



**Planning & Zoning Commission Minutes  
April 28, 2015**

property located at 510 2<sup>nd</sup> Avenue South. They believe that bring this unique business to this area will greatly help the evolving area of downtown Twin Falls.

**Staff Analysis:**

Planner I Spendlove presented the staff analysis and 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. The site is zoned CB and M-1 and is approximately 2 acres with several existing buildings totaling approximately 30,000 sf. The narrative describes this business as being an established retail business selling aromatherapy products. The business is primarily a wholesale distribution business purchasing the products in large volumes, warehousing and later repackaging for shipment. The applicant's narrative describes their business as primarily a wholesale distribution business for online customers. They currently have 30 employees, with the anticipation of adding more as business grows. They plan on building an additional 8,250 sf warehouse, as shown on their site plan. The business operations will be from 7:00 AM to 10:00 PM. They expect one semi-tractor trailer delivery per week and courier service (UPS, FedEx) two times a day. The applicant does not feel any excessive noise, glare, odors, fumes, or vibrations to cause a hardship on neighboring properties.

*The location is the old Latham Dealership, 510 2<sup>nd</sup> Ave S. This property included an entire block of the Twin Falls Townsite. A portion was sold to a business a few years ago with the remaining property under 2 parcels. If the special use permit is granted the property owner should combine the 2 parcels into 1 warranty deed. This property was developed for the purpose of displaying vehicles for sale and the day to day operations of an automobile dealership. The attached photos of the site show the current state of the buildings and the adjacent vacant parking lot. The site is currently void of any living landscaping. The applicant has shown some areas that will be landscaped along 2<sup>nd</sup> Ave.*

**Per City Code 10-4-7 and 10-4-10:** The property has split zoning of CB and M-1. The CB zone requires wholesale distribution and warehousing operations to obtain a Special Use Permit prior to being legally established.

*The typical impacts from warehousing operations typically include noise and increased traffic from truck deliveries.*

*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 2<sup>nd</sup> Ave South, which is designated a State Highway, and is adequate to handle the anticipated increase in traffic that may occur.*

*The increase in noise will be attributed to the day to day operations of warehouse type activities. Particularly, the noise from equipment and vehicle operation used to move products and materials in and around the warehouse buildings. This site is quite large, and the new warehouse building is proposed on the eastern side of the property away from the current residential complex.*

**Per City Code 10-10:** The parking requirement for the office space is one (1) space for each two hundred fifty (250) feet of floor area. The requirement for the warehouse is tied to the maximum number of

**Planning & Zoning Commission Minutes  
April 28, 2015**

employees per shift. It is safe to assume the overall parking requirement for this business will be satisfied. An official review will take place at the time of building permit submittal. The commission should review the proposed plan and address any additional parking needs it considers necessary.

**Per City Code 10-11-1 thru 9:** Required improvements for this site will include maintaining 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 several buildings and has an asphalt surface with some light poles. The landscaping is tied to the parking requirement, the amount the applicant has supplied will be officially reviewed at the time of building permit submittal. The Commission may wish 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. Additional improvements will be required along Minidoka Ave. The sidewalk along that street section is missing. A separate condition should be placed on this permit requiring that section of sidewalk to be installed per current codes and standards.*

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

Planner I Spendlove stated upon 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 the sidewalk being installed along Minidoka Ave frontage prior to occupancy or within 6 months from the date of special use permit approval.
5. Subject to the property being combined under one warranty deed with deed restriction to remain under one owner.

**PZ Questions/Comments:**

- Commissioner Grey asked for clarification on the overhead of what lots the deed would include.
- Commissioner Frank asked if there are aware of the staff recommendations.
- Mr. DiPietro explained that he has read and is aware of the staff recommendations.
- Commissioner Frank explained he is specifically referring to storm water retention.
- Assistant City Engineer Vitek explained that the site is already paved the storm water retention has already been accounted for, so unless they are going to change the existing paving substantially retention should not be an issue.

**Public Hearing:** [Opened & Closed Without Comments](#)

**Deliberations Followed:** [Without Concerns](#)

**Planning & Zoning Commission Minutes  
April 28, 2015**

**Motion:**

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

**Approved, As Presented With the Following Conditions**

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
  2. Subject to compliance with storm water retention requirements.
  3. Subject to placement of a trash receptacle enclosure in compliance with 10-11-6.
  4. Subject to the sidewalk being installed along Minidoka Ave frontage prior to occupancy or within 6 months from the date of special use permit approval.
  5. Subject to the property being combined under one warranty deed with deed restriction to remain under one owner.
2. Request for a Zoning Title Amendment amending Title 10, Chapter 12: Section 2.5 (B)-regarding the timing for required improvements for Conveyance Plats as determined by City Council. c/o Bradford J Wills (app. 2719)

**Applicant Presentation:**

Brad Wills, explained that he is here this evening to request an amendment for conveyance plats. The City was trying to allow properties to be split and ensure development of improvements would occur at once. The proposed change is that the City Council may require all abutting streets and utilities to be installed and accepted by the City at the time of the building permitting and or development stage whichever comes first.

**Staff Analysis:**

Planner I Spendlove presented the staff analysis and state the City Council approved Ordinance 2012 on July 6, 1981 which replaced Twin Falls City Code - Title 10; Zoning & Subdivision Regulations in its entirety. In 2007, Ordinance #2901 was passed that amended the definition of "Subdivision" within City Code. This ordinance also created the "Conveyance Plat" and associated process within Title 10 Chapter 12 Section 2. This request was initiated by the applicant in order to address an issue with the timing of implementation of required improvements associated with Conveyance Plats. The amendment proposes two main changes. 1) the removal of language that limits land development within the Conveyance Plats.

2) to replace obligatory language with an optional waiver by City Council decision for street and utility improvements.

Planner I Spendlove stated upon conclusion the Commission may recommend to the City Council that the amendment be granted as requested, or it may recommend a modification of the amendment requested (will require another public hearing before the Commission), or it may recommend that the amendment be denied. As this change could affect properties within the Area of Impact this request will require a public hearing before the Board of County Commissioners.

**Planning & Zoning Commission Minutes**

**April 28, 2015**

**PZ Questions/Comments:**

- City Attorney Wonderlich, explained that the current code was developed so that when a larger acreage was developed improvements would be completed by the developer to include the acre that had been excluded so that roads would not bottle neck at corners and curb, gutter and sidewalks would be installed. The person that develops has to develop all of the infrastructure with the way the code is currently written. A parcel located at the SE corner of Sunway Drive North and North College Road has been used as an example. These parcels are owned by the Twin Falls School District and the City of Twin Falls. If at any time the City of Twin Falls wants to build a bathroom in the park at this location it would trigger all of the improvements to be completed by the City. If the school wanted to build it would trigger all the improvements to be completed by the School; this being the case neither entity would be able to develop. In this instance it would mean North College Road, Sunway Drive North, Falls Avenue West and Creekside would all have to be built, which would not be feasible for either party. The proposed change would allow the City Council to review cases like this and make a determination on what portion of the infrastructure would need to be completed. Before the ordinance people could leave out the property at the corner, the City would not get right-of-way the corner would not get developed and it would leave a huge bottle neck at the intersection.
- Assistant City Engineer Vitek explained that there is a property at the corner of Harrison Street and Orchard Drive that was left out of the platting process so when the 70(+/-) acres gets developed south of this property this is going to be an intersection that won't get developed. With the current ordinance if this property had come through as a conveyance plat process this corner would have to be improved at the time the 70 (+/-) acre plat was developed but because it did not this intersection is going to be an issue when the 70 (+/-) acres gets developed.

**Public Hearing: [Opened & Closed Without Comments](#)**

**Deliberations Followed:**

- Commissioner Frank has concerns with discretionary, it is not in the City's best interest to have partial completion of roads, curbs, gutters and sidewalk. He has concerns that this will allow things like this to occur in the future.
- Commissioner Higley explained that his is not fond of it being discretionary but the current requirements make property impossible to develop; it could be handled with feasibility studies.
- Commissioner Grey asked about Federation Way development along the south side of where the new elementary school is going to be constructed.
- City Attorney Wonderlich explained that was a re-subdivision of an existing plat not a conveyance plat.

**Motion:**

Commissioner Woods made a motion to recommend approval of this request to the City Council, as presented. Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

**[Recommended Approval of This Request to the City Council, As Presented](#)**

**City Council Public Hearing Tuesday, May 26, 2015**

**V. GENERAL PUBLIC INPUT: NONE**

**Planning & Zoning Commission Minutes**

**April 28, 2015**

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

- Planner I Spendlove showed on the overhead a photo of the signs posted on the property for item IV-1 on tonight's agenda. He explained this was the first public hearing item scheduled since the public notice ordinance change, he was required to post 6 signs on the property and notice had to go auto 1000' from the property line.
- Council Liaison Mills Sojka explained that there was one person in the audience that received notice of this request that showed up to see what was going on with the property. He would not have received a letter with the previous notice requirements.
- Commissioner Woods stated that he has had some issues with the landscaping requirements for a desert area. He is working on gathering some information with regards to how this can be addressed in the code and plans to work with some people that are knowledgeable of the types of plants that can be used. We have a shortage of water and then trees and shrubs are required which is not realistic for water conservation.
- Zoning & Development Manager Carraway-Johnson explained that staff always recommends drought tolerant plants and grass is not required for ground cover.

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

1. Work Session-**May 6, 2015**
2. Public Hearing-**May 12, 2015**

**VIII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 6:45 PM

Lisa A Strickland  
Administrative Assistant  
Planning & Zoning Department