



Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 30, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS
SPECIAL MEETING

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Vice Chair Kelley called the meeting to order at 06:01 PM

A quorum was present.

Members Present: Kelley, Bolton, Musser, Detweiler, Hansen, Perez

Staff Present: Spendlove, Ebersole, Strickland, Hart, Zollinger, Nope, Vitek

2) Consent Calendar

MOTION: Commissioner Bolton moved to approve the Consent Calendar, as presented.
Commissioner Detweiler seconded the motion.

Motion Approved by a vote of 5-0-1.

- a) Approval of Minutes from the following meeting: November 9, 2021

3) Items of Consideration

- a) Request for approval of the Preliminary Plat for the Mary Alice Lake at the Preserve, A PUD, Subdivision, consisting of 19.38 (+/-) acres to develop of 64 lots on property located at the northeast corner of Cheney Drive and Eastland Drive c/o Harmony Design & Engineering on behalf of Mark Kelly, Preserve PUD, LLC. (PZ21-0165)

Staff Presentation:

City Planner Zollinger presented the request for approval of the Preliminary Plat for the Mary Alice Lake at the Preserve, A PUD, Subdivision, consisting of 19.38 (+/-) acres to develop of 64 lots on property located at the northeast corner of Cheney Drive and Eastland Drive c/o Harmony Design & Engineering on behalf of Mark Kelly, Preserve PUD, LLC. (PZ21-0165)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set parameters for which the Final Plat must substantially

conform to. Including total number of lots, street layout, sidewalk connections, and other similar items.

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. After a final plat has been approved by the City Council and construction plans approved, the plat may be recorded, and lots sold for development.

The "Preserve" was annexed into the City in 2005 and 2006 with a master plan. The Preserve PUD Agreement for this portion of property was created in January 2012. The Springs at the Preserve plat was approved in 2019, which included the subject property as Tract A of Block 1.

The applicant is proposing a detached and attached single family residential subdivision as allowed within city code and the Preserve PUD. There are 58 residential lots and 6 non-buildable lots designated for retention and open space. The 6 lots for retention and open space (Lots 59- 63) are to be maintained by the HOA.

Access into the subdivision will be from Cheney Drive. Fire and Emergency access/egress will be provided on the north side of the subdivision from the City's Canyon Rim Trail trailhead. This access will be for emergency access only.

The subdivision will be serviced by city utilities.

Upon conclusion, should the Commission approve this request as presented, staff recommends approval be 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

Applicant Presentation:

Mark Kelly, applicant, presented his request for approval of the Preliminary Plat for the Mary Alice Lake at the Preserve, A PUD, Subdivision. He stated the lot size will range from .15 acres to .37 acres each. He stated the plan is for 100 units on 19.8 acres.

PZ/Questions & Comments:

- Commissioner Detweiler asked about the fire access being open all the time.
- Mr. Kelly stated the emergency entrance side will have a crash gate with Knox box.

Public Comment:

- Rick Giesler, citizen, spoke to the fire access to the property.
- Brian Simper, citizen, spoke to West Nile virus and public health concerns.
- Mr. Kelly addressed the citizens' concerns.

Discussions Followed:

- Commissioner Perez asked if any modifications need to be made to address concerns.
- City Planner Zollinger stated a condition can be added for pedestrian access should be

on the final plat.

- Planning and Zoning Director Spendlove clarified the proposed condition and the agreement between the city and original owner for the vehicular access off of Pole Line Rd.
- Commissioner Hansen stated his concern for adding a condition, stating it can be tricky as property hasn't been fully developed to pick a location for the pedestrian access. He asked about original plat being fulfilled completely.
- Planning and Zoning Director Spendlove clarified the original plat and stated the traffic signal will be put in as city engineer sees fit.
- Vice Chair Kelley spoke to the original plat and access point.

MOTION: Ed Musser moved to approve the request for the Preliminary Plat for the Mary Alice Lake at the Preserve, A PUD, Subdivision, consisting of 19.38 (+/-) acres to develop of 64 lots on property located at the northeast corner of Cheney Drive and Eastland Drive c/o Harmony Design & Engineering on behalf of Mark Kelly, Preserve PUD, LLC. (PZ21-0165), as presented with staff recommendations.

Commissioner Detweiler seconded the motion.

Motion Approved by a vote of 5-1.

- b) Request for approval of the Preliminary Plat for The Residences at Breckenridge No. 1 Subdivision, consisting of 10.03 (+/-) acres to develop 58 lots on property located at the 500 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0169)

Staff Presentation:

Senior Planner Hart presented the request for approval of the Preliminary Plat for The Residences at Breckenridge No. 1 Subdivision, consisting of 10.03 (+/-) acres to develop 58 lots on property located at the 500 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0169)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table the item for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including the total number of lots, street layout, sidewalk connections, and other similar items.

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. After a final plat has been approved by the City Council and construction plans approved, the plat will be recorded, and lots sold for development.

The Breckenridge Concept Investors ZDA was approved for the property on April 19, 2021. The property is zoned R4 CRO, R6 ZDA.

The applicant is proposing a detached and attached single family residential subdivision. There are 54 residential lots and 1 retention/open space lot.

The subdivision is proposed to be gated and maintained by the HOA. The internal roadways and sidewalks are proposed to be private. Access into the subdivision is from the East off Fillmore Street. The Harrison Street access is for Fire and Emergency access/egress, which will also have a gate.

The subdivision will be serviced by city utilities.

Upon conclusion, should the Commission approve this request as presented, staff recommends approval be 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

Applicant Presentation:

Gerald Martens, applicant, presented the request for approval of the Preliminary Plat for The Residences at Breckenridge No. 1 Subdivision. He stated these projects will be picking up from the current the Breckenridge subdivision. He stated it will be a gated community with a maximum of 2 units per structure, with separate ownership. He stated the total # of lots may be reduced as the market dictates. He stated this plan in conformance with the ZDA. He stated there will be underground utilities underground and storm water retention on site. He stated the subdivision is intended to serve primarily retirement with minimal maintenance. The common area will be maintained by the HOA. He shared that he has worked with owners in current subdivision and agreed to one story buildings adjacent to current properties as this property sits higher. He addressed the HOA question, common amenities. There will be one HOA for both subdivisions. He stated Breckenridge #1 will be developed before Breckenridge #2 in phases.

PZ/Questions & Comments:

- Commissioner Perez asked about if HOA's age out of developments.
- Commissioner Hansen asked if the applicant could address the public comment letter.
- Mr. Martens addressed the concerns in the public comment letter. He stated there will be accesses built to the property in questions.
- Commissioner Perez asked about the Breckenridge name.
- Mr. Martens stated this request is the 10th Breckenridge plat, and the original property owner asked for the name to be used and would like to use the name as tribute.
- Commissioner Musser asked about traffic congestion on the curve on Fillmore.
- Assistant City Engineer Vitek answered that Fillmore is capable of handling the traffic and there is a study that supports it.
- Planning and Zoning Director Spendlove stated Fillmore was reviewed on a 24 hour basis and can be busy at peak times. He explained why access is off Fillmore, not Harrison.
- Commissioner Detweiler asked if the State would determine if there is a change to the intersection at Fillmore and Pole Line Rd.
- Planning and Zoning Director Spendlove clarified the process.

- Assistant City Engineer Vitek stated the city is currently working with the State on the whole traffic corridor.

Public comment: Opened

- Kathleen Doherty, citizen, stated she is concerned about traffic in area and the barbed wire fence near her property.
- Katie Breckenridge, citizen, is the property owner to the north. She stated some of her written concerns were addressed, but not to her satisfaction. She does not want her name used to name the subdivisions. She asked for the utilities and water promise to be put in writing.
- Jim Stevens, HOA President of the Breckenridge Place, stated he has worked with Mr. Martens and the neighbors are in support of this project.
- Mr. Martens commented to the concerns and stated he will be sure things are done right. He stated the fence in question is not on his property. He addressed the access and traffic concerns.
- Commissioner Bolton asked Mr. Martens his thoughts on changing names of the subdivisions.
- Mr. Martens stated he is opposed as it is a recognized name in the community, but if determined necessary by the city, he will comply and change the subdivision name.

Public Comment: Closed

Discussions Followed:

- Commissioner Hansen asked if the commission has the power to change the subdivision name.
- City Attorney Nope clarified as the subdivision name is listed as a requirement on the application, if commission thought there would be confusion due to the subdivision name, the commission would have to state the reason for the confusion to be able to change the name.
- Commissioner Perez stated she believes this fits in w/surrounding neighborhood, but unsure about gated community and HOA's. She stated she sympathizes with desire for the name change, but feels hands are tied as a commission.
- Commissioner Detweiler feels this project fits in as last piece. He stated the issues will be addressed by city staff as development happens. He also sympathizes with name issue but understands the property has always been named Breckenridge.
- Commissioner Musser stated his only concern is the traffic congestion but trusts city staffs report and is in support of this request.
- Commissioner Bolton stated she believes this new development has taken into consideration surrounding subdivisions. She stated she trusts city staff, and also sympathizes with the name issue. She is in support.
- Commissioner Hansen stated he believes the concerns have been addressed and their relevance. He addressed the traffic concerns and the name issue. He believes it conforms with the area and is in support.

