



Twin Falls Planning & Zoning Commission Minutes

Tuesday, May 14, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact: Susan Petruzzelli

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 PM

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green and Handley

2) Conflict of Interest Declaration

3) Consent Calendar

a) Approval of minutes from the following meeting: April 23, 2024

Commissioner Campbell made a motion to approve the consent calendar, as presented.

Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

4) Items of Consideration

5) Public Hearings

a) Request for a Special Use Permit for an indoor recreational facility on property located at 163 3rd Ave S. c/o Rebecca Chambers. (PZ24-0033)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit for an indoor recreational facility on property located at 163 3rd Ave S. c/o Rebecca Chambers. (PZ24-0033)

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

Approval of this zoning request does not preclude the applicant from obtaining the required permits/or licenses needed to complete the project. Should the commission approve the request, a building permit will be required. The building permit review will take into account a change of use which will trigger required improvements to the building and the site.

The building was constructed circa 1931 according to county records. It's most recent use was for a construction trade office M&M Electric. The building housed their office and their inventory. The new tenant would like to convert the inventory storage area to a CrossFit gym and use the office area as it was designed.

The property is located in the Old Town (OT) zoning district within a P3 Parking Overlay. The OT zoning district requires a special use permit for the land use classification of "indoor recreation facility". The zoning district provides development standards for properties in the zone. In this zone, 10% of the total parking area shall be landscaped. However, the property is located within the P3 Parking Overlay which allows the parking requirement to be determined by the Commission. A layout of the surrounding area has been provided by the applicant and is color coded to illustrate the parking areas available for staff and customers to park. Staff has reviewed this document and has determined that there is ample off-site parking available.

Hours of Operation:

M-F 5:00am to 8:00pm

Sat-7am-11am

Sun-8am-10am

Traffic Anticipated:

Employees: 4

Customers: 1-18 (per class)

The applicant has stated the larger classes are held before ten o'clock (10:00) AM. The exercises are varied functional movements and can include actions such as air squats, dead-lift, shoulder press, pull-ups, push-ups, sit-ups, running & jumping. The classes will consist of a warm-up, a workout, and a cool down. The majority of the scheduled classes will occur in the earlier hours of the day between five o'clock (5:00) AM and ten o'clock (10:00) AM with afternoon classes occurring between three o'clock (3:00) PM and three o'clock (8:00) PM.

The applicant has provided a floor plan showing the layout of the workout areas. These areas have been arranged so that the weight lifting area does not abut the wall adjacent to the alley to reduce vibration impacts in case weights are dropped. They will have racks and platforms for the weights. The group exercise area will be in the center of the building, with bikes, rowing and

other equipment will be positioned along the exterior walls. The applicant has provided a site plan showing the location of the trash enclosure, an improved sidewalk with an ADA-accessible route, along with a future parking area. The applicant has been informed they will need to work with the engineering department should they decide to provide parking on-site in the future and that hard-surfacing will be required. Staff reviewed the site plan with the applicant and explained operations of the business may begin upon receiving a certificate of occupancy.

Potential Impacts:

- Noise and vibrations. Staff has received complaints/concerns regarding the vibrations generated by heavy weights being dropped on the floor. The applicant was contacted to discuss this concern, and it was reported that she was moving equipment into the space and weights were being dropped on the floor. The adjacent business owner approached the applicant regarding her concerns and efforts have been made to address these issues. On May 7, 2024, a vibration analysis was performed and coordinated with Float Magic to assess the impact of the vibration and possible mitigation solutions. Staff has received the report and the findings did not suggest mitigation was necessary.
- Staff does not believe the proposed land use would have any negative impacts on the surrounding properties due to glare, odor or fumes.

In summary, the plan is to have an open area for exercise classes, exercise stations for individual use and to upgrade the bathrooms to ADA standards. Approval of this Special Use Permit request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

Should the Commission recommend approval of the request as presented, staff recommends the following conditions of approval:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.

PZ/Questions & Comments:

- Commissioner Campbell asked if the applicant was using the building.
- Planner Strickland stated that the applicant was moving equipment in and a vibration test was done that consisted of exercising.
- Commissioner Campbell asked for clarification on where the property is.
- Planner Strickland explained the location of the building.
- Chairperson Titus asked for clarification on phase 1 and phase 2.
- Planner Strickland asked the applicant to make the outside a future phase if it is needed.
- Chairperson Titus asked if the phase 2 is part of the property.
- Planner Strickland stated that it is and not needed at this time.
- Commissioner Rambur asked who did the testing.
- Planner Strickland stated it was EHM Engineering and the results are included in the packet.
- Commissioner Rambur asked about a local business and if they needed a SUP.
- Planner Strickland replied that they did.
- Commissioner Petruzzelli asked if there was a parking requirement.
- Planner Strickland stated there is not.

Applicant Presentation:

Rebecca (Becky) Chambers and her husband are the owners of the CrossFit gym. The hours

will be 5 am - 8 pm. They would like to work with the business across the alley and have moved placement of weights in the gym to help alleviate noise and vibration.

PZ/Questions & Comments:

- Commissioner Petruzzelli asked about the accommodations that were made and if they worked.
- Colby Ricks from Laughlin Ricks Architecture talked about the report and that there was minimal vibration from the mats. Ally noise was also tested and found there was no major difference.
- Chairperson Titus asked about the mat floor and if it was installed during the testing.
- Colby Ricks responded that the mats were used and the purpose of them.
- Commissioner Zimmerman asked about the test and how many people were dropping weights for the test and if more people would be more impactful.
- Colby Ricks said there was about 18 people there for the testing making it about the size of a typical class.
- Commissioner Weatherford asked if the mats were movable or permanent.
- Colby Ricks stated they are movable.
- Commissioner Campbell asked what the problem the other business was having.
- Colby Ricks stated it is more about the noise.
- Chairperson Titus asked about EHM Engineering and the results of the testing.
- Director Spendlove stated to take the report as a final document.
- Chairperson Titus asked if Colby Ricks had been there for the testing.
- Colby Ricks said he was.
- Chairperson Titus asked who ordered the test and what the limitations were for the test. She wanted clarification of the levels from the testing.
- Colby Ricks replied that he didn't know.
- Commissioner Campbell asked if the people in the gym knew they were being tested.
- Colby Ricks stated that they did.

Public Hearing: Opened

- Kelsey Jones and her husband both have businesses in town. She is in favor of the CrossFit permit.
- Dennis Voorhees is in favor of the gym.
- Shawni Powers is the owner of Float Magic. Her business is behind the applicants building. She has concerns about the disruption this will cause her business. She feels the testing that was done was not enough to eliminate the vibrations in her building.
- Becky Chambers stated she has been working with the neighbors and feels it's important and has done all she can to mitigate the impact of other business including changing hours and bringing in springboards.
- Commissioner Campbell asked about the highlighted portion of the test results.
- Director Spendlove stated that is the summary of the results.
- Commissioner Petruzzelli asked if the applicant has talked to a structural engineer about the building and if anything else can be done.
- Becky Chambers stated that EHM was the engineering firm they contacted.
- Commissioner Petruzzelli was asking specifically about the floors.
- Chairperson Titus asked about the hours and if they were changed to accommodate the other businesses.
- Becky Chambers stated the hours are set and will not change.

- Chairperson Titus asked about the floorplan.
- Becky Chambers explained they arranged the interior to keep the heavy lifting and dropping in a specific area.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur feels the test results indicate no extra vibrations and is in favor.
- Commissioner Petruzzelli feels parking will be a concern.
- Director Spendlove clarified why parking will not be a concern. The overlay only requires onsite parking if the application looks like it will need extra parking. He showed on the map how many public parking lots are in the vicinity.
- Commissioner Campbell thought #4 and #7 might be a concern but looking at the report stating that no extra vibration will be made, she is in favor of the application.
- Commissioner Zimmerman stated she has done CrossFit for years and has knowledge about how loud a class can be. She talked about the report and what kind of noise and vibration will a full class produce. She also talked about the group area and if there is a way to mitigate potential noise.
- Commissioner Weatherford stated her initial concern was that the people knew a test was being conducted and wondered if that changed the results. She feels the report speaks for itself and they need to go off that.
- Chairperson Titus agrees with the others and feels this is harmonious and she likes the support for the business. Her concern is if it will be disruptive for surrounding properties. She would like to add a condition that the hours don't change, no activities outside and a timeline for review. She asked for clarification for what can be done if there is a problem later.
- Director Spendlove stated that they can condition hours and would like to help guide them in what kind of conditions could be enforceable.
- Chairperson Titus stated that without the business open she can't decide if it will cause problems or not. She thinks the application should come back for review.
- Commissioner Campbell talked about the vehicles down the ally. She feels that the surrounding businesses can make a lot of noise and this property will not add more than what is already there. Also, if the business relies on sensory deprivation that shouldn't be the job of others to provide that.
- Planner Strickland clarified that the event will only be once a year and it will be planned for in the building portion of the application.
- Commissioner Zimmerman asked about the hours and what the other property hours are.
- Planner Strickland stated that Float magic opens at 10am and is closed Tuesdays. CrossFit will have extensive classes early mornings and Tuesdays.
- Commissioner Zimmerman likes the idea of a timeline but feels #4 is a concern.
- Chairperson Titus asked what a condition would sound like.
- Director Spendlove stated they can condition to bring it back in a year.
- Commissioner Zimmerman asked if it has to be a year.
- Director Spendlove explained that would let you see all seasons.
- Chairperson Titus asked when the business is planning on opening
- Planner Strickland stated they still need to finish the building permit portion and feels a year would be a good timeline.
- Commissioner Petruzzelli thinks the floors should be checked for this activity.
- Director Spendlove stated that the architect did.
- Director Spendlove explained that if something came up after approval and once the building is in operations they can bring this back in to mitigate if needed.

MOTION: Commissioner Petruzzelli moved to approve the request for a special use permit for an indoor recreational facility on property located at 163 3rd Ave S, as presented. Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

6) Upcoming Meeting(s)

- a) May 21, 2024 Cancelled
- b) June 5, 2024 - Work Session
- c) June 11, 2024

7) Adjournment

The meeting adjourned at 07:15 PM

Jody Green

Jody Green, Planning Technician