



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 12, 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; Cortney Campbell; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Kelley called the meeting to order at 6:02 pm
A quorum was present.

Members Present: Kelley, Bolton, Rambur, Campbell

Staff Present: Spendlove, Strickland, Zollinger, Schuerman, Ebersole

2) Consent Calendar

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

Unanimously Approved by a vote of 4 to 0.

a) Approval of minutes from the following meeting: June 28, 2022

3) Items of Consideration - None

4) Public Hearings

a) Request for a recommendation to City Council on the appropriate Zoning District for 9 (+/-) acres of property, proposed to be Annexed, located at 350 Blue Lakes Boulevard South c/o the City of Twin Falls. (PZ21-0178)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council on the appropriate Zoning District for 9 (+/-) acres of property, proposed to be Annexed, located at 350 Blue Lakes Boulevard South c/o the City of Twin Falls. (PZ21-0178)

§10-15-2: Annexation

The Commission shall conduct at least one public hearing, to send a recommendation to City Council for the proposed plan and zoning designation. Interested persons shall have an opportunity to be heard at the Commission and Council hearings. The Planning & Zoning Commission hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

Per City and County records, the subject property has been historically used for Open Space. The subject

property is currently utilized as natural park land and is maintained by the City Parks Department.

Comprehensive Plan Compliance:

The Comprehensive Plan “2016 Grow with Us” designates this property as Opening Space. Staff has determined that this request complies with the Comprehensive Plan.

Analysis:

The applicant is requesting the subject property be annexed into the city for the purpose of allowing other properties to be contiguous to City Limits.

The applicant is requesting a zoning designation of OS when the subject property is annexed into the City.

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, approve the request as presented, request a different zoning designation, or table the request in order to acquire additional information.

Applicant Presentation:

Planning and Zoning Director Spendlove, City of Twin Falls, representing owner, stated the city has no issue with annexing this property. He stated Open Space is the appropriate zone for this property. He stated the Parks Dept. will continue to maintain property, as a city park.

PZ/Questions & Comments: none

Public Hearing: Opened

Gale Merrick, stated this property is just a stepping stone to next item on agenda. He does not believe he was properly noticed, and that this property is a necessary element to next application.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur is okay with request.
- Chairman Kelley is okay with the request.
- Vice Chair Bolton asked for clarification on the zoning.
- City Planner Zollinger clarified the zoning of open space, as it is now.
- Planning and Zoning Director Spendlove clarified what the recommendation to city council.
- Chairman Kelley stated it is maintained by the Parks Dept. and the commission is only focused on this property with this application.
- Vice Chair Bolton stated she is in favor of the property remaining Open Space.

MOTION: Vice Chair Bolton moved to approve the request for a recommendation to City Council on the appropriate Zoning District for 9 (+/-) acres of property, proposed to be Annexed, located at 350 Blue Lakes Boulevard South c/o the City of Twin Falls. (PZ21-0178), as presented, with staff recommendations.

Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- b) Request for a recommendation to City Council on the appropriate Zoning District Change and Zoning Map Amendment from R-4 to R-4 ZDA CRO for 13 (+/-) acres of property, proposed to be Annexed, located at 831 Park Avenue c/o Mark Russell on behalf of Idahome Development Co., LLC. (PZ22-0093)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council on the appropriate Zoning District Change and Zoning Map Amendment from R-4 to R-4 ZDA CRO for 13 (+/-) acres of property, proposed to be Annexed, located at 831 Park Avenue c/o Mark Russell on behalf of Idahome Development Co., LLC. (PZ22-0093)

Per Twin Falls City Code 10-6-1.7(E), Approval of a ZDA shall be based on the following standards:

The proposed uses shall not be detrimental to any surrounding uses, nor shall they be detrimental to the health, safety and general welfare of the public.

Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.

The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.

Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development.

The property was zoned Rock Creek Village PUD but an agreement between the original developer and the City was never signed.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood/Open Space. Staff has determined this request is in compliance with the 2016 Comprehensive Plan.

Analysis:

The applicant is requesting a Zoning Development Agreement with the R-4, Residential, and the Canyon Rim Overlay District with deviations to the code.

The applicant is proposing to allow for attached dwelling (zero lot line townhomes) in groupings of three (3) or more. The site will contain 20 buildings equaling 136 residential units within 13 acres.

The applicant is requesting to have a minimum lot size of 1,000 sf and for each lot to have a one hundred (100%) lot occupancy.

Regarding setbacks, the applicant is requesting that no setbacks be required for residential lots, the dwellings would be able to be constructed up to the property line. There will be a building setback of 20' to the boundary of the development.

The applicant is requesting the minimum lots width be a minimum of 20' and a minimum width of 50'.

All other requirements related to the development and construction of the property not specified within the ZDA will follow City Code as it applies.

As stated above, the applicant is requesting a Zoning Development Agreement which allows them to develop in a different way than what is permitted within the City Code. The requested number of dwelling units, 136, is similar to the number of dwelling units permitted under the R4 District. Making some changes to the R-4 Zoning district and allowing attached dwelling units on smaller lots allows for a more efficient use of open space throughout the development.

Conclusion:

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:

Matt Hatfield, Cole Architects, applicant representative, presented the request for a recommendation to City Council on the appropriate Zoning District Change and Zoning Map Amendment from R-4 to R-4 ZDA CRO for 13 (+/-) acres of property, proposed to be Annexed, located at 831 Park Avenue. He stated this project will help provide needed housing with growth, while maintaining green space.

PZ/Questions & Comments:

- Chairman Kelley asked why this property was chosen for this project.
- Mr. Hatfield stated the client requested this property for this project.
- Chairman Kelley asked if the company has done this type of project before.
- Mr. Hatfield stated they have done these types of projects in over 20 states.
- Commissioner Rambur asked if any of those requests have been declined.
- Mr. Hatfield stated no projects have been denied. He stated this project will bring opportunity for property ownership in time, as these are platted as individual lots. He stated the buyer can buy a unit as a separate single-family dwelling.
- Commissioner Rambur asked staff the maximum number of units could be built on property as R-4 zoning.
- City Planner Zollinger answered with current R-4 zoning, the minimum lot size 4000 square feet. This property would be allowed 141 outright permitted units. He stated the applicant is asking for 136 units.
- Vice Chair Bolton asked for clarification on the applicant asking for less units than is outright permitted.
- City Planner Zollinger stated it is the same density as presented.
- Planning and Zoning Director Spendlove stated until the plat is presented, staff can't give the definite impact this project will have on surrounding neighborhoods. He stated the recommendation to Council is for the appropriate zoning of the property.

Public Hearing: Opened

- Gale Merrick, citizen, stated he is opposed to this request. He stated his concern for more traffic congestion. He stated he lives across the street, and this request has a direct impact to him. He stated his concern on the wording of the notice, and the identification of the applicant.
- James Schwartz, citizen, stated he is opposed to this request. He asked about impact studies, with added traffic and infrastructure. He stated he would like the community involved in the decision making.
- Glenda Kinneman, is opposed to this request. She stated her concern for traffic, congestion and believes this is too much for the area.
- City Planner Zollinger clarified the minimum lot size in R-4 is 4000 square feet and how he got to the maximum density number. He stated that dependent on topography, could make changes. Infrastructure will be laid out at platting.
- Planning and Zoning Director Spendlove clarified lot sizes to the west of this property. He stated the R-4 zoning code was adopted in 1981. He stated, if approved, the plat cannot make changes to this proposal in regard to increased density, height, coverage, reduce parking ratio, setbacks at boundary, open space. The ZDA cannot change when the building permit is submitted; they must stick to plan.
- Vice Chair Bolton asked about the ZDA being in someone else's name that is not on the notice.

- Planning and Zoning Director Spendlove stated believes it is an error by applicant. The error does not change who the applicant is on this request, as it is adraft ZDA.

Public Hearing: Closed

Discussions Followed:

- Chairman Kelley reiterated what is being decided by the commission tonight.
- Vice Chair Bolton stated her concern the ZDA draft not being correct. She stated her concern with density and infrastructure. She likes the affordable housing option. She stated she is not comfortable with approving request.
- Commissioner Rambur stated he isn't sure the traffic will change. He likes the affordable housing, close to a school.
- Commissioner Campbell asked for clarification on the applicant.
- Commissioner Rambur stated they are voting on the zoning on the ZDA.
- Planning and Zoning Director Spendlove stated the ZDA will be reviewed by the by the city attorney for corrections.

Public Hearing Reopened

- Mr. Hatfield clarified that Mark Russell is the applicant.
- Gale Merrick, citizen, asked if Mark Russell is the owner of the property.
- Mr. Hatfield confirmed that Mark Russell is the owner.

Public Hearing Closed

Discussion Continued:

- Commissioner Campbell stated open space all over Twin Falls is being addressed. She is happy with the home ownership opportunity. She is okay with request, as is.
- Vice Chair Bolton stated she is satisfied with ownership clarification. She is ok with request and zone request.
- Chairman Kelley believes the project fits with the Comprehensive Plan. He stated he likes the affordable housing and ownership option, as believes the use is the same as surrounding areas. He stated they are to focus on what is in front of them right now.
- Commissioner Rambur stated as the rules and laws lie, he is okay with request.
- Commissioner Campbell asked about how the public can get more information.
- Chairman Kelley stated they can contact staff and more notices will go out for the City Council meeting.

MOTION: Commissioner Campbell moved to approve the request for a recommendation to City Council on the appropriate Zoning District Change and Zoning Map Amendment from R-4 to R-4 ZDA CRO for 13 (+/-) acres of property, proposed to be Annexed, located at 831 Park Avenue c/o Mark Russell on behalf of Idahome Development Co., LLC. (PZ22-0093), as presented, with staff recommendations. Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- c) Request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at 1899 Stadium Boulevard c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0104)

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 1899 Stadium Boulevard c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0104)

Per City Code 10-13-2-2 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.

The proposed site is located in Cascade Park. The City has owned and maintain this park for a number of years, there is no additional significant zoning history to report for this property.

The property is zoned OS; Open Space per City Code 10-4-11 a special use permit is required for a utility-owned structure greater than three (3) feet aboveground on property located within this zone.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as Town Neighborhood, characteristics of this designation is residential, clustered development and open space, the request is to allow for a utility cabinet to make fiberoptic services available to the surrounding residential area. Staff has determined the proposed use is compatible with the comprehensive plan. This is a request to allow for the land use it is not a permit for installation of the cabinet. Prior to installation, the applicant will need to ensure the cabinet is installed within a recorded easement and should coordinate with the property owner when and where the cabinet will be installed. 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 the utility cabinet is necessary to house the equipment used to provide the service. The special use permit process allows the commission the opportunity to look at the location proposed and address any visual impacts or additional impacts that may need to be mitigated. The staff has reviewed the request, there are other utility service cabinets throughout the city and located within the vicinity that has not generated public room concern. Staff has not identified any

possible impacts associated with the proposed location of the cabinet.

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:

Todd Naylor, applicant, 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 1899 Stadium Boulevard. He explained the maintenance processes of the utility boxes.

PZ/Questions & Comments:

- Commissioner Bolton asked the property ownership.
- City Planner Strickland stated the property is city owned.
- Commissioner Campbell asked about maintenance agreement of the utility boxes.
- Planning and Zoning Director Spendlove explained the process for city property.
- Commissioner Campbell asked how many boxes will be in town.
- City Planner Strickland stated 10 boxes in total in the city.

Public Hearing: Opened and closed without input

Discussions Followed: no concerns

MOTION: Vice Chair Bolton 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 1899 Stadium Boulevard c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0104), as presented, with staff recommendations.
Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- d) Request for a Special Use Permit to allow for a Utility owned structure greater than three (3) feet aboveground, on property located at 1231 Washington Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0105)

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 1231 Washington Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0105)

Per City Code 10-13-2-2 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.

The proposed site is located on the west side boundary of the property, aka the First Nazarene Church. There is no further significant zoning history to report about this property.

The property is zoned R-4; Residential Medium Density District Per City Code 10-4-5 a special use permit is required for a utility-owned structure greater than 3 feet aboveground. The 2016 Comprehensive Plan; "Grow With Us" designates this area as Town Neighborhood and Neighborhood Commercial characteristics of these designations include residential, clustered development, open space with commercial that provides supporting services on a small scale for the surrounding neighborhood.

The request is to allow for a utility cabinet to make fiberoptic services available to the surrounding residential area therefore staff has determined the proposed use is compatible with the comprehensive plan. This is a request to allow for the land use it is not a permit for installation of the cabinet. Prior to installation, the applicant will need to ensure the cabinet is installed within a recorded easement and should coordinate with the property owner when and where the cabinet will be installed. 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 the utility cabinet is necessary to house the equipment used to provide the service. The special use permit process allows the commission the opportunity to look at the location proposed and address any visual impacts or additional impacts that may need to be mitigated. The staff has reviewed the request, there are other utility service cabinets throughout the city and located within the vicinity that has not generated public room concern. Staff has not identified any possible impacts associated with the proposed location of the cabinet.

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:

Todd Naylor, applicant, 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 1231 Washington Street North. He explained the maintenance processes of the utility boxes.

PZ/Questions & Comments: none**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 a Utility owned structure greater than three (3) feet aboveground, on property located at 1231 Washington Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0105), as presented, with staff recommendations.
Commissioner Campbell seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- e) Request for a Special Use Permit to allow for an indoor recreation facility located on property at 260 2nd Avenue South c/o Don Sawyer on behalf of Blast Masters LLC. (PZ22-0108)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow for an indoor recreation facility located on property at 260 2nd Avenue South c/o Don Sawyer on behalf of Blast Masters LLC. (PZ22-0108)

This property was a veterinary clinic known as "A Pets Place". It is located within the Warehouse Historic District and is a non-contributing building. There is no significant zoning history related to this property. The property is zoned CB; Central Business, P1 Parking Overlay per City Code 10-4-7 a special use permit is required for an indoor recreation facility. The 2016 Comprehensive Plan "Grow With Us" designates this area as Downtown. The characteristics associated with this designation include land uses such as retail, office, entertainment and residential.

The property is located along a large avenue constructed to handle large amounts of traffic. The property is also located in the P-1 Parking Overlay therefore onsite parking is not required. However, there are several public parking areas nearby to accommodate the groups of customers during business hours of operation and this should minimize the impact to the area.

Being an entertainment type business, the hours of operation are generally outside of the typical hours of operations for this area. The noise impact from the nerf arena is expected to be minimal, and remain within the building as the adjoining walls are made of brick and the business plan is to keep the nerf area opposite this adjoining wall.

This area of the city is gradually changing and has become a more diverse combination of businesses, such as new restaurants, mixed development and entertainment. Staff has determined this will be a good addition to the area and is compatible with the comprehensive plan.

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:

Don Sawyer, applicant, presented the request for a Special Use Permit to allow for an indoor recreation facility located on property at 260 2nd Avenue South. He addressed where parking is located and explained that the parents to sign a waiver and are expected to monitor their children. He addressed noise impact and explained the floor plan and how to mitigate sound. He stated their hours of operation are after standard business hours.

PZ/Questions & Comments:

- Commissioner Campbell asked about the traffic concern being on the corner.
- Vice Chair Bolton asked the number of staff on site.
- Commissioner Campbell asked about a crosswalk or flags at the corner.
- Planning and Zoning Director Spendlove stated 2nd Avenue South is a state road, and the city has no authority to put in a crosswalk. He stated the traffic light at Shoshone Street does help with gaps in traffic to help with time to cross the street and per state code every intersection is a crosswalk.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Campbell moved to approve the request for a Special Use Permit to allow for an indoor recreation facility located on property at 260 2nd Avenue South c/o Don Sawyer on behalf of Blast Masters LLC. (PZ22-0108), as presented, with staff recommendations. Commissioner Rambur seconded the motion.

Unanimously approved by a vote of 4 to 0.

5) Upcoming Meeting(s)

- a) Tuesday, July 26, 2022

6) Adjournment

The meeting adjourned at 07:31 PM

Kelli Ebersole

Kelli Ebersole, Technician