



Twin Falls Planning & Zoning Commission Minutes

Tuesday, March 29, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; Shelley McEuen; Todd Rambur; Curtis Hansen; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Kelley called the meeting to order at 06:02 PM
A quorum was present.

Members Present: Kelley, Bolton, Detweiler, Rambur, McEuen

Staff Present: Spendlove, Zollinger, Ebersole, Vitek

2) Consent Calendar

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

Motion Approved by a vote of 4- 0-1.

a) Approval of minutes from the following meeting: March 15, 2022

3) Items of Consideration

4) Public Hearings

a) Request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2169 Elizabeth Blvd c/o David Jones. (PZ22-0016)

Staff Presentation:

City Planner Zollinger presented the request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2169 Elizabeth Blvd c/o David Jones. (PZ22-0016)

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 property is zoned R-2 and is located within the Twin Falls Ericson Subdivision. The applicant is requesting

to build a 2400 sq ft building for personal storage.

Staff has reviewed the request and does not anticipate any negative impacts should the request be approved.

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:

David Jones, applicant, presented his request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2169 Elizabeth Blvd. He stated it will be located at the back end (N) of property and used for storage and a truck. He addressed noise concerns and how they would be mitigated. He explained construction of the building and the materials that will be used.

PZ/Questions & Comments:

- Commissioner Detweiler asked if there is a privacy fence on the back of the property.
- Mr. Jones described the screening along the back of the property.
- Vice Chair Bolton asked if the building will be plumbed?
- Mr. Jones stated yes, there will be plumbing for a sink and toilet.
- Chairman Kelley asked about driveway regulations.
- Mr. Jones stated he is willing to put in a paved driveway, as required.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Detweiler moved to approve the request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2169 Elizabeth Blvd c/o David Jones (PZ22-0016), as presented, with staff recommendations. Vice Chair Bolton seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- b) Request for a Special Use Permit to allow for an indoor recreation facility on property located at 240 Eastland Drive, Unit 2 c/o Tyler Davis-Jeffers on behalf of Idaho Allstar Cheer. (PZ22-0022)

Staff Presentation:

City Planner Zollinger presented the request for a Special Use Permit to allow for an indoor recreation facility on property located at 240 Eastland Drive, Unit 2 c/o Tyler Davis-Jeffers on behalf of Idaho Allstar Cheer. (PZ22-0022)

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 decide 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.

Standards Applicable to Special Uses:

- Will be harmonious with and in accordance with the general objectives or with any specific objective

- of a comprehensive plan and/or zoning regulations.
- 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.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- 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.
- 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.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The building in which the Indoor Recreational Facility will be located has been constructed and is in the process of applying for a building permit for Tenant Improvement.

The Indoor Recreational Facility will be used for Idaho Allstar Cheer. The facility will be used for classes for youth varying in ages between 5 to +17. The applicant has stated that the cheerleading training facility will operate primarily during the afternoon and early evening hours, as well as weekends. Staff do not anticipate the land use of a proposed will have a negative impact on neighboring property owners. When considering a Special Use Permit the Planning and Zoning Commission must consider the standards applicable to Special Uses found within Title 10 -13-2-2(D) 5&6 which states:

- " 5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. 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."

Prior to the development and construction of the current building, a determination was made regarding the number of water fixtures the development would have because of the low water pressure in the area. Additional fixtures would cause the water pressure to decrease and fall below the pressure levels required by the state of Idaho. To allow the property to increase the number of fixtures would create excessive additional requirements at public cost which would be detrimental to the economic welfare of the community.

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.
2. Subject to the resolution of the water pressure issue in the 4th Ave East and Eastland Dr area, prior to the City issuing a building permit for additional water usage.

Applicant Presentation:

Applicant Tyler Davis Jeffers presented the Special Use Permit to allow for an indoor recreation facility on property located at 240 Eastland Drive, Unit 2. He stated the tenant and kids are excited to get project started, and believes this will be a great addition to neighborhood.

PZ/Questions & Comments:

- Chairperson Kelley asked if there is adequate parking.

- City Planner Zollinger stated there is adequate parking as it will be spread throughout day, due to class schedule.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Vice Chair Bolton moved to approve the request for a Special Use Permit to allow for an indoor recreation facility on property located at 240 Eastland Drive, Unit 2 c/o Tyler Davis-Jeffers on behalf of Idaho Allstar Cheer. (PZ22-0022), as presented, with staff recommendations. Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5-0.

- c) Request for a recommendation to City Council on the appropriate zoning district for 21.207 acres proposed to be annexed located at 1204 Kenyon Road c/o Connect Engineering on behalf of Cal Kunkel. (PZ22-0025) **WITHDRAWN BY APPLICANT**
- d) Request for a recommendation to City Council for an Amendment to the Federation Point ZDA to allow "Private" and "Public School" as an outright permitted use and amend the Conceptual Site Plan in the Zoning Development Agreement c/o Paul Bierlein-Bouma USA on behalf of Hepworth Family Landholdings, LLC. (PZ22-0026)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council for an Amendment to the Federation Point ZDA to allow "Private" and "Public School" as an outright permitted use and amend the Conceptual Site Plan in the Zoning Development Agreement c/o Paul Bierlein-Bouma USA on behalf of Hepworth Family Landholdings, LLC. (PZ22-0026)

A public hearing shall be held before the Commission for a recommendation to City Council to; amend the zoning district and the zoning map, amend with recommendations, or deny the request.

Twin Falls City Code 10-6-1.7 (B) The procedure for establishing a ZDA or amending a ZDA shall follow the procedure outline in Title 10-14.

Twin Falls City Code 10-14-5 The process for conducting public hearings as referenced in 10-6-1.7(B)

The property was annexed into the City of Twin Falls in 2021 with the zoning designation of Residential Mixed Used, Canyon Rim Overlay with a Zoning Development Agreement. The Preliminary Plat for the property was approved in 2021. The Final Plat and construction plans are still under review.

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". The "Town Neighborhood" designation is meant to provide for residential, parks facilities, Schools, and Civic facilities.

The application has two parts. First the applicant is requesting to amend the text of the previously approved ZDA to allow for the land use of Schools, Private and Public, to be an outright permitted use instead of a special use as it is currently stated in the ZDA. Second, the applicant is proposing to add an approved conceptual development plan as Option B.

As shown in the submitted exhibits, Option B relates specifically to the commercial portion of the Federation Point ZDA and the layout of the building. This concept plan would be in addition to the currently approved concept plan and, if approved, would not replace it, but would add it as an option.

Potential Impacts:

Staff anticipate that the greatest impacts of the proposed use will be increased vehicular traffic, during school drop-offs and pick-ups, and parking. The applicant anticipates several different modes of transportation will be used by those who attend the school including, walking, buses, bicycling, and cars.

The adjacent roadway will be constructed to its required full width and the applicant is working with the City Engineering department to ensure adequate striping along Federation will be installed for turn lanes into the school parking lot.

The applicant has shown the design of the school to contain a drop-off /pick up loop for traffic to flow through the property to mitigate the anticipated traffic. This will limit traffic issues at the school site. However, there may be ancillary effects on surrounding streets which may require mitigating infrastructure.

Staff believes all other minimum required improvements, including parking, will be adequate for this project. These improvements will be installed during construction of the school.

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:

Adam Bruno, educational representative, presented the request for a recommendation to City Council for an Amendment to the Federation Point ZDA to allow "Private" and "Public School" as an outright permitted use and amend the Conceptual Site Plan in the Zoning Development Agreement. He presented an overview of the Gem Prep school model. The builder explained the building site and the phasing plan for the school.

PZ/Questions & Comments:

- Vice Chair Bolton asked about sidewalk requirements.
- City Planner Zollinger clarified the infrastructure requirements will be required with the platting process.
- Commissioner Detweiler asked for clarification on the request.
- City Planner Zollinger clarified what the request, for a school as an allowed use, and the addition of site plan option.
- Chairman Kelley asked about the traffic plan for the property and improvements that have to be made, as in vehicle stacking for dropoffs.
- City Planner Zollinger clarified the road expansion improvements are required by the last approval of this ZDA. He reviewed the traffic flow for the development and stated the applicant can speak to the vehicle stacking.
- Vice Chair Bolton asked about crosswalk plans.
- City Planner Zollinger stated the crosswalk will be approved by city engineer and showed where it is located on the site plan.
- Commissioner McEuen asked if this location is across the street from the gun club.
- City Planner Zollinger clarified the property location and proximity to the gun club.
- Commissioner Detweiler asked about noise concern of the gun club during the evening hours.
- The applicant stated they are not concerned as the school hours differ from the gun club hours of operation.
- Vice Chair Bolton asked if there will be sound barriers to mitigate noise
- The applicant stated they have another site next to a gun club and have no issues. They want to be good neighbors with the gun club.
- Chairman Kelley asked about the professional offices in area, and if the applicant has visited with those businesses?
- The applicant stated they have not visited with them yet, but visits are part of the community relationship plan.
- Commissioner Rambur asked if the businesses have issue with overflow parking.
- The applicant stated at full capacity, there will be 32 staff members, and with limited enrollment,

there will not be many students driving to school like other schools.