Vice Chair Kelley stated the public comment was important. He stated he agrees with previous comments and believes city will address any issues with the development.

MOTION: Commissioner Hansen moved to approve the request for approval of the Preliminary Plat for The Residences at Breckenridge No. 1 Subdivision, consisting of 10.03 (+/-) acres to

develop 58 lots on property located at the 500 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0169), as presented, with staff recommendations.
David Detweiler seconded the motion.

Unanimously Approved by a vote of 6-0.

- c) Request for approval of the Preliminary Plat for The Residences at Breckenridge Subdivision No. 2, consisting of 3.46 (+/-) acres to develop 24 lots on property located at the 600 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0170)

Staff Presentation:

Senior Planner Hart presented the request for approval of the Preliminary Plat for The Residences at Breckenridge No. 2 Subdivision, consisting of 3.46 (+/-) acres to develop 24 lots on property located at the 600 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0169)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table the item for additional information when acting on the preliminary plat.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including the total number of lots, street layout, sidewalk connections, and other similar items.

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The Breckenridge Concept Investors ZDA was approved for the property on April 19, 2021. The property is zoned R4 CRO, R6 ZDA.

The applicant is proposing a detached and attached single family residential subdivision. There are 54 residential lots and 1 retention/open space lot.

The subdivision is proposed to be gated and maintained by the HOA. The internal roadways and sidewalks are proposed to be private. Access into the subdivision is from the East off Filmore Street. The Harrison Street access is for Fire and Emergency access/egress, which will also have a gate.

The subdivision will be serviced by city utilities.

Upon conclusion, should the Commission approve this request as presented, staff recommends approval be 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

Applicant Presentation:

Gerald Martens, applicant, presented the request for approval of the Preliminary Plat for The Residences at Breckenridge No. 2 Subdivision. He stated these projects will be picking up from the current the Breckenridge subdivision. He stated it will be a gated community with a maximum of 2 units per structure, with separate ownership. He stated the total # of lots may be reduced as the market dictates. He stated this plan in conformance with the PUD. He stated there will be underground utilities underground and storm water retention on site. He stated the subdivision is intended to serve primarily retirement with minimal maintenance. The common area will be maintained by the HOA. He shared that he has worked with owners in current subdivision and agreed to one story buildings adjacent to current properties as this property sits higher. He addressed the HOA question, common amenities. There will be one HOA for both subdivisions. He stated Breckenridge #1 will be developed before Breckenridge #2 in phases.

PZ/Questions & Comments:

- Commissioner Perez asked about if HOA's age out of developments.
- Commissioner Hansen asked if the applicant could address the public comment letter.
- Mr. Martens addressed the concerns in the public comment letter. He stated there will be accesses built to the property in questions.
- Commissioner Perez asked about the Breckenridge name.
- Mr. Martens stated this request is the 10th Breckenridge plat, and the original property owner asked for the name to be used and would like to use the name as tribute.
- Commissioner Musser asked about traffic congestion on the curve on Fillmore.
- Assistant City Engineer Vitek answered that Fillmore is capable of handling the traffic and there is a study that supports it.
- Planning and Zoning Director Spendlove stated Fillmore was reviewed on a 24-hour basis and can be busy at peak times. He explained why access is off Fillmore, not Harrison.
- Commissioner Detweiler asked if the State would determine if there is a change to the intersection at Fillmore and Pole Line Rd.
- Planning and Zoning Director Spendlove clarified the process.
- Assistant City Engineer Vitek stated the city is currently working with the State on the whole traffic corridor.

Public comment: Opened

- Kathleen Doherty, citizen, stated she is concerned about traffic in area and the barbed wire fence near her property.
- Katie Breckenridge, citizen, is the property owner to the north. She stated some of her written concerns were addressed, but not to her satisfaction. She does not want her name used to name the subdivisions. She asked for the utilities and water promise to be put in writing.
- Jim Stevens, HOA President of the Breckenridge Place, stated he has worked with Mr. Martens and the neighbors are in support of this project.
- Mr. Martens commented to the concerns and stated he will be sure things are done right. He stated the fence in question is not on his property. He addressed the access

and traffic concerns.

- Commissioner Bolton asked Mr. Martens his thoughts on changing names of the subdivisions.
- Mr. Martens stated he is opposed as it is a recognized name in the community, but if determined necessary by the city, he will comply and change the subdivision name.

