



Twin Falls Planning & Zoning Commission Minutes

Tuesday, April 12, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS
AMENDED

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 06:00 PM
A quorum was present.

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

Staff Present: Spendlove, Strickland, Ebersole, Vitek

2) Consent Calendar

MOTION: Commissioner Hansen 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 meetings: March 29, 2022 and April 6, 2022

3) Items of Consideration - None

4) Public Hearings

a) Request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at the intersection of Elizabeth Boulevard and Carriage Lane c/o Tilson Technology Management. (PZ22-0033)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at the intersection of Elizabeth Boulevard and Carriage Lane c/o Tilson Technology Management. (PZ22-0033)

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, in fact, constitute a special use as established by zoning requirements for the zone involved.
- 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.

This area is zoned R-2, Residential Single Household or Duplex District. The property is located within the right of way along Carriage Ln N.

This request is associated with a large project proposed to take place within the city's right of way in order for Tilson/TDS to provide fiberoptic services throughout the city. The installation of a utility cabinet to house the equipment necessary to provide this service is similar to other cabinets used by utility service companies. The special use permit allows the commission the opportunity to look at the location of the cabinet and address any visual impacts that may require mitigation. The staff has reviewed the request. There are other utility service cabinets located within the vicinity that have not generated public concern. Therefore, staff does not foresee any issues with the proposed location of the cabinet.

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 installation of curb, gutter and sidewalk along the future west side of Carriage Lane North to Elizabeth Boulevard.

Applicant Presentation:

Jared Paul, TDS, applicant representative, gave his presentation for a request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at the intersection of Elizabeth Boulevard and Carriage Lane. He clarified the location of the utility box as not having any hindrance to other roadways/right of ways. He stated 2500 customers will be served with this utility cabinet. He stated this is the only box in the project located in the private Right of Way.

PZ/Questions & Comments:

- Commissioner Hansen asked for location clarification.
- City Planner Strickland stated it is located in the Right of Way and the sidewalk is asking to be built by the

city.

- Vice Chair Bolton asked what side of sidewalk the box will be located.
- City Planner Strickland stated the box will be on the west side of the sidewalk.
- Commissioner Perez asked if sidewalk built, is it open all the way through.
- Planning and Zoning Director Spendlove stated this section is half of an undeveloped road. The sidewalk to Elizabeth Blvd. will define the area and continues the pedestrian walkway. He explained how the potential road may be built in the future.
- Commissioner Perez asks who maintains the sidewalk.
- Planning & Zoning Director Spendlove stated it is on the city's list to maintain for weeds, as undeveloped.
- Mr. Paul clarified the sidewalk construction plan. He stated they will work with city to tie into Elizabeth Blvd.
- Planning & Zoning Director Spendlove clarified working with engineering department to terminate sidewalk at Elizabeth Blvd. He stated Elizabeth Blvd. is city's responsibility and work with workaround with existing utility cabinets and public utilities.

Public Hearing: Opened

- Joseph Witte, citizen, shared his concerns on the location of this cabinet and the protection and maintenance of the area and the house to the east. He expressed issues regarding maintenance and irrigation of the area. He stated there may have been a petition when subdivision built to not put a sidewalk at this location.
- Letisia Lopez, citizen, asked if there will be any impediment to her property and asked for clarification on sidewalk width and barricades being removed with the sidewalk. She would like reflectors on the barricades.
- Troy Vitek, Assistant City Engineer, stated the intent of sidewalk is so not to locate the cabinet where future sidewalk will go through. This sidewalk is on the long-term sidewalk plan identified by City Council. He stated he will work with public works regarding reflectors for the barricades, and the sidewalk width should be 5'-6'. He covered maintenance of the property.
- Planning and Zoning Director Spendlove addressed the mentioned petition and that it is not in the commission's purview with this decision tonight.
- Commissioner Perez asked if barricades will stay in place.
- Assistant City Engineer Vitek stated the barricades need to stay in place. He stated the city will work to make the sidewalk and barricades work together.
- Vice Chair Bolton asked if there will be any impact to the neighbor's property.
- Assistant City Engineer Vitek stated there will be no impact, but people can walk on the sidewalk behind the property, and may be utilized more with a sidewalk in place.
- Mr. Paul clarified the question of the two locations - up for discussion for closer detail. He stated they are pushing the cabinet to the NW of the surveyed row. He stated they will not be encroaching on private property. He stated there will be no additional protection around the cabinet. west of any sidewalk.
- Mr. Witte stated his maintenance concerns again.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen restated what is in commission purview for a decision on the Special Use Permit. He stated other items to be taken to city staff. Looking at the site map and other utilities in the area, he believes it meets Title 10 conditions and is in favor of this request.
- Commissioner Bolton agreed with Commissioner Hansen. She appreciates the sidewalk is a condition of the Special Use Permit as a boundary, and that it meets other Special Use Permit standards. She stated she is in favor of this request.
- Commissioner Perez believes it is not significantly bigger than other utility boxes and the sidewalk is a perk of the Special Use Permit. She is in favor of the request. The concerns of the immediate neighbors seem to be addressed.
- Commissioner Detweiler stated it is not a visual obstruction and the sidewalk is a plus. He is in favor of the request.

- Commissioner Rambur has no problem with the request.

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at the intersection of Elizabeth Boulevard and Carriage Lane c/o Tilson Technology Management. (PZ22-0033), as presented, with staff recommendations. Commissioner Perez seconded the motion.

Unanimously Approved by a vote of 6-0.

- b) Request for a Special Use Permit to operate an indoor recreation facility (gym) on property located at 643 Blue Lakes Boulevard North c/o Cody Christensen, Perrine Performance LLC. (PZ22-0037)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to operate an indoor recreation facility (gym) on property located at 643 Blue Lakes Boulevard North c/o Cody Christensen, Perrine Performance LLC. (PZ22-0037)

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 subject property is an existing building with multiple tenant spaces with a mix of commercial uses. The land use proposed will have very minimal impact on the subject property and will be adjacent to other commercial land uses. The property is located on a major arterial that is constructed to handle a large amount

of traffic, the parking area is ample size for the land use and, based on the standards of approval, staff does not foresee any negative impacts related to the land use. 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:

Cody Christensen, applicant, presented the request for a Special Use Permit to operate an indoor recreation facility (gym) on property located at 643 Blue Lakes Boulevard North. He gave an overview of the business plan.

PZ/Questions & Comments:

- Commissioner Perez asked about noise issues.
- Mr. Christensen stated he will work with neighbors to find solutions to benefit both. He stated rubber matting and bumper plates will help mitigate noise.
- Commissioner Rambur asked about heavy dropping equipment on the floor and the noise issues it may create (ex. Sandballs).
- Applicant Christensen stated the hours of operation are outside of regular business hours, as to not impact the neighboring businesses. He stated they will be adding a wall to lessen noise impact. He does not believe balls will impact neighbors.
- Planning & Zoning Director Spendlove stated retail hours do not apply to this business by code.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Vice Chair Bolton made a motion to approve the request for a Special Use Permit to operate an indoor recreation facility (gym) on property located at 643 Blue Lakes Boulevard North c/o Cody Christensen, Perrine Performance LLC. (PZ22-0037), as presented, with staff recommendations. Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 6-0.

5) Upcoming Meeting(s)

a) Tuesday, April 26, 2022

6) Adjournment

The meeting adjourned at 06:45 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant