



## Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 13, 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, Rambur, Detweiler, Stone, Weatherford, Campbell

**Staff Present:** Spendlove, Strickland, Vitek, Ebersole

#### 2) Conflict of Interest Declaration

#### 3) Consent Calendar

- a) Approval of minutes from the following meeting: June 7, 2023

**MOTION:** Commissioner Detweiler moved to approve the Consent Calendar, as presented.  
Commissioner Stone seconded the motion.

**Unanimously Approved by a vote of 6 to 0.**

#### 4) Items of Consideration - None

#### 5) Public Hearings

- a) Request for a Special Use Permit to allow an indoor recreation facility with extended hours of operation on property located at 2469 Addison Avenue East. c/o Fit 1 LLC. (PZ23-0016)

**RESCHEDULED**

- b) Request for a recommendation to City Council for a rezone of property from R-4 PRO to C-1 located at northwest corner of Washington Street and Robbins Avenue. c/o Elmer Blaikie on behalf of Penelope L. Parker. (PZ23-0028)

#### **Staff Presentation:**

Planning and Zoning Director Spendlove presented the request for a recommendation to City

Council for a rezone of property from R-4 PRO to C-1 located at northwest corner of Washington Street and Robbins Avenue. c/o Elmer Blaikie on behalf of Penelope L. Parker. (PZ23-0028)

A public hearing shall be held before the Commission for a recommendation to City Council. After receiving the recommendation, the Council may amend the zoning district and the zoning map, amend with recommendations, or deny the request.

The subject property was Zoned R4 PRO, and Platted in 1991 as part of the project to construct a medical office/clinic on the corner of Washington and Falls. No further known zoning history has occurred on this property since that time. It has been farmland/vacant for the past 30 years.

The subject property is currently Zoned R4 (Residential Medium Density) with a Professional Office Overlay (PRO). As the property has been undeveloped, the current zoning on the property has never been utilized to its full extent. In analyzing the requested zone change to C1 we have identified a few of the most prominent items that should be considered by the Commission.

The immediate surrounding properties are primarily Commercial in nature, surgery center/medical clinic to the North, Bank and other offices to the East, Multi-Family (undeveloped) owned by CSI to the West. Consequently, the neighbor which will be most impacted is the single family residence to the South.

The access to the property is limited to a single approach on Washington St N(located at the NE corner of this property), and a single approach (TBD) on Robbins Ave. The primary access will be on Robbins as the Washington St approach is a right in, right out, only configuration due to the median in Washington St North. Depending on future development, this primary access on Robbins could be particularly impactful on the neighbors to the South. However, any development of the property, including currently permitted land uses would have these same issues.

Rezoning properties to the C1 zone open the permitted land uses to a wide arrange of types from museums, offices, retail stores, restaurants, and services like Day Cares, to Dog grooming and miniature golf courses. The Commission should review the list of permitted uses in the C1 Zone to gain a full understanding of the types of land uses that would become permitted.

The Future Land Use Map shows this area as appropriate for Neighborhood Commercial, further describe in the Comprehensive Plan as follows:

"Provides supporting services and small-scale commercial for the surrounding neighborhood. Designed to complement the neighborhoods character. The land use mix in this area includes the following: Neighborhood serving commercial, Townhomes, Condominiums, Apartments, Senior / Student Housing, Small-scale Office and retail, Civic and Community facilities."

Other properties along the Washington St corridor have been designated with the C1 Zoning district. The closest is found a short distance (~500 feet) to the south of this property. That C1 corridor then extends down Washington St to the intersection of Addison Ave.

The information contained within this staff report, the testimony received during the public hearing, and the Comprehensive Plan should all be used and consulted to make a determination on this request.

The Commission is tasked with making a recommendation to the City Council. You may recommend approval as requested; recommend a modification, or recommend denial.

Tabling the request in order to gather additional specific information is also available.

**Applicant Presentation:**

Elmer Blaikie, applicant representative, presented the for a recommendation to City Council for a rezone of property from R-4 PRO to C-1 located at northwest corner of Washington Street and Robbins Avenue. He stated the intended uses are Class A offices. He stated the intended uses will be pedestrian friendly, neighborhood friendly, walkable and in conformance to the Comprehensive Plan. He stated any building constructed will meet building code and city code.

**PZ/Questions & Comments:**

- Commissioner Stone asked if staff knows the intended uses.
- Planning and Zoning Director Spendlove stated not at this time.
- Commissioner Rambur asked about the property to the west.
- Planning and Zoning Director Spendlove stated the property is owned by CSI, but staff has no word as to any future housing construction.
- Commissioner Campbell asked for the C-1 uses.
- Planning and Zoning Director Spendlove pulled up city code title 10-4-8 to show the allowed uses in the C-1 zone. He reviewed what P&Z staff reviews for on a building permit and clarified some of the uses.
- Commissioner Stone asked the difference between C1 and R4 PRO.
- Planning and Zoning Director Spendlove stated the differences.

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

**Discussions Followed:**

- Commissioner Rambur stated he is in favor of the request, as he believes this is a good place for offices.
- Commissioner Detweiler stated he is in favor of the request.
- Commissioner Weatherford stated the property has been vacant for a long time and it would be nice to see something there.
- Commissioner Stone stated he likes the closeness to CSI and the C1 zoning at that location.
- Commissioner Campbell stated she likes the idea of it being neighborhood and pedestrian friendly.

**MOTION:** Commissioner Stone moved to recommend approval of the request for a recommendation to City Council for a rezone of property from R-4 PRO to C-1 located at northwest corner of Washington Street and Robbins Avenue. c/o Elmer Blaikie on behalf of Penelope L. Parker. (PZ23-0028), as presented, with staff recommendations. Commissioner Detweiler seconded the motion.

**Unanimously Approved by a vote of 6 to 0.**

- c) Request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2154 Stadium Boulevard c/o Martha Tolman. (PZ23-0032)

**Staff Presentation:**

City Planner Ebersole presented the request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2154 Stadium Boulevard c/o Martha Tolman. (PZ23-0032)

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 R-2 and is located within the Twin Falls Field of Dreams Subdivision.

The applicant owns the residence at 2145 Concordia Way and the lot directly to the north at 2154 Stadium Way. The applicant has stated that they would like to combine the two lots into one single residential lot and add a 2,565 square foot accessory building for personal recreational vehicles and supplies, with an attached outdoor patio. The building and patio are for personal use only.

Per the site plan, the lot must have a vehicle turnaround, as backing out onto Stadium Boulevard is not allowed, as Stadium Boulevard is a collector street.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as "Town Neighborhood".

The surrounding properties are all residential uses. The applicant has stated that there will be no adverse effects on surrounding properties due to glare, odor, or loud noise coming from the property.

Currently, the property is fully screened and used for outdoor personal vehicle storage, with a storage shed.

Staff has determined the proposed use meets the "Town Neighborhood" designation.

Based on the standards for approval found in City Code for construction and operation of an Accessory Building, 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:**

Dave Thibault, EHM Engineers, Inc., applicant representative, presented the request for a Special Use Permit to allow a detached accessory building (more than 1,000 square feet) on property located at 2154 Stadium Boulevard. He stated the applicant intends to use the building for personal storage.

**PZ/Questions & Comments:**

- Commissioner Detweiler asked if the two properties are going to be combined.
- City Planner Ebersole stated the narrative shows the intention is to combine the lots.

**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 a detached accessory building (more than 1,000 square feet) on property located at 2154 Stadium Boulevard c/o Martha Tolman. (PZ23-0032), as presented, with staff

recommendations.

Grayson Stone seconded the motion.

**Unanimously Approved by a vote of 6 to 0.**

- d) Request for a recommendation to City Council of C-1 and R-6 as the appropriate zoning designation for a proposed annexation of property located at the NW corner of 3300 East and Kimberly Road c/o Sid Lezamiz, Jr. (PZ23-0033)

**Staff Presentation:**

City Planner Strickland presented the request for a recommendation to City Council of C-1 and R-6 as the appropriate zoning designation for a proposed annexation of property located at the NW corner of 3300 East and Kimberly Road c/o Sid Lezamiz, Jr. (PZ23-0033)

**Per City Code 10-15-1:** Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area.

The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

**Per City Code 10-15-2 (A)** The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard.

The hearing shall not consider comments on annexation and shall be limited to the proposed zoning changes. (Ord. 2012, 7-6-1981)

The property is currently zoned R-1 VAR in the Area of Impact. It is undeveloped and abuts the City of Kimberly Area of Impact to the East.

The property is designated as Mixed Use on the Comprehensive Plan. The proposed plan is to rezone the first 1000' feet from Kimberly Rd to the north as C-1 and the remaining property to be zoned R-6. The characteristics of mixed use are commercial uses that serve local and regional areas and typically sit at an intersection of a major arterial. This designation allows for high intensity uses that are pedestrian oriented. Land uses found within this category are retail, office, restaurants, entertainment, townhomes, condominiums, apartments, senior/student housing, hotels, plazas and parks.

The applicant does not currently have plans for the development of the property. However, should the annexation with the rezone be approved, further development would require the property to be platted. The R-6 designation would require centralized city services and would allow outright single family, duplex, triplex, four plex and multi-family with 5 units or more. The C1 (Commercial Highway) zoning designation would allow for retail, offices, medical facilities, wholesale and distribution services and many other customer-oriented businesses.

The property is located along a major arterial built to support high volumes of traffic. Kimberly

Rd is a gateway into the City of Twin Falls, making commercial an ideal zoning designation for this area.

Based on the proposed zoning and the mixed use comprehensive plan designation, staff has determined the proposed zoning of C-1; Commercial and R-6; Multi-family Household could be appropriate.

The Commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to deny the request, approve the request as presented, recommend a different zoning designation or table the recommendation for further information.

**Applicant Presentation:**

Sid Lezamiz, applicant, presented the request for a recommendation to City Council of C-1 and R-6 as the appropriate zoning designation for a proposed annexation of property located at the NW corner of 3300 East and Kimberly Road. He stated the annexation request into the city is to bring water and sewer services to the property. He explained why the zoning was chosen, and there are no intended uses for the property at this time.

**PZ/Questions & Comments:**

- Commissioner Stone asked if the ZDA needs a platting process, and asked if this request is the first step in the development process.
- City Planner Strickland explained the ZDA and platting process. She stated annexation is the first step to get services to the property, and how the process would move forward.
- Commissioner Detweiler asked if the canal separates the property to the north.
- City Planner Strickland clarified the northern portion and the location of sewer/water connections.

**Public Hearing: Opened**

- Rex Harding, TDH Engineering, stated he is working with Mr. Lezamiz on the project. He stated there is a Twin Falls Canal Company lateral to the north splitting the properties.
- Rod Kack, citizen, lives north of the property, and asked about the future land use category of the Comprehensive Plan map. He stated the concern for traffic issues at 3300 East and Kimberly Road. He asked for a provision for a turn lane at the intersection. He stated his lighting concerns for potential buildings in the area.
- Marilyn Righetti, citizen, stated her concern for reducing the amount of agriculture land, and concern for lighting. She would like a low light ordinance. She asked for clarification on the proposed zoning.
- Mr. Lezamiz made a closing statement, addressing the citizen concerns.
- City Planner Strickland stated the property is currently zoned as R-1 Variable, which does allow for city services. She stated to annex a property, a zone must be chosen that requires services, as it is a city requirement.
- Planning and Zoning Director Spendlove stated the intersection at 3300 E and Kimberly Rd. is managed as a state road and by the highway district. He stated if the property is annexed, the city would become a partner in the road. He stated the city believes that

is there is development in that area requires something to be done at that intersection and gave different options, and will come into play with platting process. He asked the commission to refocus on the vote tonight; appropriate zone if annexed.

- Planning and Zoning Director Spendlove stated the state dictates the speed on Kimberly Rd.
- Commissioner Campbell asked about property tax and how they are assessed.
- Planning and Zoning Director stated the Twin Falls Tax Assessor assesses property, and he cannot answer property tax questions.
- Commissioner Campbell asked the benefit to the city to annex this property.
- Planning and Zoning Director stated the commission is only voting on the appropriate zone.
- Commissioner Stone stated why these zones were chosen.
- Planning and Zoning Director Spendlove stated the property is designated as mixed use on the Future Land Use Map.
- Commissioner Rambur asked if property taxes come into play with their decision.
- Planning and Zoning Director Spendlove clarified the commission's vote.
- Chairman Kelley clarified it is a fair question, but does not into play of vote tonight.
- Ms. Righetti believes R-6 is too dense for the area.

**Public Hearing: Closed**

**Discussions Followed:**

- Commissioner Campbell asked for clarification on the vote tonight.
- Planning and Zoning Director clarified the vote of the commission. He stated the City Council can't hear without a recommendation from the commission.
- Chairman Kelley stated the commission does not have the power to annex, but the commission has to decide on appropriate zoning.
- Commissioner Stone asked the difference between R-6 and C-1 zone.
- Planning and Zoning Director Spendlove clarified the difference in residential uses.
- Commissioner Stone stated he believes this is city boundary. He stated he believes it is harmonious with Kimberly Rd
- Commissioner Weatherford stated she has no issue with zoning.
- Commissioner Detweiler dd stated he understands concerns as a farmer. He feels the zoning is appropriate, if annexed.
- Commissioner Rambur stated he believes it is good for the city.
- Commissioner Campbellc stated she does not believe have enough information to know if the property should be annexed.
- Chairman Kelley asked if she had another zone she thought was more appropriate.
- Commissioner Campbell stated wants cost basis analysis to assess if it is good for the city.
- Commissioner Stone stated when asking for annex a property, a zone must be chosen.
- Planning and Zoning Director Spendlove stated the focus is on the appropriate zone as declared on the future land use map. The commission only gives a recommendation regarding the zoning only as appropriate to comp plan.
- Commissioner Detweiler gave input.
- Chairman Kelley stated the criteria of vote.
- Commissioner Campbell clarified she understands vote of the commission after

explanation.

- Planning and Zoning Director Spendlove clarified the Future Land Use map designations.
- Commissioner Rambur stated he appreciates the clarification on the vote.

**MOTION:** Commissioner Stone moved to recommend approval of the request of City Council of C-1 and R-6 as the appropriate zoning designation for a proposed annexation of property located at the NW corner of 3300 East and Kimberly Road c/o Sid Lezamiz, Jr. (PZ23-0033), as presented, with staff recommendations.  
Commissioner Rambur seconded the motion.

**Unanimously Approved by a vote of 6 to 0.**

**6) Upcoming Meeting(s)**

- a) Tuesday, June 27, 2023

**7) Adjournment**

The meeting adjourned at 07:10 PM

*Kelli Ebersole*

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Kelli Ebersole, City Planner