Public Comment: Closed

Discussions Followed:

- Commissioner Hansen asked if the commission has the power to change the subdivision name.
- City Attorney Nope clarified as the subdivision name is listed as a requirement on the application, if commission thought there would be confusion due to the subdivision name, the commission would have to state the reason for the confusion to be able to change the name.
- Commissioner Perez stated she believes this fits in w/surrounding neighborhood, but unsure about gated community and HOA's. She stated she sympathizes with desire for the name change, but feels hands are tied as a commission.
- Commissioner Detweiler feels this project fits in as last piece. He stated the issues will be addressed by city staff as development happens. He also sympathizes with name issue but understands the property has always been named Breckenridge.
- Commissioner Musser stated his only concern is the traffic congestion but trusts city staffs report and is in support of this request.
- Commissioner Bolton stated she believes this new development has taken into consideration surrounding subdivisions. She stated she trusts city staff, and also sympathizes with the name issue. She is in support.
- Commissioner Hansen stated he believes the concerns have been addressed and their relevance. He addressed the traffic concerns and the name issue. He believes it conforms with the area and is in support.

Vice Chair Kelley stated the public comment was important. He stated he agrees with previous comments and believes city will address any issues with the development.

MOTION: Curtis Hansen moved to approve the request for approval of the Preliminary Plat for The Residences at Breckenridge Subdivision No. 2, consisting of 3.46 (+/-) acres to develop 24 lots on property located at the 600 block of Canyon Falls Drive c/o Gerald Martens. (PZ21-0170), as presented with staff recommendations.

Commissioner Bolton seconded the motion.

Unanimously approved by a vote of 6-0.

Vice Chair Kelley called for a five (5) minute break

4) Public Hearings.

- a) Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamann, Trustee of the Gregg Hamann Family Trust UDT dated

4/25/86 as amended. (PZ21-0162)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamann, Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86 as amended. (PZ21-0162)

Per City Code 10-15-1 Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area.

Per City Code 10-15-2 (A) The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The Comprehensive Plan designates this area as "industrial". Based on this information, staff has determined this request conforms with the "2016 Grow With Us" Comprehensive Plan. A recommendation of an M-2 zoning designation would be supported by staff.

The Commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to deny the request, approve the request as presented, request a different zoning designation or request additional information be provided. The recommendation will be forwarded to the City Council for a final decision on the zoning designation and the annexation request.

Applicant Presentation:

Tyler Davis Jeffers, applicant, presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3262 E 3700 N. He stated the zoning requested is to stay M-2 (Heavy Manufacturing), to build an industrial park on the property.

PZ/Questions & Comments:

- Commissioner Perez asked which types of industry would be catered to at this park.
- Mr. Jeffers stated he can't speak directly to a particular industry but believes there is a need for industrial to the area. He stated they are still early on in development process.

Public Hearing: Opened

- Shanna Breeding, citizen, she is residential neighbor to the property, and is not zoned M-2. She stated she would like input on boundary around her house. She is not opposed to the proposal but would like the developer to consider her as neighbor.
- Mr. Jeffers addressed the citizens comments. He stated he wants to be a good neighbor to surrounding properties.
- Planning and Zoning Director Spendlove stated the official zoning map shows her property as zoned M-2, but there could be different land uses for her residence.

Public Hearing: Closed

Discussions Followed: without concerns

MOTION: Commissioner Hansen moved to recommend approval of M-2 to City Council as the appropriate Zoning District for property proposed to be Annexed located at 3262 E 3700 N c/o Summit Creek Development on behalf of Twins Industrial LP and Gregg Hamann, Trustee of the Gregg Hamann Family Trust UDT dated 4/25/86 as amended. (PZ21-0162), as presented, with staff recommendations.

Commissioner Musser seconded the motion.

Unanimously approved by a vote of 6-0.

- b) Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twin Industrial, LP. (PZ21-0163).

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twin Industrial, LP. (PZ21-0163).

Per City Code 10-15-1 Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area.

Per City Code 10-15-2 (A) The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The Comprehensive Plan designates this area as "industrial". Based on this information, staff has determined this request conforms with the "2016 Grow With Us" Comprehensive Plan. A recommendation of an M-2 zoning designation would be supported by staff.

The Commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to deny the request, approve the request as presented, request a different zoning designation or request additional information be provided. The recommendation will be forwarded to the City Council for a final decision on the zoning designation and the annexation request.