- Vice Chair Bolton asked about parking at evening events.
- The applicant stated they don't see it as an issue now but will relook as the school grows.
- Planning and Zoning Director Spendlove stated there is a state statute protecting existing outdoor gun clubs from any noise nuisance.

Public Hearing: Opened

- Citizen Joel Newton, shared his concerns for adequate sidewalks and increased traffic. He stated his concern for overflow parking issues and bus drop off traffic.
- Citizen John Bringham, expressed concerns about Washington St. needing to be widened and the details of a turning lane off off Washington St.
- Citizen Brian Dobbs, asked about the canyon rim trail extension and if this would negatively affect this plan.
- Planning and Zoning Director Spendlove shared the letter from the gun club and their concerns of this project. (the letter was not received by P&Z staff prior to the meeting)
- The applicant addressed the concerns regarding the offsite improvements as addressed in the last approval, and stated they are working with city staff. There is a 75-80 car stacking possibility at full build. The applicant stated there may be staggered class starts to mitigate some traffic issues as adding grades. He stated there will be 1-2 busses when first opened, 4 busses at full capacity (8 years from now), staged in back corner, to not comele with car traffic. The applicant addressed relationship with neighbors, including the gun club, to avoid overlap needs for parking. The focus is keeping parking in their own lot. He stated they will consult with their attorney regarding gun club members using the school parking lot and possessing firearms on site.
- Commissioner Rambur asked about hosting athletic events.
- The applicant stated, when the gym is built, athletic events may be a possibility. The applicant clarified location of the gym. He clarified the parking lot plan and traffic flow.
- Planning and Zoning Director Spendlove addressed the canyon rim concerns. He stated the southside sidewalk to be contiguous, with the crosswalk location determined by the City Engineer. He addressed private parking, and the owners' rights to protect it. He stated it would be difficult for the commission to add a condition of private parking enforcement by the city. He stated as far as staff is concerned, there is enough parking provided on the site plan. He addressed the widening of Washington to the south, as those properties are out of city limits and not annexed and developed. He addressed the bus turning lane.
- Chairperson Kelley addressed the focus of this application and what the commission is voting on tonight.
- Commissioner McEuen addressed canyon rim trail and the gun club compromise.
- Wendy Kerr, citizen, stated she is not opposed to a school, but concerned for traffic issues. She would like a different parking plan for school and would like a bike trail as part of road expansion.

Public Hearing: Closed

Discussions Followed:

- Commissioner McEuen stated after the explanations, she does not see a reason to deny the request.
- Commissioner Bolton stated there is a need for schools in Twin Falls. She has a concern for location's proximity to the gun club, with a concern for parking and potential issues down the road. She stated she would like to fix the issues now, not leave for other commissions to fix.
- Commissioner Detweiler likes the school concept. He asked about firearms close to a school. He stated he is not concerned about parking overflow and traffic with turning lanes. He is in favor of the request.
- Planning and Zoning Director Spendlove stated he has never seen that provision brought to city before, and the City Attorney will review.
- Commissioner Rambur stated he likes another school option in Twin Falls. He stated the commission can't police guns on campus as a commission. He stated he does not believe overflow parking is in the commission purview.
- Vice Chair Kelley stated commission is not voting on some of the issues brought forward tonight, and

some issues were addressed with the previous approval. He reviewed what the request is to be voted on tonight.

MOTION: Commissioner Detweiler moved to recommend approval of the request for a recommendation to City Council for an Amendment to the Federation Point ZDA to allow “Private” and “Public School” as an outright permitted use and amend the Conceptual Site Plan in the Zoning Development Agreement c/o Paul Bierlein-Bouma USA on behalf of Hepworth Family Landholdings, LLC. (PZ22-0026), as presented, with staff recommendations.

Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 5-0.

5) Upcoming Meeting(s)

- a) Wednesday, April 6, 2022 - Worksession
Tuesday, April 12, 2022
Tuesday, April 26, 2022

6) Adjournment

The meeting adjourned at 07:26 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant