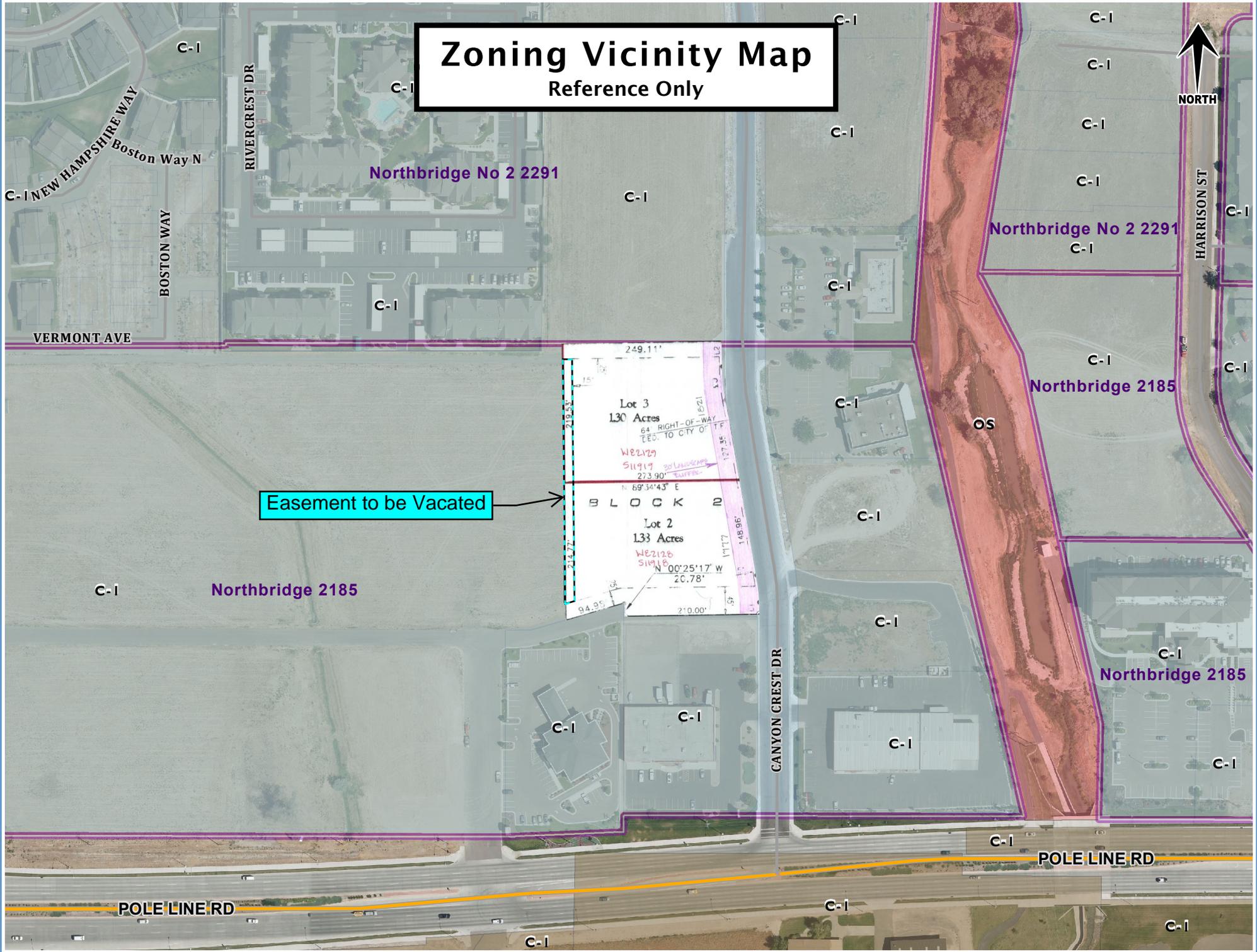
040-15

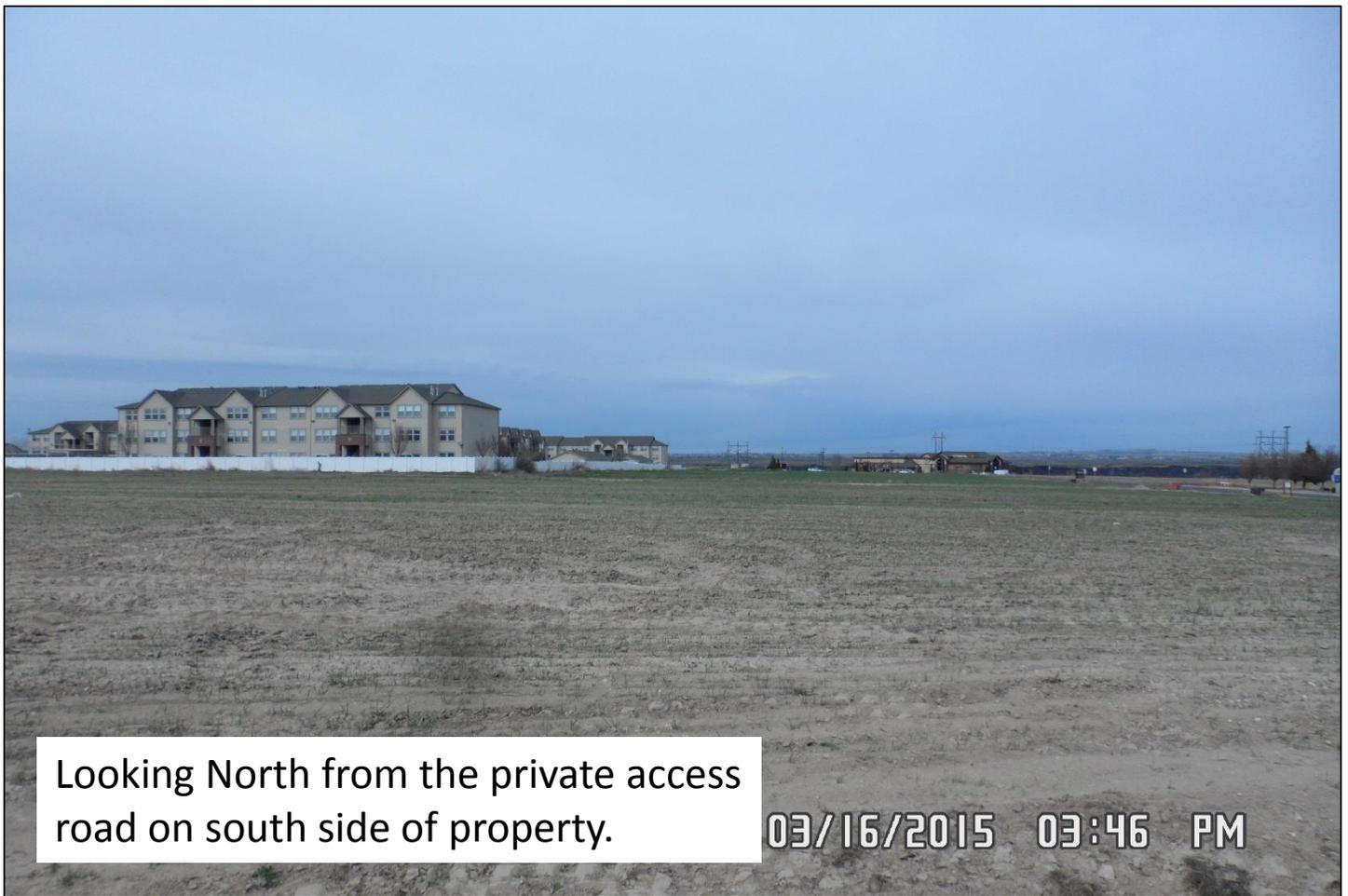
621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049

IN THE FIELDS OF:
PLANNING • SURVEYING • HIGHWAYS • WATER • SEWAGE • STRUCTURAL • SUBDIVISIONS • BRIDGES • ENVIRONMENTAL • QUALITY CONTROL • CONSTRUCTION MGMT.

Zoning Vicinity Map

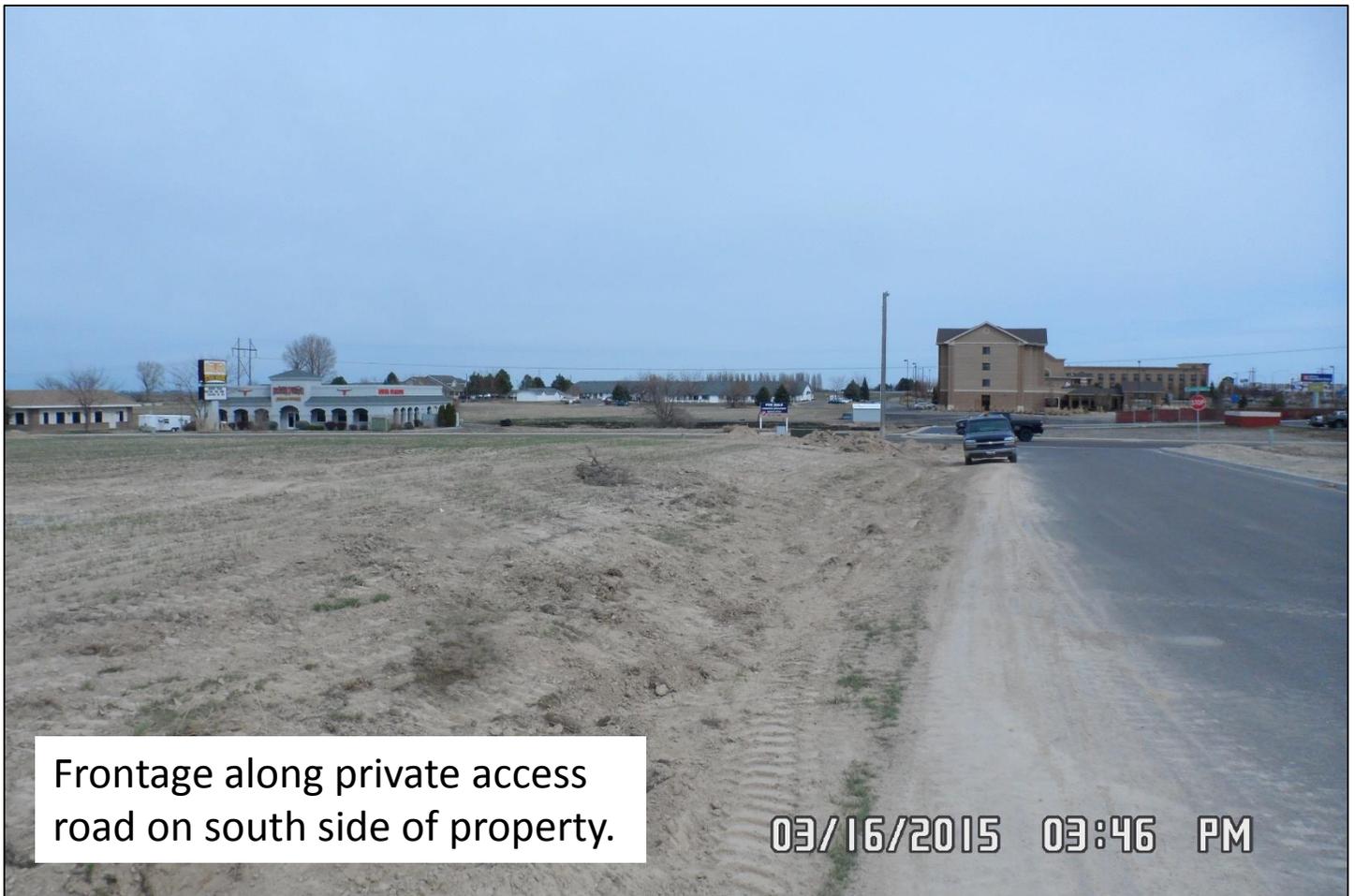
Reference Only





Looking North from the private access road on south side of property.

03/16/2015 03:46 PM



Frontage along private access road on south side of property.

03/16/2015 03:46 PM



Frontage Canyon Crest Drive,
East side of property.

03/16/2015 03:45 PM



Intersection of Canyon Crest Drive and
access road on North side of property.

03/16/2015 03:44 PM



Public Hearing: **TUESDAY, MARCH 31, 2015**

To: Planning & Zoning Commission

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

AGENDA ITEM IV-2

Request: Requests for a Special Use Permit to operate an automobile retail business on the North side of the 500 Block of 2nd Avenue South c/o Tony Hoggarth dba Hoggarth Auto Sales, LLC (app. 2718)

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, 648 sf Office Bldg
Hoggarth Auto Sales, LLC. 2522 E 3707 N Twin Falls, ID 83301 208-280-2740 tonyhoggarth@yahoo.com	Current Zoning: CB P-2 Parking Overlay	Requested Zoning: SUP, Retail Car Sales Lot
	Comprehensive Plan: Townsite	Lot Count: 8 lots
	Existing Land Use: Vacant	Proposed Land Use: Retail Car Sales Lot
Representative:	Zoning Designations & Surrounding Land Use(s)	
Tony Hoggarth 2522 E 3707 N Twin falls ID, 83301 208-280-2740 tonyhoggarth@yahoo.com	North: CB P-1 Parking Overlay; Multiple Residences	East: CB P-2 Parking Overlay; Commercial Business
	South: CB P-2 Parking Overlay; Vacant Commercial Business	West: CB P-1 Parking Overlay; Commercial Business
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-7,-10-7-6, 10-10, 10-11-1 thru 8, 10-13-2.2	

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 Administrator shall set a public hearing date before the City Council to consider 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 to a commercial use, and increased sales tax.

Regulatory Impact:

Approval of this request will allow the applicant to operate automobile retail business on specific property within Twin Falls.

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:

It is unknown when this particular lot was first used for Vehicle Sales. The Polk Directories list Reese Bob Motors being established in 1951-1952, on property listed as 516 2nd Ave South. In 1982 the Latham Motors Dealership was established at this location. It is thought this site was later expanded for use by Latham Motors. Latham Motors vacated the premises in the early 2000's. Since that time, these lots have been vacant. No further pertinent zoning history is known at this time.

Analysis:

The applicant has supplied a narrative describing their request. The applicant wishes to move his current business location from 734 Main Ave South in order to have expanded visibility and space. They currently employ 2 people, with the anticipation of adding a 3rd by August of this year. The business will be open from 9:00 AM to 6:00 PM.

The location is a very large parking area that was across the street from the old Latham Dealership, 510 2nd Ave S. This property was developed for the purpose of displaying vehicles for sale only. The attached photos of the site show a large asphalt parking lot with multiple light poles on the premises. It is completely void of any landscaping and has multiple approaches onto adjacent streets that could potentially be a safety hazard.

Per City Code 10-4-7: The CB zone requires Automobile and Truck sales and/or rentals to acquire a Special Use Permit prior to being legally established.

The typical impacts from an automobile retail sales lot include noise from PA systems, increased traffic, and overcrowding of vehicles onto adjacent streets or lots.

The City has addressed the issue with noise from PA systems. Current City Code does not outright permit PA systems to be used. IF one is desired, it must be included in the application for a Special Use Permit. This application did not include that particular use, therefore it would not be permitted at this time.

An increase in traffic will occur around this property. Any property that was previously vacant will see an increase when a new business starts operations. However, this location is located on 2nd Ave South, which is designated a State Highway, and is adequate to handle any increase in traffic that may occur.

Overcrowding of vehicle sales lots does occur on occasion. Usually the overcrowding only affects to property on which the lot is located. There are rare instances where this overcrowding can impact adjacent properties and streets. City code does have a mechanism to address any issues with extended parking on streets. Issues with adjoining property owners can be mitigated through the possible revocation of this Special Use Permit if needed. However, with the size of this particular lot, it is not anticipated that we will see a significant issue with overcrowding onto streets and adjoining lot.

Per City Code 10-10: The parking requirement is one (1) space for each 500 square feet of a structure. The applicant is proposing a building of 600 square feet, which equals two (2) required parking spaces. This location is also in the P-2

Parking overlay, which reduces the required amount by 30%. However, since we cannot have a portion of a parking space, per city code, the requirement for customer parking will be rounded up two (2) spaces.

Per City Code 10-11-1 thru 9: Required improvements for this site will include the maintaining of the parking lot asphalt. Landscaping requirements include 5% of the required parking area. Other improvements include drainage, access, screening and sanitation facilities.

The lot is currently developed with an asphalt surface and light poles. The landscaping is tied to the parking requirement, the amount the applicant has supplied will satisfy the required amount unless the Commission wishes to require additional landscaping to enhance the area. Drainage is an item the applicant will need to work with the Engineering Department to satisfy their requirements for the area. Screening and sanitation facilities will also need to be addressed. It would be reasonable to address these items in a separate condition that will satisfy the need to bring this property up to current code standards due to the Special Use Permit.

The Engineering Department has expressed a concern about the multiple approaches located on the property. Engineering would like to place a condition on this special use permit to move the approaches on Liberty and Ketchum further north in order to meet current code. Also, Staff would recommend to permanently close two (2) approaches on 2nd Ave South, leaving the large main entrance as it is.

Possible Impacts: Staff does not foresee a significant increase in negative impacts to the surrounding properties with the establishment of this business as presented.

Conclusion:

Should the Commission approve this 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 compliance with storm water retention requirements.
3. Subject to placement of a trash receptacle enclosure in compliance with 10-11-6.
4. Subject to moving or closing the approaches on Ketchum St South and Liberty St South in accordance with Engineering Codes and Standards, as presented on Attachment 3b.
5. Subject to the midblock or main entrance remaining as the only approach on 2nd Ave South, all others to be removed, or otherwise made inoperative per Engineering Codes and Standards, as presented on Attachment 3b..

Attachments:

1. Letter of Request
2. Zoning Vicinity Map
3. a & b Aerial Maps (2)
4. Applicant Submitted Site Plan
5. Site Photos

The reason for the request for special use permit is to move existing business, Hoggarth Auto Sales from 734 Main Ave S, Twin Falls ID to 139 Ketchum St. Twin Falls ID. The reason for moving is to expand the business to a larger location and better visibility for traffic with the hope to increase sales.

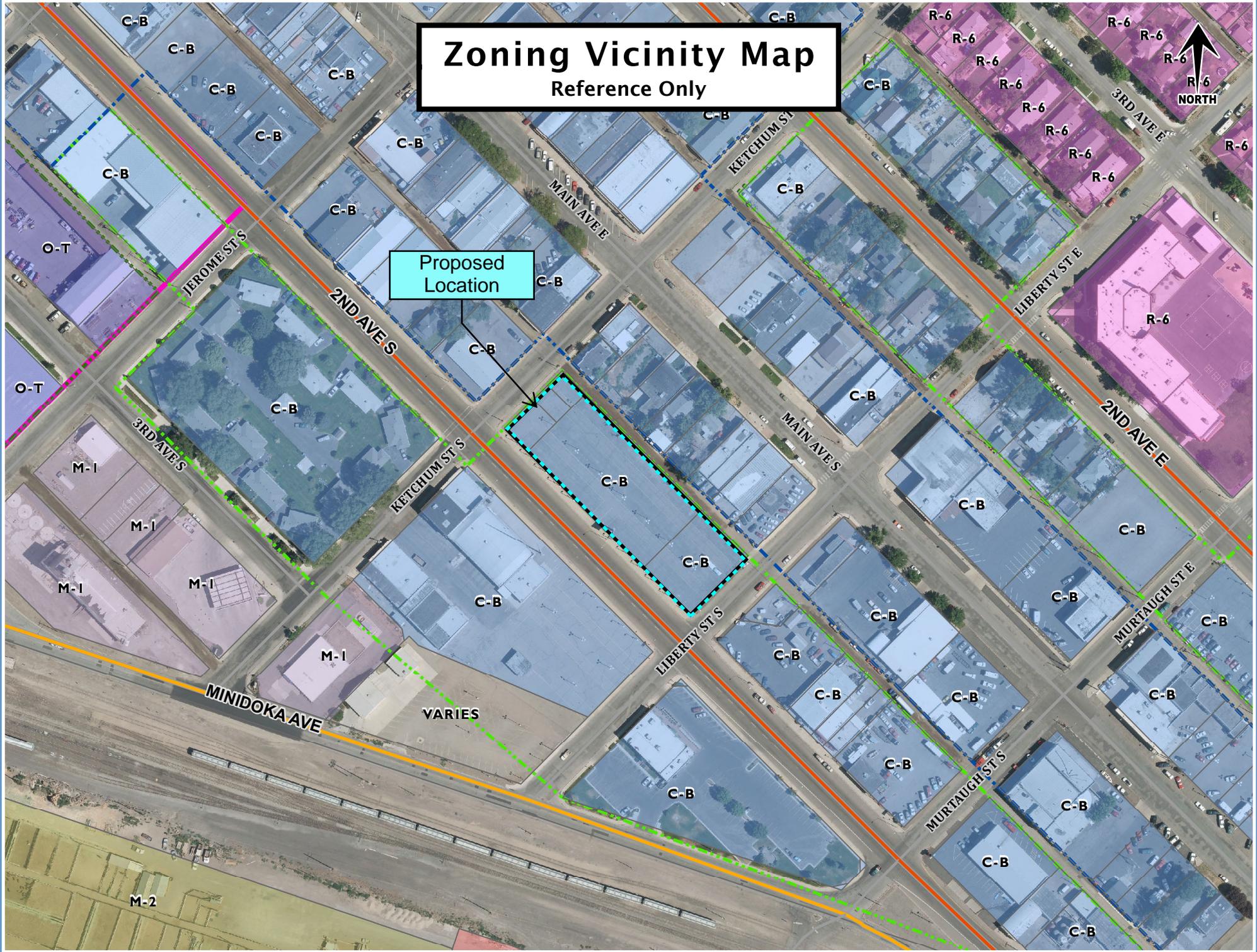
Hoggarth Auto Sales will be open from 9:00 am to 6:00 pm Monday through Saturday. We have 2 employees and hope to have 3 by the end of July.

Zoning Vicinity Map

Reference Only



Proposed Location



Aerial Photo Map

Reference Only



445 2ND AV

461 2ND AV

KETCHUM ST S

139 KETCHU

131 KETCHU

125 KETCHU

512 MAIN A

520 MAIN A

530 MAIN A

536 MAIN A

544 MAIN A

560 MAIN A

564 MAIN A

604 MAIN A

628 MAIN A

510 2ND AV

2ND AVE S

MAIN AVE S

MAIN AVE E

LIBERTY ST S

609 2ND AV

529 MAIN A

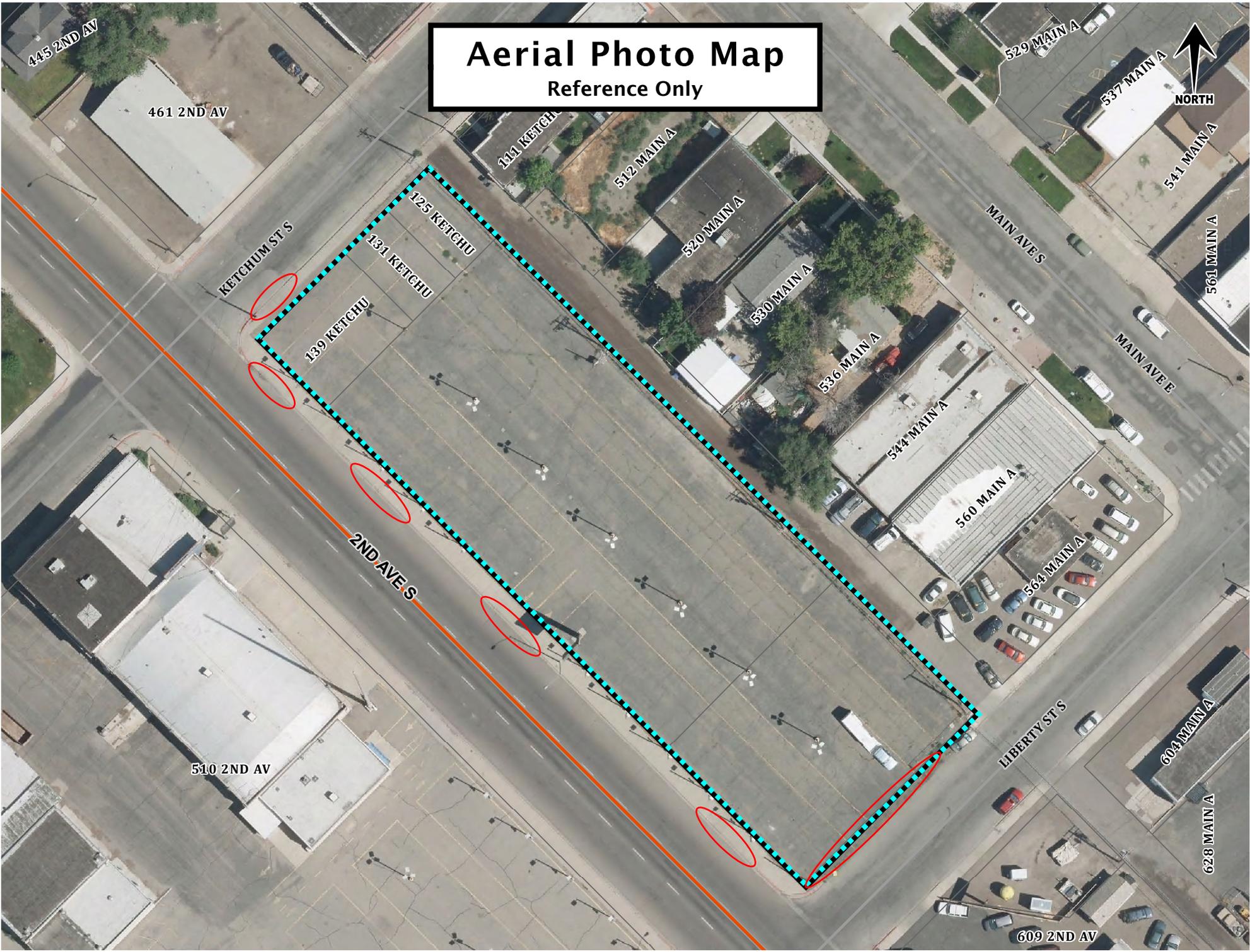
537 MAIN A

541 MAIN A

561 MAIN A

Aerial Photo Map

Reference Only



445 2ND AV

461 2ND AV

KETCHUM ST S

139 KETCHU

131 KETCHU

125 KETCHU

2ND AVE S

510 2ND AV

609 2ND AV

628 MAIN A

604 MAIN A

LIBERTY ST S

564 MAIN A

560 MAIN A

544 MAIN A

536 MAIN A

530 MAIN A

520 MAIN A

512 MAIN A

244 KETCHU

529 MAIN A

537 MAIN A

541 MAIN A

561 MAIN A

MAIN AVE S

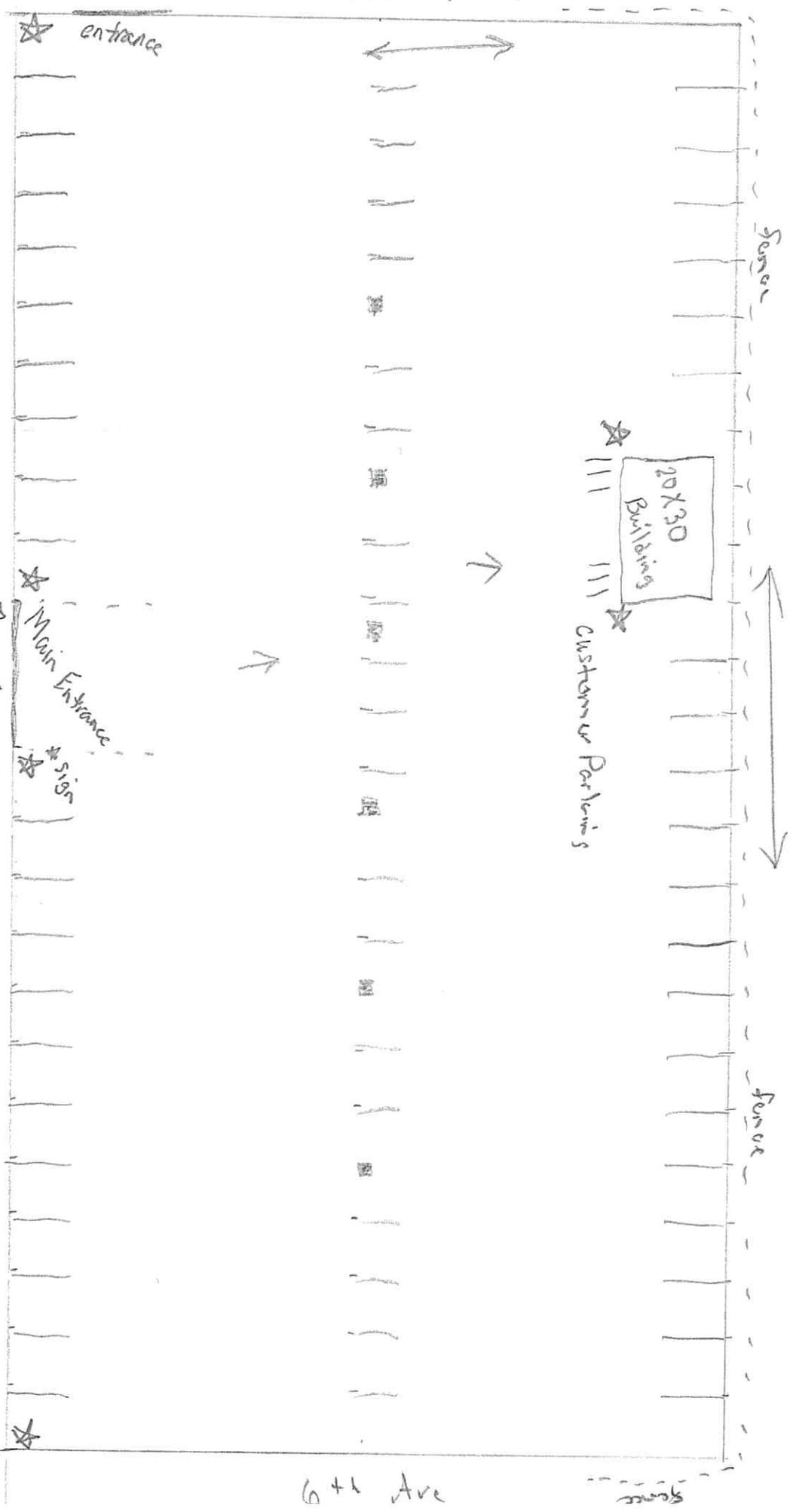
MAIN AVE E

North
↑

139 Ketchum St Twin Falls ID
Lots 9-116 of Block 107 Twin Falls Townsite

■ = 11' Squares
40' = 1" →
25' = 1" ⇕
★ = Planters/Landscape

Ketchum St S Ave



2nd Ave S

6th Ave



Engineering
A Home







Corner of Ketchum St South
and 2nd Ave South

03/16/2015 03:18 PM



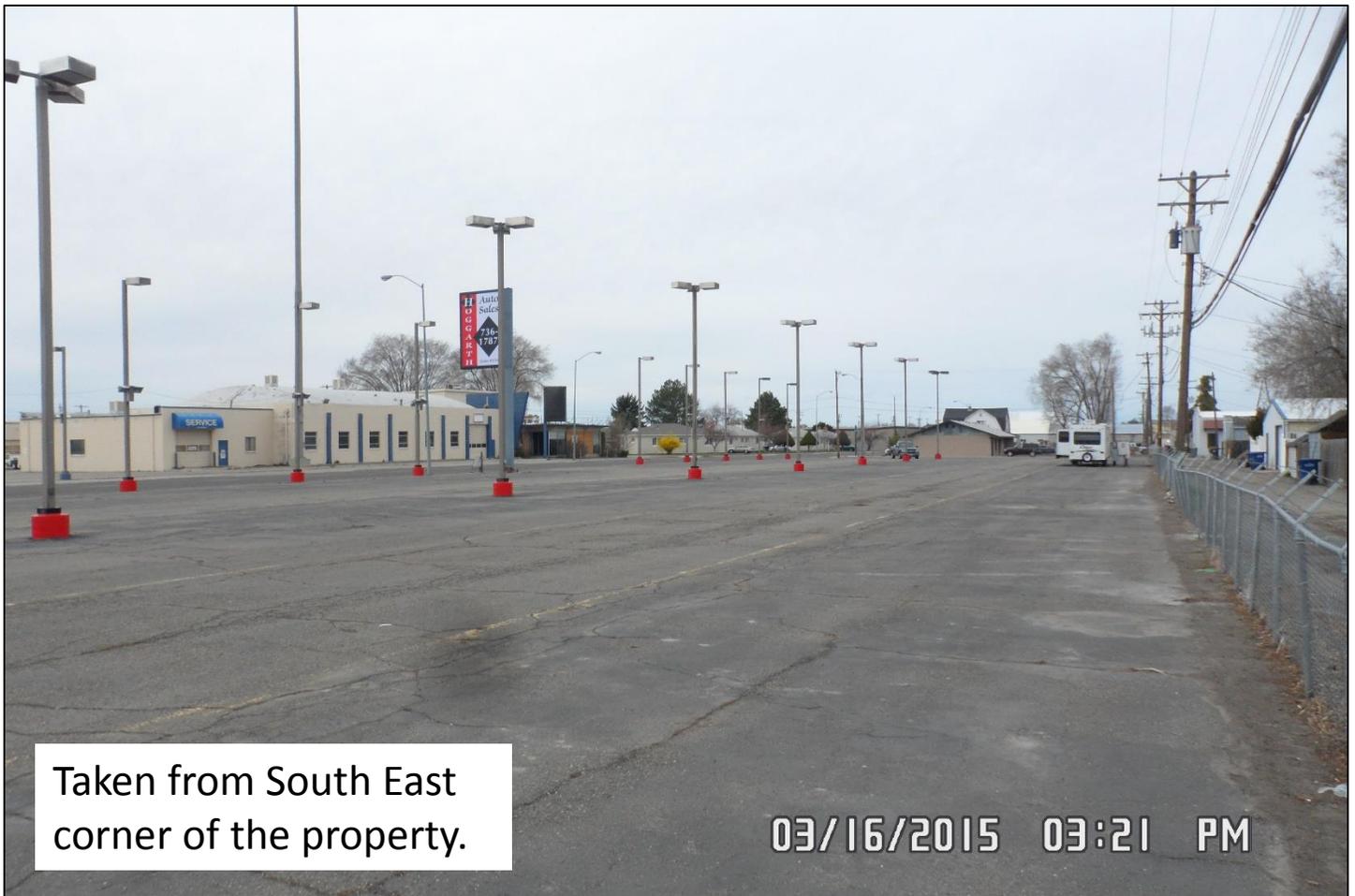
Frontage along 2nd Ave South
Near the main entrance to the site.

03/16/2015 - 03:20 PM



Corner of Liberty St South
and 2nd Ave South

03/16/2015 03:20 PM



Taken from South East
corner of the property.

03/16/2015 03:21 PM