



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 26, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; 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 06:00 PM

A quorum was present.

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

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

2) Consent Calendar

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

Commissioner McEuen seconded the motion.

Unanimously Approved by a vote of 6 to 0.

a) Approval of minutes from the following meeting: July 12, 2022

3) Items of Consideration - None

4) Public Hearings

a) Request for a recommendation to City Council of R-2 as the appropriate Zoning District for a proposed annexation of property located at 1288 Eastland Drive North c/o TD&H Engineering on behalf of Mark Ellis. (PZ22-0109)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council of R-2 as the appropriate Zoning District for a proposed annexation of property located at 1288 Eastland Drive North c/o TD&H Engineering on behalf of Mark Ellis. (PZ22-0109)

§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 as a single-family home. The Future Land Use map shows this area as "Town Neighborhood" which identifies duplexes, and

attached dwellings appropriate land uses for this area. Staff believes the applicant's request for the subject property to be in compliance with the comprehensive plan

The applicant is requesting the subject property be annexed into the city for future development, which may consist of a subdivision of 4 lots to be subdivided in accordance with the R2 zoning district property development standards.

The applicant is requesting a zoning designation to remain R2 with the annexation.

The Commission is tasked to make 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:

Rex Harding, TD&H Engineering, applicant representative, presented the request for a recommendation to City Council of R-2 as the appropriate Zoning District for a proposed annexation of property located at 1288 Eastland Drive North. He stated the applicant is requesting R2 zoning for this annexation. He stated the applicant is asking for annexation to connect to city services and may be interested in subdividing through the platting process in the future. He stated if the applicant does not decide to subdivide, he would still need to annex to hook into city services.

PZ/Questions & Comments:

- Commissioner Detweiler asked for clarification of the vicinity map: city limits vs. Area of Impact.
- City Planner Zollinger clarified what is in city limits and Area of Impact and the zoning.
- Chairman Kelley asked the current zoning of the property.
- City Planner Zollinger stated the property is currently zoned R2.
- Commissioner Perez asked how county designates zoning of properties.
- City Planner Zollinger stated it would stay as is, R2 zoning.
- Planning and Zoning Director Spendlove stated the zoning happened when the County Commissioners adopted the Area of Impact agreement. The R2 zoning designation has been on the city books since 1981.
- Chairman Kelley asked the surrounding zoning.
- City Planner Zollinger clarified the surrounding zoning of the properties in city limits and in the Area of Impact.
- Commissioner Perez asked what variable indicates.
- Planning and Zoning Director Spendlove stated the variable indicates lot size, based on what is around the property.
- Commissioner Perez asked if R2 zoning designation is approved, but the property doesn't pass criteria to connect to city services, would the property need to be rezoned.
- City Planner Zollinger clarified no rezoning would be needed.
- Planning and Zoning Director Spendlove stated the R2 zone does require properties to be connected to city services and explained the process.

Public Hearing: Opened

- Brett Bingham, citizen representative, is in opposition to the zoning of R2. He stated the group opposes subdividing of property. He referenced the low density definition in the Comprehensive Plan. He stated duplexes adjacent to R1 is not compatible. He stated they believe it too dense to be compatible. He does not believe there is enough room for duplexes and too close to intersection. He stated his concern for forced annexation. He stated he would like the commission to recommend zoning of R-1 variable. He stated his concern for property values dropping if this is allowed. He stated his concern with renters living in the duplexes, if

built, and not having pride in the property, and stated he believes there would be increased theft and vandalism with renters in units.

- Mark Bulcher, citizen, opposes the request for annexation. He does not believe this is compatible and inconsistent to the surrounding neighborhood.
- James Anderson, citizen, opposes the request for R2 zoning and annexation. He stated issues with traffic jams and wants the property to be zoned R1 Variable. He shared his concern for not being able to fix well and septic if services are brought closer to his property. He does not want to be forced to be annexed. He does not believe this fits the neighborhood.
- Brandon Cory, citizen, is opposed to the request. He shared his concerns for traffic concerns.
- Ben Swensen, opposed the request. He believes this request is too dense and not appropriate for neighborhood or the city Master Plan.
- Mr. Harding gave his closing statement. He addressed the citizen concerns. He stated the comprehensive plan states low density at city's edge, but the city's edge is expanding. He stated that state code says someone has to agree to be annexed, dependent on the local health district requirements. He stated the parcel layout has not been determined yet, as the application is only asking for annexation at this time. If the plan is to subdivide the property, the applicant will come back to staff with the plan and come before Planning and Zoning Commission again for approval. He addressed potential water and sewer connection issues. He stated he is not proposing buildings at this time, only asking for the R2 zoning with annexation. He stated lot size, access, onsite parking, etc. all must be addressed later in the platting process. He stated there are many residential attached homes on collector/arterial roads, and Eastland Drive is an arterial road.
- Commissioner Perez asked R1 variable having attached multi-family residences.
- Planning and Zoning Director Spendlove 10-4-3.2 A3 stated permitted uses on arterial roads in the R1 Variable zone. The city does not dictate dwelling size. He explained the process to create a single family attached subdivision (two dwellings attached as one building) and is not row houses. It is permitted along Eastland Drive as arterial.
- Chairman Kelley clarified what the commission is voting on tonight.
- Planning & Zoning Director Spendlove agreed the vote is on the appropriate zone.
- Commissioner Perez asked if can address traffic considerations for R2.
- Planning and Zoning Director Spendlove stated the appropriate time to discuss that is at the preliminary plat process.
- Commissioner Campbell asked for clarification on the commission's vote and on the annexation of other properties.
- Planning and Zoning Director Spendlove clarified the vote and gave an explanation on the types of annexation. He stated this request is a willing annexation.
- Chairman Kelley reopened the hearing to the public who hasn't spoken yet.
- Annie Bingham, reiterated the concerns of the citizens and how it will affect the two surrounding neighborhoods and their property values. She stated she believes that R1 Variable is the appropriate zoning.
- Commissioner Perez asked about evidence of declining property values with building duplexes next to the single family homes.
- Planning and Zoning Director Spendlove stated, not speaking as an expert or an appraiser, but he has not found any properties who have lost value in the past five years. This opinion should not have bearing on the decision.

Public Hearing: Closed

Discussions Followed:

- Commissioner Campbell stated it is hard to separate the annexation from the zoning. She does not believe it is fair to change current zoning of R2.
- Commissioner McEuen stated she understands no one wants their neighborhood to change.

- Commissioner Perez stated the properties on the southeast are R2 and across the street is R2 and can be converted to duplexes. She stated she believes it is hard to not allow for R2 with surrounding properties are the same zone. She does not believe hostile annexations are an issue. The other concerns of the neighbors will be decided at the plat process.
- Commissioner Detweiler stated he appreciates the public input. He believes R2 zoning looks out of place, and the neighbors have valid concerns. He stated he would like R1 zone, if annexed.
- Commissioner Rambur stated property values are for a future discussion. He appreciates the concerns and understands R2 is across the street.
- Chairman Kelley stated the commission is given a set limit of parameters. They cannot take future development into consideration tonight with zoning. He would like the R1 possibility discussed.
- Commissioner Detweiler stated he likes the larger lots with R1 for this neighborhood. He addressed R2 across the street, but the lots around this property are larger and this would look out of place.
- Chairman Kelley asked Planning and Zoning Director Spendlove how the commission can vote tonight.
- Planning and Zoning Director Spendlove clarified how the commission can vote tonight.
- Commissioner Perez asked what the commission can condition.
- Planning and Zoning Director Spendlove stated the lot size is determined at the plat process. Tonight, the vote is for the recommended appropriate zone.
- Chairman Kelley asked if R2 is appropriate or is R1 more appropriate zoning.
- Commissioner Detweiler asked if stay R2 and not annexed, can duplexes be built.
- Planning and Zoning Director Spendlove stated only voting on appropriate zone only, not annexation.
- Commissioner Rambur asked we can recommend the appropriate zone of R1 Variable.
- Commissioner Campbell stated concern with city limits changing the residents current zoning.
- Chairman Kelley stated historically annexation is not hostile in the city.
- Commissioner Perez stated can't use property value as a reasoning as we have no data to substantiate the claim. She stated she is okay with density on Eastland Dr. She stated she believes Eastland Dr can handle the traffic. She stated the commission generally tries not to take rights away from people and changing the zoning to R1 would take away from property owner.
- Chairman Kelley stated the applicant needs city services, so whatever zone, the applicant will still have access to city services if annexed.
- Commissioner Perez stated she understands it as taking a right away from the property owner as the property is already zoned R2.
- Commissioner Rambur agreed.
- Chairman Kelley stated narrow definition of what the commission can decide tonight. Property value has no bearing on the commission's decision tonight.
- Commissioner Campbell clarified her concern for density on Eastland Dr.
- Commissioner Detweiler stated he would like R1, but can go either way. He understands the other commissioner's point about taking rights away from the applicant.
- Commissioner Campbell asked if the site plan was not addressed, what would the commission be thinking at this point.
- Chairman Kelley stated the potential of the property has no bearing on the decision tonight. There will be an opportunity to look at that in the future.
- Commissioner McEuen stated the commission can only consider zoning. She stated she sympathizes with the landscape changes daily and does believe there is no reason to change from R2.

MOTION: Commissioner Detweiler moved to approve the request for a recommendation to City Council

of R-2 as the appropriate Zoning District for a proposed annexation of property located at 1288 Eastland Drive North c/o TD&H Engineering on behalf of Mark Ellis (PZ22-0109), as presented, with staff recommendations.
Commissioner Perez seconded the motion.

The vote on the Motion to recommend R2 to City Council is 3 to 3.

5) Upcoming Meeting(s)

a) Tuesday, August 9, 2022

6) Adjournment

The meeting adjourned at 07:12 PM

Kelli Ebersole

Kelli Ebersole, Technician