Applicant Presentation:

Tyler Davis Jeffers, applicant, presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed located at 3270 E 3700 N. He stated the zoning requested is to stay M-2 (Heavy Manufacturing), to build an industrial park on the property.

PZ/Questions & Comments:

- Commissioner Perez asked which types of industry would be catered to at this park.

- Mr. Jeffers stated he can't speak directly to a particular industry but believes there is a need for industrial to the area. He stated they are still early on in development process.

Public Hearing: Opened

- Shanna Breeding, citizen, she is residential neighbor to the property, and is not zoned M-2. She stated she would like input on boundary around her house. She is not opposed to the proposal but would like the developer to consider her as neighbor.
- Mr. Jeffers addressed the citizens comments. He stated he wants to be a good neighbor to surrounding properties.
- Planning and Zoning Director Spendlove stated the official zoning map shows her property as zoned M-2, but there could be different land uses for her residence.

Public Hearing: Closed

Discussions Followed: without concerns

MOTION: Commissioner Hansen moved to recommend approval to City Council of M-2 as the appropriate Zoning District for property proposed to be Annexed located at 3270 E 3700 N c/o Summit Creek Development on behalf of Twin Industrial, LP. (PZ21-0163), as presented, with staff recommendations.

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 6-0.

- c) Request for a Special Use Permit to allow for filling within one hundred feet (100') of the canyon rim on property located at 520 Locust Street South c/o EHM Engineers, Inc. on behalf of Robert Stephens. (PZ21-0167)

Staff Presentation:

Senior Planner Hart presented the request for a Special Use Permit to allow for filling within one hundred feet (100') of the canyon rim on property located at 520 Locust Street South c/o EHM Engineers, Inc. on behalf of Robert Stephens. (PZ21-0167)

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

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months, or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, 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.

The existing facility and land use was established at this location in 2003.

The applicant is proposing a building expansion that requires back fill for the construction of the expansion and a drive aisle for fire access. It is the back fill that requires the special use permit.

It is anticipated that several feet of fill will be required to construct the new addition and only a few feet of fill for the drive aisle. The applicant has stated that all back fill will be placed in a manner to limit the effect on the canyon rim and will be engineered to meet the requirements for stability.

The 2016 Comprehensive Plan; "Grow With Us" designates this Area as appropriate for "Industrial." Staff has determined this request meets the intent of the 2016 comprehensive plan.

The request does not relate to the zoning or land use of the property, the existing use is consistent with the adopted zoning ordinances.

Upon conclusion, should the Commission approve the request as presented, staff recommends the following:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

Applicant Presentation:

David Thibault, EHM Engineers, Inc., representing applicant, presented the request for a Special Use Permit to allow for filling within one hundred feet (100') of the canyon rim on property located at 520 Locust Street South. He addressed alignment of new addition and reasons for the canyon rim encroachment.

PZ/Questions & Comments:

- Commissioner Musser asked for clarification on the commission's decision.
- Senior Planner Hart clarified the Special Use Permit request is only for backfill of the canyon.
- Commissioner Perez asked about the height of the retaining wall.
- Mr. Thibault stated the height will vary with topography with a maximum of 7' on canyon retained side.
- Commissioner Detweiler asked for the length of the wall.
- Mr. Thibault stated he believes the length will be 200' long and explained the water runoff.

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

Motion #1: Commissioner Bolton moved to approve the request for a Special Use Permit to allow for filling within one hundred feet (100') of the canyon rim on property located at 520 Locust Street South c/o EHM Engineers, Inc. on behalf of Robert Stephens. (PZ21-0167), as presented with staff recommendations.
Commissioner Hansen seconded the motion.

Unanimously approved by a vote of 6-0.

Commissioner Detweiler stated his relationship to the engineer on staff for this project. City Attorney Nope clarified that Commissioner Detweiler will have to recuse himself from this item due to the relationship, and the commission will have to take a revote for this request.

MOTION #2: Commissioner Bolton moved to approve the request for a Special Use Permit to allow for filling within one hundred feet (100') of the canyon rim on property located at 520 Locust Street South c/o EHM Engineers, Inc. on behalf of Robert Stephens. (PZ21-0167), as presented with staff recommendations.
Commissioner Hansen seconded the motion.

Unanimously approved by a vote of 5-0.

5) Upcoming Meeting(s)

- a) Tuesday, December 14, 2020
Planning and Zoning Director Spendlove stated two commissioners' term out at the end of February. There will be an advertisement for new commissioners after the first of the year and goal is to have them on commission by first meeting in March.

6) Adjournment

The meeting adjourned at 7:36 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant