



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 28, 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

Vice Chair Bolton called the meeting to order at 06:01 PM
A quorum was present.

Members Present: Bolton, Perez, Detweiler, McEuen, Campbell, Rambur

Staff Present: Spendlove, Strickland, Steel, Zollinger, Ebersole, Hafer

2) Consent Calendar

MOTION: Commissioner Detweiler moved to approve the Consent Calendar, as requested.
Commissioner Perez seconded the motion.

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

- a) Approval of the minutes from the following meeting: June 14, 2022

3) Items of Consideration

- a) Preliminary Presentation for the consideration of an annexation with a zoning map amendment to R-4 on property located at 831 Park Avenue, c/o Mark Russell, Idahome Development Co, LLC. (PZ22-0093)

Staff Presentation:

City Planner Zollinger gave the presentation for the Preliminary Presentation for the consideration of an annexation with a zoning map amendment to R-4 on property located at 831 Park Avenue, c/o Mark Russell, 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 PUD by ordinance, but the agreement was never signed.

The proposed development is for attached dwellings with 3 more or more units and no more than 9 units per building. The site will contain 20 buildings equaling 136 residential units within the 13 acres. The current use of the property is agricultural and residential. The design of the development will require platting and is designed to provide housing with adequate open space with landscaping, trail, and a recreation area. The proposed plan is to have each unit individually platted to allow for individual ownership. This presentation consists of a general overview of the proposed development. Staff makes no recommendation at this time, and analysis of the request will be presented at the public hearing. Upon conclusion, the preliminary presentation allows the Commission to preview the request to ask questions and give suggestions to applicants about the proposed project. The Commission may also grant the public the opportunity to do the same. A public hearing is scheduled for July 12, 2022. At the public hearing, the Commission will hear the request, take public testimony, deliberate and make a recommendation to the Council.

Applicant Presentation:

Ian Hoffman, applicant representative, stated he could field questions from the commission. He stated he would love to see the trail continue as part of the city trail system. He stated the trail is intended to be built into the Canyon Rim Overlay. He stated the proposed development will front Park Avenue and meet all city codes and requirements.

PZ/Questions & Comments:

- Commissioner Detweiler asked if the property is part of the flood zone.
- City Planner Zollinger clarified the flood zone location, and this property is located on top of the canyon outside of flood zone. He explained how the annexation will work at the next public hearing.
- Commissioner Perez asked about the open space area.
- City Planner Zollinger stated the Open Space is not as part of the site plan. He clarified the 50' setback requirement from the canyon rim, as well as the property boundary.
- Commissioner Perez asked if the trail will be connected to other city trails.
- City Planner Zollinger clarified where the trail will connect.
- Vice Chair Bolton asked about the 50' line drawn on site plan.
- City Planner Zollinger clarified that is the setback and clarified the canyon rim overlay area.
- Planning and Zoning Director Spendlove clarified where the canyon rim overlay is 200' back from the rim and the applicant is not asking for changes to the code.

4) Public Hearings

- a) Request for a Special Use Permit for a sixty (60) foot Wireless Communication Facility with a utility owned structure greater than three (3) feet on property located at 169 Madrona Street c/o Horrocks Engineering, on behalf of TDS Metrocom, LLC. (PZ22-0076)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit for a sixty (60) foot Wireless Communication Facility with a utility owned structure greater than three (3) feet on property located at 169 Madrona Street c/o Horrocks Engineering, on behalf of TDS Metrocom, LLC. (PZ22-0076)

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 property housed a non-conforming land use until a few years ago, the property was sold and permits were pulled to renovate the building for tenant spaces. Tilson/TDS recently purchased the building with plans to house office, store equipment and manage the fiberoptic service. There is no other significant zoning history for the property.

Tilson/TDS is a fiberoptics company that has been working to move forward with plans to install fiberoptics throughout the City of Twin Falls. They have submitted several requests for special use permits to install utility cabinets throughout the city. The cabinets are used to manage the service. The network of fiberoptics will then be managed from a centralized utility site located at 169 Madrona St. At this location, a utility structure will be installed on site. Along with the utility structure, the applicant is requesting approval for a sixty foot (60') wireless communication tower (WCT). The WCT will be installed on site along the south side of the building and will be operated and connected to the utility structure to be located on the west side of the building. The WCT will be used to receive TV signals and will not transmit signals. The antenna placed on the utility pole is for receiving off-air TV channels. The plan is to screen the utility building and provide a secure area to house the equipment while managing and providing a fiberoptic service. Staff has reviewed the request and finds that the WCT meets all of the setback requirements for a freestanding tower, the landscape design and proposed location are planned to reduce impacts on the neighbors. Staff does not foresee any negative impacts related to the request.

Upon conclusion, should the request be approved, as presented, staff recommends the following condition:

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:

Denise Clarke, Horrocks Engineering, applicant representative, presented the request for a Special Use Permit for a sixty (60) foot Wireless Communication Facility with a utility owned structure greater than three (3) feet on property located at 169 Madrona Street. She addressed questions regarding the use of the pole and that it is a private utility network. The antennas on the pole will only receive a signal for local tv channels and emergency broadcast. It will not transmit other signals. She addressed the fencing around the tower and utility pole.

PZ/Questions & Comments:

- Commissioner Detweiler asked about the screening fence.
- City Planner Strickland clarified the fencing will be around tower and utility structure.
- Commissioner Perez asked the average height of the towers.
- City Planner Strickland stated these types of towers average 55-65 feet in height.
- Vice Chair Bolton asked about the office and what will be broadcast through the tower.
- City Planner Strickland stated the tower will receive information for off air TV. The tower will not be transmitting any signals.
- Commissioner Campbell asked about the colocation option.
- City Planner Strickland explained the process for colocation.
- Commissioner Perez asked if possibility for other uses to collocate on this pole.
- Ms. Clarke stated this is not a colocation type of pole.
- Vice Chair Bolton asked for clarification on the location.
- City Planner Strickland clarified the location of the request.

Public Hearing: Opened

- Robin Zitterkopf, citizen, asked about the internet server through the groundline and is it part of this request.
- Joyce Engleman, citizen, asked about the location of the tower in relations to the building.
- City Planner Strickland clarified the tower will be located on the south side of the building.
- Ms. Clarke clarified the services that TDS will provide to consumers.
- City Planner Strickland asked the applicant if the utility boxes installed around town will provide internet to homes.
- Ms. Clarke clarified that those utility boxes are to provide fiber services to the home.

Public Hearing: Closed

Discussions Followed:

- Commissioner Detweiler stated he has no issue with this request. There are other towers in town have more voltage and he is okay with the location. He is in favor of the request.
- Commissioner Perez stated she appreciates the clarification from the applicant for the citizens, and feels this request is reasonable. She stated she is in favor of the request.
- Commissioner Rambur stated he has no issue with the request.
- Commissioner Campbell asked who maintains the tower and equipment.
- Planning and Zoning Director Spendlove answered there is a city code to follow getting approval for modifications to any tower, and the city has overview of these towers.
- Vice Chair Bolton stated she is okay with the height, as it is comparable to other towers. She stated this is in conformance with the City Code and is in favor of the request.

MOTION: Commissioner Detweiler moved to approve the request for a Special Use Permit to allow for a sixty (60) foot Wireless Communication Facility with a utility owned structure greater than three (3) feet on property located at 169 Madrona Street c/o Horrocks Engineering, on behalf of TDS Metrocom, LLC. (PZ22-0076), as presented, with staff recommendations.

Commissioner Rambur seconded the motion.

Motion Approved by a vote of 5 to 0.

- b) Request for a Special Use Permit to allow self-storage facility on property located at 2875 Kimberly Road c/o Jesse Reynolds on behalf of Riley Sorensen. (PZ22-0092)

Staff Presentation:

City Planner Zollinger presented the request for a Special Use Permit to allow self-storage facility on property located at 2875 Kimberly Road c/o Jesse Reynolds on behalf of Riley Sorensen. (PZ22-0092)

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 was annexed into the City in 2009 and has been vacant since that time.

Comprehensive Plan Compliance:

The 2016 Comprehensive plan designated the property as commercial. Staff has determined that the applicant's proposal is in compliance with the 2016 Comprehensive Plan.

Analysis and Potential Impacts:

The applicant proposes 8 storage unit buildings of varying square footages. The facility would contain approximately 287 storage units.

The storage facility's office hours will be Monday – Friday from 9:30 AM to 6:00PM, Saturdays from 9:00 AM to 6:00PM.

The facility would employ 2-3 employees.

A storage unit would be compatible with the surrounding area as neighboring properties are either vacant or have been developed into commercial properties. Traffic, noise, glare, or odor would be minimal.

Per City Code Title 10-13-2-2 (G) Upon granting a Special Use Permit, conditions may be attached requiring additional requirements than what may be found within the zoning code title. City staff have found with the development of this property there is a need for a streetlamp (aka Luminaire) on the northeast corner of Meadowview Lane and Kimberly Road.

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends the following:

1. Subject to the applicant installing a streetlamp at the intersection of Kimberly Rd, specifications of streetlamp to follow city standards.
2. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

Applicant Presentation:

Jesse Reynolds, applicant representative, presented the request for a Special Use Permit to allow self-storage facility on property located at 2875 Kimberly Road. He stated the units will be state of art built, and the company has built similar facilities in other areas. He stated these are well maintained and managed facilities. Ken Menlove, developer, asked about the flexibility of changing the building to a multi-level building.

Planning and Zoning Director Spendlove stated what is proposed with this application will be part of the approval tonight, and the developer can work with staff for any changes in the future.

PZ/Questions & Comments:

- Commissioner Detweiler asked if the applicant is going to widen Kimberly Rd.
- Planning and Zoning Director Spendlove stated that the road is already wider at this location, and the applicant will be providing curb, gutter, and sidewalk.
- Commissioner Perez asked where the streetlamp will be placed, and for elevation clarifications.
- City Planner Zollinger shared the elevations and where the streetlamp will be placed. He stated landscaping will be covered with the building permit.
- Commissioner Campbell asked about potential traffic issues.
- Planning and Zoning Director Spendlove stated Kimberly Rd is a state road and follows their speed limit guidelines, while Meadowview Ln has a speed limit of 25 mph, unless otherwise posted.
- City Planner Zollinger stated storage unit facilities have a low trip generator and the entrance off Meadowview Ln. can handle the traffic flow.

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 self-storage facility on property located at 2875 Kimberly Road c/o Jesse Reynolds on behalf of Riley Sorensen, as presented with staff recommendations. (PZ22-0092)
Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 5 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 644 Caswell Avenue West c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0101)

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 644 Caswell Avenue West c/o Tilson Technology Management on behalf of TDS Metrocom, LLC. (PZ22-0101)

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 along the west boundary of Robert Stuart Middle School.

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 coordinate with the school about the location and work with City staff to get the appropriate permits pulled for the cabinet. The 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 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 of the cabinet and address any visual impacts that may require mitigation. The staff has reviewed the request, there are other utility service cabinets throughout the city and located within the vicinity that have not generated public concern. 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.

Applicant Presentation:

Todd Baylor, 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 644 Caswell Avenue West. He addressed safety issues.

PZ/Questions & Comments:

- Commissioner Campbell asked if Robert Stuart Elementary receives money for having this structure of the property.
- Planning and Zoning Director Spendlove stated he is not privy to that information as it is a private contract.
- Commissioner Campbell asked about safety issues with these structures.
- Planning and Zoning Director Spendlove stated it is a locked cabinet and showed an example photo of a similar cabinet.
- City Planner Strickland clarified the public notification process.
- Commissioner Perez asked if there is another utility box on that corner, and its location relative to this request.
- The applicant stated this cabinet is north by about 25 feet from the cable company utility box.
- Planning and Zoning Director Spendlove shared the location on the map and stated the applicant is not held to exact measurements unless required by commission.
- Commissioner Campbell asked about the cabinet color.
- The applicant stated they can do any color or wrap, if required.

Public Hearing: Opened and closed without input**Discussions Followed: without concerns**

- Commissioner Campbell encourages the applicant to work with school on look of box.
- Commissioner Perez stated she doesn't want to be restrictive for the applicant.

MOTION: Commissioner Campbell 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 644 Caswell Avenue West c/o Tilson Technology Management on behalf of TDS Metrocom, LLC., as presented, with staff recommendations. (PZ22-0101)
Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 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 504 Gooding Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0102)

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 504 Gooding Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0102)

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 along the northeast boundary of the Twin Falls County Jail site.

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 coordinate with the school about the location and work with City staff to get the appropriate permits pulled for installation of the cabinet. The 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 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 of the cabinet and address any visual impacts that may require mitigation. The staff has reviewed the request, there are other utility service cabinets throughout the city and located within the vicinity that have not generated public concern. 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.

Applicant Presentation:

Todd Baylor, 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 504 Gooding Street North. He addressed safety issues.

PZ/Questions & Comments:

- Vice Chair Bolton asked if Twin Falls County is the property owner.
- City Planner Strickland clarified Twin Falls County is the property owner and stated they were noticed of the request.
- Commissioner Perez asked about sidewalk on Shoshone St and if there will be an impact on utility box with an expansion.
- Planning and Zoning Director Spendlove stated the location on the NE side of the jail and does not believe there will be a 2nd sidewalk in that area. There is already a utility box next to this location and can be moved if needed for an expansion but does not see that happening in this location.

Public Hearing: Opened and closed without input**Discussions Followed:**

- Commissioner Campbell asked if the property owner is informed prior to the Special Use Permit request.
- Planning and Zoning Director Spendlove stated TDS is recognized as state utility and has ability to put boxes in any right of way or any utility easement on plat.
- The parameters of what the Planning and Zoning Commission can approve was discussed.

MOTION: Commissioner Detweiler 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 504 Gooding Street North c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0102), as presented, with staff recommendations.

Commissioner Rambur seconded the motion.

Unanimously approved by a vote of 5 to 0.

- e) 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 Harrison Street and Borah Avenue c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0103)

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 Harrison Street and Borah Avenue c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0103)

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:

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- 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 along the northwest corner of Harrison Park.

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 coordinate with the school about the location and work with City staff to get the appropriate permits pulled for installation of the cabinet. The 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 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 of the cabinet and address any visual impacts that may require mitigation. The staff has reviewed the request, there are other utility service cabinets throughout the city and located within the vicinity that have not generated public concern. 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.

Applicant Presentation:

Todd Baylor, 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 located at the intersection of Harrison Street and Borah Avenue. He addressed safety issues.

PZ/Questions & Comments:

- Commissioner asked if this structure will be located in the NW corner of the park.
- Planning and Zoning Director Spendlove clarified the location as the NW corner.

Public Hearing: Opened

- Chad Roy, citizen, stated his concern with graffiti at this location. He asked if the applicant has considered fencing off the box to mitigate it being defaced, or a possible location move.
- Larry Mink, citizen, lives next door to this proposed location. He stated concerns for this

location. He stated he would like to have it moved to another location.

- The applicant stated this location is not finalized with the city. He stated they will be happy to move the location, if needed.
- City Planner Strickland asked how far from property line is the box location, in its current proposed location.
- The applicant stated it is a minimum of 2' from the property line.
- Commissioner Campbell asked about a box maintenance agreement for vandalism/damage.
- Planning and Zoning Director Spendlove stated the city has a graffiti ordinance, and the timeframe required to repaint. He stated sometimes maintenance agreements are written in to lease agreements. He stated if the commission has issues with the current location, they can condition the approval to include the Parks Director approval of the location.

Public Hearing: Closed

Discussions Followed:

- Commissioner Perez stated she would like to see a condition added regarding the location having a distance requirement from private property.
- Vice Chair Bolton stated she is not okay with the proposed location. She is not in favor of the request, as presented. She stated she would like the item tabled for a new location.
- Commissioner Perez stated she feels the issue can be addressed now.
- Planning and Zoning Director Spendlove addressed location and notification area. He gave suggestions on how to condition the approval.
- Commissioner Detweiler appreciates the public input, as the applicant may not understand the concerns. He stated he would like the item tabled for a new location.
- Commissioner Campbell agreed with tabling. She stated her concern for current location and believes there are too many safety issues.
- Commissioner Perez stated she is not in favor of tabling the item for a new location, due to the possibility of being in the same position with a different location. She stated she would like to condition the approval to work with with the Parks Director to relieve the location issues.
- Planning and Zoning Director stated the commission cannot to table for a different location. They would have to deny the current location. He stated a condition can accomplish the same result. He stated the Parks Director is aware of this request and has not shown having an issue with it.
- Vice Chair Bolton stated she will vote to deny the request, based on tonight's presentation.
- Commissioner Perez stated she is in favor of adding a condition for the box to be a certain distance from property lines. She stated it will not be located within the structures of the park.
- Planning and Zoning Director Spendlove stated the commission can add a condition for a specific distance from private property.
- Commissioner Campbell asked for a location clarification.
- Commissioner Detweiler stated he is okay with a 20' distance from private property.
- Commissioner Campbell discussed a possible condition.

MOTION #1: Commissioner Perez moved to add a condition to the request to require the location of the utility box to be a minimum of 20 ft from personal property lines and the Parks Director to have approval of the location.
Commissioner Detweiler seconded the motion.

Unanimously approved by a vote of 5 to 0.

Motion #2: Commissioner Detweiler move 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 Harrison Street and Borah Avenue c/o Tilson Technology Management on behalf of TDS Metrocom, LLC (PZ22-0103), as presented, with staff recommendations and the added condition. Commissioner Perez seconded the motion.

Motion approved by a vote of 3 to 2.

5) Upcoming Meeting(s)

a) Tuesday, July 12, 2022

No July Worksession

6) Adjournment

The meeting adjourned at 07:56 PM

Kelli Ebersole

Kelli Ebersole, Technician