



Twin Falls Planning & Zoning Commission Minutes

Tuesday, May 9, 2023, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS
AMENDED

Members -

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

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, Weatherford, Detweiler

Staff Present: Spendlove, Strickland, Ebersole, Schuerman

2) Conflict of Interest Declaration

No conflicts of interest.

3) Consent Calendar

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

Unanimously Approved by a vote of 4 to 0.

a) Approval of minutes from the following meeting: April 5, 2023 Worksession

4) Items of Consideration

a) Request for approval of a Preliminary Plat for the El Milagro Phase No. 2 Subdivision, consisting of three (3) lots on approximately 14 (+/-) acres on property located at 1122 Washington Street South c/o Stephen Andersen, Civil Science Inc. on behalf of Ryan Hackett, Syringa Housing Corporation. (PZ23-0027)

Staff Presentation:

City Planner Strickland presented the request for approval of a Preliminary Plat for the El Milagro Phase No. 2 Subdivision, consisting of three (3) lots on approximately 14 (+/-) acres on property located at 1122 Washington Street South c/o Stephen Andersen, Civil Science Inc. on behalf of Ryan Hackett, Syringa Housing Corporation. (PZ23-0027)

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. 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 property was zoned R-4 NCO ZDA in 2018 for a multi-family development with neighborhood commercial along the frontage of Washington St S. It has been designated as Town Neighborhood on the Future Land Use Map.

Staff has reviewed the plat for compliance with city standards, state criteria and the El Milagro ZDA. The proposed development will consist of multifamily housing and is the second phase of the El Milagro ZDA master development plan. The preliminary plat complies with the ZDA, is compatible with the comprehensive plan and complies with city code standards and state criteria.

Upon conclusion, 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:

Stephen Anderson, app representative, presented the request for approval of a Preliminary Plat for the El Milagro Phase No. 2 Subdivision, consisting of three (3) lots on approximately 14 (+/-) acres on property located at 1122 Washington Street South. He stated Phase 1 is completed. He stated the new phase will consist of thirty (30) four-plex units. He stated the stormwater retention will be in compliance with El Milagro ZDA. He stated this phase will improve traffic circulation through project. This phase will replace old utilities with new utilities and remove existing housing units in poor condition, and replace with new units.

PZ/Questions & Comments:

- Vice Chair Perez asked about phase 3, and asked for an elaboration on the difference in phasing.
- Planning and Zoning Director Spendlove clarified the phasing map.
- Vice Chair Perez asked park requirements.
- Planning and Zoning Director Spendlove stated the Parks Director decided there is no need for a city park in the development as Vista Bonita Park across Washington Street is large enough to serve the area.

- Mr. Andersen stated there is private park spaces in development.
- Vice Chair Perez asked if there are elevations in the ZDA are strictly examples.
- Mr. Andersen stated the elevations are examples.

Public Comment:

- Diane Hunt, Vice President at Syringa, stated she is happy with phase 1 of the development, and is excited for the future development.

Discussions Followed:

- Chairman Kelley stated the commission has seen this property before. He stated is believes it is a well-planned development, following the comprehensive plan and harmonious to surrounding areas. He is in favor of the request.
- Commissioner Detweiler stated he is familiar with the project and is in favor of the request.

MOTION: Commissioner Detweiler moved to approve the request for approval of a Preliminary Plat for the El Milagro Phase No. 2 Subdivision, consisting of three (3) lots on approximately 14 (+/-) acres on property located at 1122 Washington Street South c/o Stephen Andersen, Civil Science Inc. on behalf of Ryan Hackett, Syringa Housing Corporation. (PZ23-0027), as presented, with staff recommendations.
Vice Chair Perez seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- b) Consideration of an alternative plan or design to allow innovative landscaping on property located at 1431 Kimberly Rd per city code Title 10 Chapter 11 Section 2 (A) 3. c/o Steven Fisher, Jr. on behalf of Sawtooth Auto Sales, LLC. (PZ23-0029)

Request withdrawn.

Planning and Zoning Director Spendlove explained the reason for the withdrawal.

- c) Consideration of an alternative to parking lot landscape islands required due to an alteration in the parking lot layout for property located at 112 Shoshone St E c/o Colby Ricks on behalf of John Lezamiz (PZ23-0030)

Staff Presentation:

City Planner Strickland presented the consideration of an alternative to parking lot landscape islands required due to an alteration in the parking lot layout for property located at 112 Shoshone St E c/o Colby Ricks on behalf of John Lezamiz (PZ23-0030)

Per City Code 10-10-11 (b) Required landscape islands may be grouped, subject to approval by the planning & zoning commission.

The property is located in the CB; Central Business District within the P-1 Parking Overlay. The P-1 Parking Overlay does not require off street parking for outright permitted uses. The property is a parking lot that serves the office building to the west (aka: the old Key Bank

Building). The applicants wants to continue to provide parking for their tenants and would like to resurface the lot as well as alter the layout.

The current lot does not have interior landscape islands but because of the alterations they are proposing, the islands will need to be installed. The parking lot currently has 24 spaces.

Reconfiguring the layout, closing access along Shoshone Street East and the addition of the interior islands will provide 15 additional spaces, bringing the total to 39. The applicant is requesting to proceed with their reconfigured layout without installing interior landscape islands. They would in exchange plant the additional trees required within the islands along the perimeter of the lot. Approving the plan without the interior landscape islands would allow them 19 additional spaces, bringing the total to 43.

The commission is tasked with reviewing the request and determining if the requested alternative is sufficient and meets the intent of the landscaping requirement. The commission can approve the request as presented, approve with conditions, deny the request or table for additional information. Staff makes no recommendations.

Applicant Presentation:

Colby Ricks, applicant representative, presented the request for consideration of an alternative to parking lot landscape islands required due to an alteration in the parking lot layout for property located at 112 Shoshone St E c/o Colby Ricks on behalf of John Lezamiz (PZ23-0030). He stated the building has been remodeled to accommodate more tenants in the building, creating the need for more parking for tenants. He spoke to the private parking aspect and keeping the lot for tenant parking only.

PZ/Questions & Comments:

- Commissioner Detweiler asked if the trees on 2nd Avenue are being removed.
- City Planner Strickland explained the removal and replacement of trees.
- Vice Chair Perez asked why interior landscape is required in a parking lot.
- Planning and Zoning Director Spendlove stated the interior landscape helps with stormwater retention, breaks up sea of concrete, provides shade for vehicles and creates a calming effect in a parking lot.
- Chairman Kelley asked about the canopy currently in parking lot.
- City Planner Strickland stated it will be removed.
- Vice Chair Perez asked for clarification on the calculation of the 5% landscaping requirement.
- City Planner Strickland stated what is required in the CB zone by code, but with a P1 Parking overlay, there is no off street parking requirement, so there is no landscape requirement to calculate.
- Mr. Ricks stated they tried to meet the 5% requirement, even though not required. This property allows for parking for the building tenants.
- Chairman Kelley asked about the entrance off 2nd Avenue maintenance and ownership.
- City Planner Strickland stated the access is owned by the city and there is an easement for access.
- Commissioner Detweiler asked if parking is allowed on 2nd Avenue.

- City Planner Strickland stated parking is allowed on portions of 2nd Avenue.
- Chairman Kelley asked if this is a public parking lot.
- Mr. Ricks stated it is a private lot.

Public Hearing: Open and Closed without input

Discussions Followed:

- Commissioner Detweiler stated he is mixed with this being private parking. He has no issue with no landscape. He stated he believes the best use of property for most parking spaces.
- Chairman Kelley stated he understands this plan is best for tenants. He stated he is in favor of the request to add parking to downtown.
- Vice Chair Perez stated she would like to split the difference, adding one island in the center of the lot.
- Discussion ensued regarding adding a condition to the request.

MOTION:

Condition #1: Vice Chair Perez moved to add a condition to add a landscape island on north end of parking aisle.

Commissioner Detweiler seconded the motion.

Motion Approved by a vote of 3 to 1.

Commissioner Detweiler moved to approve the request for an alternative to parking lot landscape islands required due to an alteration in the parking lot layout for property located at 112 Shoshone St E c/o Colby Ricks on behalf of John Lezamiz (PZ23-0030), as presented, with staff recommendations, and added condition.

Vice Chair Perez seconded the motion.

Motion Approved by a vote of 3 to 1.

5) Public Hearings

- a) Request for a recommendation to City Council for the vacation of a drainage/storm water retention easement on property located at 2092 Dawson Drive c/o EHM Engineers, Inc. on behalf of Canyon Village Plaza, LLC. (PZ23-0018)

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council for the vacation of a drainage/storm water retention easement on property located at 2092 Dawson Drive c/o EHM Engineers, Inc. on behalf of Canyon Village Plaza, LLC. (PZ23-0018)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or

voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

After receiving the recommendation, City Council will then make a final decision on the request.

The Canyon Village Subdivision #3 Plat was recorded in 2021. This plat is part of the overall Canyon Village Development which went through its original Zoning and Subdivision approval in 2014/2015.

The requested Vacation of "Easement E" will have no impact on the general area or adjoining properties because the applicant has made provisions for an adequate replacement easement to be dedicated and recorded. The replacement easement will be reviewed by the City Engineer to ensure it meets current City Code for stormwater storage capacity and adequate space for routine maintenance.

City staff are in support of this request. If the Commission recommends approval as presented, staff recommends approval be subject to the following conditions:

1. Subject to a new Stormwater Drainage and Retention Easement being recorded prior to the ordinance vacating this platted easement is published.

Applicant Presentation:

Dave Thibault, EHM Engineering, applicant representative, presented the request for the vacation of a drainage/storm water retention easement on property located at 2092 Dawson Drive. He gave the history of the development and explained the reason for the vacation. He shared the new configuration for retention. He stated that no utility companies are affected by this vacation.

PZ/Questions & Comments:

- Vice Chair Perez asked for clarification on the vacation.
- Planning and Zoning Director Spendlove stated the retention will be reconfigured underground with a smaller open area.
- Commissioner Detweiler asked if the new retention area will handle the same amount of drainage.
- Planning and Zoning Director Spendlove stated there will be the same retention or greater.

Public Hearing: Opened and closed without input

Discussions Followed:

- Vice Chair Perez stated the request is straight forward and is in favor of the request.
- Chairman Kelley stated the request still complies with the plan for the property.

MOTION: Commissioner Detweiler moved to approve the request for a recommendation to City Council for the vacation of a drainage/storm water retention easement on property

located at 2092 Dawson Drive c/o EHM Engineers, Inc. on behalf of Canyon Village Plaza, LLC. (PZ23-0018), as presented, with staff recommendations.
Vice Chair Perez seconded the motion.

Unanimously Approved by a vote of 4 to 0.

- b) Request for a Special Use Permit to allow for automobile and truck sales, rentals, service, and/or repair on property located at 1431 Kimberly Road c/o Steven Fisher, Jr. on behalf of Sawtooth Auto Sales LLC. (PZ23-0019)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow for automobile and truck sales, rentals, service, and/or repair on property located at 1431 Kimberly Road c/o Steven Fisher, Jr. on behalf of Sawtooth Auto Sales LLC. (PZ23-0019)

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 property is zoned C-1; Commercial Highway District and has been operated as a retail thrift store for over 2 years. There were auto sales from this location prior to the thrift store. However, due to the intervening Thrift store operation, the auto sales business, and conjunctive automobile service/repair, are required to obtain a special use permit to be re-established.

Staff has reviewed the site for compliance and has determined the following items will need to be completed.

1. Closure of the east access along Kimberly Rd and the southern access along Locust St.
2. Re-construction of the ADA ramp at the corner of Kimberly Rd and Locust St.
3. Gateway arterial landscaping (10' Depth) along Kimberly Road
4. On-Site landscaping.
5. Parking spaces based on land use, and
6. Screened Trash Enclosure

The existing building was most recently occupied by a retail thrift store, which is an outright permitted land-use in the C-1 zoning district. However, compliance with Building and Engineering Codes is integral to ensuring business operations are harmonious with and minimally impactful to the surrounding properties. Any needed modifications to the building would be part of the standards required for the special use permit to be valid and, per city code 10-13-2.2 (K) if the applicant will need to provide proof of compliance within six (6) months of the special use permit approval.

The 2016 Comprehensive Plan; "Grow with Us" designates this area as appropriate for "Commercial". Sample land uses for this designation include retail, offices, hotels, restaurants, plazas and parks. Staff has determined the proposed use is retail in nature and is compatible with the comprehensive plans. As a used auto sales business, the display and sale of vehicles along a large arterial road would make the site compatible with the proposed land use.

Approval of this request would allow for the sale, service/repair of vehicles on site. Compliance with the city codes and standards should minimize the impact on the surrounding properties. 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 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.
2. Subject to reconstruction of the ADA ramp located at Kimberly Rd and Locust St.
3. Subject to the closure of the east access along Kimberly Rd and the southern access along Locust St.
4. Subject to the car bay not being used until the appropriate approvals and inspections have been obtained from the building and/or engineering departments to verify the sand and grease trap is operational.

Applicant Presentation:

Kyle Bastian, applicant representative, presented the request for a Special Use Permit to allow for automobile and truck sales, rentals, service, and/or repair on property located at 1431 Kimberly Road. He shared the landscape plan. He stated there will be no heavy mechanical work done at property, only small jobs like tint, oil change, and dent repair. He stated they are returning the property to its original use. He stated the applicant will comply with the conditions, as stated on record.

PZ/Questions & Comments:

- Commissioner Detweiler asked how many vehicles can be on the lot.
- City Planner Strickland stated 6 parking spaces are required by code + 5 display spaces per ITD. She explained the display cannot block access.
- Vice Chair Perez asked about the display spaces and if there is enough room for display and ADA parking.
- City Planner Strickland clarified the display requirement.
- Commissioner Detweiler asked if this property was a car lot in the past.
- City Planner Strickland stated it has been a car lot, but that use had gone away in 2018. Since the use had gone away for more than a year, there is a need for a new SUP.
- Commissioner Detweiler asked the applicant if the containers on property will be moved.
- Mr. Bastian stated they have been removed.

Public Hearing: Opened

Citizen Heather Evans stated she is in favor of the request.

Public Hearing: Closed

Discussions Followed:

- Commissioner Detweiler stated it is nice to have public input. He is in favor of the request.
- Vice Chair Perez stated it is harmonious with the area. She is in favor of the request.
- Commissioner Weatherford stated she is excited for new dealer in area. She is in favor of the request.

MOTION: Vice Chair Perez moved to approve the request for a Special Use Permit to allow for automobile and truck sales, rentals, service, and/or repair on property located at 1431 Kimberly Road c/o Steven Fisher, Jr. on behalf of Sawtooth Auto Sales LLC. (PZ23-0019), as presented, with staff recommendations.

Commissioner Detweiler seconded the motion.

Unanimously approved by a vote of 4 to 0.

- c) Request for a Special Use Permit to allow a drive-through facility with extended hours of operation on property located at 1357 Blue Lakes Boulevard North c/o Colby Ricks, Laughlin Ricks Architecture on behalf of Rene Bethke. (PZ23-0020)

Staff Presentation:

City Planner Ebersole presented the request for a Special Use Permit to allow a drive-through facility with extended hours of operation on property located at 1357 Blue Lakes Boulevard North c/o Colby Ricks, Laughlin Ricks Architecture on behalf of Rene Bethke. (PZ23-0020)

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.

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 C-1, Commercial Highway District. The motel portion is currently occupied by Canyon Springs Extended Stay, with the existing coffee shop attached to the building being vacant.

The addition of the dine-in coffee shop was built onto the southeast corner of the building in 1994, as Moxie Java. The business has been run under various names since then, the latest being Café ala Falls.

The motel was purchased in 2022, along with the coffee shop. The applicant has approached the new owners to lease the dine-in coffee shop space, adding the drive-through facility. The applicant has provided a narrative for the commission to review and a site plan showing the required vehicle stacking, escape lane and parking lot changes needed to accommodate the drive-through and any permitted retail/trade uses operating outside normal hours.

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Mixed Use”, which allows for restaurants.

This property is currently used for commercial purposes; the land use proposed for the site should have very minimal impact on the surrounding area. The property is located along major streets (Blue Lakes Boulevard North and North College Road) that can support any additional traffic this business may generate.

The applicant has stated traffic will be generated from the drive-through, with a large portion of the customers residing at the motel. Anticipated noise will be minimal after construction is complete, coming from vehicles, customers, and delivery trucks coming to and from the site.

The applicant has addressed staffs concerns regarding flow of traffic off of Blue Lakes Boulevard North and exiting the drive through by taking out a portion of the existing parking and island located across from the south entrance off of Blue Lakes Boulevard North, creating a two-way traffic flow. The drive aisle for the drive through has been converted to a one-way traffic lane, and the parking spaces along the one-way lane have been reconfigured at a 60 degree angle, which allows for better traffic flow.

The vehicle stacking lane was created by removing existing parking and sidewalk along the south side of the building. The vehicle stacking lane can accommodate six (6) vehicles, which meets city code 10-10-10.

Glare from the drive-through window will be minimized by its placement and the setbacks provided. The window is located on the south side of the building, facing the business to the south (Urgent Care).

Staff has determined the proposed use is compatible with the comprehensive plan. Based on the standards for approval, staff does not foresee any negative impacts related to the land use.

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:

Colby Ricks, applicant representative, presented the request for a Special Use Permit to allow a drive-through facility with extended hours of operation on property located at 1357 Blue Lakes Boulevard North. He stated the coffee shop will be for drive through customers only. He explained the one-way traffic layout and the escape lane access.

PZ/Questions & Comments:

- Vice Chair Perez asked about traffic congestion in the one way lane where the islands are located.
- Mr. Ricks address the congestion concern and explained the escape lane.

Public Hearing: Opened and closed without input

Discussions Followed:

- Vice Chair Perez stated her concerns were addressed by the applicant and is in favor of the request.
- Commissioner Detweiler stated he has no issue with the request.
- Commissioner Weatherford stated she has no issue with the request.

MOTION: Commissioner Detweiler moved to approve the request for a Special Use Permit for a Special Use Permit to allow a drive-through facility with extended hours of operation on property located at 1357 Blue Lakes Boulevard North c/o Colby Ricks, Laughlin Ricks Architecture on behalf of Rene Bethke. (PZ23-0020), as presented, with staff recommendations.

Commissioner Weatherford seconded the motion.

Unanimously approved by a vote of 4 to 0.

6) Upcoming Meeting(s)

- a) Tuesday, May 23, 2023
New commissioner Robyn Weatherford was introduced.

7) Adjournment

The meeting adjourned at 07:30 PM

Kelli Ebersole

Kelli Ebersole, City Planner