



**NOTICE OF AGENDA**  
**TWIN FALLS CITY PLANNING & ZONING COMMISSION**  
**March 22, 2016 6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson   Tom Frank   Kevin Grey   Gerardo "Tato" Muñoz   Ed Musser   Christopher Reid   Jolinda Tatum  
**Chairman   Vice-Chairman**

**AREA OF IMPACT:**

Ryan Higley   Steve Woods

**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 3, 2016 WS & March 8, 2016 PH**
2. Approval of Findings of Fact and Conclusions of Law:
  - Seastrom (Pre-Plat 03-08-16) • Buttars Family (SUP 03-08-16) • Parks & Recreation (NCBE 03-08-16)

**III. ITEMS OF CONSIDERATION:**

1. Request for consideration of the **Preliminary Plat** for Sunway Subdivision No. 2 consisting of 2 lots and 53.38 acres (+/-) located on the south side of North College Road West and east side of Sunway Drive North c/o EHM Engineers, Inc.

**IV. PUBLIC HEARINGS:**

1. Request for a **Special Use Permit** to construct and operate an indoor recreation facility to include rock climbing gym, dance and exercise classes & private parties on property located at 135 5<sup>th</sup> Avenue South. c/o Hailey Barnes on behalf of Gemstone Development, LLC (app. 2771)
2. Request for a **Special Use Permit** to construct a 3600 sq. ft. detached accessory building on property located at 202 Gulch Lane in the Area of Impact. c/o John Glendenning on behalf of Kent Jensen (app. 2772)
3. Request for a **Special Use Permit** to construct a 1200 sq. ft. detached accessory building on property located at 827 Mae Drive. c/o Paul Benavidez (app 2773)

**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 6, 2016**
2. Public Hearing-**April 12, 2016**

**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.**



**MINUTES**  
**PUBLIC MEETING/WORK SESSION**  
Twin Falls City Planning & Zoning Commission  
**March 2, 2016 12:00PM**  
Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson Tom Frank Kevin Grey Gerardo "Tato" Muñoz Ed Musser Christopher Reid Jolinda Tatum  
**Chairman Vice-Chairman**

**AREA OF IMPACT:**

Ryan Higley Steve Woods

**ATTENDANCE**

**CITY LIMIT MEMBERS**

Present Absent

Dawson  
Frank  
Grey  
Munoz  
Musser  
Reid  
Tatum

**AREA OF IMPACT MEMBERS**

Present Absent

Higley  
Woods

**CITY STAFF:** Carraway-Johnson, Humble, Strickland, Weeks

**I. CALL MEETING TO ORDER:**

Chairman Frank called the meeting to order at 12:00 P.M. He then reviewed the public meeting procedures, confirmed there was a quorum present and introduced City Staff. He then introduces the two new commission members Danielle Dawson and Ed Musser.

**Election of Officers:**

**Motion-Chairman**

Commissioner Munoz made a motion to make Commissioner Frank Chairman.  
Commissioner Grey seconded the motion.

**Unanimously Approved**

**Motion-Vice-Chairman**

Commissioner Frank made a motion to make Commissioner Grey Vice-Chairman.  
Commissioner Woods seconded the motion.

**Unanimously Approved**

**II. DISCUSSION ITEMS FROM THE COMMUNITY DEVELOPMENT STAFF AND/OR THE PLANNING & ZONING COMMISSION:**

Zoning & Development Manager Carraway-Johnson explained that with the two new Commissioners starting today that she has asked the City Attorney Fritz Wonderlich to provide some training. She reviewed the packet that was given to the Commissioners for reference. She provided a list of definitions for the land use districts and provided a copy of the land use matrix.

1. Commission Training

City Attorney Wonderlich explained the open meeting laws and the need for the Commissioners to make sure that they don't discuss business outside of the public meeting setting. He then explained the rules for conflict of interest and stated that if there are ever any doubts or questions to contact him or staff. He also explained that there are two types of responsibilities as Commissioners a Legislative Responsibility for helping guide the City on regulations and Quasi Judicial Responsibility making decisions on requests related to zoning.

Zoning & Development Manager Carraway-Johnson explained that the staff provides reports with information related to the requests that come before the Commission. These reports are intended to help the Commission make informed decisions. The all of the requests are reviewed prior to scheduling to ensure that the basic code requirements are met. If there are any questions or if there is ever a need for additional information staff is more than willing to follow-up with the additional information at the meeting.

City Attorney Wonderlich explained that there have been times that the applicant insists on moving forward through the process regardless of what the code says. Applicants are allowed to move forward, knowing that there will be a negative staff recommendation on their request. This does not happen very often but they do have a right procedurally to have their request heard.

Commissioner Grey stated that the majority of the issues people want to contest are the conditions that are required by code.

Commissioner Frank stated that he knows that there are some conditions that are going to impact the success of a project and in those cases he tries to make sure that the applicant is aware of the conditions that are being placed on their request. The applicant also has a right to appeal the Commission's decision also.

Zoning & Development Manager Carraway-Johnson explained that most of the requests that come through this process are for Special Use Permits. A Special Use Permit request for a land use on a piece of property that is not outright permitted in code. The

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Commission is asked to determine if the land use being requested is appropriate. The Commission can deny the request, approve the request as presented, or approve the request with conditions. The Special Use Permit is tied to the property unless it has been approved for a specific business/owner in the conditions. There have been cases where the Commission has limited the approval of a Special Use Permit to a specific amount of time because the impacts were difficult to assess without having the use implemented.

Commissioner Frank explained that the Commission has kind of move away from expiration dates on Special Use Permits lately because every Special Use Permit can be brought to the Commission for consideration of revocation. If there are conditions on a Special Use Permit and the applicant is not meeting those conditions that can be grounds for revocation. Staff will follow-up on any complaints related to Special Use Permit compliance concerns.

Zoning & Development Manager Carraway-Johnson explained that if a citizen makes a complaint directly to one of the Commissioners, they can contact staff or have the citizen contact staff for follow-up.

Deputy City Manager Humble made a point to make it clear that this Commission has a big responsibility and he appreciates the members time and commitment. The City Council looks for direction from the Planning & Zoning Commission when they are hearing requests that have come through the process and relies on the Commission heavily. Once again he thanked the Commissioners for volunteering.

2. Upcoming P&Z Agenda items

Zoning & Development Manager Carraway-Johnson reviewed the agenda on the overhead and stated in summary that there will be preliminary plat a previously approved Special Use Permit, a Special Use Permit for a 2<sup>nd</sup> drive-through on the same property as the Special Use Permit that is being reactivated and a Non-Conforming Building Expansion.

3. Review proposed code amendment items.

Zoning & Development Manager Carraway-Johnson explained that staff is still working on the accessory building code amendment for a final presentation to the Commission prior to the public hearing. This proposed change to the code is going to be reviewed with the Building Advisory Board prior to the public hearing process also so that they can offer input on the proposed changes. The accessory dwelling unit amendment is not ready for review yet, staff is still doing research and it will be brought to the Commission as a draft once it is ready for review.

Zoning & Development Manager Carraway-Johnson stated that the last item for discussion is related to another code amendment. She explained staff is trying identify

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inconsistencies in the code, inadvertently when we alter one section of the code it can impact other parts of the code unintentionally. Approximately 5 years ago there was a land use introduced in the Industrial Zone called Construction Yards, there was a desire to implement the use in the code and it was adopted under a Miscellaneous Category requiring a Special Use Permit in the M-1 District. She would like to propose that this use be moved to a permitted use under Transportation because the other land use descriptions under Transportation cover trucks and buses, vehicle and equipment storage yard and she feels construction yard follows the same type of land use. For consistency she would also like this same use that was placed under the Service Category in the M-2 District be moved to the Transportation Category. This would allow a construction company to store their construction equipment off-site from where their office is located.

The Commission agreed this change would be appropriate and directed staff to move forward with this request.

**III. GENERAL PUBLIC INPUT: None**

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

4. Public Hearing – **Tuesday, March 8, 2016**
5. Public Hearing – **Tuesday, March 22, 2016**

**V. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 1:35 pm.

Lisa A Strickland  
Administrative Assistant  
Planning & Zoning Department



**MINUTES**  
**TWIN FALLS CITY PLANNING & ZONING COMMISSION**  
**March 8, 2016 6:00PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson   Tom Frank   Kevin Grey   Gerardo “Tato” Muñoz   Ed Musser   Christopher Reid   Jolinda Tatum  
    **Chairman**     **Vice-Chairman**

**AREA OF IMPACT:**

Ryan Higley   Steve Woods

**ATTENDANCE**

**CITY LIMIT MEMBERS**

**AREA OF IMPACT MEMBERS**

**PRESENT**

**ABSENT**

**PRESENT**

**ABSENT**

Dawson  
 Frank  
 Grey  
 Muñoz  
 Musser  
 Reid  
 Tatum

Higley  
 Woods

**CITY STAFF:** Carraway-Johnson, Spendlove, Strickland, Vitek

**I. CALL MEETING TO ORDER:**

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): **February 23, 2016**
2. Approval of Findings of Fact and Conclusions of Law:
  - Latitude 42 (Pre-plat 02-23-16)

**III. ITEMS OF CONSIDERATION:**

1. Request for consideration of the **Preliminary Plat** for the Seastrom Commercial Subdivision consisting of 5 lots and 5.72 acres (+/-) located on the south side of Wright Avenue and west side of Grange Lane c/o EHM Engineers, Inc.

**Applicant Presentation:**

Dave Thibault, EHM Engineers, Inc. stated this is a request for a commercial subdivision located on Eastland Drive South and Wright Avenue. The proposal is to subdivide the property in to 5 lots for industrial development. The hope is to have this approved so that they may move forward with marketing the property for development.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated this property is Zoned M-2; Heavy Manufacturing. It is assumed this designation took place in the 1980’s when the Zoning Code was rewritten and the new classifications were assigned. No further zoning history is known at this time. We have no record of any building permit being issued for this location.

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The request is for approval of Seastrom Commercial Subdivision. The site is zoned M-2, includes 5.72 acres and consists of 5 lots. The Preliminary Plat we have received satisfies the requirements outlined in City Code 10-12: General Subdivision Provisions.

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. This request is in conformance with the Comprehensive Plan and the requirements found in Twin Falls City Code.

Planner I Spendlove stated upon conclusion should the Commission approve the preliminary plat of the Seastrom Commercial Subdivision, 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.

**Public Hearing: Opened & Closed Without Comments**

**Deliberations Followed: Without Concerns**

**Motion:**

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

**Approved, As Presented, With 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.

**Items III-2 and IV-1 are combined as both requests are for the same property. There will be a separate motion for each item.**

2. Request for the **reactivation of Special Use Permit #1326** for the purpose of allowing a 24-hour convenience store/gas station with a drive-through window and an area designated for overnight parking of semi-truck and recreational vehicles on property located at 3204 Kimberly Road c/o Buttars Family Limited Partnership (app. 2658)

**IV. PUBLIC HEARINGS:**

1. Request for a **Special Use Permit** to add a 2<sup>nd</sup> drive-through window for a 24-hour restaurant and in conjunction with a convenience store/gas station with a drive through window on property located at 3204 Kimberly Road c/o Buttars Family Limited Partnership (app. 2770)

**Applicant Presentation:**

Gerald Martens, EHM Engineers, Inc., stated this property is located at the southeast corner of Hankins Road and Kimberly Road. The property used to be where Agri-Service was located and now the property is underway for development. The plan originally only included plans for the convenience store drive through and has now been altered to include a second drive-through window for a restaurant to operate from this site also. The drive-through for the convenience store is for retail items in the store, the second drive-through will be to serve the restaurant. The plan is to construct the convenience store and the restaurant concurrently and to have the project complete possibly in the late fall. He explained on the overhead the layout of the project and traffic flow throughout the property.

**Staff Presentation: Item III-2**

Planner I Spendlove reviewed the request on the overhead and stated item III-2 is a request for the Planning & Zoning Commission to determine if there has been a significant change in the area to require the applicant to come back through the Special Use Permit process for the originally approved Special Use Permit #1326.

**Staff Presentation: Item IV-2**

Planner I Spendlove reviewed the request on the overhead and stated the location has been zoned C-1 as far back as approximately 1970's. On July 22, 2014, Special Use Permit #1326 was issued for a 24 Hour convenience store/gas station with a drive-through window with limited truck and RV Parking. In 2015-2016, Agri-Service moved locations and most of the existing buildings were demolished and a portion of the site scraped clean, except for one storage building.

This location is in the C-1; Commercial Highway District in the Area of Impact. This request is to construct a restaurant with a 2<sup>nd</sup> drive-through window on the eastern side of the convenience store. The applicant has supplied a narrative detailing the general operations of the proposed business. The applicant is also requesting to operate the restaurant with drive through window 24 hours a day, 7 days a week. The facility will employ approximately 5-10 people per shift, with an anticipated 200 vehicles per day.

The applicant describes the anticipated noise levels as being similar to the current use of farm implement dealership. He anticipates no impact to neighboring property owners with regard to odors, fumes, glare or vibrations.

**Per City Code 10-4-8: C-1, Commercial Highway District:** Retail businesses operating outside the hours of seven o'clock (7:00) A.M. to ten (10:00) P. M. require a Special Use Permit prior to being legally established. In addition, any drive-thru facility requires a Special Use Permit.

**Per City Code 10-7-12: Special Landscaping Requirements for Gateway Arterials:** Kimberly Road is a gateway arterial which would require a minimum of 35' of additional landscaping along the Kimberly Road frontage. This requirement will be evaluated for compliance with current applicable code requirements and enforced at the time of building permit submittal.

**Per City Code 10-10: Off-Street Parking:** The current parking code states general retail uses, general merchandise, are required to provide one (1) parking space per two hundred fifty (250) square feet

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of total floor area. In addition, the parking requirement for a restaurant with a drive-through window is to provide one (1) parking space for each one-hundred (100) square feet of gross floor area for restaurants located within a multi-tenant building. Outdoor seating/dining areas will be included in gross floor area calculations. This requirement will be evaluated for compliance with current applicable code requirements and enforced at the time of building permit submittal.

