



Twin Falls Planning & Zoning Commission Minutes

Tuesday, February 8, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

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 06:00 PM

A quorum was present.

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

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

2) Consent Calendar

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

Unanimously Approved by a vote of 6 to 0.

- a) Approval of minutes from the following meetings: January 25, 2022 and February 2, 2022

3) Items of Consideration

- a) Preliminary Presentation for the request for a Zoning District Change and Zoning Map Amendment for 6.4 acres from R-4 to CSI PUD and to expand the CSI PUD boundaries to include property located in the 1100 block of Fillmore Street c/o Theo Schut on behalf of the College of Southern Idaho (app. PZ21-0195)

Staff Presentation:

City Planner Strickland presented the Preliminary Presentation for the request for a Zoning District Change and Zoning Map Amendment for 6.4 acres from R-4 to CSI PUD and to expand the CSI PUD boundaries to include property located in the 1100 block of Fillmore Street c/o Theo Schut on behalf of the College of Southern Idaho (app. PZ21-0195)

Per Twin Falls City Code 10-6-1.4(E) Approval of a PUD Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to

approve, approve with conditions, or deny the request.

In March of 2018 the College of Southern Idaho rezoned the property with a PUD Agreement to allow for additional height and to allow residential halls and rooming houses as permitted uses. The property in question is adjacent to the boundaries of this CSI PUD originally it was excluded because CSI had plans to construct housing units on the property under the R-4 Zoning. CSI no longer has plans for building housing units on this property and is requesting to incorporate the property into the boundaries of the CSI PUD so that they may move forward with their plans to construct additional educational facilities.

Upon conclusion staff makes no recommendation at this time. Analysis of the request will be presented at the public hearing.

Applicant Presentation:

Todd Schwarz, Provost at CSI, presented the prelim presentation for the request for a Zoning District Change and Zoning Map Amendment for 6.4 acres from R-4 to CSI PUD and to expand the CSI PUD boundaries to include property located in the 1100 block of Fillmore Street. He stated the college would like to bring this property in to the PUD for instructional buildings.

PZ/Questions & Comments:

- Vice Chair Kelley asked about an access to the property, and if there are any plans for roads to go through next to the property.
- Provost Schwarz stated there are no specific plans at this time.

4) Public Hearings

- a) Request for a Special Use Permit to allow a detached accessory building of over 1000 square feet on property located at 288 Pheasant Road c/o Zernickow Family Investments on behalf of Theresa LaRue Living Trust. (PZ21-0179) -**Continuation of Public Hearing from January 11, 2022 Planning and Zoning Commission meeting**

Staff Presentation:

City Planner Zollinger presented the request for a Special Use Permit to allow a detached accessory building of over 1000 square feet on property located at 288 Pheasant Road c/o Zernickow Family Investments on behalf of Theresa LaRue Living Trust.

He stated the continuation of the Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. He recapped the history of this request from the previous meeting.

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 property is zoned R-4 and is located within the Twin Falls Twin Falls Z Country Estates Subdivision. The home is currently being constructed.

The proposed structure would have a setback greater than what the property development standards for the R4 zoning district permits for primary and accessory structures. The setbacks for primary structures are twenty (20) feet from the front and five (5) feet to the side. The setbacks for accessory structures are three (3) feet to the side and rear. Staff have reviewed the request and do not anticipate substantial negative impacts should the request be approved. He shared the updated elevations submitted from the applicant.

Upon conclusion should the Commission approve this request as presented, then staff recommends the following conditions.

1. Subject to compliance with all local, state and federal code requirements and other standards as applicable.

Applicant Presentation:

Jon Zernickow, applicant, presented the updated elevations and materials for the building as matching the house.

PZ/Questions & Comments:

- Commissioner Detweiler asked if there will be plumbing installed in the building.
- Mr. Zernickow answered there will be water and sewer to the building.

Public Hearing: Opened

- Citizen Kristi Rucks stated she appreciates the new drawings and hopes the plans stay as presented tonight.
- Applicant Zernickow addressed concerns. He stated it will be exact color and materials as the house.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen stated he believes the applicant has done a good job addressing the commissions concerns.
- Commissioner Bolton agreed and is glad to see visual description as requested at last meeting. She stated she is satisfied the commissions concerns were addressed.
- Commissioner Detweiler stated he is in favor of the request and approves the elevations presented by applicant.
- Commissioner Musser appreciates the applicant bringing back the new elevations.
- Commissioner Perez stated she agrees with the rest of the commission.
- City Planner Zollinger clarified the exhibits will be added to the building permit and will be inspected to make sure the building complies with the conditions of the Special Use Permit.

MOTION: Commissioner Detweiler moved to approve the request for a Special Use Permit to allow a detached accessory building of over 1000 square feet on property located at 288 Pheasant Road c/o Zernickow Family Investments on behalf of Theresa LaRue Living Trust. (PZ21-0179), as presented, with staff recommendations. Commissioner Musser seconded the motion.

Unanimously approved by a vote of 6 to 0.

- b) Request for a Special Use Permit to allow for alcoholic beverages to be consumed on premises where sold on property located at 657 Blue Lakes Boulevard North c/o Frank Herman. (PZ21-0199)

Staff Presentation:

City Planner Zollinger presented the request for a Special Use Permit to allow for alcoholic beverages to be consumed on premises where sold on property located at 657 Blue Lakes Boulevard North c/o Frank Herman. (PZ21-0199)

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 building is a multi-tenant building and has seen multiple tenants in its various spaces over the years. A special Use Permit for consumption of alcohol was approved for a different tenant space in the same building back in 2012 but is no longer in use.

The applicant is requesting to serve beer and wine products for them to be consumed on the premises. The applicant has described the subject property as an adult arcade with Darts, Shuffleboard leagues, Foosball, Air Hockey, Ringo and a Juke Box. It will also include 4 TV screens for watching sports inside the establishment. Food products that are already cooked will be served as well.

The distance from the exterior building walls to neighboring residences located to the West is approximately one hundred twenty feet (120'). The front door of the business will open facing Blue Lakes.

Parking requirements have been met through a cross-use agreement for the entire complex. If the Commission approves this request as presented, then staff recommends the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Frank Herman, applicant, presented the request for a Special Use Permit to allow for alcoholic beverages to be consumed on premises where sold on property located at 657 Blue Lakes Boulevard North. Mr. Herman shared his vision and business plan for the establishment.

PZ/Questions & Comments:

- Commissioner Hansen asked about hours of operation.
- City Planner Zollinger clarified the stated hours of operation.
- Commissioner Detweiler asked what types of alcohol will be served at the bar.
- Mr. Herman stated the bar will serve beer and wine.
- Commissioner Detweiler asked if there is a full grill and the occupancy load of the bar.
- Mr. Herman stated there will be no grill and he is asking for a maximum occupancy of 49 patrons.
- Commissioner Musser asked where the alcohol will be served and about outside tournaments and management of alcohol consumption.
- Mr. Herman clarified where the bar top is located and clarified how the alcohol would be monitored at outside events.

Public Hearing: Opened and closed without input

Discussions Followed:

- Commissioner Hansen stated he is in favor of the request and stated the applicant has done his diligence.
- Commissioner Perez agreed and believes the applicant clarified his plan. She stated that she likes this new addition to Twin Falls.
- Commissioner Bolton stated she believes the applicant has done a good job connecting with the neighbors and in his presentation. She stated she is in support of this request.

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow for alcoholic beverages to be consumed on premises where sold on property located at 657 Blue Lakes Boulevard North c/o Frank Herman. (PZ21-0199), as presented, with staff recommendations.

Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 6 to 0.

- c) Request for a Special Use Permit to allow for a religious facility on property located at 136 2nd Avenue North c/o Diamantina Esquivel on behalf of The Potters House CFM. (PZ21-0200)

Staff Presentation:

City Planner Strickland presented the Request for a Special Use Permit to allow for a religious facility on property located at 136 2nd Avenue North c/o Diamantina Esquivel on behalf of The Potters House CFM. (PZ21-0200)

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.

A survey to identify a Downtown Historic District on the National Registry of Historic Places was completed in 1999 and this property was included in that district. The space has been vacant for a period of time with no significant land use history.

The hours of operation for this type of land use are conducive to this area because they occur outside of normal business hours, presenting very limited impacts on the surrounding area. On-street parking is available and a public parking area is located within walking distance of the building. The property is located along 2nd Avenue which is constructed to handle large amounts of traffic. Therefore, the additional 20-30 cars would have minimal impact on the roadway. Staff does not foresee any negative impacts on the surrounding area, should the commission approve the request.

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:

Diamantina Esquivel, applicant representative, presented the request for a Special Use Permit to allow for a religious facility on property located at 136 2nd Avenue North. She stated there will be a 20-40 congregation.

PZ/Questions & Comments: none

Public Hearing: Opened and closed without input

Discussions Followed:

- Planning and Zoning Director Spendlove stated the occupancy load for the building is 143 people, with a parking overlay and there is no off-street parking requirement. He stated staff has no issues with occupancy load and parking.
- Commissioner Hansen asked about HPC approval requirements.
- City Planner Strickland clarified any outside exterior modifications are under HPC's jurisdiction.
- Commissioner Musser stated this is a good use for the building.
- Commissioner Detweiler agreed and is in favor of the request.

- Commissioner Perez agreed and is in favor of the request.

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow for a religious facility on property located at 136 2nd Avenue North c/o Diamantina Esquivel on behalf of The Potters House CFM. (PZ21-0200)
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 5 to 0.

5) Upcoming Meeting(s)

a) Tuesday, March 1, 2022

Planning and Zoning Director Spendlove clarified the March 1 meeting is considered the second meeting in February. He stated this will be Commissioner Musser and Chairperson Titus last meeting. New Chair and Vice Chair elections will be held at the March 15 meeting. He stated there will be no worksession in March and gave an update on the applications received for the open commission positions.

City Planner Zollinger shared the updated online Twin Falls zoning map with the commission.

6) Adjournment

The meeting adjourned at 06:50 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant