



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 24, 2023, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301
COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Marilu Perez, Vice-Chair; Todd Rambur; Cortney Campbell; Grayson Stone

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Kelley called the meeting to order at 06:06 PM

A quorum was present.

Members Present: Kelley, Stone, Detweiler, Rambur

Staff Present: Spendlove, Strickland, Martoma, Ebersole, O'Leary

2) Conflict of Interest Declaration

Commissioner Stone stated he will recuse himself from Item #5c, due to being the active listing broker.

3) Consent Calendar

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

Commissioner Stone seconded the motion.

Unanimously Approved by a vote of 4 to 0.

a) Approval of minutes from the following meeting: January 10, 2023

4) Items of Consideration

- a) Request for the consideration of the preliminary plat for the Clubhouse 12 at the Preserve, a PUD, Subdivision, approximately eight (+/-) acres consisting of 16 lots located at the northeast corner of Cheney Drive East and Clear Springs Loop c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0175)

Chairman Kelley stated there will be no public comment allowed on the Items of Consideration.

Staff Presentation:

City Planner Strickland presented the request for the consideration of the preliminary plat for the Clubhouse 12 at the Preserve, a PUD, Subdivision, approximately eight (+/-) acres consisting of 16 lots located at the northeast corner of Cheney Drive East and Clear Springs Loop c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0175)

Per City Code 10-12-2-3

The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision, the Commission shall consider the objectives of this Title and at least the following:

- a. The conformance of the subdivision with a Comprehensive Plan.
- b. The availability of public services to accommodate the proposed development.
- c. The continuity of the proposed development with the capital improvement program.
- d. The public financial capability of supporting services for the proposed development; and
- e. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

The Clubhouse 12 preliminary plat is part of the Preserve PUD Master Development Plan and consists of 16 lots. The Preserve was previously platted in 2008 and consists of several phases. This phase will consist of 1 lot for a clubhouse, 3 lots for stormwater retention and 12 residential lots. An extension of Cheney Drive East will be constructed as part of this plat.

This preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3. It is compatible with the 2016 Comprehensive Plan "Grow With Us" which designates this area as "Town Neighborhood/Mixed Use", and is designed according to the PUD Master Development Plan approved in 2008.

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Applicant Presentation:

Mark Kelly, applicant, presented the request for the consideration of the preliminary plat for the Clubhouse 12 at the Preserve, a PUD, Subdivision. He stated there will be 12 lots in this plat, with the smallest lot being 0.3 acres. He shared the conceptual plan for the plat.

PZ/Questions & Comments:

- Commissioner Detweiler asked about the use of the clubhouse.
- Mr. Kelly stated it will be a private facility for the entire Preserve HOA members.
- Chairman Kelley asked if this is the first clubhouse of this type in the city and if it is part of the original PUD.
- Mr. Kelly stated he isn't aware of another clubhouse, but he thinks it may be the largest. He stated he will talk with residents regarding the need for future clubhouses.

Discussions Followed:

- Commissioner Detweiler stated he is in favor of the request .
- Chairman Kelley stated the commission has seen this in preliminary form before, and believes it should be approved.

MOTION: Commissioner Detweiler moved to approve the request for the consideration of the preliminary plat for the Clubhouse 12 at the Preserve, a PUD, Subdivision, approximately eight (+/-) acres consisting of 16 lots located at the northeast corner of Cheney Drive East and Clear Springs Loop c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0175)
Commissioner Stone seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- b) Request for the consideration of the preliminary plat for the Shady Creek at the Preserve, a PUD, Subdivision, approximately 52 (+/-) acres consisting of 78 lots located at Candleridge Drive and Cheney Drive East c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0176)

Planning and Zoning Director Spendlove stated to audience since plats are not public hearing items, questions can be addressed to staff at tfplanning@tfid.org, by phone at 208-735-7267, or in person at City Hall.

Staff Presentation:

City Planner Strickland and Planning and Zoning Director Spendlove clarified the plat request.

City Planner Strickland presented the request for the consideration of the preliminary plat for the Shady Creek at the Preserve, a PUD, Subdivision, approximately 52 (+/-) acres consisting of 78 lots located at Candleridge Drive and Cheney Drive East c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0176)

Per City Code 10-12-2-3

The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision, the Commission shall consider the objectives of this Title and at least the following:

- a. The conformance of the subdivision with a Comprehensive Plan.
- b. The availability of public services to accommodate the proposed development.
- c. The continuity of the proposed development with the capital improvement program.
- d. The public financial capability of supporting services for the proposed development; and
- e. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

The Shady Creek preliminary plat is part of the Preserve PUD Master Development Plan and consists of 78 lots. The Preserve was previously platted in 2008 and consists of several phases. This phases will consist of 9 lots for stormwater retention/open space and 69 residential lots. An extension of Cheney Drive East will be constructed as part of this plat along with a connection to Carriage Ln N along the south end of the property.

This preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3. It is compatible with the 2016 Comprehensive Plan "Grow With Us" which designates this area as "Town Neighborhood/Mixed Use", and is designed according to the PUD Master Development Plan approved in 2008.

Should the Commission approve this request as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Applicant Presentation:

Mark Kelly, applicant, presented the request for the preliminary plat for the consideration of the preliminary plat for the Shady Creek at the Preserve, a PUD, Subdivision, approximately 52 (+/-) acres consisting of 78 lots located at Candleridge Drive and Cheney Drive East. He stated the neighbors received written notification within a 350' radius. He stated this will be a phased project with 3 phases,

69 developable lots. He stated the minimum lot size is 0.3 acres, with the majority of lots being over 0.5 acres.

PZ/Questions & Comments:

- Commissioner Stone asked if there is enough water/sewer capacity for that many lots.
- Planning and Zoning Director Spendlove stated the water/sewer plans are handled at the construction plans stage and explained the process for the developer.
- Commissioner Stone asked the intent for the infrastructure development.
- Mr. Kelly stated the infrastructure plan is to install it in phases. He stated the sewer in now. will put in necessary water systems and fire systems.

Discussions Followed:

- Commissioner Detweiler stated he likes the larger residential lot sizes.
- Chairman Kelley stated he is in favor of the plat as it has a lower density than expected.

MOTION: Commissioner Detweiler moved to approve the request for the preliminary plat for the Shady Creek at the Preserve, a PUD, Subdivision, approximately 52 (+/-) acres consisting of 78 lots located at Candleridge Drive and Cheney Drive East c/o Harmony Design & Engineering on behalf of Mark Kelly. (PZ22-0176)

Commissioner Stone seconded the motion.

Unanimously Approved by a vote of 4 to 0.

5) Public Hearings

- a) Request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C-1 PUD to R-6 PRO for approximately four acres on property located on the 1900 block of Washington Street North c/o EHM Engineers, Inc. on behalf of Gerald Martens. (PZ22-0165)

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C-1 PUD to R-6 PRO for approximately four acres on property located on the 1900 block of Washington Street North c/o EHM Engineers, Inc. on behalf of Gerald Martens. (PZ22-0165)

Per City Code 10-14-4

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

(A) Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;

(B) If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)

(C) If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title. (Ord. 3091, 3-2-2015)

This property was originally zoned C-1 R-4 CRO within the Northbridge PUD in 1993. In 1994 Northbridge 2 PUD was created, separating the Northbridge PUD into two PUD Agreements. This property was then annexed in 2001 through a City Annexation process per Ord. 2712.

This property has remained part of the Northbridge 2 PUD and is zoned with several designations throughout the master development plan.

Subsequent developments occurred within the PUD during the ensuing 30 years. Within that time frame, multiple properties were rezoned for specific projects, beginning with River Vista in 2007 (Elevation 486 Building), and most recently Vista Rim ZDA in 2022 (townhomes next to Canyon Crest - not yet built).

These two pieces of land have simply become a remnant of the adjacent developments as they were not included in those other surrounding projects.

Although the currently ratified Northbridge PUD #2 has a modified list of land uses for the applicants land, the surrounding development pattern has resulted in a manner consistent with R6 PRO (Professional Office Overlay), and the Future Land Use Designation of Mixed Use.

The R6 zoning designation allows for various housing options (Single Family, Duplex, Tri-Plex, 4Plex, and Multi-Family); all of these would be restricted in the number of units based on the current R6 Zoning Laws for minimum land area per dwelling. Other factors also play a part in determining the possible number of units, such as: required parking, minimum access, easements, utilities, maximum height (35 feet) and minimum setbacks from property lines to name a few.

The PRO Zoning Designation would allow for the owner to go through an additional public hearing process (Special Use Permit) for limited office type uses to be constructed on the property as well. This overlay would allow for some mix of uses similar to what is currently found throughout the vicinity to the East and South-East of the project area.

Staff believes this request complies with the intent of Comprehensive Plan to have a mix of land uses within this area. Staff also does not foresee overtly detrimental impacts that would be associated with the approval of the rezone.

The Planning & Zoning Commission is charged with forwarding a recommendation on this request to the City council. The recommendation options are: approve, approve with conditions, deny, or table the request for additional information.

Applicant Presentation:

Gerald Martens, applicant, presented the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C-1 PUD to R-6 PRO for approximately four acres on property located on the 1900 block of Washington Street North. He stated the original PUD is the oldest in the city, with this request being the last piece to plat. He stated it will be used for Mixed Use, with no development plan at this time. He stated the first step is to get the zoning designation, and then come back with the development plat.

PZ/Questions & Comments:

- Commissioner Stone asked what keeps the applicant from creating a Zoning Development Agreement (ZDA).
- Planning and Zoning Director Spendlove stated there is nothing from keeping the applicant from creating a ZDA, but this request is only asking for a rezoning of the property to R6, Residential Multi-Household District, with a Professional Office Overlay. He explained the canyon rim overlay requirement change approved by City Council last year.
- Chairman Kelley asked what uses are permitted in the R6 zone.
- Planning and Zoning Director Spendlove clarified the allowed uses in the R6 zone.
- Commissioner Rambur asked if the Rivercrest Apartments went through same process.

- Planning and Zoning Director Spendlove clarified the process that the land where the Rivercrest Apartments are located went through when they came through for development.
- Commissioner Stone asked the prolonged impact on city utilities and asked about the road widening.
- Planning and Zoning Director Spendlove answered there will be a water model and explained the infrastructure process with platting.
- Commissioner Stone asked staff what land uses would be covered by PRO zone.
- Planning and Zoning Director Spendlove stated the PUD has use restrictions in certain areas. He stated this area was designated for residential and offices. He explained the request the commission is being asked to consider tonight, and reviewed the land uses in the area. He stated there is a 35' height limit in the R6 zone.

Public Hearing: Opened

- Peter Krell, representing the HOA south of the proposed development, read a list of questions and concerns from the HOA.
- Charles Brockway, business owner to the north of development, stated he is not in favor of this request. He believes it is at odds with Comprehensive Plan and the Canyon Rim Overlay. He stated he believes the current PUD works well in the area. He stated he does not believe R6 zoning is appropriate for this area, and would like it left as is.
- Mr. Martens answered some of the questions from the Public Input. He stated the infrastructure plan, with large setbacks for better site lines. He stated R6 zoning is more restrictive than the current PUD zone. He stated there has always been a mixed-use vision of this area, with multi family ownership or offices.
- Planning and Zoning Director Spendlove answered the maximum number of units allowed in the area and explained how the buildable land area is calculated. He described the setback and parking requirements and how that is calculated in the available buildable land.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur stated he is not sure on his decision about this request. He stated he is aware of the surrounding uses, but does not believe this is a good lot for commercial.
- Commissioner Detweiler stated this area has a bit of everything in it, and does not think these pieces should be different. He stated he is in favor of R6 zoning, as they have height restrictions keeping it from being too tall close to the canyon rim.
- Commissioner Stone stated C1 zoning has more liberal zoning requirements than R6 zoning. He stated he believes the request is harmonious, than the existing zoning and have a lower impact. He stated he is in favor of the request.
- Chairman Kelley stated the Comprehensive Plan states not concentrating one use in a single area and this area is a mixed-use area. He feels the size of lots will restrict what can be built and believes the request complies with Mixed Use designation and the Comprehensive Plan.
- Planning and Zoning Director Spendlove clarified the vote tonight is the change to the zoning, not what may be built there.
- Commissioner Stone stated this land is surrounded by offices and other buildings, so he believes the request complies with the Comprehensive Plan.
- Commissioner Stone stated this request fits with the Comprehensive Plan and appreciates the public comments and concerns. He stated he believes this request will help preserve harmonious character in this area.
- Commissioner Detweiler stated he does not think anything else fits in this area.
- Commissioner Rambur stated as only one business owner spoke, so he does not see much opposition to the request.
- Commissioner Detweiler spoke to the residential use in the area.

MOTION: Commissioner Stone moved to approve the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from C-1 PUD to R-6 PRO for approximately four acres on property located on the 1900 block of Washington Street North c/o EHM Engineers, Inc. on behalf of Gerald Martens, as presented, with staff recommendations. (PZ22-0165)
Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- b) Request for a recommendation to City Council of C-1 as the appropriate Zoning District for a proposed annexation of property located at 1881 Pole Line Road East c/o EHM Engineers, Inc. on behalf of JAE Foundation, LLC. (PZ22-0171)

Staff Presentation:

Senior Planner Martoma presented the request for a recommendation to City Council of C-1 as the appropriate Zoning District for a proposed annexation of property located at 1881 Pole Line Road East c/o EHM Engineers, Inc. on behalf of JAE Foundation, LLC. (PZ22-0171)

Per City Code 10-15-2, the Planning and Zoning Commission shall conduct at least one public hearing to send a recommendation to the 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)

The subject property is located in the "area of impact" and has a current zoning designation of SUI, Suburban-Urban Interface District. The subject property is approximately 1.69 (+/-) acres and has been utilized for retail/professional office space. The applicant, on behalf of JAE Foundation, LLC, is requesting a recommendation of C1 as the zoning designation of the subject property as part of their request to the City Council for annexation. The applicant has cited in their application that the purpose of their request is to continue the previous retail/professional office use of the property. The applicant has further stated their intent to, "expand the use by the owner, Jae Foundation, LLC, and tenants to provide counseling, mental and physical therapy, and foundation administrative services."

The previous use of the subject property was as a retail/professional office space. The applicant's intended use of the subject property is as a "medical facility" providing "rehabilitation services". Both the previous use and the intended use of the subject property are consistent with the uses permitted in the C1, Commercial Highway District.

The Planning and Zoning Commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The Planning and Zoning 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:

Gerald Martens, representing the applicant, presented the request for a recommendation to City Council of C-1 as the appropriate Zoning District for a proposed annexation of property located at 1881 Pole Line Road East. He explained the plan for the building expansion and reason for the request. Jamie Shetler, Executive Director of Jae Foundation, explained the work and mission of the Jae Foundation.

PZ/Questions & Comments:

- Commissioner Stone asked for the Zoning Map to be displayed. He stated the area all around this property has been annexed, except two properties on Pole Line Rd.

- Chairman Kelley stated the commission is only voting on the appropriate zone for the property, not the annexation of the property.
- Planning and Zoning Director Spendlove clarified the commission's vote and reviewed the Area of Impact versus the city limits.
- Chairman Kelley asked if the commission has seen a similar request in this area before.
- Senior Planner Martoma stated yes.
- Commissioner Detweiler asked the applicant where the Jae Foundation is operating now.
- The applicant stated they are operating out of this facility at 1881 Pole Line Road East.

Public Hearing: Opened

- Brett Staples, neighbor next door, stated he is not opposed to the request, but stated he has had issues with previous neighbors. He would like a solid 7' - 8' privacy fence request between the two properties to curtail theft and having people on his property. He stated the drain in the parking lot is an issue, because it is not working, and causing water to go onto his property. He stated he would like these issues addressed with this request.
- Mr. Martens clarified once the property is annexed into the city, there are requirements that would address screening/fencing and storm water retained on site. He stated they will work with the neighbor and will address issues once annexed.

Public Hearing: Closed

Discussions Followed:

- Commissioner Stone stated he has no issues with the recommendation.
- Commissioner Rambur believes this will bring the property into conformity and is in favor of the request.
- Commissioner Detweiler stated he thinks Mr. Staples has legitimate concerns and believes the applicant will take care of any issues.
- Chairman Kelley stated he is in favor of the request.

MOTION: Commissioner Stone moved to approve the request for a recommendation to City Council of C-1 as the appropriate Zoning District for a proposed annexation of property located at 1881 Pole Line Road East c/o EHM Engineers, Inc. on behalf of JAE Foundation, LLC., as presented, with staff recommendations. (PZ22-0171)
Commissioner Rambur seconded the motion.

Unanimously approved by a vote of 4 to 0.

Commissioner Stone stepped down from the dais.

- c) Request for a Special Use Permit to allow a private academic school, in conjunction with a religious facility on property located at 1061 Eastland Drive North c/o Lynn J. Schaal on behalf of Amazing Grace Fellowship. (PZ22-0173)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow a private academic school, in conjunction with a religious facility on property located at 1061 Eastland Drive North c/o Lynn J. Schaal on behalf of Amazing Grace Fellowship. (PZ22-0173)

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 property is zoned R-2 and has operated as a religious facility for over 20 years. The facility also provides daycare/pre-school services. The property currently has 3 special use permits. #0324 allowed the applicant to establish a religious facility in 1992. #0885 allowed the applicant to expand the existing religious facility by more than 25% in 2004. #1143 allowed for a public preschool/daycare facility to operate within the religious facility in 2009.

The applicant is proposing to operate a K-8 educational facility between 8:30 – 3:15 Mon – Fri and is anticipating up to 100 students initially. The property has ample parking, two accesses and is located along an arterial gateway built to support a higher volume of traffic. The facility already has daycare/pre-school that operates during the week and staff has not received any complaints related to these services. The land use is compatible with the comprehensive plan. The building may have some building alterations that need to be made to accommodate the number of students proposed and the applicant has been made aware. Additional permits may need to be approved and completed prior to establishing the K-8 educational facility. Staff has reviewed the request for a special use permits. City Code requires a special use permit within the R-2 residential zoning district for both religious facilities and schools. The 2016 Comprehensive Plan "Grow With Us" has the area designated at Town Neighborhood. The land use proposed is compatible with this designation. Staff does not foresee any negative impacts should the request be approved.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

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:

Pastor Lynn J. Schaal, applicant, presented the request for the request for a Special Use Permit to allow a private academic school, in conjunction with a religious facility on property located at 1061 Eastland Drive North. He stated the church would like to provide a classical Christian school in Twin Falls, and this has been part of the Strategic Plan for the church.

Wayne Thowless, architect, presented the plan for the school. He reviewed the layout of the church and current preschool. He stated the building could legally accommodate 1200 people at this time. He shared the desired growth pattern and phasing for the school.

PZ/Questions & Comments:

- Commissioner Rambur asked where the school will be located.
- Mr. Thowless shared where the school will be located at the church.
- Commissioner Rambur asked about noise from outside bells.
- Pastor Schaal stated they don't envision needing outside bells and will staff will direct students to the building, no different than the current preschool.
- Commissioner Detweiler asked about the current preschool hours.
- Pastor Schaal stated the preschool operates 5 days a week.
- Chairman Kelley asked the student pick up and drop off route.
- Pastor Schaal shared the pick up and drop off path through the property.
- Commissioner Rambur asked for clarification if the pick up location will be on the west side of property.
- Chairman Kelley asked if the church has talked to neighbors regarding the project.
- Pastor Schaal stated he believes the neighbors are supportive and have been notified, as directed.

Public Hearing: Opened

- Jay Jensen, citizen, he has no objection to the project. He asked what will happen if there is a request for reducing the speed limit on Eastland Drive, with the school use. He stated he does not feel the request would be conducive to area, sharing his concern for bottle neck traffic on Eastland Drive.
- Pastor Schaal clarified only right-hand turn will be allowed leaving the property.
- Planning and Zoning Director Spendlove clarified the advertisement was for the school, not the number of students. He stated whatever the number of students, the church will have to meet fire and building code. He stated it is in the purview of the commission to condition, but staff does not believe it is necessary. If there is an expansion of the building of 25% or more, in the future, that triggers a Special Use Permit. He addressed eastland is a city road and city engineer would determine whether there needs to be an appropriate change to the street. He stated the commission can add a condition to have the applicant pay for improvements, if required by the City Engineer. He stated the only way to improve Eastland Drive would be to eliminate the left turn access. Speed limit changes would go through the City Engineer and City Council, and that request would be brought forward by the applicant.
- Commissioner Rambur asked about the current entrance.
- The location of the entrance was clarified.

Public Hearing: Closed

Discussions Followed:

- Chairman Kelley stated he is confident in school staff to do their job. He believes the building is big enough now to accommodate the school.
- Commissioner Detweiler stated there is a valid traffic concern, but does not believe it will be enough of an issue to stop the process. He stated the church is on a big lot and is large enough for the use. He stated the noise concerns were addressed by the applicant, and any traffic issues will be addressed, when needed.
- Commissioner Rambur agreed and is in favor of the request.

MOTION: Commissioner Detweiler moved to approve the request for a Special Use Permit to allow a private academic school, in conjunction with a religious facility on property located at 1061 Eastland Drive North c/o Lynn J. Schaal on behalf of Amazing Grace Fellowship, as presented, with staff recommendations. (PZ22-0173)
Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 3 to 0.

6) Upcoming Meeting(s)

- a) Wednesday, February 1, 2023 Worksession
 - Planning and Zoning Director Spendlove gave a Code Rewrite status to the commission, and stated the February Worksession is cancelled.
- Tuesday, February 14, 2023

7) Adjournment

The meeting adjourned at 08:13 PM

Kelli Ebersole

Kelli Ebersole, Technician