**Per City Code 10-11-1 thru 10: Required Improvements:** New buildings are required to provide landscaping, screening, development of parking and maneuvering areas, street improvements; such as sidewalks, curb & gutter, storm water retention, trash enclosures and other infrastructure improvements. These improvements will be evaluated for compliance with current applicable code requirements and enforced at the time of building permit submittal for a certificate of occupancy. These improvements are being evaluated and enforced on the current building for the Convenience Store.

The impacts of a 24-hour eating establishment with a drive-thru window include an increase in customer traffic to the immediate streets in the area, light intrusion on surrounding properties, deliveries by larger trucks, and an increase in noise disturbance to neighboring properties. However, a previous Special Use Permit was approved for the 24-hour gas station and convenience store with a drive-through window. Although the site has not yet developed the area has not changed significantly from the time of that previous approval and it is not anticipated this business will increase traffic to the area beyond reasonable levels to the detriment of surrounding properties. Kimberly Road is a major arterial into Twin Falls and Hankins Road is currently used heavily by semi-trucks on the farm to market route. There is currently a signal at the corner of Hankins and Kimberly Road.

The possibility of light intrusion on neighboring properties is something that can be a negative impact on neighboring properties and or travelers on the roadways. City Code currently requires all lighting to be downward facing in order to help mitigate the light intrusion. The City always encourages new businesses to be open to neighboring properties complaints about light intrusion. If a problem arises the City has a process to get the situation rectified if needed.

The building plans have been submitted. They currently show a "future car wash" area along the eastern border. A special use permit will be required to operate a car wash facility at this site in the C-1 zone.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented staff recommends approval is 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 all applicable conditions placed on Special Use Permit 1326 being met.

**PZ Questions/Comments:**

- Commissioner Woods asked about curb, gutter and sidewalk along Kimberly Road.

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- Assistant City Engineer Vitek explained that the City would prefer the curb, gutter and sidewalk along Kimberly Road however, Kimberly Road is a State Highway so the state will have final say on this matter.
- Commissioner Munoz asked about the 2<sup>nd</sup> drive-through hours of operation. He stated the description for the request was not clear that that the 2<sup>nd</sup> window is for the restaurant that is going to operate 24-hours.
- Mr. Martens explained each business will be operating 24-hours. This request is for a second business that will be operating at the convenience store. The convenience store will have a Special Use Permit for its drive-through window and operate 24-hours. The restaurant will operate 24 hours and have a drive through window as well.
- Commissioner Higley stated that on the original plan showed an existing building staying on site.
- Mr. Martens explained there is a building that will remain on-site that will be used for storage it is relatively new, it will not be used for any part of the retail operation. He showed on the overhead the layout of the property and parking.

**Public Hearing: III-2 Opened**

- David Gadd, Attorney with Worste, Fitzgerald & Stover, representing Burk's Tractor an adjacent property owner. He explained there is an easement along the south portion of the property being discussed tonight and he would like to assure his client that the easement will be preserved.
- Mr. Martens explained this easement will be maintained and nothing will be built on that easement. This easement will be paved and maintained.
- Assistant City Engineer Vitek explained that the escape lane shown on the overhead may change a little after final review, but staff will work with the applicant to make sure it meets code. As for the easement it is a private easement and they will need to pave it because of the C-1 zoning and the applicant representative has stated it will be paved.

**Public Hearing: III-2 Closed**

**Deliberations Followed: III-2 Without Concerns**

**Motion:**

Commissioner Tatum made a motion to approve the re-activation of Special Use Permit #1326, as presented, with conditions. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

**[SUP #1326 Approved for Re-Activation](#)**

**Public Hearing: IV-1 Opened & Closed Without Comments**

**Deliberations Followed: IV-1**

- Commissioner Munoz wanted to clarify that the drive-through is for use with a 24-hour restaurant.
- Commissioner Frank stated that the presentation and the staff report clearly identifies this as a restaurant with a drive through.
- Commissioner Munoz stated he doesn't want there to be confusion in the future.

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**Motion:**

Commissioner Reid made a motion to approve the request, as presented, with staff recommendations. Commissioner Tatum 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 all applicable conditions placed on Special Use Permit 1326 being met.
- 
2. Request for a **Non-conforming Building Expansion Permit** to add 280 sf +/- to a legal non-conforming building located on the south side of the 1600-1700 Blocks of Elizabeth Boulevard East aka Harmon Park c/o City of Twin Falls Parks & Recreation Department (app. 2766)

**Applicant Presentation:**

Parks & Recreation Director Davis explained that this is an existing building located on Elizabeth Boulevard that has been used as a score shack. This park was established around 1920 and the building was constructed within the same timeframe. The building is not ADA accessible and was put in prior to the current setback requirements. They would like to make the building more ADA Accessible and allow for additional storage of equipment.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated the history of Harmon Park begins in 1924 when the City was gifted \$2000 from the Harmon Foundation. That cash donation allowed the City to purchase and construct a park at Locust and Elizabeth. Since that time many additions to the park have taken place including swimming pools (no longer existing), numerous baseball fields, picnic shelters and a number of other amenities.

It is unknown when the scorer's booth in question was placed on the property. However, the condition of the booth has declined to the point of needing a major renovation.

The request is to allow the expansion of a legal non-conforming building. The building is located on the north side of Harmon Park adjacent to Elizabeth Blvd. The park is zoned Open Space. Elizabeth Blvd has a minimum 62' from C/L building setback requirement. The entire building is within the front centerline building setback. The applicant has supplied a brief narrative detailing some of the affects the expansion

will have on the surrounding area. The applicant states the expansion will remove the second story, making the entire building single level and ADA Accessible. The proposed expansion will not further encroach into the front yard setback. The applicant does not anticipate any negative impacts on neighboring land owners in the form of noise, glare, vibrations or fumes.

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The general area and the immediate surroundings are currently zoned R-4, with a very small piece of C-1 PUD on the East side of Madrona St. The materials being proposed will be similar to the existing building, although a different color, and is harmonious with the existing buildings and the general use of the surrounding area as a public park.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval 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.

Planner I Spendlove read into the record a citizen comment letter that has been filed with the application.

**PZ Questions/Comments:**

- Commissioner Grey asked why there is such a large setback along Elizabeth Boulevard.
- Assistant City Engineer Vitek stated that Elizabeth Boulevard is designated as a collector so this is a standard setback. The purpose of the setbacks is to have buildings constructed further back of the road so that if widening needs to be done in the future it can be done without having to go to individual property owners to purchase frontage.
- Commissioner Munoz asked about is Elizabeth Boulevard west of this park a one-way road.
- Assistant City Engineer Vitek explained that currently it is only one-way and is only 25 ft. wide. He is not sure how this occurred.
- Commissioner Higley asked why the metal materials were chosen for this structure versus concrete is that a set standard.
- Recreational Supervisor McClintock stated reason they use the concrete for the bathrooms and is because they are heavily used by the public. This building will primarily be used by staff and for equipment storage.

**Public Hearing: Opened & Closed Without Comments**

- Parks & Recreation Director Davis stated that the metal materials is more cost effective and fiscally responsible for material choices. This will be an improvement and should not be a drastic change that would impact the surrounding area.
- Commissioner Woods stated that he hopes the change will increase the use of the property it is a wonderful park.
- Commissioner Munoz stated that this will not increase the use of the park because it is not an expansion for the park it is just an alteration to the building that will make it more easily accessible for the score keepers and storage of equipment.

**Motion:**

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

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

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

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**V. GENERAL PUBLIC INPUT:** None

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

Zoning & Development Manager Carraway-Johnson reminded the Commission that the next meeting will consist of three Special Use Permits and preliminary plat and possibly one more preliminary plat.

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

1. Public Hearing- **March 22, 2016**
2. Public Meeting – **April 6, 2016**

**VIII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 7:00 PM

Lisa A Strickland  
Administrative Assistant  
Planning & Zoning Department

**DRAFT**



# BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re: )  
 )  
Preliminary Plat Application, ) FINDINGS OF FACT,  
 )  
Seastrom Commercial Subdivision ) CONCLUSIONS OF LAW,  
c/o EHM Engineering, Inc. )  
 Applicant(s) ) AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the March 08, 2016 hearing for consideration of the preliminary plat of Seastrom Commercial Subdivision, approximately 5.72 (+/-) acres, to develop 5 lots located on the south side of Wright Avenue and west side of Grange Lane, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has requested approval of the preliminary plat of Seastrom Commercial Subdivision, approximately 5.72 (+/-) acres, to develop 5 lots located on the south side of Wright Avenue and west side of Grange Lane
2. The property in question is zoned M-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Wright Avenue/Industrial Business; to the south, Undeveloped Industrial; to the east, Grange Lane/Industrial Business; to the west, Industrial Business
5. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of

development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

6. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

#### CONCLUSIONS OF LAW

1. The preliminary plat of the Seastrom Commercial Subdivision, approximately 5.72 (+/-) acres, to develop 5 lots located on the south side of Wright Avenue and west side of Grange Lane is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

The request for approval of the preliminary plat of Seastrom Commercial Subdivision, approximately 5.72 (+/-) acres, to develop 5 lots located on the south side of Wright Avenue and west side of Grange Lane is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

---

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

"EXHIBIT NO. A"

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.



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

**SPECIAL USE PERMIT**

**Re-activated by the Planning & Zoning Commission on 03-08-16**

**Permit No.1326**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on July 22, 2014 to Buttars Family Limited Partnership whose address is P.O. Box 2035 Twin Falls, ID 83303 for the purpose of allowing a 24 Hour Convenience Store/Gas Station with a drive-thru window and an area designated for overnight parking of semi-truck and recreational vehicles on property located at 3204 Kimberly Road, in the City's Area of Impact and legally described as Sec 24 T 10 R 17 Tax#2283 NW NW RP10S17E243150A

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Zoning Application No.2658**

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 the execution an Out-Of-City Services Agreement for City Water and Sewer services.
3. Subject to the execution a Deferral Agreement for the construction of curb and gutter along Kimberly Road.
4. Subject to the applicant constructing detached sidewalk along Kimberly Road per City Standards.
5. Subject to the applicant constructing curb, gutter, detached sidewalk and a center turn lane on Hankins Road per City standards and City Engineering Department review.
6. Subject to overnight parking only for semi-trucks and/or recreational vehicles being limited to eight (8) spaces.

\_\_\_\_\_  
CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

\_\_\_\_\_  
DATE

**This 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.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



# BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re: )  
 )  
Special Use Permit, Application, ) FINDINGS OF FACT,  
 )  
 ) CONCLUSIONS OF LAW,  
Buttars Family Limited Partnership )  
c/o EHM Engineers, Inc. )  
 Applicant(s) ) AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **March 8, 2016** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of **allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **February 18, 2016**

3. The property in question is zoned **C-1 Aol** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial/Retail** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, **Kimberly Road**; to the south, **Burk's Tractor**; to the east; **Burk's Tractor**; and to the west, **Hankins Road/NW Equipment**.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road** is consistent with the purpose of the **C-1 Aol** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10. The proposed use is a proper use in the **C-1 Aol Zone**, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of **allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of **allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road** is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

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CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

"EXHIBIT NO. A"

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 all applicable conditions placed on Special Use Permit 1326 being met.**

APPLICATION #2770  
SUP# 1386



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

**SPECIAL USE PERMIT**

**Permit No. 1386**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on March 8, 2016 to Buttars Family Limited Partnership whose address is P.O. Box 2035 Twin Falls, ID 83303 for the purpose of allowing a restaurant with a drive-through window in conjunction with a convenience store with a drive through window, a gas station and limited RV and Semi-truck Parking with all uses operating up to 24 hours a day, seven (7) days a week on property located at 3204 Kimberly Road and legally described as Sec 24 T 10 R 17 Tax#2283 NW NW RP10S17E243150A

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Zoning Application No.2770**

1. Subject to 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 all applicable conditions placed on Special Use Permit 1326 being met.

\_\_\_\_\_  
CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

\_\_\_\_\_  
DATE

**This 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.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Non-conforming Building Expansion, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>City of Twin Falls</u>	)	CONCLUSIONS OF LAW,
<u>c/o Parks &amp; Recreation Department</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **March 8, 2016** for public hearing pursuant to public notice as required by law for a Non-Conforming Building Expansion Permit for the purpose of **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for a Non-Conforming Building Expansion Permit for the purpose of **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **February 18, 2016**
3. The property in question is zoned **OS** pursuant to the Zoning Ordinance of the City of Twin Falls.

The property is designated as **Medium Density Residential** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5 & 10-3-4 Twin Falls City Code.

5. The existing neighboring land uses in the immediate area of this property are: to the north, **Elizabeth Boulevard**; to the south, **Harmon Park Avenue**; to the east, **Madrona Street**; to the west, **Locust Street North**.

6. The proposed use is consistent with the purpose of the **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park Zone** and would not be detrimental to any outright permitted uses or existing special uses.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following

#### CONCLUSIONS OF LAW

1. The application for a Non-Conforming Building Expansion Permit for the purpose of **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park** is consistent with the purpose of the **OS Zone**, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5 & 10-3-4 Twin Falls City Code.

3. The proposed use is proper use in the **OS Zone**.

4. The application for a Non-Conforming Building Expansion Permit for the purpose of **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City Code of the City of Twin Falls.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Non-Conforming Building Expansion Permit for the purpose of **adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park** is hereby granted subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Non-Conforming Building Expansion Permit shall be issued.

---

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

**"Exhibit A"**

**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.**

Application # **2766**  
NCBE#1387



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

**NON-CONFORMING BUILDING PERMIT**

**Permit No. 1387**

Granted by the Twin Falls City Planning and Zoning Commission on **March 8, 2016** to **City of Twin Falls c/o Parks & Recreation Department** whose address is **136 Maxwell Avenue Twin Falls, ID 83301** for the purpose of adding +/- 280 sq. ft. to a legal non-conforming building located on the south side of the 1600-1700 blocks of Elizabeth Boulevard East, aka Harmon Park and legally described as **Twin Falls Acres Inside N 30A of NE SW (15-10-17) Harmon Park (63-602A)**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Application No. 2766**

- 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.**

\_\_\_\_\_  
Chairman

**This 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.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



Public Hearing: **TUESDAY, March 22, 2016**

To: Planning and Zoning Commission

From: Jonathan Spendlove, Planner I

## AGENDA ITEM III-1

**Request:** Request for consideration of the **Preliminary Plat** for Sunway Subdivision No. 2 consisting of 2 lots and 53.38 acres (+/-) located on the south side of North College Road West and east side of Sunway Drive North c/o EHM Engineers, Inc.

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 53.88 Acres
Twin Falls School District Wiley Dobbs 201 Main Ave West Twin Falls, ID 83301 208-733-6900 <a href="mailto:dobbswi@tfid.org">dobbswi@tfid.org</a>	<b>Current Zoning:</b> R-1 VAR	<b>Requested Zoning:</b> Approval of the preliminary plat for Sunway Conveyance Plat
	<b>Comprehensive Plan:</b> Open Space and Medium Density Residential	<b>Lot Count:</b> 2 Lots
	<b>Existing Land Use:</b> Sunway Soccer Complex and Undeveloped	<b>Proposed Land Use:</b> 2 Lots to be retained by TFSD and Twin Falls City
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers Tim Vawser 621 N College Rd #100 Twin Falls 83301 208-734-4888 <a href="mailto:tvawser@ehminc.com">tvawser@ehminc.com</a>	<b>North:</b> North College Road (future); R-1 VAR, Undeveloped Agricultural Farm	<b>East:</b> Creek Side Way (future); R-2, Platted Undeveloped Agricultural Farm
	<b>South:</b> SUI; Residential and Undeveloped Agricultural Farm	<b>West:</b> R-1 VAR & SUI; Sunway Soccer Complex & Undeveloped Agricultural Farm
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-12-1 through 4	

**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 property is Zoned R-1 VAR. It was assigned that designation in 2015 when the property was annexed into City Limits. On March 14, 2016, the City Council granted a request to allow development of street and utility infrastructure to occur separately for each parcel at the time each parcel is developed. This approval allows each property owner, City of Twin Falls and Twin Falls School District, to develop these properties independently without triggering site improvements on the other.

**Analysis:**

The request is for approval of the Preliminary Plat for Sunway Subdivision No 2. The site is zoned R-1 VAR, includes 53.88 +/- acres and consists of 2 lots. The Preliminary Plat was reviewed by the city engineering department who determined the plat, as submitted, satisfies the requirements outlined in City Code 10-12: General Subdivision Provisions.

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.

This request is in conformance with the Comprehensive Plan and the requirements found in Twin Falls City Code.

**Conclusion:**

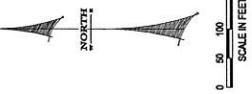
Staff recommends the Commission approve the preliminary plat of the Seastrom Commercial Subdivision No 2, as presented, and subject to the following condition:

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.

**Attachments:**

1. Sunway Subdivision No 2, Preliminary Plat
2. Zoning Vicinity Map
3. Future Land Use Map

**PRELIMINARY PLAT**  
for  
**SUNWAY SUBDIVISION NO. 2**  
Located In  
Lot 1, Block 1  
Sunway Conveyance Plat  
Located In A Portion of  
SW 1/4, Section 6  
Township 10 South, Range 17 East  
Boise Meridian  
Twin Falls County, Idaho  
2015



**LEGEND:**

PROPOSED	EXISTING
PROPERTY BOUNDARY	PROPERTY BOUNDARY
WATER LINE	WATER LINE
SEWER LINE	SEWER LINE
STORM SEWER LINE	STORM SEWER LINE
PRESSURE IRRIGATION LINE	PRESSURE IRRIGATION LINE
TELEPHONE LINE	TELEPHONE LINE
OVERHEAD POWER LINE	OVERHEAD POWER LINE
UNDERGROUND POWER LINE	UNDERGROUND POWER LINE
STANDARD CURB & GUTTER	STANDARD CURB & GUTTER
SIDEWALK	SIDEWALK
EDGE OF ASPHALT	EDGE OF ASPHALT
IRRIGATION SERVICE	IRRIGATION SERVICE
WATER SERVICE	WATER SERVICE
MANHOLE	MANHOLE
IRRIGATION RISK	IRRIGATION RISK
VALVE	VALVE
WELL	WELL
TELEPHONE RISER	TELEPHONE RISER
STREET LIGHT	STREET LIGHT
MAILBOX	MAILBOX
SON	SON
WIRELESS	WIRELESS

**Design Data**

**OWNER/DEVELOPER:** TWIN FALLS SERVICE DIST. 411  
620 N. COLLEGE RD. SUITE 100  
TWIN FALLS, ID. 83401  
(208) 733-8900  
RESUB DIVISION

**ENGINEER:** EHM ENGINEERS, INC.  
620 N. COLLEGE RD. SUITE 100  
TWIN FALLS, ID. 83401  
(208) 734-8888  
E. H. M. ENGINEERS, INC.  
621 North College Road, Suite 100 Twin Falls, Idaho 83401  
P (208) 734-8888 F (208) 734-6949 web: ehm-inc.com

**SETBACKS:** SETBACKS SHALL CONFORM TO THE SUBDIVISION REGULATIONS SECTION 10-4-1.3(c) & 10-4-1.4

**SEWER & WATER:** CITY SEWER AND WATER AND PRESSURE IRRIGATION UTILITIES AND TELEPHONE AS SHOWN

**UNDERGROUND POWER, GAS, TV, AND TELEPHONE:** AS SHOWN

**BOUNDARIES:** CITY OF TWIN FALLS  
BM # 3991-2801, NW  
CORNER OF FIRE HED. SE  
CORNER OF FIRE HED. SE  
& LAWRENCE RD. W.  
E.L. = 3674.307

**DEVELOPMENT AREA:** 53.38 ACRES

**ZONE:** SU1 AND R-1 VAR. (CASTING)

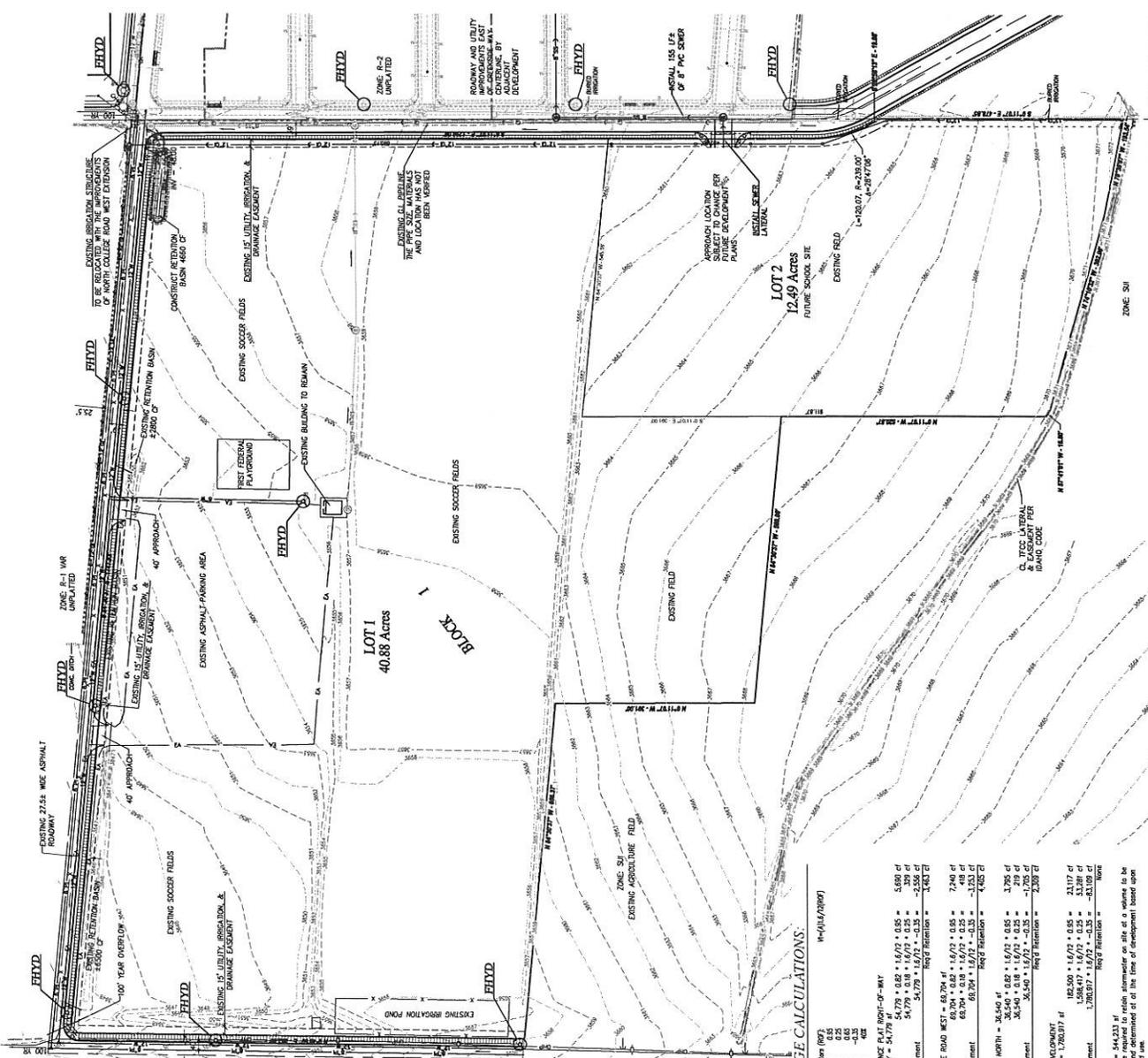
**EXISTING USE:** LOT 1 - CITY SOCCER FIELD/PARK  
LOT 2 - FUTURE SCHOOL SITE

**PROPOSED USE:** SOCCER FIELDS & AG

**VARiances:** NONE REQUESTED

**DETERMINALS:** NORTH COLLEGE ROAD WEST  
SUNWAY DRIVE NORTH  
CHELSEA WAY

**ROADWAYS:** FUTURE ROADWAYS  
(SUNWAY DRIVE NORTH,  
SUNWAY DRIVE SOUTH,  
WEST & CHELSEA (DE WAY)  
TO BE TO THE CITY OF  
TWIN FALLS COLLECTOR  
STREET MASTER



**DRAINAGE CALCULATIONS:**

Design Rainfall Intensity (RPT)	1.0
Impervious Area	0.15
Contribute Area	0.25
Pre-Development	-0.35
By Imp. - 100%	462

**SUNWAY CONVEYANCE PLAT RIGHT-OF-WAY**

Impervious	54,779	16,772	0.85	5,699	0.74%
Pre-Development	54,779	16,772	0.35	-3,559	-0.45%
Req'd Retention	-	-	-	-	-

**NORTH COLLEGE ROAD WEST**

Impervious	69,704	16,772	0.85	7,746	0.74%
Pre-Development	69,704	16,772	0.35	-1,353	-0.13%
Req'd Retention	-	-	-	-	-

**SUNWAY DRIVE NORTH**

Impervious	36,540	16,772	0.85	1,795	0.74%
Pre-Development	36,540	16,772	0.35	-1,705	-0.13%
Req'd Retention	-	-	-	-	-

**SUNWAY No. 2 DEVELOPMENT**

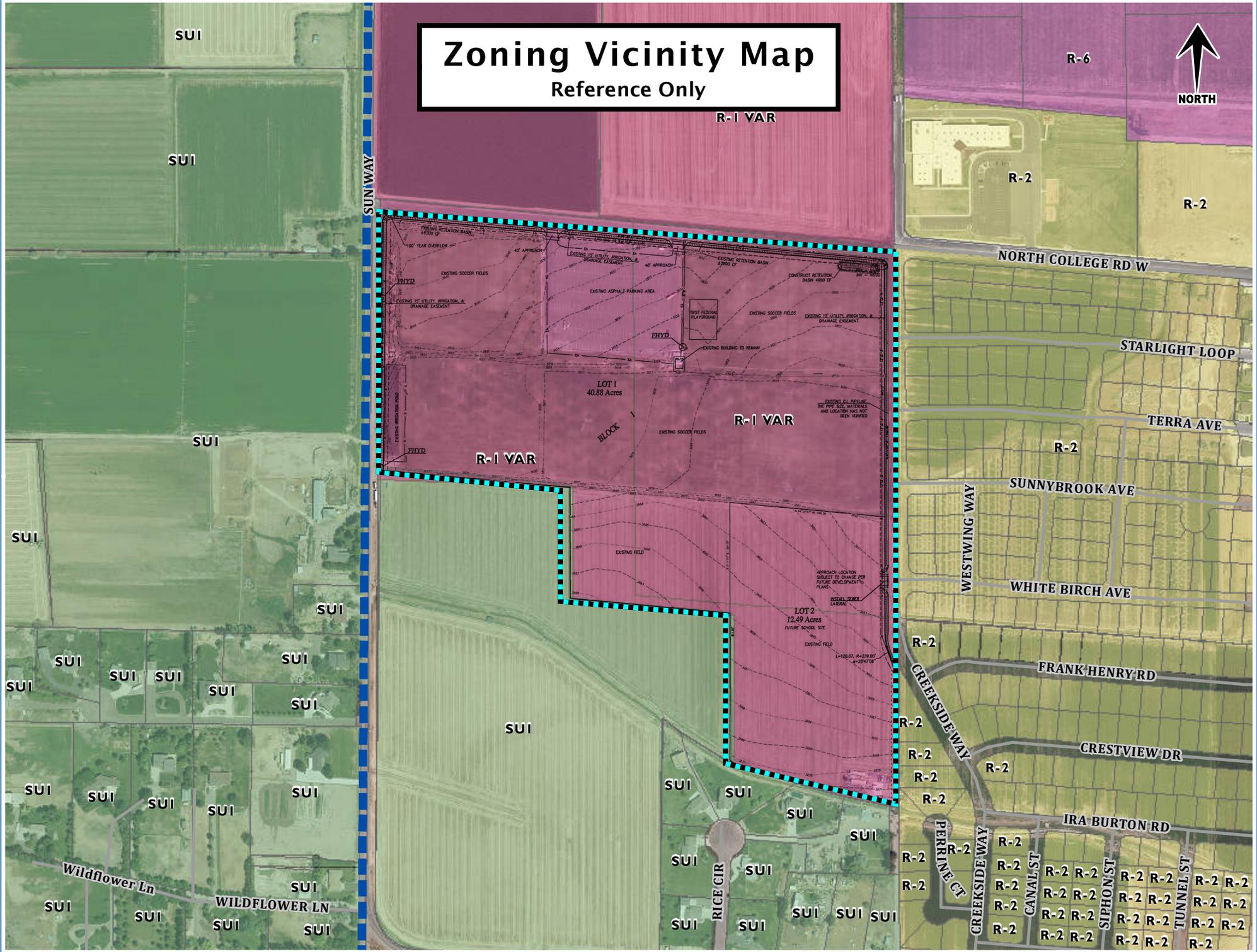
Impervious	185,500	16,772	0.85	21,177	0.74%
Pre-Development	185,500	16,772	0.35	-5,398	-0.29%
Req'd Retention	-	-	-	-	-

Lot 2 Block 1 = 544,233 sf  
Lot 2 will be required to retain stormwater on site of a storm to be determined and determined at the time of development based upon the proposed use.

Scale: 1" = 100' (Horizontal)  
Scale: 1" = 20' (Vertical)

# Zoning Vicinity Map

Reference Only









Public Hearing: **TUESDAY, March 22, 2016**

To: Planning & Zoning Commission

From: Jonathan Spendlove, Planner I

### AGENDA ITEM IV-4

**Request:** Request for a **Special Use Permit** to construct and operate an indoor recreation facility to include rock climbing, exercise, dancing & private practices on property located at 135 5<sup>th</sup> Avenue South. c/o Gemstone Development, LLC (app. 2771)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Purchase/Sale Agreement	<b>Size:</b> 0.29 Acre Lot, 11000 Sq Ft building
Gemstone Development LLC 4449 N 1325 E Buhl, ID 83316 208-420-9624 <a href="mailto:hbarnes@gemstoneclimbing.rocks">hbarnes@gemstoneclimbing.rocks</a>	<b>Current Zoning:</b> OT WHO P3 Overlay, Old Town with Warehouse Historic and P-3 Overlays	<b>Requested Zoning:</b> Special Use Permit for Indoor Recreation Facility
	<b>Comprehensive Plan:</b> Townsite	<b>Lot Count:</b> 5 Lots
	<b>Existing Land Use:</b> Undeveloped	<b>Proposed Land Use:</b> Indoor Recreation Facility / Climbing Gym
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
Hailey Barnes 815 Yakima Ave. Filer, ID 83328 208-420-9624 <a href="mailto:hbarnes@gemstoneclimbing.rocks">hbarnes@gemstoneclimbing.rocks</a>	<b>North:</b> OT WHO P-3; alley; Commercial Business	<b>East:</b> OT WHO P-3; URA - Public Parking Lot/Commercial Business
	<b>South:</b> 5 <sup>th</sup> Ave S; OT WHO P-3; Commercial Business	<b>West:</b> Shoshone St S; CB P2; Commercial Business
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-13, 10-4-22, 10-10-1 thru 12, 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. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), 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 negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to operate an indoor recreation climbing gym on property listed above.

**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:**

This property is part of the original Twin Falls Townsite. We have no specific Zoning history for this location. However, it is safe to assume it has been Zoned OT at least since the mid 1990's, when that zoning district was first enacted for parts of downtown.

In 2003-2004, the Urban Renewal Agency purchased the property and constructed the parking lot on the adjoining lots. Recently Gemstone Development met with the URA Board to facilitate the sale of the property and enter into certain agreements for the development of the site. Additionally, the Warehouse Historic Overlay district requires new buildings to go through a public process for approval of the exterior design through the Historic Preservation Commission. This approval was granted on February 22, 2016. The elevations presented to you are the approved set of drawings with one condition placed upon the design of the exterior stairwell.

**Analysis:**

The undeveloped site is zoned OT (Old Towne) WHO (Warehouse Historic Overlay) with a P3 parking overlay. The request is to construct and operate a 2-story Rock Climbing Facility to include several types of indoor activities, such as; exercise and dance classes, physical therapy, private parties and a rock climbing wall. The building is proposed to occupy the entire site. The code requires on-site improvements that may include: parking, landscaping, curb, gutter, sidewalk, storm water retention, enclosed trash container, lighting and water and sewer connection. The site does have a P3 parking overlay; which means if the use is unable to meet the minimum parking requirement "special considerations" may be given on a case by case basis. Staff has determined there are 46 parking spaces required for this building and use as proposed. The applicant is proposing to utilize the URA owned parking lot adjacent to the building and on-street angle parking along both sides of 5<sup>th</sup> Ave S. The applicants are showing a detached sidewalk along 5<sup>th</sup> Ave S and Shoshone St S similar to the nearby Glanbia and Wills Toyota recent developments. As Shoshone St is an ITD roadway the applicant will need to work with the State – again similar to what Glanbia & Wills Toyota did. Typically the State is very supportive of detached sidewalks and often encourages them as the City does. Detached sidewalks offer an overall safer pedestrian and vehicular travelway. The hours of operation are proposed to be 7 days a week from 10am to 10 pm. The facility will be open to the general public but will allow members to utilize the facility with hours outside their normal business hours. They anticipate they will employ 10-12 full/part time employees. The applicant anticipates negative impacts of noise and traffic will increase slightly, but they state they believe at manageable levels.

**Per City Code 10-4-13:** Indoor Recreation Facilities require a special use permit prior to being legally established.

The applicant proposes a climbing gym, and other auxiliary exercise areas for cardio programs. These uses have historically been placed within the Indoor Recreation Facility designation within the Zoning Code.

**Per City code 10-10-12:** Parking Overlay Districts

This property is located within the P-3 Parking overlay. Special Consideration may be given on a case by case basis to the parking requirements, in order to retain the character of the district. Examples could be: a variance, leased parking, or remote parking.

**Per City Code 10-11-1 thru 8:** Required Site Improvements

Required improvements include streets, landscaping, curb-gutter-sidewalk, water and sewer, drainage and storm water. These improvements are required during building permit review and approval. These requirements will be evaluated and enforced on the building permit.

**Possible Impacts:**

The negative impacts associated with this particular business may involve an increase in traffic and noise. Due to the surrounding area being primarily commercial in nature, staff does not anticipate unreasonable negative impacts to be created by the operation of this business. The most prominent impact on the area will be additional vehicular and foot traffic to the area. In some cases, this can be overbearing to an area to the extent it becomes a significant impact. The applicants are asking for consideration to allow their parking to be all off-site. Some consideration needs to be given to the varying peak times of customers to the area. Facilities of this type see peak customers in the early morning and the evenings. In this case, there is a good mix of uses which may create a variety of peak customer traffic throughout the day.

The commission should evaluate the impacts of this proposed special use and evaluate if conditions should be placed on the permit to mitigate those potential impacts.

**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.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Applicant Submitted Site Plan
5. Applicant Submitted Elevations
6. Site Photos

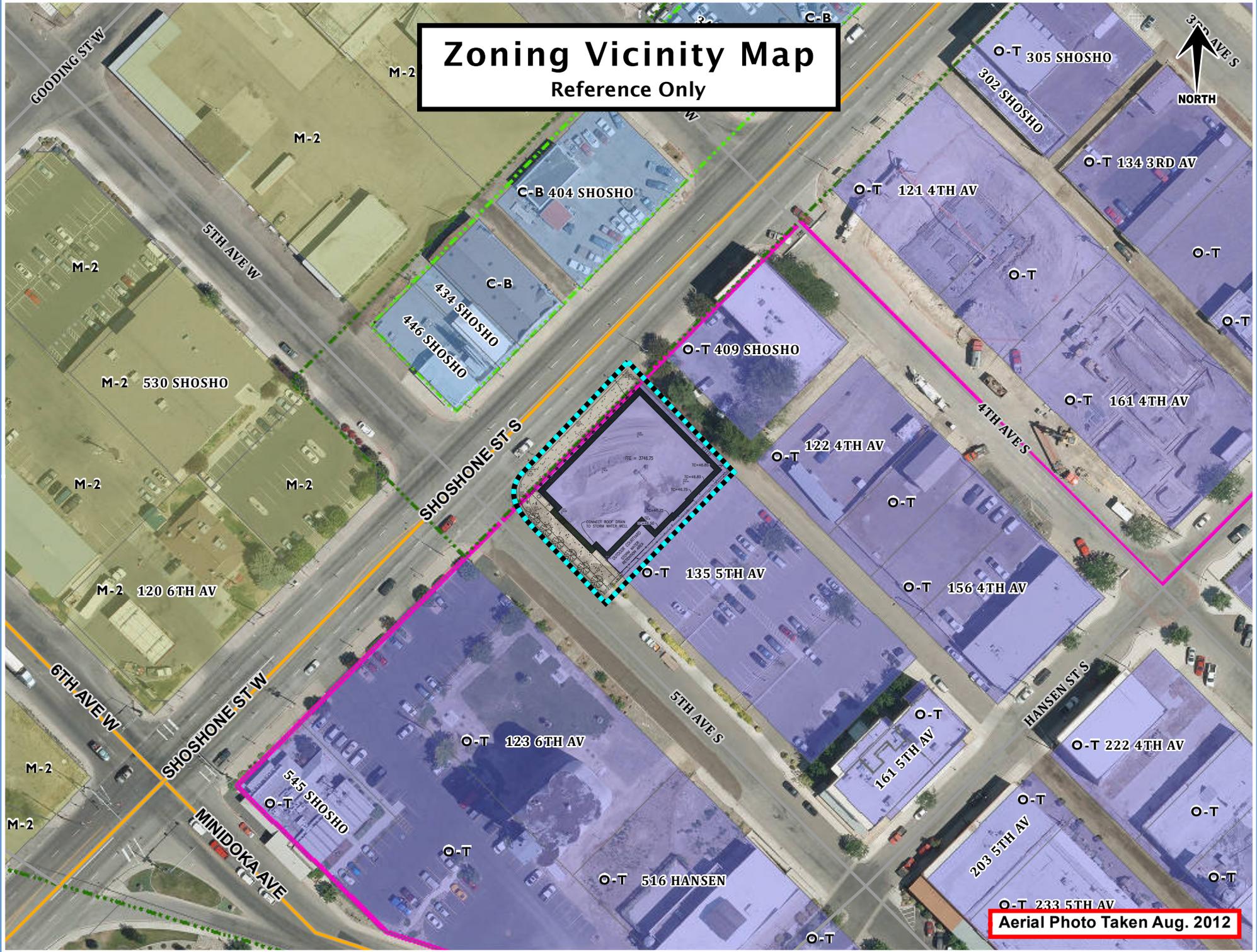
**Gemstone Climbing Center's**

**Special Use Permit Attachment**

- C.1 The land is being purchased from the Twin Falls Urban Renewal Agency. Upon completion of the sale, the warranty deed will be submitted to the Twin Falls Planning & Zoning. Attached at this time is the current title report.
- C.2 Attached is a 750' Radius report of owners around the subject property.
- C.3 Attached is a site plan and color elevations of the new building.
- C.4 a. Our new facility will be an indoor rock climbing gym that will also function as a yoga/pilates gym and fitness center.
- b.i. Hours of Operation are generally Sunday – Saturday 10 am – 10 pm with the majority of the business being conducted after 5 pm and on the weekends. Members of the gym may occupy the gym between the hours of 6 am – 10 am. But these early times are not available for the major public.
- ii. Traffic will increase around the area within generally a two block radius. The parking lots and additional parking along 5<sup>th</sup> Ave. will be utilized more. This will not be disruptive traffic.
- iii. We anticipate having 10-12 full/part time employees to start with. This will encompass 4-6 full time staff (managers and customer service) and 6-8 part time staff (instructors, route setters, retail).
- c.i. There will not be a huge impact with noise. We will have a small outdoor area for social events and occasional competitions where vendors will set up but this will be once per month or quarterly. The events will generally occur after surrounding business' operating hours and on the weekends.
- ii. There will be no increased glare from the property.
- iii. No odors are anticipated.
- iv. No fumes or vibration will be created to disrupt adjoining properties.
- v. This will be a positive addition to the adjoining properties. Not only will it bring a family friendly activity to the downtown but the majority of our business is conducted after our neighboring businesses have left for the night; thus limiting congestive parking. Our business will have a positive influence on the community and its surrounding property owners. Our business will complement the hourly structure of the majority of the surrounding businesses and also add to other businesses like restaurants, breweries, the Orpheum Theatre, the Rock Creek Amphitheatre and other downtown events.

# Zoning Vicinity Map

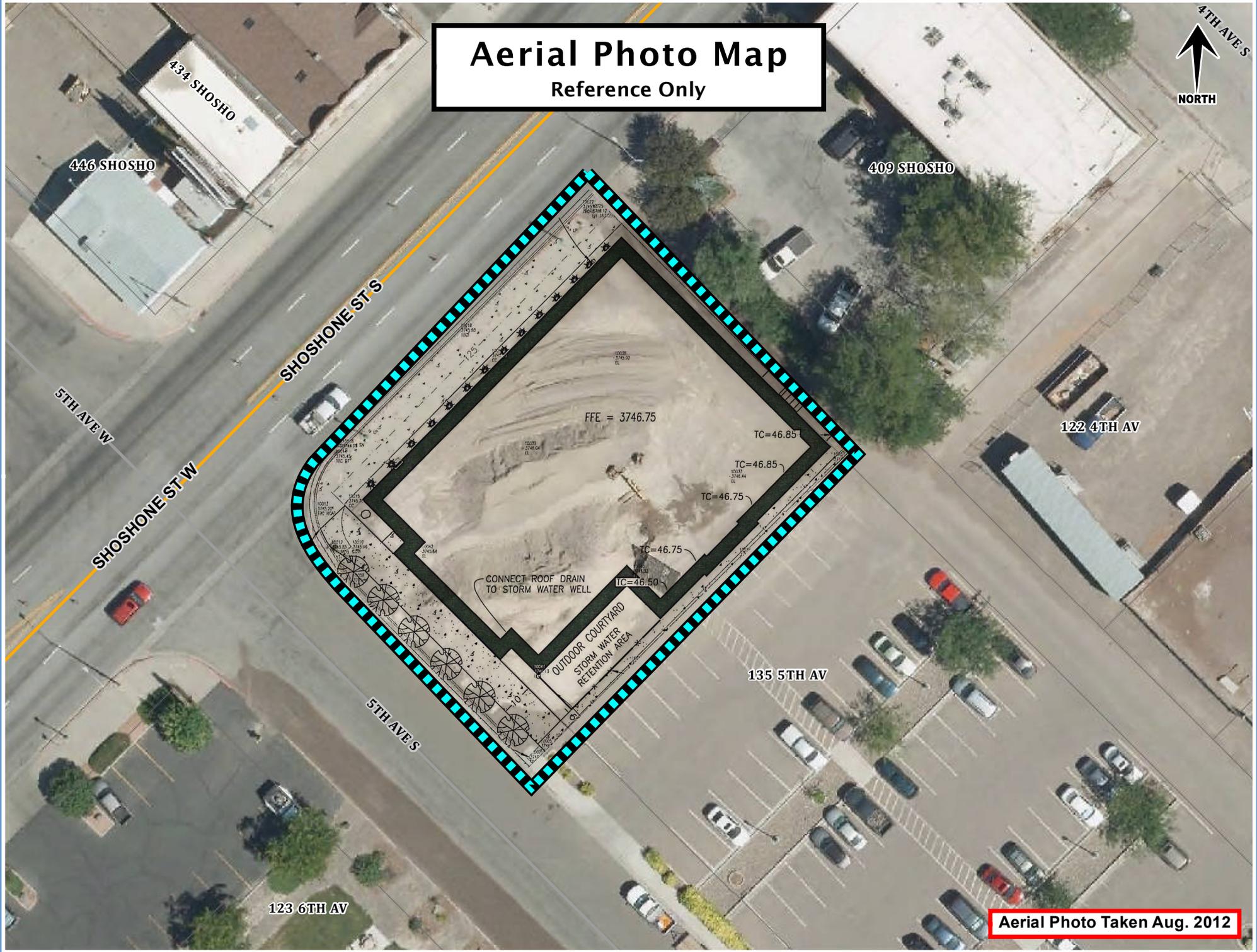
Reference Only



O-T 233 5TH AV  
Aerial Photo Taken Aug. 2012

# Aerial Photo Map

Reference Only

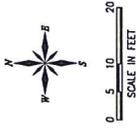


Aerial Photo Taken Aug. 2012

RECEIVED

FEB 16 2013

CITY OF TWIN FALLS  
BUILDING DEPT.



**EHM Engineers, Inc.**  
MAKING THE FUTURE ON A FOUNDATION OF EXPERIENCE  
Engineers / Surveyors / Planners  
621 North College Road, Suite 100 Twin Falls, Idaho 83401  
P (208) 734-4888 Fax (208) 734-6049 web: ehm-inc.com

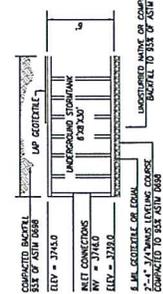
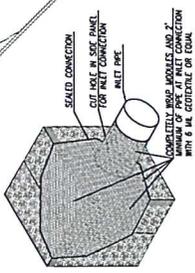
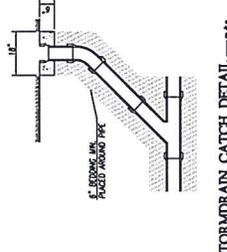
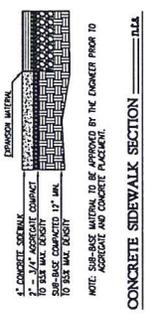
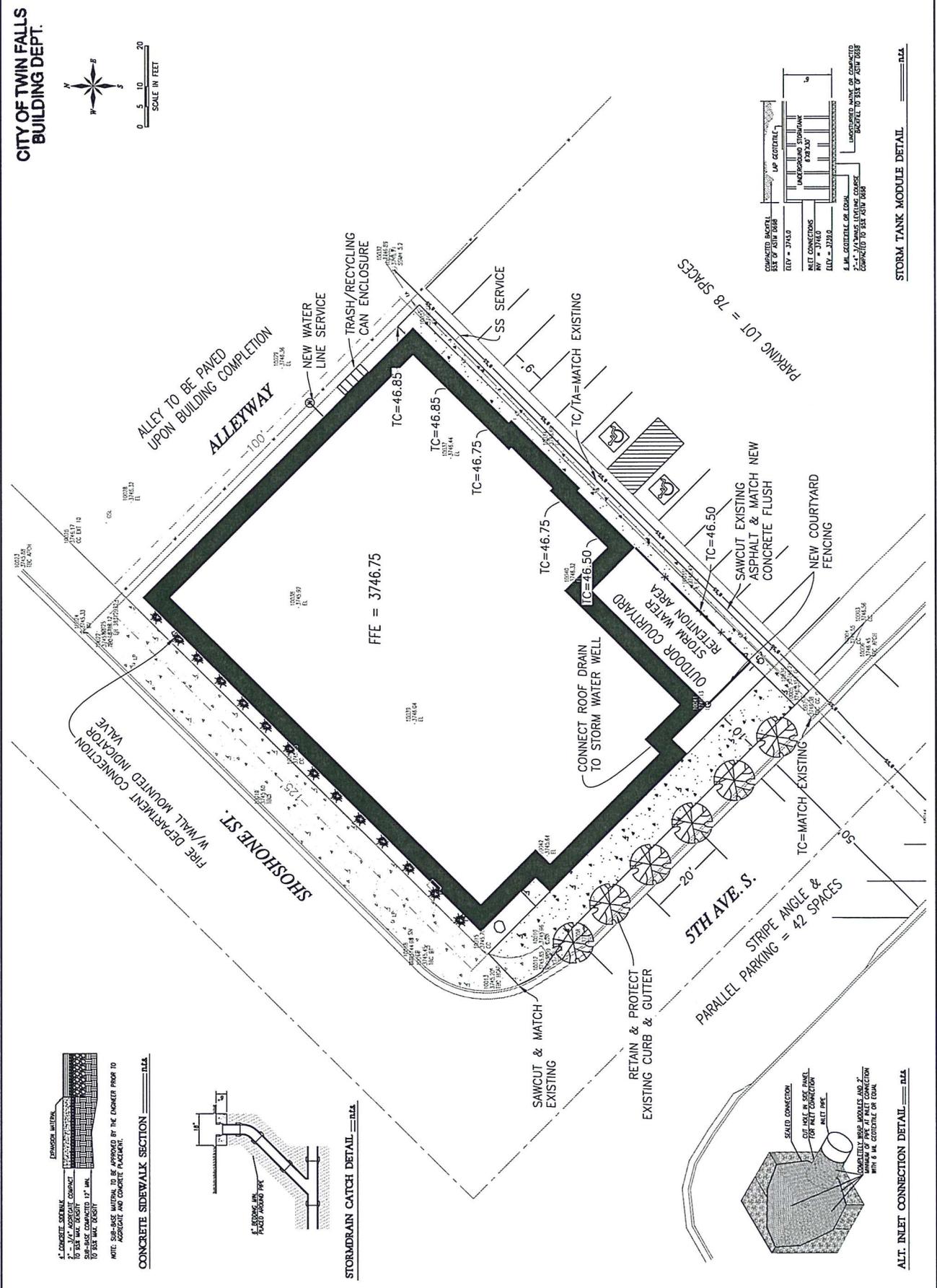
**SITE CIVIL PLAN**  
for  
**GEMSTONE CLIMBING CENTER**

NOT TO SCALE

DO NOT SCALE DIMENSIONS  
CONTRACTOR SHALL VERIFY ALL  
DIMENSIONS AND LOCATIONS  
ON THE JOB. THE CONTRACTOR SHALL  
BE RESPONSIBLE FOR VERIFYING  
THE LOCATION OF ALL UTILITIES  
BEFORE ANY EXCAVATION OR  
INSTALLATION OF ANYTHING  
ON THE PROJECT.

DATE	12/17/2011
BY	AS SHOWN
SCALE	AS SHOWN
PROJECT	NO. 102-15016, SHEET-29
APPROVED	
DESIGN	
CHECK	
DATE	
BY	
SCALE	
PROJECT	

C-101



STORM TANK MODULE DETAIL

# GEMSTONE CLIMBING & FITNESS CENTER

24 GA T-ARMOR ROOF PANELS  
(WEATHERED COPPER)  
24 GA FLAT STOCK PANELS  
(WEATHERED COPPER)



TOP OF STEEL  
40' - 0"

24 GA CORRUGATED  
METAL SIDING  
(OLD ZINC GREY)

24 GA .1C72 WALL PANEL  
(ASH GREY)

CORTEN WALL  
PANEL

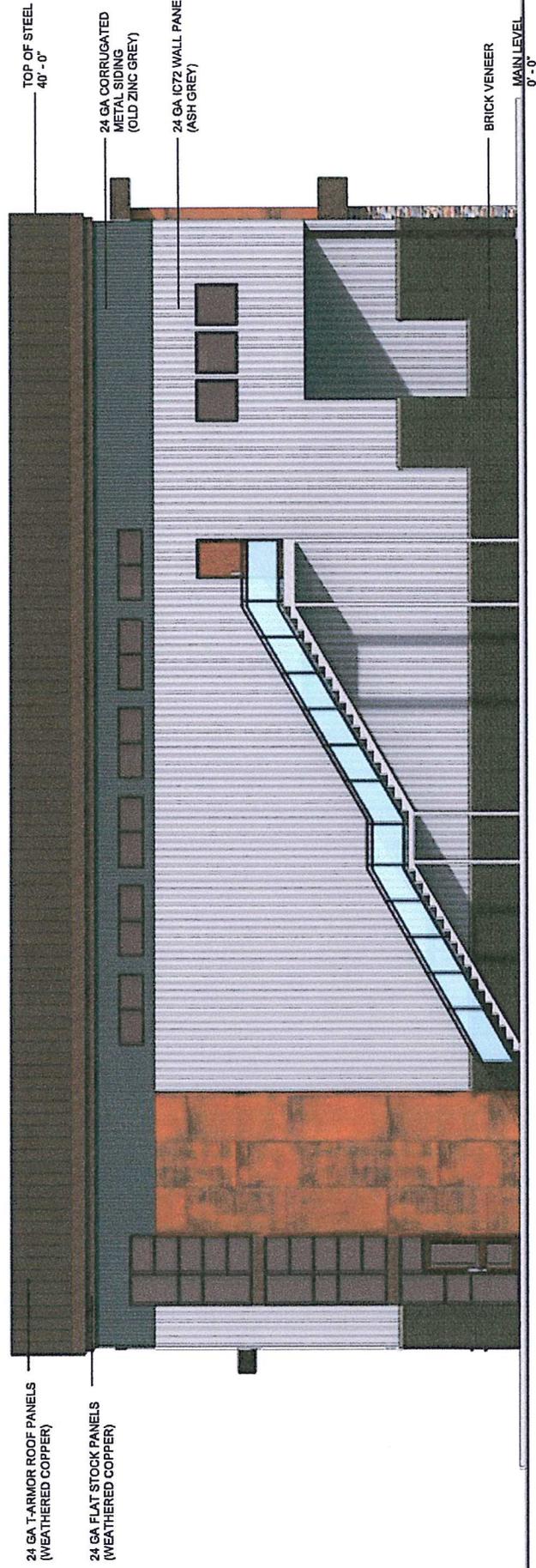
BRICK VENEER

MAIN LEVEL  
0' - 0"

SOUTH ELEVATION

*Parking Lot*

# GEMSTONE CLIMBING & FITNESS CENTER



WEST ELEVATION  
5th Ave.

# GEMSTONE CLIMBING & FITNESS CENTER

24 GA T-ARMOR ROOF PANELS  
(WEATHERED COPPER)  
24 GA FLAT STOCK PANELS  
(WEATHERED COPPER)

TOP OF STEEL  
40'-0"

24 GA CORRUGATED  
METAL SIDING  
(OLD ZINC GREY)

24 GA 1C72 WALL PANEL  
(ASH GREY)

CORTEN WALL  
PANEL

BRICK VENEER

MAIN LEVEL  
0'-0"

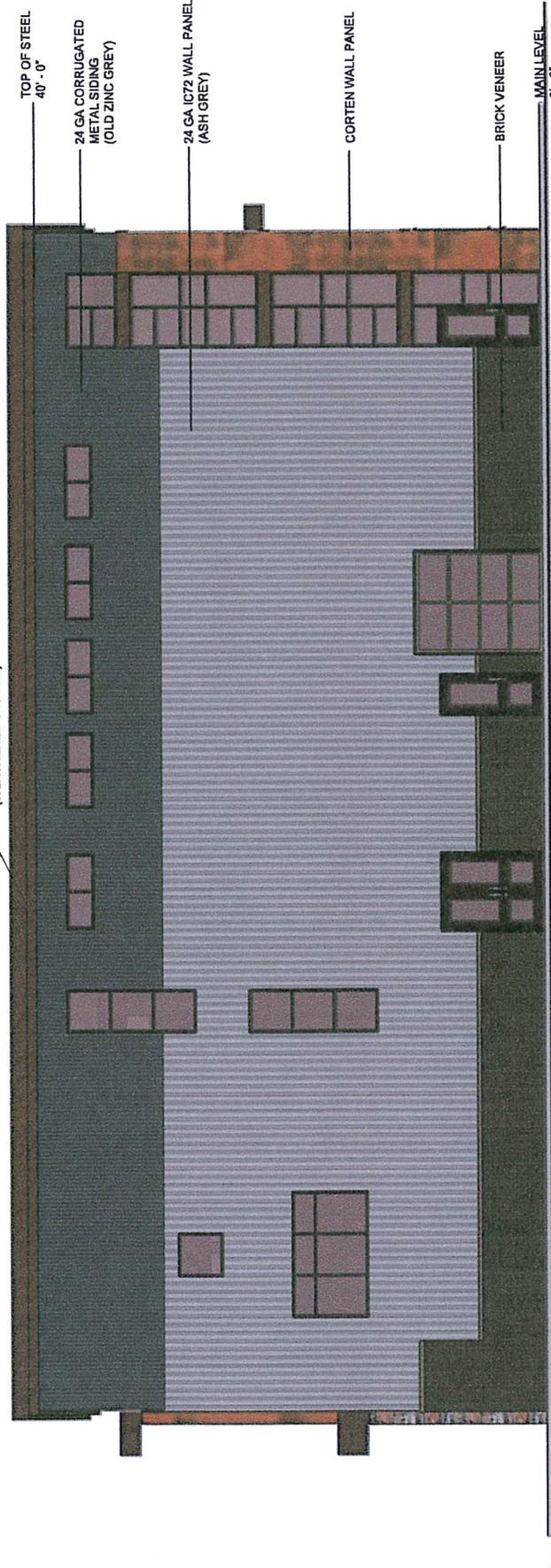


NORTH ELEVATION

Shoshone St.

# GEMSTONE CLIMBING & FITNESS CENTER

- 24 GA T-ARMOR ROOF PANELS  
(WEATHERED COPPER)
- 24 GA FLAT STOCK PANELS  
(WEATHERED COPPER)



EAST ELEVATION

*Alley*



Frontage along Shoshone St South



Corner of Shoshone St S and 5<sup>th</sup> Ave S



Frontage along 5<sup>th</sup> Ave South



Public Hearing: **TUESDAY, March 22, 2016**

To: Planning & Zoning Commission

From: Jonathan Spendlove, Planner I

## AGENDA ITEM IV-2

**Request:** Request for a **Special Use Permit** to construct a 3600 sq. ft. detached accessory building on property located at 202 Gulch Lane within the Area of Impact c/o John Glendenning on behalf of Kent Jensen (app. 2772)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 26 Acres, 3600 Sq Ft detached accessory bldg
Kent Jensen 202 Gulch Lane Twin Falls, ID 83301 208-316-5418 <a href="mailto:sonofpreston@gmail.com">sonofpreston@gmail.com</a>	<b>Current Zoning:</b> SUI, Suburban Urban Interface; Area of Impact	<b>Requested Zoning:</b> Special Use Permit for Detached Accessory Bldg >1500 sqft
	<b>Comprehensive Plan:</b> Medium Density Residential	<b>Lot Count:</b> 3 parcels
	<b>Existing Land Use:</b> Residential/Pasture/Farmland	<b>Proposed Land Use:</b> no change
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
John Glendenning 202 Gulch Lane Twin Falls, ID 83301 208-420-0799 <a href="mailto:jrglendenning@gmail.com">jrglendenning@gmail.com</a>	<b>North:</b> SUI, Area of Impact	<b>East:</b> SUI, Area of Impact
	<b>South:</b> SUI, Area of Impact	<b>West:</b> SUI, Area of Impact
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-2, 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. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), 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 not have an impact on the City budget as this property is not located within City Limits. It may increase the value of the property.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with the building permit for a detached accessory structure larger than 1500 square feet.

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:**

These parcels are remnants of the Public Land Survey System. County Records indicate the home was constructed in 1990, additional outbuildings were constructed in subsequent years. This area was added to the Area of Impact with the latest Joint County & City Area of Impact Agreement in 2004.

**Analysis:**

The site is zoned SUI within the Area of Impact. Applicant has supplied plans showing a proposed 3600 sf detached accessory building. The applicant describes the building for storage and private use, no commercial activity.

**Per City Code 10-4-2:** Detached accessory buildings within the SUI Zone greater than 1500 sf are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the shop North West of the primary residence. Within this area, and on this property, this size of building is common.

**Per City Code 10-11-1 thru 8:** Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

**Possible Impacts:** Accessory structures of similar size are common in this area. The design submitted is consistent with the other outbuildings currently on the premises, and others in the area. Staff feels this size of buildings can be imposing on neighboring property owners. However, it is a significant distance from the nearest property line.

**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 construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to residential use by the occupant of the home - no business use within this structure.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Applicant Submitted Site Plan
5. Applicant Submitted Elevations
6. Site Photos



2-2-16

Prepared by:

Date:

To Whom it may concern:

I would like to build a

60x60 storage shop on

my property at 202 Gulch lane.

I will contain storage for

my motorhome and have 3 car

bays and place for a

small self contained pool and

a greenhouse. This will

be for personal use only and

not commercial.



KURT JENSEN

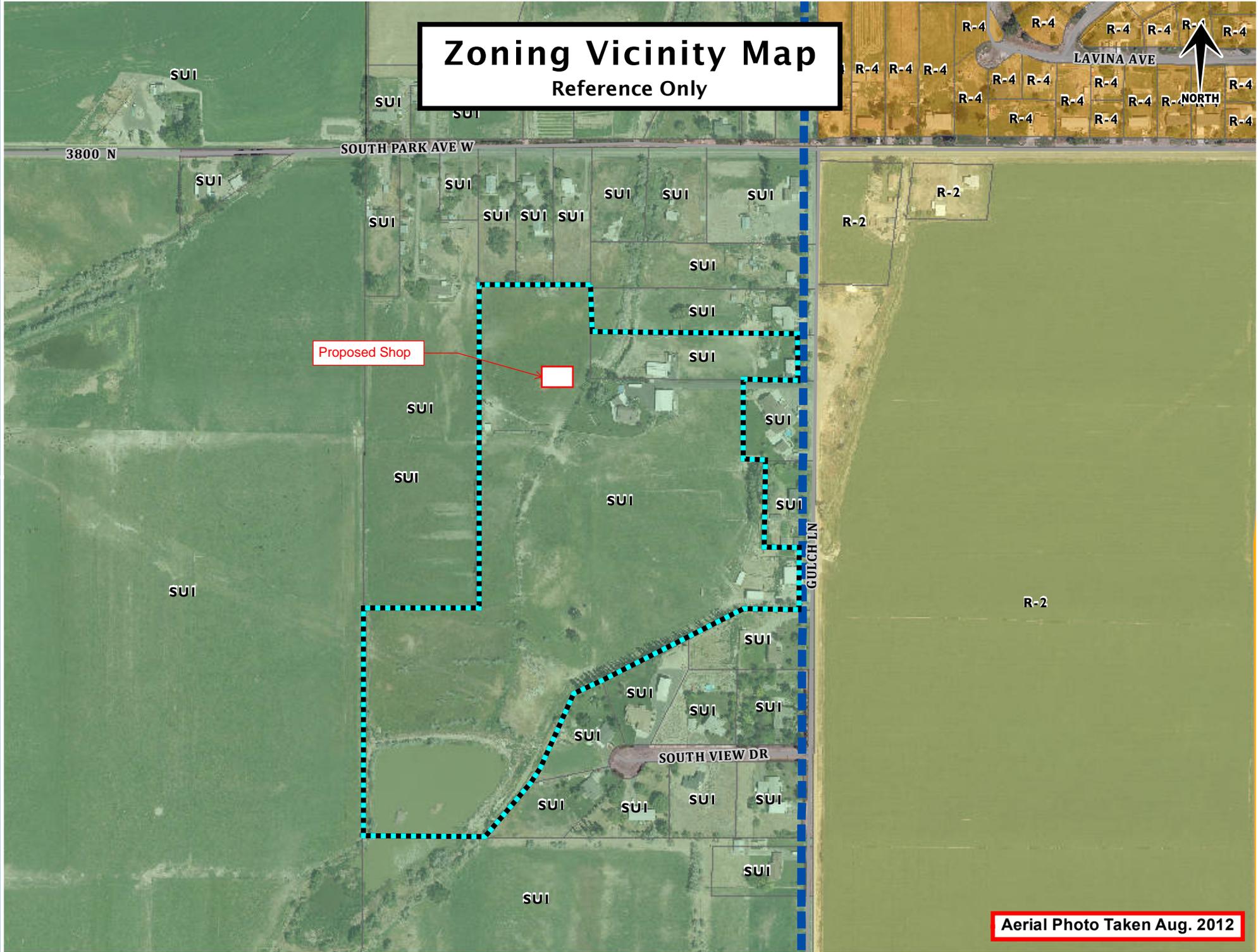
202 Gulch lane

Twin Falls, ID 83301

208-316-5418

# Zoning Vicinity Map

Reference Only



Proposed Shop

Aerial Photo Taken Aug. 2012

# Aerial Photo Map

Reference Only



Proposed Shop



40'

176 GULCH

200 GULCH

Property Line

SU1

202 GULCH

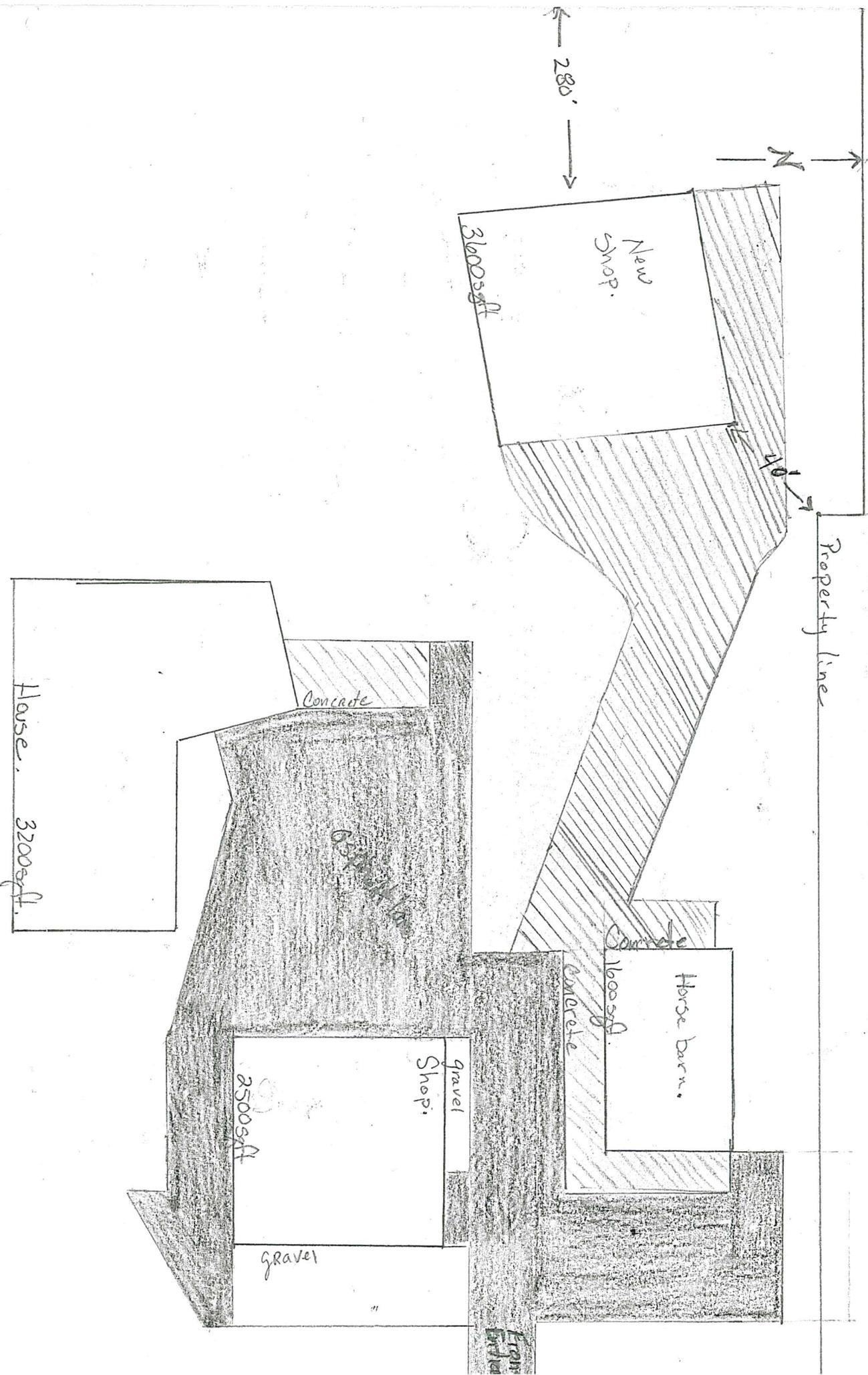
216 GULCH

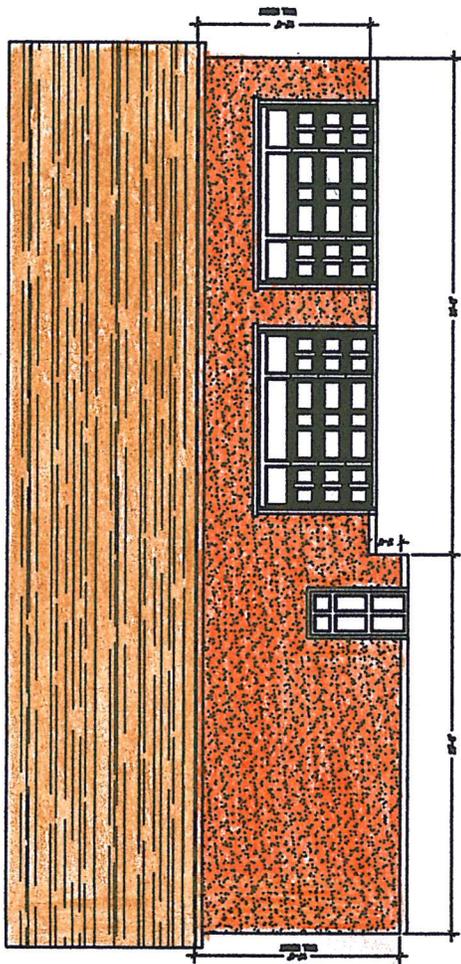
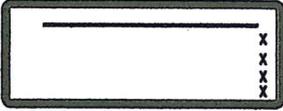
Aerial Photo Taken Aug. 2012

Residential N.L.S. 71

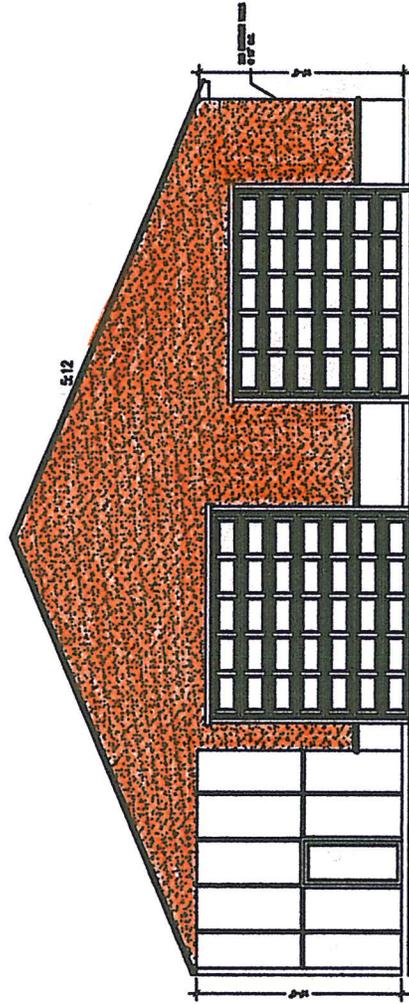
0 1 0 11 5 1

Kent Jensen  
202 Gulch Ln.  
Twin Falls, ID

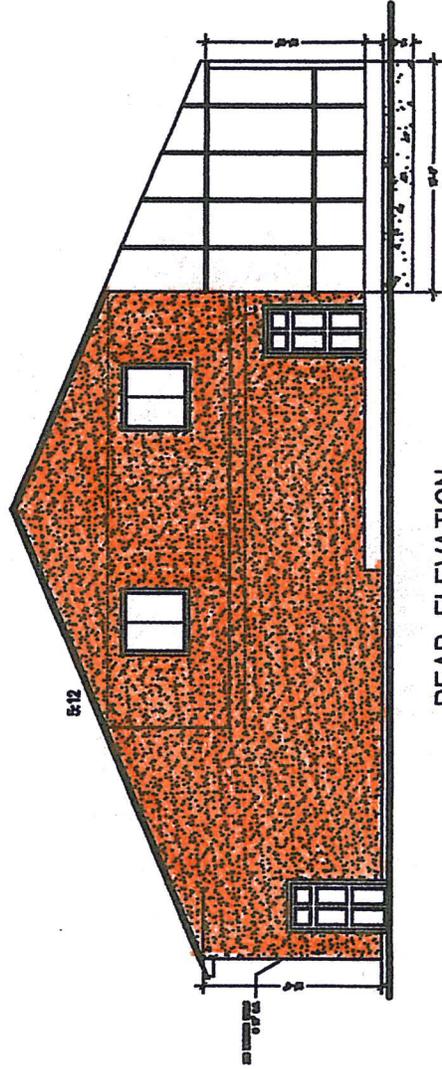
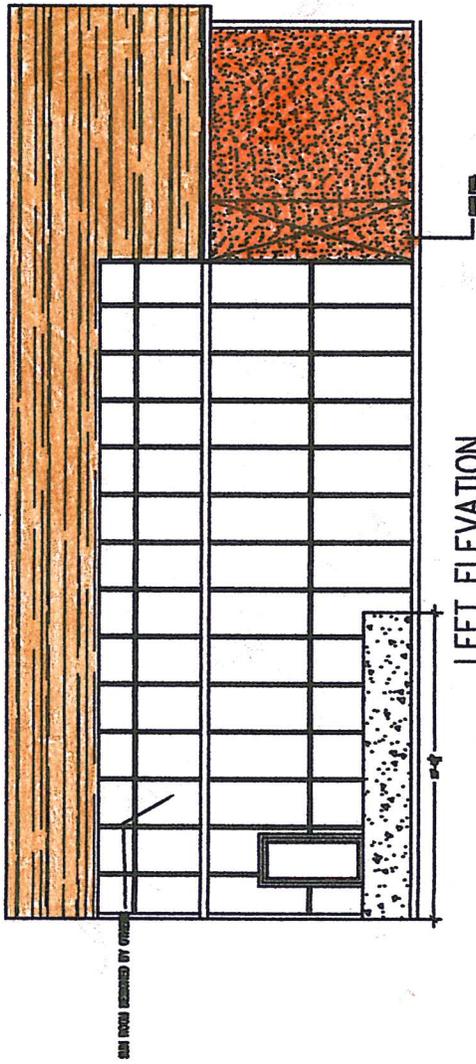




RIGHT ELEVATION  
SCALE 1/4"=1'-0"



FRONT ELEVATION  
SCALE 1/4"=1'-0"





Entrance to the property from Gulch Lane



Existing home is in the back left of picture. Driveway to proposed shop is the new concrete in the back right.



View of House and existing Shops from the site of proposed new shop



Site of proposed new shop.



Public Hearing: **TUESDAY, March 22, 2016**

To: Planning & Zoning Commission

From: Jonathan Spendlove, Planner I

### AGENDA ITEM IV-3

**Request:** Request for a **Special Use Permit** to construct a 1200 sq. ft. detached accessory building on property located at 827 Mae Drive. c/o Paul Benavidez (app 2773)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 0.37 Acre Lot, 1200 Sq Ft detached accessory bldg
Paul Benavidez 3310 Prairie Ridge Lane Kimberly, ID 83341 208-421-1081 <a href="mailto:paulbenzvidez@gmail.com">paulbenzvidez@gmail.com</a>	<b>Current Zoning:</b> R-2, Residential	<b>Requested Zoning:</b> Special Use Permit for Detached Accessory Bldg >1000 sqft
	<b>Comprehensive Plan:</b> Medium Density Residential	<b>Lot Count:</b> 1 Lot
	<b>Existing Land Use:</b> Residential	<b>Proposed Land Use:</b> no change
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> R-2; Residential	<b>East:</b> Mae Drive; R-2; Residential
	<b>South:</b> R-2; Residential	<b>West:</b> R-2; Residential
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-4, 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. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), 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 may have an impact on the City budget as additional development could increase the value of the property.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with the building permit for a detached accessory structure larger than 1000 square feet.

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:**

This lot was created with the Utopia Heights Subdivision in 1966. According to city building records the single family dwelling was constructed in 1973.

**Analysis:**

The request is to construct a 1200 sf detached accessory building on property located at 827 Mae Drive. The site is zoned R-2 and is developed with an existing single family residential dwelling. A detached accessory building over 1000 sf in the R-2 zone requires a special use permit. The applicant has supplied plans showing a proposed 1200 sf detached accessory building. The applicant described the use of the building for private storage and not for commercial activity.

**Per City Code 10-4-4:** Detached accessory buildings within the R-2 Zone greater than 1000 sf are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the shop in the South West corner of the property.

**Per City Code 10-11-1 thru 8:** Required improvements include streets, water and sewer, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

**Possible Impacts:** Accessory structures of similar size are not common in this area. Part of this is due to the general size of lots in the surrounding neighborhoods. However, this particular subdivision does contain larger lots which would have the space to accommodate larger detached buildings. The design submitted is consistent with the existing house and the developed neighborhood. The plan submitted by the applicant shows the shop being constructed 7 feet from the nearest property line, on the south side. This distance does help mitigate some possible negative impacts to that neighbor.

**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 construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to residential use by the occupant of the home - no business use within this structure.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Applicant Submitted Site Plan
5. Applicant Submitted Elevations
6. Site Photos



February 1, 2016

To: City of Twin Falls  
Community Development Services  
P.O. Box 1907  
324 Hansen Street E  
Twin Falls, Idaho 83303

From: Paul Benavidez  
3310 Prairie Ridge Lane  
Kimberly, ID 83301

Re: Special Use Permit Application

Per Section C #4 of the Special Use Permit Application:

- a. The reason for the request: To build a 30 X 40 detached garage on Real Property located @ 827 Mae Dr. Twin Falls, ID 83301.
- b. Explanation
  1. Hours of operation: This structure will be used for storage of personal vehicles and household personal property. (During building of structure, trucks and equipment will be used between the hours of 8 am – 6 pm).
  2. Traffic anticipated: Normal household consisting of three vehicles. (During construction there will be trucks; i.e. gravel, cement, and graders.)
  3. Number of employees: None. This structure will be for personal use only. (During construction there could be up to five men working at the site)
- c. Evaluation of the effects on adjoining property.
  1. Normal household noise except for during construction. ( Expect trucks and equipment during the hours of 8 am and 6 pm.)
  2. Glare: None.
  3. Odor: None. Just a detached garage. (Perhaps truck/diesel fumes when under construction.)
  4. Fumes and vibration on adjoining property: None on a normal day to day basis. (However, during construction there will be trucks and heavy equipment hauling gravel and cement.)
  5. Discussion regarding adjacent properties: Several other homes on this street have a detached garage in addition to the main house. Do not anticipate anyone having an issue with this permit.

Thank you,



Paul Benavidez  
208-421-1081

# Zoning Vicinity Map

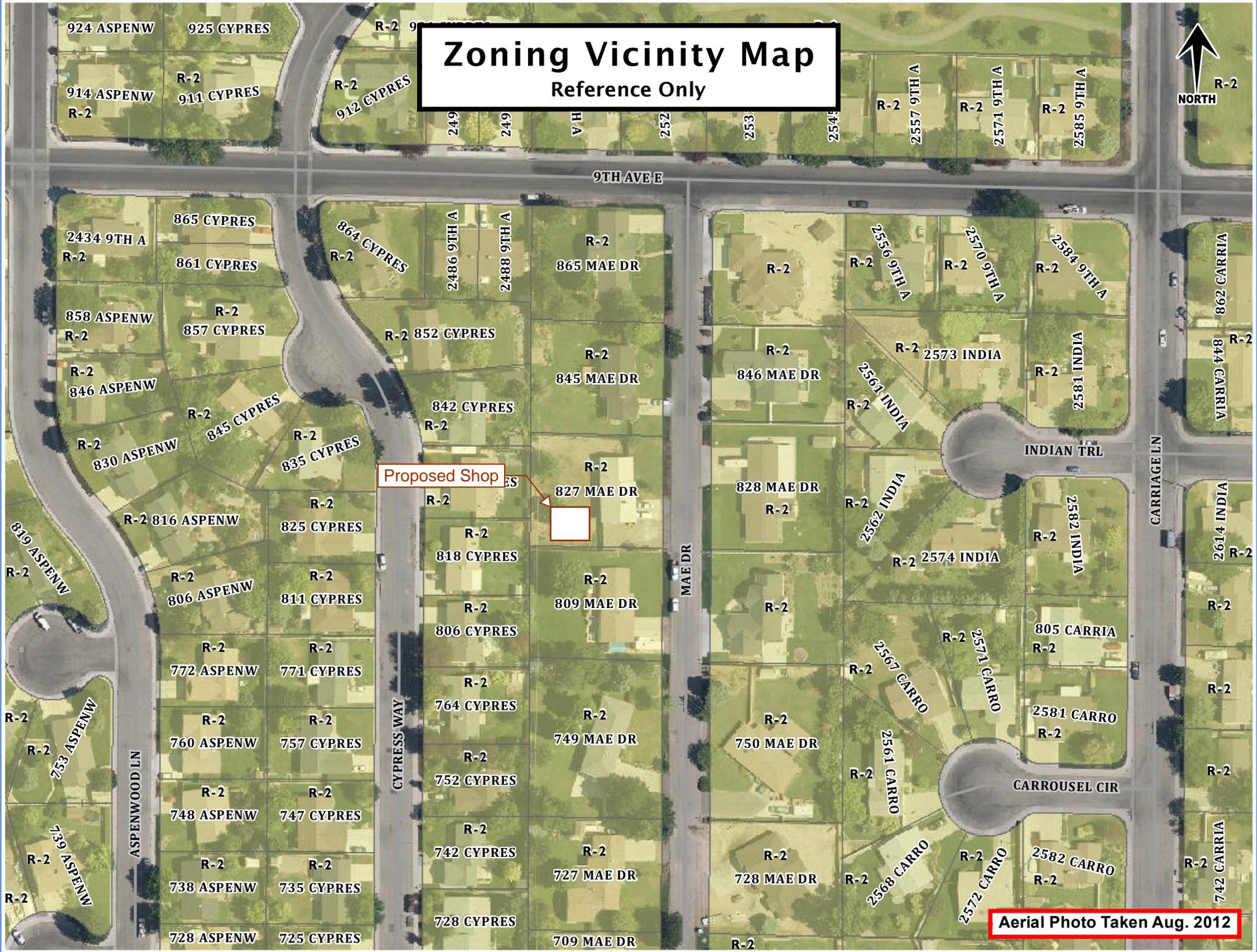
Reference Only



Proposed Shop



Aerial Photo Taken Aug. 2012



# Aerial Photo Map

Reference Only



NORTH  
846 MAE DR

845 MAE DR

842 CYPRES

828 CYPRES

827 MAE DR

MAE DR

828 MAE DR

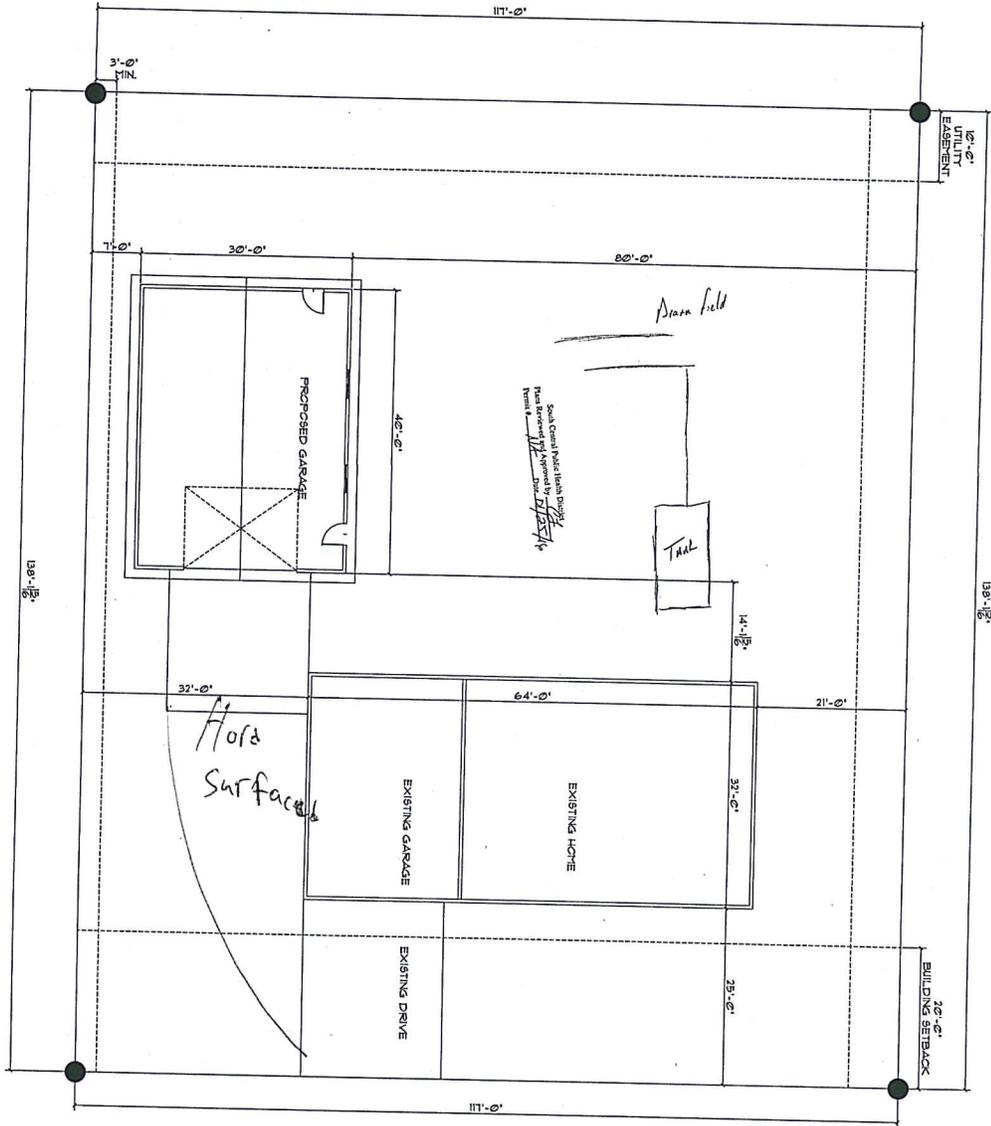
Proposed Shop



818 CYPRES

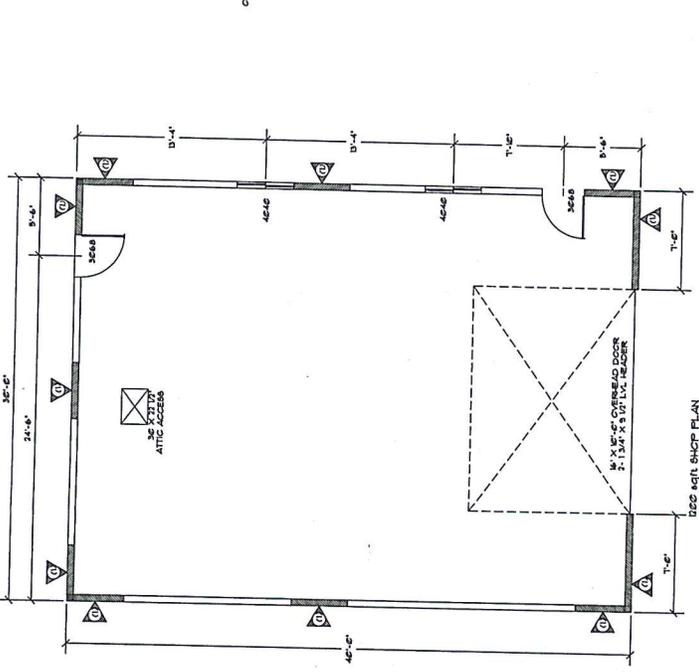
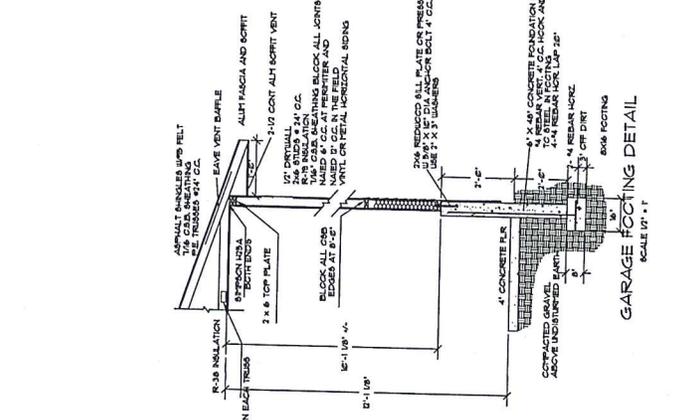
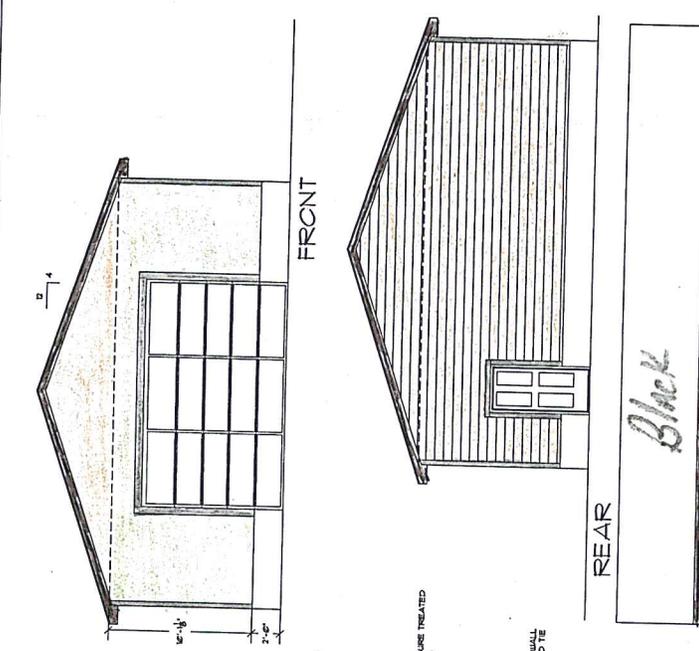
809 MAE DR

Aerial Photo Taken Aug. 2012



MAE DRIVE

SHEET # 1 3	PAGE # 1	<b>RYAN STEEL DRAFTING</b> GOODING IDAHO 83350 1440 SAGESTAND RD. PH: 834-6660	CONTRACTOR: OWNER: PAUL BENAVIDEZ	SCALE: 1/8" = 1'-0" DATE: 1-10-16
	ADDRESS: 821 MAE DR. SHEET TITLE: SITE PLAN			



METHOD	MATERIAL	MINIMUM THICKNESS	CONNECTION CRITERIA
(1) CS-WSP	WOOD STRUCTURAL PANEL	2"	8d CORNERS (2" X 2" @ 24" O.C. SPACING), 8d STAPLES (16" @ 8" O.C. @ 2" SPACING EDGES) AND AT SPACING INTERMEDIATE SUPPORTS.

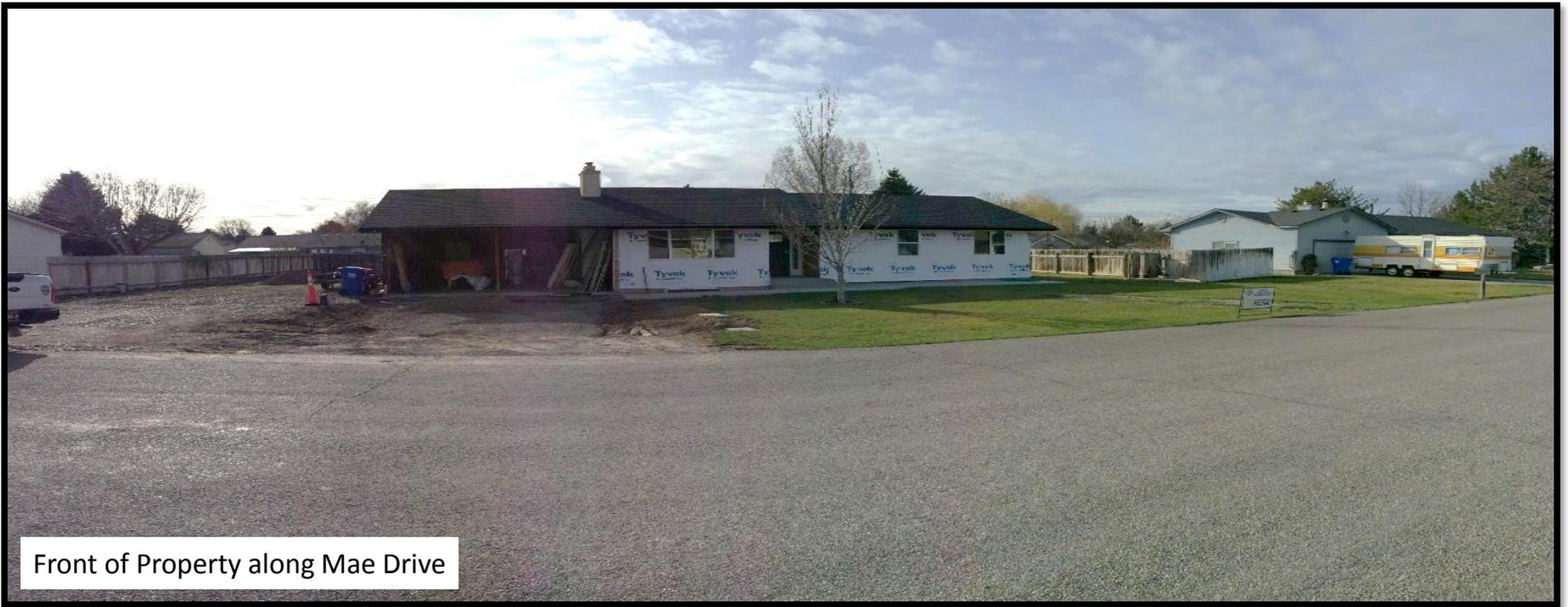
TABLE B6(2) (1) (3) (1)  
BRACING REQUIREMENTS BASED ON WIND SPEED (RESPONSE CATEGORY B)

BASIC WIND SPEED (MPH)	BRACED LOCATION	MIN. TOTAL LENGTH (FEET) OF BRACED WALLS	PERIOD CS-WSP CS-F
≤ 50	[Icon]	15	1.2
		20	0.75
		25	0.5
51-55	[Icon]	15	1.2
		20	0.75
		25	0.5
56-60	[Icon]	15	1.2
		20	0.75
		25	0.5

TABLE B6(2) (1) (3) (1)  
LENGTH OF BRACED WALL PANELS

METHOD	ADJACENT CEILING HEIGHT (INCHES)	MINIMUM WALL HEIGHT (INCHES)	CONTRIBUTING LENGTH (INCHES)	ACTUAL
CS-WSP CS-F	4-0	4-0	4-0	4-0
	4-6	4-0	4-0	4-0
	5-0	4-0	4-0	4-0
	5-6	4-0	4-0	4-0
	6-0	4-0	4-0	4-0
	6-6	4-0	4-0	4-0
	7-0	4-0	4-0	4-0
	7-6	4-0	4-0	4-0
	8-0	4-0	4-0	4-0
	8-6	4-0	4-0	4-0
	9-0	4-0	4-0	4-0
	9-6	4-0	4-0	4-0

PROVIDE 2x4 PANEL EDGE BRACING AT ALL PANEL LOCATIONS AND BRACED WALL PANEL LOCATIONS AND BRACED AT 10' ON CENTER.



Front of Property along Mae Drive



Picture taken along southern property line. Proposed shop to be built near the mound of dirt on the right.