



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 25, 2017, 6:00 PM

City Council Chambers 305 3rd Ave E Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Darren Hall, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Present Members: Frank, Grey, Dawson, Hall, Hawkins

Present Staff: Carraway-Johnson, Nope, O'Connor, Strickland, Vitek

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

2) Consent Calendar

- a) Approval of Minutes from the following Meeting: July 11, 2017
- b) Approval of Findings of Fact and Conclusions of Law for: July 11, 2017
Real Deals (SUP) Superior Woodworking (SUP)

Motion:

Commissioner Grey made a motion to approve the consent calendar, as presented.
Commissioner Hawkins seconded the motion.

Unanimously Approved

3) Items of Consideration

- a) Request to consider the **Preliminary Plat** for Valencia Park Subdivision, a ZDA approximately 9.0 (+/-) acres consisting of 84 lots located along Valencia Street from Southwood Avenue to the 3600 North Road. c/o Rex Harding, Riedesel Engineering on behalf of Dennis Hourany **WITHDRAWN TO BE SCHEDULED AT A LATER DATE**
- b) Request to consider the **Preliminary Plat** for Eastpark Professional Subdivision No. 3, a ZDA approximately 7.74 (+/-) acres consisting of 11 lots on property located on the west side of Madrona Street North and the north side of Cheney Drive c/o EHM Engineers, Inc. Purpose: Action By: Steve O'Connor

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc. representing the applicant, stated the this is a request for approval of a preliminary plat for Eastland Park Professional Subdivision No.3, a ZDA this property came through earlier this spring for a ZDA Agreement. The property is located behind Home Depot and is bound on the west side by Locust Street, on the east side by Madrona Street, on the north side by Bridgeview Blvd, and on the south side by Cheney Drive, it is

approximately 7.34 (+/-) acres. They have prepared a plat that is in conformance with the ZDA Agreement and will consist of 11 lots. They will be doing improvements on Madrona Street and Cheney Drive with curb, gutter, sidewalk and they will be extending water through the subdivision.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this property is part of the Eastpark PUD #213, which went through the Public Hearing process in 1994-5. This PUD assigned the Zoning Districts and placed limitations on the uses allowed on the property. In 2005, a single lot subdivision was approved and recorded at the NE corner of Locust and Cheney, Eastpark Professional Subdivision No 1, a PUD. A Sup was granted to develop a professional office. The office did not get built. In 2007 the Interstate Amusement Subdivision-A Conveyance Plat, consisting of the remainder of the property between Locust-Bridgeview-Madrona and Cheney. The plat was recorded with 2 lots. The intent of a conveyance plat is to allow for property to be sold – it does not allow for development. The code further states whichever lot is developed first all street and utilities are required to be developed for both lots at that time.

In October 2015, the new property owner, Mr. Welch and his Associates, wanted to develop the property in phases so they requested the City Council waive the required improvements for portions of the Interstate Amusement Conveyance Plat. This waiver was granted. The result was development of the property was allowed to move forward through the platting and development process without triggering the development of the remaining portions of land contained in the original Conveyance Plat. Platting and development has occurred on Eastpark Professional Sub #2, a PUD. The property owner wished to market the property to include some uses not permitted under the current PUD. In February 2017, the Commission forwarded a positive recommendation to City Council for a proposal to a rezone the remainder of the subject property to R-2 PRO ZDA to include a variety of retail opportunities. City Council approved the rezone in May 2017, and both the ordinance and the Zoning Development Agreement have been recorded. This is a request for approval of the preliminary plat of the Eastpark Professional Subdivision #3, a ZDA. The subdivision consists of 1 block with 11 lots to be sold and developed in compliance with the ZDA.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system. No building permits

shall be issued until the PI Station is built and operational. The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan, which designates this area as a transition zone between Town Neighborhood and Mixed Use.

Planner I O'Connor stated upon conclusion staff recommends the commission approve the preliminary plat of the Eastpark Professional Subdivision No. 3, a ZDA, as presented, and 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 and the ZDA.

PZ/Questions & Comments:

- Commissioner Grey asked about the remaining road improvements, curb, gutter and sidewalk.
- Mr. Thibault showed on the overhead the location for the planned improvements and explained that Madrona Street will be widened as well as Cheney Drive along the frontage of this plat. Sidewalks will also be installed.
- Commissioner Frank asked about the city's philosophy for lighting along the streets.
- Assistant City Engineer explained that lights are put in at intersections any additional lighting is at the developers discretion.

Public Hearing: Opened & Closed Without Comments

Discussion Followed: Without Concerns

Motion:

Commissioner Hawkins made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. All members present voted in favor of the motion.

