



**Planning & Zoning Commission Minutes**

**August 9, 2016**

property, it needs to be annexed into the city. The current zoning for the property is commercial and they do not wish to change the zone.

**Staff Presentation:**

Planner I Spendlove, reviewed the request on the overhead and explained since this property is in the Area of Impact, the current zoning designation would have been reaffirmed on the property with the action taken on the most recent Area of Impact Agreement between the City of Twin Falls and Twin Falls County which occurred in 2004.

This request is to annex 0.65 +/- acres with the current zoning designation of C-1. Currently, the property is undeveloped. The applicant is requesting the current zoning designations to remain C-1 as part of the annexation. Please see attached maps for current and future zoning designations.

Twin Falls City Code sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed.

Section 10-15-2(A) states: "The Commission hearing shall not consider comments on annexation and **shall be limited to the proposed development plan and zoning changes.**" The City Council shall then hold an additional public hearing to determine whether the designated area should be annexed and if so what the zoning designation shall be. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published it is sent to the State and the official zoning map is officially amended.

Staff recommends a zoning designation of C-1 to be appropriate for the entire 0.65 +/- acre site. This would be consistent with the zoning districts currently found within City Limits, as well as being closely aligned with the current zoning of the area. It would allow for future commercial growth along Pole Line Road.

Planner I Spendlove stated should the Commission find the C-1 Zoning Designation appropriate, they should forward a positive recommendation to the City Council for the entire 0.65 +/- acre site.

**PZ Questions/Comments:**

- Commissioner Woods asked the applicant to show on the overhead the property that was previously owned by her family on a photo that he provided from 1980.
- Ms. Breckenridge showed the property and explained what property was gifted to the College of Southern Idaho.

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

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

**Motion:**

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

**[Recommend C-1 Zoning To City Council If Property Is Annexed](#)**  
**[Scheduled for City Council Public Hearing October 10, 2016](#)**

2. Request for a **Special Use Permit** for an expansion of more than 25% of an existing auto body and repair business on property located at 419 4<sup>th</sup> Avenue West c/o Kenny Rogers (app. 2808)

**Applicant Presentation:**

Dave Thibault, EHM Engineers, Inc. representing the applicant explained the applicant owns an auto body repair/shop at 419 4<sup>th</sup> Avenue West and would like to expand to property across the alley from their current location at 444, 436, 432 & 420 5<sup>th</sup> Avenue West and as the expansion is more than 25% of the existing business a Special Use Permit is required. The applicants have reviewed the staff recommendations and would like to ask for the option of using landscaping for screening vs vinyl slats.

**Staff Presentation:**

Planner I Spendlove, reviewed the request on the overhead and explained an SUP was granted in March, 1982 for an auto body repair shop. Another SUP was granted in May, 2002 for an expansion on the Auto Body Repair shop. A third SUP was granted in August 2013 to expand the business further. All of these SUP's had conditions placed on them by the commission.

The applicant has supplied a narrative outlining the details of the proposed use of the property and building. Snake River Auto Body has submitted for a building permit with the City. The new added location will allow for more work space and accommodate a better work flow. The hours of operation will be 7:00 AM – 6:00 PM, Monday – Friday; and 8:00 AM to 1:00 PM Saturday, closed Sunday.

The applicant believes that the expansion will have minimal impacts to neighboring land uses. Their narrative states that they do not anticipate any change in odor, glare, noise, or otherwise objectionable impacts to neighboring properties. The applicant believes they will operate in much the same manner as they presently do.

**Per City Code 10-4-7.2:** Automobile and truck service and/or repair businesses are required to have a special use permit in order to operate. This particular location has had multiple special use permits for an auto repair business, with the first one occurring in 1982. At that time the makeup of uses in the area were described as a mix of commercial and residential uses. Since that time, more commercial uses have moved into the area reducing the amount of surrounding residential properties.

There are residences nearby, particularly across 4<sup>th</sup> and 5<sup>th</sup> Ave West. The proposed added location may increase traffic due to a greater availability of work space. However, it will also give the business more space to store vehicles which are in need of repair. If the storage area is screened this will potentially reduce the visual impacts to the surrounding area. The business currently operates as a body shop, which inherently causes some noise, glare, odor, and vibration. These impacts will most likely not increase dramatically with the addition.

All improvements made on the subject property are required to comply with standards set forth in Twin Falls City Code.

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**Per City Code 10-10:** The number of parking spaces required is 3 spaces per each work bay. This location is also within the P-2 Parking Overlay; this allows a 30% reduction in number of required parking spaces. A full evaluation of parking requirements will take place at the time of building permit submittal.

**Per City Code 10-11-1 thru 8:** Required improvements to the property are required to be in conformance with city code at the time of building permit. All required improvements including landscaping, screening, parking areas, drainage and storm water retention will be reviewed with any building permit submitted to the city and will be required to meet the minimum requirements.

**Landscaping:** The additional area on 5<sup>th</sup> Ave West has landscaping installed per the Code at the time the building was constructed. It will be evaluated for compliance with current code during the building permit process.

**Parking / Maneuvering Area:** All parking and maneuvering areas are required to be paved in the C-B Zone. Portions of the new area are paved; other portions have dirt or gravel. These areas will need to be paved or portioned off to become unusable for parking and maneuvering according to City Code. As the expansion is south of the current business it also crosses the unpaved alley. The alley will need to be paved if it is used as part of the business. A determination by the City Engineer shall be requested.

This particular business has been in operation at the current location at least since 1982. The City has not received any recent zoning complaints regarding this business or location. It is believed that the impacts this business may have are existing, and the expansion which is being proposed will not greatly increase those impacts beyond what is reasonably acceptable at this location.

However, any auto body repair shop has the potential to become an unsightly visual impact to neighbors and the community. In order to mitigate this visual impact to neighbors and the community as a whole, it would be acceptable to require all un-operable vehicles and parts to be stored inside, or within a sight obscuring fence.

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to all un-operable, un-licensed, or junk vehicles, and all parts associated with the business being stored inside a building or behind an area with a sight obscuring fence, to be approved by staff.
3. Subject to the parking and maneuvering area(s) and alleyway being paved according to minimum standards set forth by the City Code / City Engineer.
4. Subject to all required screening fences being installed and approved by staff prior to March 14, 2017.
5. Subject to all previously granted Special Use Permits being in full compliance.

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**PZ Questions/Comments:**

- Zoning & Development Manager Carraway-Johnson explained the intent of the screening condition was to protect the existing neighborhood. Typically, the condition is that for all vehicles to be repaired and stored outside be kept behind a screened fence. Staff will work with the applicant to meet this condition.
- Commissioner Grey asked if the vinyl slats would be required along the alley fence as well.
- Zoning & Development Manager Carraway-Johnson explained code does not specify vinyl slats.
- Commissioner Munoz asked about the uses adjacent to the property and access through the alley.
- Planner I Spendlove explained where the residential property is located adjacent to this property and explained the alley could not be blocked for access. It would be up the Engineering Department to determine whether or not paving is required.

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

**Closing Statements:**

Mike Patterson, explained the operation of the business and where the repairs will be made. He asked for a consideration that the unpaved area be surfaced with regrind materials.

**Deliberations Followed:**

Commissioner Frank asked if recommendations could be made on the regrind material. Commissioner Grey asked if there have been any complaints about this business and its operation. Planner I Spendlove explained code says hard-surfaced and the code states the City Engineer makes the decision.

**Motion:**

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

**[Approved, As Presented, With the Following Recommendations](#)**

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 un-operable, un-licensed, or junk vehicles, and all parts associated with the business being stored inside a building or behind an area with a sight obscuring fence, to be approved by staff.
3. Subject to the parking and maneuvering area(s) and alleyway being paved according to minimum standards set forth by the City Code / City Engineer.
4. Subject to all required screening fences being installed and approved by staff prior to March 14, 2017.
5. Subject to all previously granted Special Use Permits being in full compliance.

**V. GENERAL PUBLIC INPUT:**

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

Zoning & Development Manager Carraway-Johnson introduced Steve O'Connor the new city Planner. She explained that the next meeting for the Planning & Zoning Commission will include the proposed Comprehensive Plan Update. This item has been scheduled for two hearings the first will be September

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27, 2016 and the second meeting is scheduled for October 11, 2016 meeting, whether or not the second hearing occurs is the decision of the Planning & Zoning Commission. It will move forward to City Council once a recommendation has been made and once approved by City Council staff will begin working on code review and amendments as necessary to ensure compliance with the Comprehensive Plan. The plan is to use the Planning & Zoning work session to discuss concerns of the Commission and focus on code amendments.

Commissioner Frank clarified the Planning & Zoning Commission can determine whether or not a second public hearing is necessary for the Comprehensive Plan update, but that it will be advertised for two public hearings.

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

1. Public Hearing-**September 27, 2016**
2. Work Session- **October 5, 2016**

**VIII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 6:50 PM

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