



## Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 9, 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**

Commissioner Bolton called the meeting to order at 06:00 PM

A quorum was present.

Members Present: In Person - Bolton, Musser, Detweiler By Phone - Hansen, Kelley

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

#### **2) Consent Calendar**

**MOTION:** David Detweiler moved to TEXT. Ed Musser seconded the motion. Roll call vote showed all members present voted. Approved 5 to 0.

- a) Approval of minutes from the following meetings:
  - October 26, 2021
  - November 3, 2021

#### **3) Items of Consideration - None**

#### **4) Public Hearings**

- a) Request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

Staff Presentation:

Is Request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

All procedures will follow the process as described in TF City Code: 10-16-1  
Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation

be denied.

The Denton Subdivision was platted in 2009.

Approval of this request would allow for the property to return to 1 lot. This vacation would not affect the zoning on the property and the final plat would be returned to one lot. The staff does not anticipate any negative impacts to the surrounding area should the request be approved.

The vacation of the plat would eliminate the right of way dedication of Dubois Avenue, along with a fire turn around easement.

Approval of this request would allow for the property to return to 1 lot and be useable land area for permitted accessory buildings, or uses by the original property to the north.

Upon conclusion, staff is in support of this request. Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to right of way dedications for Filer Ave W and Borah Ave W being retained by the City of Twin Falls.

**Applicant Presentation:**

Leonard Denton, applicant, presented the request for .....

original sell off back acre. but wont work due to lack of access to services. wants to reestablish original plat.

**PZ/Questions & Comments:**

none

Public Hearing: Opened

Public Hearing: Closed without input

Discussions Followed: without concerns

**MOTION:** Ed Musser moved to TEXT. David Detweiler seconded the motion. Roll call vote showed all members present voted. Approved 5 to 0.

- b) Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)

**Staff Presentation:**

IZ presented the Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)

**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)

NA

The subject properties are located within the area of impact and have a zoning designation of SUI/Canyon Rim Overlay. Applicant is requesting R6 CRO zoning, and must go through the ZDA process if annexation is approved.

The applicant intends to annex the property into the city to receive city utilities. Although the designation does not comply with the comprehensive plan, the property being zoned Canyon Rim Overlay requires that any development proposed for the property must be done through a Zoning Development Agreement or ZDA.

The applicant is preparing to rezone this property along with other neighboring property in the form of a ZDA but has chosen to take the step of annexation first and rezone to ZDA later. 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.

Applicant Presentation:

Rex Harding, representing applicant, presented the request..... R6 with the annexation. Whole property will be include in a larger ZDA after the annexation process. will have city sewer and water.

PZ/Questions & Comments:

EM asked what is equivalent zoning in the city to SUI in the county.

JS clarified the surrounding zoning and what is similar zoning to SUI.

He clarified the commissions recommendation to cc tonight and the future processes to develop the property.

ch asked for clarification of the location of the property.

iz clarified the location of the property in question.

ch asked about notification question.

js clarified it says appropriate zoning for this property, not noticed as specific zoning. on cc notice, it will be forwarded what the commission voted on as appropriate.

Public Hearing: Opened

Lamar Orton, citizen, concern about not knowing about R6. asking for r2 zoning as is nearby. faulty notification to prop owners. claims it stated same as is now.

Public Hearing: Closed

Discussions Followed:

ch concern regarding proper notification and concern about r6 on canyon rim.

ck agrees with ch but is okay as it will come back to commission later for rezoning.

dd agreed and asked for clarification on the vote.

js clarified what commission is voting on tonight. appropriate zone for the property to be annexed. council will vote on the appropriate zoning for the annexed property.

dd stated not sure r6 is appropriate for canyon rim.

em asked for r2 zoning clarification.

js clarified what is allowed in r2 zoning. r6 multi family without sup. comp plan use.

cb asked if notification is appropriate.

js stated there is no zoning with annexation. new zoning w/annexation.

ck stated they can table this for further information. not confident in what decision is being made on tonight.

ch stated the notification was done by law. spoke to surrounding property zoning. not appropriate with r6. r2 or r4 appropriate.

js clarified the tabling process.

discussion ensued regarding tabling.

**MOTION:** Ed Musser moved to TEXT. David Detweiler seconded the motion. Roll call vote showed all members present voted. Approved 4 to 1.

- c) Request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. RPT3088001003B c/o Jerry and Brenda Naylor. (app. PZ21-0156)

Staff Presentation:

Is Request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. RPT3088001003B c/o Jerry and Brenda Naylor. (app. PZ21-0156)

All procedures will follow the process as described in TF City Code: 10-16-1 Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied

Hill View Drive was platted with the Lakewood Subdivision in 1960.

Vacation of the right of way will not affect the zoning. Staff does not anticipate any negative impacts to the surrounding area should the request be approved.

Upon conclusion staff is in support of this request, should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the

following conditions:

Subject to a recorded access and utility easement to lot 3 of the Lakewood Subdivision.

1. Subject to a recorded utility easement for existing phone lines.
2. Subject to a recorded utility easement for pressurized irrigation.

Applicant Presentation:

j naylor, applicant, presented the request for .....

develop property . met requirements and prepared to issue easement request.

PZ/Questions & Comments:

none

Public Hearing: Opened

Public Hearing: Closed without input

Discussions Followed: without concerns

**MOTION:** David Detweiler moved to TEXT. Ed Musser seconded the motion. Roll call vote showed all members present voted. Approved 5 to 0.

- d) Request for a Special Use Permit to allow for a parking garage on property located on 2<sup>nd</sup> Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President on behalf of Galena Opportunity, Inc. (app. PZ21-0158)

Staff Presentation:

Request for a Special Use Permit to allow for a parking garage on property located on 2<sup>nd</sup> Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President on behalf of Galena Opportunity, Inc. (app. PZ21-0158)

100 parking stalls for public parking, doubling current parking. remainder - private parking.

....add js staff report.

Applicant Presentation:

bill truax, applicant, presented the request for.....worked with URA and COTF for months. intent to add 100 residential units. doubling public pkg from what is there now.

PZ/Questions & Comments: none

Public Hearing: Opened

Paul Graff, business owner, stated his concern as being the most affected business. okay with garage. concern about parking during construction. parking issue now with current construction. concern for customers and staff parking while construction on. concern for businesses surviving through construction. who will own public parking. asked commission to consider how businesses will keep customer parking. (see video) bill t. addressed parking lot management. it will be documented. will work with businesses regarding parking during construction. js stated the garage will be done in first phase prior to other buildings. public parking open as soon as possible. trying to limit impact.

ch asked if parking garage required to be built first as condition.

js stated they could add that condition. can add to record.

Public Hearing: Closed

Discussions Followed:

ch discussed adding construction phasing condition. (garage first) add condition

**MOTION:** Curtis Hansen moved to TEXT. Ed Musser seconded the motion. Roll call vote showed all members present voted. Approved 4 to 1.

- e) Request for a recommendation to City Council to allow for additional building height beyond 50 feet on property located on 2<sup>nd</sup> Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President, on behalf of Galena Opportunity, Inc. (app. PZ21-0159)

Staff Presentation:

Request for a recommendation to City Council to allow for additional building height beyond 50 feet on property located on 2<sup>nd</sup> Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President, on behalf of Galena Opportunity, Inc. (app. PZ21-0159)

Applicant Presentation:

PZ/Questions & Comments:

Public Hearing: Opened

Lisa maas, citizen, stated her concern for the additional height. not in approval of this request. concern for traffic congestion and changing the scope of the city. put to another district. wants a cap on the height restriction of the downtown area.

Arnel culm stated his opposition to this project. concern for small size of apts. concern for lack of audience.

Public Hearing: Closed

Discussions Followed:

ck stated his support for the project. building up, not out. not build up on canyon rim. downtown is the location to build up.

ch stated his support for the project. feels growing pains, but tf is a gowning town. downtown living will take cars off road. similar to height of other project.

dd stated there is a need for garage. in favor of building up downtown. don't grow downtown, will dry up. Ura is working on renewing our downtown.

em stated he believes the downtown needs to grow, not to die. will bring strong downtown. this is where height should be.

**MOTION:** Curtis Hansen moved to TEXT. Ed Musser seconded the motion. Roll call vote showed all members present voted. Approved 5 to 0.

- f) Request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East c/o EHM Engineers, Inc. on behalf of Center of Physical Rehabilitation. (app. PZ21-0160)

Staff Presentation:

Ih Request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East c/o EHM Engineers, Inc. on behalf of Center of Physical Rehabilitation. (app. PZ21-0160)

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 subject property has been used for retail purposes in the past.

T's Beverage Barn in 2005, and Pro Rentals and Sales went in sometime around 2012 and relocated recently.

The subject property is 1.04 acres, zoned C1, and has an existing building on site, approximately 3000 SF.

The applicant is proposing to operate an indoor recreation facility and a future expansion of 4000 SF to the existing building.

The applicant is moving their physical therapy business to the subject property. In addition to the physical therapy center, members will be allowed to use their facility as a gym. The physical therapy center is an outright permitted use. The gym is considered an indoor recreation facility that requires a special use.

Surrounding properties have existing commercial and residential uses on them. To the north, properties are zoned C1 and used for agricultural purposes. To the east and west, the properties are zoned C1 and have existing residential and commercial uses. To the south, properties are zoned R2 and have existing residential units on them.

The proposed special use is consistent with the C1 zoning district regulations and with the general purposes of the Comprehensive Plan and is not detrimental to any of the outright permitted uses or other existing uses in the zone and will not otherwise be detrimental to public health, safety, and welfare.

Upon conclusion, should the Commission recommend approval of 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:

D thibault, representing app, presented the request..... spoke to expansion. conducive to type of service. physical therapy presence in area makes sense with the surrounding businesses and care center.

PZ/Questions & Comments:

ed asked if expansion requires add'l landscaping.

lh stated existing landscaping meets code.

Public Hearing: Opened

Public Hearing: Closed without input

Discussions Followed: without concern

**MOTION:** Ed Musser moved to TEXT. David Detweiler seconded the motion. Roll call vote showed all members present voted. Approved 5 to 0.

## 5) Upcoming Meeting(s)

- a) Tuesday, November 30, 2021

## 6) Adjournment

The meeting adjourned at 07:36 PM



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Kelli Ebersole, Administrative Assistant