4) Public Hearings

- a) Request the Commission's recommendation to **amend the Valencia Park ZDA** Master Development Plan to remove the landscape islands within Valencia Street for property located at 2916-2930 East 3600 North. c/o Rex Harding, Riedesel Engineering, Inc. on behalf of Dennis Hourany (app. 2882) Purpose: Recommendation By: Steve O'Connor

Applicant Presentation:

Rex Harding, Riedesel Engineering, representing the applicant, he displayed on the overhead the original Master Development Plan and explained that it showed Valencia Street with at a 26' width an islands. The original request was recommended for denial in April 2016, the applicant withdrew the request so that amendments could be made. Valencia Street is identified as a collector street on the Twin Fall Master Street Plan, 26' is the collector street width in the plan. They brought back the Master Development Plan with a reduction in the

number of units, moving some things around and reorienting the units. This plan was recommended for approval for approval in June 2016, the request was scheduled later for City Council in July 2016 and was approved by City Council. Between the Planning & Zoning hearing and City Council hearing the applicant submitted a preliminary plat and on that preliminary plat it showed that there would be a 48' width from lip of gutter to lip of gutter including the islands for Valencia Street, and the width of the street cannot include the islands. After the City Council approval they received a comment letter regarding their review of the preliminary plat and within that letter they were instructed to remove the islands.

Following the review letter the applicant re-submitted the preliminary plat with the islands removed. A second review letter was sent out explaining that the islands cannot be removed without an amendment to the ZDA Agreement that was approved by the City Council and that the design will have to provide 24' of width on each side of the island. At the time of the original approval the drawing that was approved by City Council did show that the street would have 26' from the center line to the top back of curb and included the islands. A second amendment to the preliminary plat was submitted with the islands shown on the plat, however they did not revise the width of the road.

As a final note in the staff analysis for this amendment, it states that Valencia Street shall meet collector width standards unless a lesser width was approved by the City Council as part of the ZDA. As part of the approval process City Code 10.1.4 (A) states requirements for a ZDA shall be set forth in the written commitment document and shall include, but not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, multiuse transportation access and pathways, screening, landscaping, architectural standards, project phasing or scheduling, management associations, and other requirements as the Planning and Zoning Commission and/or the City Council may deem appropriate. The ZDA Development Plan approved by the City Council shows the proposed width of Valencia Street for the development. It 2 E in the ZDA Development Commitment it states Valencia Street will be developed as a public street through the development from 3600 North Street to Southwood Avenue. City Code 10.6.1.4 (B) states the ZDA shall conform to all sections of this title unless specifically addressed in the written commitment document. All applications to the city shall list all requested variations from the standard requirements. The applicant was not requesting a variation to the road width they were showing that the islands were included in the road width, and it was not specifically included in writing but was on the ZDA Master Development Plan.

The request tonight is to remove the islands for the following reasons. Valencia Street in the Twin Falls Master Transportation Plan (TFMTP) is identified as a collector street. The TFMTP also shows Valencia Street North and South are called out as a collector and shown constructed as a residential street. Southwood Avenue west of Valencia is classified as a collector street existing, and Southwood Avenue east dead ends into the South Hills Middle School entrance. South of 3600 North Road Valencia Street extended will dead end into a trailer park and further south is the low lying canal so it is doubtful that a collector street will be built in this direction without the trailer park going away.

As for the reasons that the islands were proposed initially was based on providing traffic calming because it had to be a collector street with the width that was required. The International Institute of Transportation Engineers (IITE) describes traffic calming measure center island narrowing as raised islands located along the center-line of the street that narrow the lanes at that location. The City proposes based on an email that was received that there would have to be 24' of pavement on each side of the islands which doesn't narrow the travel lanes. The road would have one 24' lane each direction or (2) 12' lanes on each side or the other option is two 12' lanes going both directions with a 12' center turn lane and 6' shoulders on each side of the road. Changing the size of the line to 24' on each side does not provide traffic calming measures. The proposed width of 24' and the width of the islands increases the size of the road to a full 57'. If they do change the width to 24' a couple of things will have to change, either the landscape area has to be reduced to 6 inches or the right of way has to be expanded out to 87'. In order to either of these options an amendment to the ZDA would need to be completed, because it would require a change in the layout of the ZDA either with smaller landscape strips or wider right of way.

The islands only provide traffic calming measures if the lanes narrow, with the proposed 24' width plus the width of the island, the traffic calming measure is lost and it provides a wider section or roadway for pedestrians to navigate making it unsafe for them to travel, they can also impact viability of pedestrians as well as traffic. The Street Department and the Engineering Department have requested that the islands be removed. In order to meet the requirements and keep the islands would reduce the landscape area between the curb and sidewalk to 6" or would require additional right of way and an amendment to the ZDA Agreement. If additional right of way is required an amendment to the design of the project would have to be made in order to meet the requirements.

Staff Presentation:

Zoning & Development Manager Carraway-Johnson stated that the presentation by the applicant's representative was very detailed and staff does not have anything to add to the presentation. She did clarify that this is a request to modify a Zoning Master Development Plan. When the plans come in they are not detailed like a plat. What occurred with this specific plan was the idea the landscape islands with the detached sidewalk and landscaping would provide a traffic calming measure in a very dense development. That concept went through the process and was approved. The details that came out later is what has caused this conflict. The Commission can recommend approval with the islands remaining and with reduction in the width of the road or they can recommend that the islands be removed and the road be built to collector width standards.

Planner I O'Connor stated upon conclusion should the Commission deem the proposed request appropriate of a positive recommendation, staff recommends the following condition:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

PZ Questions/Comments:

- Commissioner Grey asked if the property at the northeast corner of the property is going to be developed and is parking on the street going to be allowed.
- Assistant City Engineer Vitek explained that the property at the northeast corner is school property, and that collector streets do not allow for parking.
- Commissioner Frank asked if there is another collector street with islands here in Twin Falls.
- Assistant City Engineer Vitek explained Park View Drive has islands and is a collector street.
- Commissioner Grey asked about maintenance agreements for the islands.
- Assistant City Engineer Vitek explained that the current code states the property owner can identify the island in the CCR's and set up a (CAM) Common Area Maintenance Agreement. However after speaking with the City Attorney Wonderlich, CCR's are not easily enforced and typically dissolve after twenty years. The City Attorney Wonderlich has recommended that verbiage be recorded on the plat stating which areas will be included in the Common Area Maintenance Agreement and a small fee is included on their water bill.
- Commissioner Frank clarified that in the design of these islands they don't have to be full of grass and trees, but can be designed with low maintenance in mind.
- Assistant City Engineer Vitek explained the City would prefer low maintenance and no trees because they grow and can become a site obstruction and maintenance issue.
- Commissioner Hall asked for the width of the islands.
- Mr. Harding stated the width is 9 feet.

Public Hearing: Opened

- Dennis Hourany explained that he is the developer for the project, he would ask that these islands be removed. If they have to meet the collector width standards and leave the islands it will create a high speed zone with the wider lanes. Without a compromise for the width of the road or the removal of the islands so the street can be built to full width, the project will fail.
- Mike Shetler, 2183 Canyon Trail Way, stated he hates the islands on Park View Drive they are not maintained and that street is a speed zone.

Public Hearing: Closed**Discussion Followed:**

- Commissioner Grey asked what the width of the road would be if the islands were not removed and the width of the road were not changed, would it be designed as one lane each direction.
- Assistant City Engineer Vitek stated that is correct.
- Commissioner Frank asked staff to clarify the recommendation options.

- Zoning & Development Manager Carraway-Johnson stated keep the islands as presented in the Master Development Plan with a smaller road width. The other option is to have the islands removed and have Valencia Street developed to full collector width. This is a recommendation only.
- Commissioner Grey asked with the surrounding area in mind is there truly a need for this road to be designed to full collector width for this portion of Valencia Street.
- Assistant City Engineer Vitek explained it is hard to predict the future, however, collectors act as collectors, they take the funnel the residential traffic through the area and handle higher density traffic. He can't say for sure this is a necessity for this to be developed as four lanes.
- Commissioner Grey clarified that traffic could funnel from 3600 North Road via Valencia Street to get to those residential areas.
- Assistant City Engineer Vitek explained yes that is possible, but that he does agree south of 3600 North Road the likelihood of Valencia Street continuing through as a collector is not in the foreseeable future unless the trailer park goes away. As for the putting in a bridge over the canal the Canal Company would not allow that to happen.
- Commissioner Frank explained that this is going to be a high density development and with the school in the area he thinks the islands should be there and the road should be smaller in width.
- Commissioner Dawson explained she understands from a design perspective the islands are nice, however, she has traveled Park View Drive and the islands are a hazard in this area. The road doesn't even go all the way through because the canyon is on the north end and people still speed through the area. The other concern is maintenance, if trees are planted in them they create site obstructions, she has some concerns and at the same time if the islands are maintained they are nice.
- Commissioner Hall stated with the winter time and the snow plows the islands get damaged, the maintenance is a big issue, it does probably slow people down, however it does provide another obstacle for people to hit. He has seen a few dangerous wrecks caused by islands too. He would recommend getting rid of the islands.
- Commissioner Grey asked what the next step is for the developer after the Commission makes a recommendation.
- Zoning & Development Manager Carraway-Johnson explained the recommendation will be sent forward to City Council on Monday, August 28, 2017 and they will make a final decision. The other thing to keep in mind is that if the Commission chooses to recommend approval with the islands and the smaller road width, if approved as such, the road would not be built as wide as Park View Drive. The detached sidewalk would remain as shown on the plan.
- Commissioner Hawkins clarified if left as proposed in the Master Development Plan it would be a single lane with the islands.
- Commissioner Dawson asked if the original design shown on the Master Development Plan is recommended would that require additional right of way.
- Assistant City Engineer Vitek explained no. If it is approved as shown on the Master Development Plan it would not require more right of way, and it would not be built to full collector width. The third option is to have the developer build the road to collector

width, keep the islands, and keep the detached sidewalk. This option however, would require additional right of way and essentially "kill" the project according to the developer.

- Commissioner Hawkins explained that he hates to see the road width minimized because it needs to be able to support the traffic, the simpler solution to him is to remove the islands.
- Commissioner Frank explained he has seen these work in other communities and it is difficult to add the islands later if someone gets hurt. Pedestrians are a concern for him.
- Commissioner Grey explained that for the design of this neighborhood the islands work well and it is the design that the neighbors saw in the original proposal.

Motion:

Commissioner Grey made a motion to recommend to keep the landscaped traffic calming islands within Valencia Street and allow for a reduction in the required width of the asphalt roadway. Commissioner Hawkins seconded the motion. Members Dawson, Grey, Hawkins and Frank voted in favor of the motion and Member Hall voted against the motion.

Recommended for Approval to City Council, As Motioned
Scheduled for City Council Public Hearing, August 28, 2017

- b) Requests a **Special Use Permit** to construct a 4500(+/-)sq. ft. detached accessory building on property located at 898 Canyon Rim Road within the Area of Impact. c/o Bill Riebesel (app. 2883) Purpose: Action By: Steve O'Connor

Applicant Presentation:

Mike Shetler, Mike Shetler Homes, representing the applicant, explained they had a public hearing for the accessory building previous to this one that was approved, this is just to request an expansion to what was originally approved. The original building has been constructed, the expansion just provides additional space for the solar roofing and was an afterthought once construction began.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this parcel of ground is a remnant of the Government Sections. The zoning on the Property would have been reaffirmed as part of the Area of Impact Agreement with the County that took place in 2004.

In May 2016, the applicant received a building permit to construct a new residential home w an attached garage- the Certificate of Occupancy was issued in April 2017. In September 2016, the applicant submitted a building permit for a new 3,130 sf detached accessory building. On October 25, 2016, this commission approved SUP #1411 for a 3,150 sq.ft. detached accessory building at this site. The permit was issued in November 2016. The applicant has now decided

he would like a larger detached accessory building of up to 4,500 sf. The increase is greater than a 25% increase (40% +) therefore, a special use permit is required.

The site is zoned SUI CRO within the Area of Impact. The applicant has supplied a site plan showing his new single-family residence and an expanded detached accessory building measuring 4,200 sq. ft. The previously approved Special Use Permit was for a 3,150 sf building. The applicant describes the building for storage and private use, no residential or commercial activity. If the special use permit is granted the applicant will proceed to finish the detached accessory building as approved.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; “Grow With Us” designates this corridor as appropriate for “Rural Residential.” Rural Residential is generally very low density and may or may not have integrated agricultural use. This request does not change the primary land use and therefore staff has determined it complies with the 2016 comprehensive plan.

Per City Code 10-4-2: Detached accessory buildings within the SUI Zone greater than 1500 sq. ft. are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the detached residential garage to the South West of the main residence

Per City Code 10-11-1 thru 8: Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Detached accessory buildings are common for this subdivision, and on property, this size it will remain rural in nature. The nearest property line is +/- 70 feet from this proposed accessory structure, the minimum per the SUI zone is 7 feet.

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

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards
2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to only personal use by the occupant of the home - no business or residential occupancy within this structure.

PZ/Questions & Comments: Without Concerns

Public Hearing: Opened & Closed Without Comments

Discussions Followed: Without Concerns

Motion:

Commissioner Dawson made a motion to recommend approval of the request, as presented.
Commissioner Hall seconded the motion. All members present voted in favor of the motion.

5) General Public Input

Zoning & Development Manager Carraway Johnson explained two PUD were approved by City Council the first PUD was for a 5(+/-) acre parcel located at the NW corner of Washington Street North and Cheney Drive and is called HB Properties PUD. The second PUD that was approved was for the 80 acres located at the southwest corner of Grandview Drive and Falls Avenue and is called Meadow West PUD. The Breckenridge annexation was approved with a split zone, R-4 CRO for the property within the Canyon Rim Overlay, and R-6 for that part of the property located south of the Canyon Rim Overlay

6) Upcoming Meeting(s)

- a) August 2, 2017 Work Session
August 8, 2017 Public Hearing

7) Adjournment

Chairman Frank adjourned the meeting at 7:12 p.m.

Lisa A. Strickland, Administrative Assistant