



Twin Falls Planning & Zoning Commission Minutes

Tuesday, August 13, 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

Members Attending: Titus,, Rambur, Weatherford, Herrgesell, Zimmerman, Petruzzelli

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, Glaesmann

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: July 9, 2024

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

Commissioner Herrgesell seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for an automobile and truck service and/or repair facility with drive-thru on property located at 1552 Sun West Way c/o Gerald Martens (PZ24-0071).

Staff Presentation:

City Planner Ebersole presented the request for an automobile and truck service and/or repair facility with drive-thru on property located at 1552 Sun West Way c/o Gerald Martens (PZ24-0071).

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.

Conditions may be attached to a Special Use Permit including, but not limited to, those:

- Minimizing adverse impact on other developments.
- Controlling the sequence and timing of development.
- Controlling the duration of development.
- Assuring that development is maintained properly.
- Designating the exact location and nature of development.
- Requiring the provision for on-site or off-site public facilities or services.

- Requiring more restrictive standards than those generally required in this Title.

Review Criteria to Special Uses:

1. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. 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.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. 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.
6. 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.
7. 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.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The property is zoned Commercial Highway with a Planned Unit Development (C-1 PUD), part of the Sun West Lazy J PUD. The property is currently undeveloped.

There are two neighboring properties that have received Special Use Permits recently. Tommy's Express received a permit for a drive-through car wash in June 2018 and Mountain West Motorsports received a permit for automobile and truck sales and service in August 2023. The 2016 Comprehensive Plan; "Grow With Us" designates this area as a transition between the College of Southern Idaho, Mixed Use, Town Neighborhood, and Commercial use.

Staff has reviewed the proposed plan for code conformance. The land use of an automobile and truck service and/or repair is allowed with a SUP in the C-1 zoning district, as well as the Sun West Lazy J C-1 PUD. The proposed site plan appears to meet city code requirements, but the drawings have not been viewed for technical review. All drawings will need to meet current code and standards, when the building permit is submitted for review.

The proposed site plan shows there will be three (3) drive-through bays for the oil change facility. City code 10-10-10 states that a stacking queue of three (3) vehicles per bay is required. Per the narrative, the hours of operation are Monday – Saturday from 7:00 am – 6:00 pm and there will be three to five (3-5) employees on staff.

The entrance to the facility will be located off Sun West Way, a private road. There is only one business using this same access at this time (Tommy's Car Wash), with a second property currently under construction. Staff does not anticipate the traffic from the new facility will be excessive and detrimental to the area.

The Sun West Lazy J PUD has specific landscaping requirements that will need to be met by the applicant, which include a twenty foot (20') average landscape buffer along Cheney Drive

and a fifteen foot (15') average landscape buffer along private roadways. The applicant will need to produce a landscape plan with their building permit application.

The applicant has stated there will be no adverse effects to neighbors due to noise, glare, and fumes. The use is similar to the uses of the neighboring properties and staff has determined the use would be compatible with the pattern of development in that subdivision.

Based on the standards for approval, staff does not foresee negative impacts related to the land use.

Staff has determined the proposed use is compatible with the comprehensive plan, as it meets Land Use Goal 3 to encourage mixed-use developments that provide the benefits of more compact, denser development with a mix of living, shopping and working environments. This project is located near the intersection of two arterial roadways (Pole Line Road and Washington Street North), surrounded by commercial, residential, civic, and educational facilities. The proposed use appears to be compatible with the car wash and auto sales and detail business located directly across Sun West Way. 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 conditions:

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:

Gerald Martens explained that he is a developing partner and also owns the property surrounding and feels this is a good fit.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

- Commissioner Rambur stated that there is a similar business in the area and this will fit in.
- Chairperson Titus asked for clarification from staff if this was for an SUP and what exactly was being asked for.
- Planner Ebersole explained that it is for 2 requests, drive-through and vehicle repair/service, if one is not approved then they don't want the permit.

MOTION: Commissioner Herrgesell moved to approve the request for an automobile and truck service and/or repair facility with drive-thru on property located at 1552 Sun West Way c/o Gerald Martens (PZ24-0071). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- b) Request for a home occupation eye lash/spray tanning studio on property located at 1716 Skyline Dr. c/o Tylor Prescott on behalf of LeAndrea Prescott (PZ24-0075).

Staff Presentation:

City Planner Strickland presented the request for a home occupation eye lash/spray tanning studio on property located at 1716 Skylane Dr. c/o Tylor Prescott on behalf of LeAndrea Prescott (PZ24-0075).

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.

Conditions may be attached to a Special Use Permit including, but not limited to, those:

- Minimizing adverse impact on other developments.
- Controlling the sequence and timing of development.
- Controlling the duration of development.
- Assuring that development is maintained properly.
- Designating the exact location and nature of development.
- Requiring the provision for on-site or off-site public facilities or services.
- Requiring more restrictive standards than those generally required in this Title.

Review Criteria to Special Uses:

1. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. 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.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. 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.
6. 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.
7. 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.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

According to county records, the home was constructed circa 1973 and is approximately 960 sq. ft. The property is zoned R-4, Residential Medium Density. Per City Code 10-4-5, a special use permit is required for a home occupation. The applicant has submitted an application for a building permit to convert the garage of the home into a space for the home occupation. Recently, there was a request for a Zoning Development Agreement that was presented to the

Commission and recommended for approval to allow for town homes on property north of South Hills Rd at 1607 Washington St S. and is scheduled for public hearing for Council August 12, 2024.

The narrative states the business will operate Monday-Friday from 12pm - 10 pm, Saturday & Sunday 9:30 to 3pm, with one customer at a time by appointment only. Clients will be directed to park in the applicant's driveway and, should they have to park on the street will be instructed not to block anyone's driveway. We have not received any calls or comments related to this request from the neighbors and the applicant has stated they have been contacted regarding the request and did not receive any negative feedback. The area that will be converted from a garage to a home occupation space is approximately 237 sq. ft well below the maximum allowance. The comprehensive plan identifies this area as town neighborhood with defining characteristics listed as residential in character with clustered development on smaller lots. The property is compliant with the compressive plan designation as it is zoned residential and the current use of the property is residential. The zoning designation allows for home occupations with an approved special use permit.

Potential Impacts:

- Increase of traffic with people visiting the neighborhood. The applicant proposes one (1) customer at a time, by appointment only, with a maximum of six (6) appointments per day. This limitation should mitigate the impact of traffic within the neighborhood.
- The system used for the spray tan is filtered and should produce very minimal odor and a very low probability of it being noticed by neighbors.

If approved, the approval does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. Should the commission approve this request as presented, Staff recommends the following conditions:

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 the home occupation being limited to the residents of the home, no employees shall be allowed.

Applicant Presentation:

Tylor Prescott explained that they will have appointments that are 2-3 hours for lashes and 30 minutes for spray tans.

PZ/Questions & Comments:

- Commissioner Herrgesell asked if there is only 1 client at a time.
- Tylor Prescott stated that yes only 1 at a time.

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Rambur feels the parking will not be an issue.
- Commissioner Petruzzelli likes that the city addressed issues.
- Commissioner Zimmerman feels that with only 1 at a time it will work.
- Chairperson Titus feels if no one showed up then it shouldn't be an issue.

MOTION: Commissioner Petruzzelli moved to approve the request for a home occupation eyelash/spray tanning studio on property located at 1716 Skyline DR c/o Tylor Prescott on

behalf of LeAndrea Prescott (PZ24-0075). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- c) Request for a drive-thru with extended retail hours of operation on property located at 2616 Addison Ave E. c/o Julie Benintendi on behalf of Stan Nicolaysen (PZ24-0076).

Staff Presentation:

City Planner Ebersole presented the request for a drive-thru with extended retail hours of operation on property located at 2616 Addison Ave E. c/o Julie Benintendi on behalf of Stan Nicolaysen (PZ24-0076).

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.

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- Controlling the duration of development.
- Assuring that development is maintained properly.
- Designating the exact location and nature of development.
- Requiring the provision for on-site or off-site public facilities or services.
- Requiring more restrictive standards than those generally required in this Title.

Review Criteria to Special Uses:

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2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. 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.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. 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.
6. 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.
7. 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.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. 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 property was once part of a larger lot, combined with 2634 Addison Ave E. Records show the lot was split prior to the year 2000. Staff could not find a record the property has ever been developed and has remained vacant since the property split.

There has been a lot of development in this area in the past few years and many requests have come before the commission. Addison Springs Storage ZDA was recently amended to allow drive-through service to be outright permitted, the property at 2794 Addison Avenue East has rezoned the property to include C-1 for the northern portion of the property, and a Special Use Permit was approved for storage unit rentals on the NW corner of Addison Avenue East and Carriage Lane.

This request follows the development pattern in this area. This area has transitioned from farm grounds to Neighborhood Commercial, with a mix of residential uses, commercial, professional office and services. The addition of a drive-through restaurant to this area fits with this pattern of development.

Staff did receive public comments regarding the request and the comments have been included with the staff report for review.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Neighborhood Commercial", which provides for supporting services and small-scale commercial uses for the surrounding neighborhood.

Based on the standards for approval, staff foresees that while the restaurant use is permitted by right and compatible with the comprehensive plan, the drive-through and extended hours may have potential negative impact(s) due to the proximity of the residences to the south. Potential impacts the Commission may wish to consider are as follows:

Potential Impacts of Drive-through Request:

- The proposed location is close to a residential neighborhood that may be affected by the extended hours request, due to noise and glare from the vehicles in the drive-through. The applicant has shown on the site plan that the menu board is located closer to the northern part of the property to help mitigate speaker noise.
- Noise and glare from headlights could also come from customers waiting for their drive-through orders along the rear of the property. The applicant has addressed it with a six foot (6') tall solid screening fence on the southern property line, along the residential properties, as required by city code. If the commission finds the minimum code requirements for the screening is not sufficient to block potential impacts to the residential neighbors, the commission could condition the materials, height, and/or intensity of screening.
- Per city code, drive-through lanes have a vehicle stacking requirement of five (5) cars per lane from the first window, pickup window, order board, or other stopping point and a single stacking space shall be provided after the final window, order board, or stopping points, to allow vehicles to pull clear of the transaction area prior to entering an intersecting on site driveway or maneuvering aisle.
- Per city code, an escape lane shall be provided for any use containing a drive-through facility. An escape lane shall be nine feet (9') wide and shall provide access around the drive-through facility. An escape lane may be part of a circulation aisle. The applicant has shown the escape lane to run down the west side of the property, next to the drive-through queue. The site plan shows the escape lane does not start until the vehicles reach the menu board. Staff will address this issue at the building permit review. One solution may be to move the menu board further south, fulfilling the escape lane requirement by code.

- Per the site plan, the trash enclosure is located at the southeast corner of the parking lot. To help mitigate disturbances to the residents to the south, staff believes a better location for the enclosure is to place it north of the building.
- The applicants' narrative states they anticipate serving 500 vehicles per day. A drive-through restaurant will add vehicle traffic to this area. Staff believes it will not generate 500 new vehicle trips to this location. Rather, it will serve a combination of vehicles already on the roads plus purpose-driven trips to the area. Addison Avenue East is an arterial street, and has been built to handle the increased traffic. Carriage Lane is a collector, and is also able to handle the anticipated traffic loads.

Potential Impacts of Extended Hour Request:

- Regular allowed retail hours in this zone are 7:00 am - 10:00 pm. The applicant is asking to extend those hours to stay open until 2:00 am, like their other locations. Noise and glare from headlights during the proposed extended hours of operation could impact the residential neighbors to the south. The applicant has addressed it by building a six foot (6') tall solid screening fence on the southern property line, as required by city code. If the commission finds the minimum code requirements for the screening are not sufficient to block potential impacts on residential neighbors, the commission could condition the materials, height, and/or intensity of screening.

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 conditions:

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 the traffic flow of the drive-through does not impact the local public roads.

This application has two (2) desired special uses to be approved, drive-through for the restaurant and extended hours of operation. This leads to several different outcomes. In order to mitigate confusion on what is being voted on, staff asks two (2) main motions to be made. Other motions to add or remove conditions may also be made, but that would be up to the discretion of the Commission. Potential verbiage for the main motions are as follows:

1. Recommend approval for the request of a drive-through, as presented, on property located at 2616 Addison Ave E.
2. Recommend approval for the request of extended retail hours of operation, as presented, on property located at 2616 Addison Ave E.

PZ/Questions & Comments:

- Chairperson Titus asked for clarification on the drive-thru and about if the menu board moves, will they have enough room for car stacking.
- Director Spendlove clarified that they would move it south and it will give more stacking room.
- Commissioner Rambur asked about the south fence and what they propose to use.
- Planner Ebersole said the applicant will address.

- Commissioner Petruzzelli asked about the property to the east and if it has a fence.
- Director Spendlove stated it's chain-link and the Council has dictated that chain-link with privacy slates is not acceptable. The commission can dictate what kind to use.
- Commissioner Petruzzelli asked if they can ask for specific landscape with foliage.
- Director Spendlove explained that they can have them come back and show the landscape plan or be very specific now.
- Commissioner Rambur asked about lighting.
- Planner Ebersole stated there was nothing specific in the narrative.
- Commissioner Weatherford asked for clarification about where the cars are coming in.
- Planner Ebersole showed both entrances and where the drive thru is.

Applicant Presentation:

Stan Nicolaysen, one of the owners, gave a little information about his background and their start-up.

Julie Benintendi is the architect and clarified a few things. She stated that traffic influx will come with growth and they are trying to mitigate with 2 different entrances. The escape lane location was placed because of the setback with the sidewalk. The 5 car stack from window to menu board is that they found that is ideal for food preparation and delivery. They are open to other ideas for the fence and the material. The trash container in the back is to maximize parking stalls also to help with trash pick-up.

PZ/Questions & Comments:

- Commissioner Rambur asked about a landscape plan.
- Julie Benintendi stated they don't yet but they have had discussions on it and they are open to ideas.
- Commissioner Rambur asked about the space to the north and if there will be landscaping.
- Julie Benintendi replied that yes, they will have landscaping there.
- Commissioner Weatherford asked about other taco bell locations and if they are all drive-throughs.
- Julie Benintendi stated that most are
- Commissioner Weatherford asked if they all close in early morning hours.
- Julie Benintendi they have requirements for hours of operations. If there is no demand they don't stay open.
- Commissioner Petruzzelli asked about the existing location and if it has 5 car stack positions.
- Julie Benintendi yes we have more than that.
- Commissioner Herrgesell asked if they would be open to a taller fence if it is necessary.
- Julie Benintendi replied that yes they would.

Public Hearing: Opened

- Kurt Stewart stated he is opposed to the application. He feels the drive-thru will cause problems with the surrounding area. He feels noise and security issues will be concerns. He shared information from an article he read about drive-thru restaurants and the problems they cause the neighbors. He feels this will not improve the neighborhood.
- Kristen Stewart is opposed and she feels the noise will cause problems. She feels crime

will increase.

- Gretchen Scott talked about 3 of the items needed for a Special Use Permit. She feels this will not be harmonious with the surrounding area. She feels there will be an increase of trash, vandalism, loitering, traffic and noise.
- Ron Black is for the application. He would like to be able to walk to the location and have curb and gutter. He doesn't like the extended hours but feels the number of vehicles will be less than stated.
- Chairperson Titus asked about what has to be done with the building permit with regards to curb and gutter.
- Director Spendlove stated that stacking, gutter and sidewalk are all required.
- Floid Gilbert stated he has young children and is nervous about the extra traffic. He feels that the drive-thru customers will park at the local park late at night. He feels this will cause bottleneck and accidents at the intersection.
- Denny Lumsden feels like the decision has already been made and doesn't want it in this location. She feels the noise will scare the elderly people. They already have issues in Thompson park with people screaming.
- Paula Clelland asked if the sidewalk will extend past the neighbors access. She asked if the cars will be able to turn left on Addison or right onto Carriage Ln. She asked how late the current location is open and how many cars will go through in a day. She commented about the canal easement on the back.
- Patti Genther feels the surrounding business will be negatively impacted by this with noise, traffic, trash, lights and smog. There will be trouble getting out of the neighborhood, people drinking late at night will increase and home values will go down.
- Leanne Miller is the property owner south of the location. Her concerns are with traffic and problems getting in and out of her driveway.
- Robert Lowe his thought and feeling have already been previously expressed. He feels the additional traffic will cause problems.
- Tenille Sorenson stated she went by the current taco bell at lunch to see the drive thru. She feels this extra traffic will be a problem at the intersection.
- Bill Sorenson feels this will make the area more congested. He thinks the area should have a traffic counter as he has had previous issues with people in the past. He feels the noise will cause the property values to go down.
- Dennis Gillette owns the business east of the location. He shares the access from Addison. He feels traffic will be backed up due to the stop light. He feels his clients will not have direct access to the business.
- Sam Nevarez has concerns about the safety of his young kids walking with the increased traffic. He also feels that late night traffic will increase the current problem they have with the park.
- Cade Searle is a partner with the business to the east. He has concerns about the easement access. He feels that directing traffic would be helpful.
- Wendy Yoshinaga stated she has no sidewalks or stop sign on her road. She is concerned that people driving east on Addison will turn south and cannot get into Taco Bell they will U-turn on her road.
- Danny Trevino has concerns about the traffic with people at Thompson park. He feels the extended hours aren't needed.
- Erica Akridge has concerns about the extended hours. She works in the medical field and sees people drunk and injured from late night outings.

Julie Benintendi addressed some concerns from the neighbors. They feel that noise, lights and other things are part of living in a city. To avoid traffic turning left on Addison they have the Carriage Lane access. The Taco Bell at the mall location is one of the busiest in Idaho and they don't anticipate this one to be the same. They don't feel that the additional 500 people will be new traffic. The potential of noise from the menu board was looked into and they moved it closer to Addison and placed it in that direction.

Commissioner Petruzzelli asked what they will do about people turning left onto Carriage Lane.

Julie Benintendi stated that would have to be discussed with City Engineers. They will paint directional arrows in the parking lot for traffic.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur asked about the operating hours at sonic and how many cars Addison can handle.
- Director Spendlove stated that Addison and Carriage Ln are still a level "A" and not near capacity and 5:00 is busy in Twin Falls. Addison appears Right in and Right out at the entrance, with the joint access being agreed to by the previous owners. Carriage Ln access will be looked at by the City engine during the building permit stage.
- Chairperson Titus asked if there were any comments from police or from a public safety standpoint.
- Director Spendlove replied that we do not ask for that.
- Commissioner Zimmerman asked what would happen for the police to make a report
- Director Spendlove stated that it would need to be something extraordinary. They will not get involved before issues arise.
- Commissioner Petruzzelli asked if there have been any noise complaints at the current location.
- Director Spendlove replied that nothing had been turned in to code enforcement.
- Commissioner Petruzzelli asked if there are any existing bike lanes.
- Director Spendlove stated that none are planned for that area currently.
- Commissioner Petruzzelli asked if more rigid traffic control on a Special Use Permit have been issued.
- Director Spendlove replied that it hasn't but you can if you feel it is needed.
- Chairperson Titus asked for clarification.
- Director Spendlove explained that the city uses "candle sticks" to keep traffic from turning left.
- Commissioner Petruzzelli asked specifically for Carriage Ln.
- Director Spendlove replied that they should let the city decide if it's warranted and the applicant pays for it.
- Chairperson Titus asked about the other ZDA that was mentioned earlier.
- Planner Ebersole showed the Addison Springs ZDA that was approved for a drive-thru.
- Director Spendlove explained to the audience that the public hearing is closed.
- Chairperson Titus let audience know this time is now for clarification from staff and deliberations for commission.
- Chairperson Titus asked about car stacking and if it exceeded where would they put the cars.
- Julie Benintendi stated that they would loop into the parking lot.
- Commissioner Petruzzelli asked Chairperson Titus about why she asked about the ZDA across the street.
- Chairperson Titus explained that she was looking at the proximity and zoning.
- Commissioner Herrgesell asked if this is subject to review of traffic before a building permit is issued.
- Director Spendlove explained that at that point they will look at minimum requirements. Any conditions placed are then enforced.
- Commissioner Petruzzelli asked when Addison Springs was amended.
- Planner Ebersole stated it was brought at the beginning of the year and the ordinance just finished for approval.

- Commissioner Rambur feels that Addison can handle the increase of traffic.
- Commissioner Weatherford wants to add a condition for fencing. She would like it taller and solid with landscaping, 7-8 feet like the one at McDonalds.
- Commissioner Rambur asked if it is for the south end. Could something be added.
- Director Spendlove explained that screening between commercial and residential is required but not commercial and commercial.
- Commissioner Petruzzelli would like to add landscaping to soften if approved.

Condition #1 - **MOTION:** Commissioner Weatherford moved to add a condition for applicants to construct a 7' CMU wall on the south property line. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- Director Spendlove explained that the commission can ask the applicant to come back to get approval so you know what you are getting.
- Chairperson Titus asked if that is something that is brought back as an Item of Consideration.
- Director Spendlove replied that it is.

Condition#2 - **MOTION** Commissioner Petruzzelli moved to add condition to the Commission reviewing and approving a landscape plan prior to issuing a building permit. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- Commissioner Petruzzelli feels there should be a condition to help mitigate traffic concerns.
- Commissioner Rambur stated that he feels the Street department does a good job.
- Chairperson Titus asked about placing something if it's deemed necessary.
- Director Spendlove replied that if it's a problem it will come back.
- Commissioner Petruzzelli feels they should encourage a requirement for the traffic.
- Director Spendlove clarified that signage on property is installed with the building permit. The current condition will address any issues that traffic may cause.
- Chairperson Titus feels like lighting is not a concern she feels the condition for the wall will fix any issues.
- Commissioner Petruzzelli had questions about the recourse to come back.
- Director Spendlove explained that traffic accidents or notice from citizens will cause this to come back to the Commission.
- Commissioner Herrgesell wondered about when they open new stores and what that looks like.
- Chairperson Titus thinks that with the fact they have one already it shouldn't be as big of a honeymoon phase and 500 cars will not be "new" traffic.

MOTION: Commissioner Herrgesell moved to approve the request of a drive-through, as presented with staff recommendations and additional conditions, on property located at 2616 Addison Ave E. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 1.

- Director Spendlove stated that retail hours can't be changed. He gave some different options for store hours vs drive-thru.
- Commissioner Petruzzelli asked if they can they asked for something different after.
- Director Spendlove stated that yes they can, they can appeal or come back and ask for more hours.
- Planner Ebersole clarified that they want to be open until 2am.

- Commissioner Weatherford would like to place conditions on the drive through. She feels the neighborhood will be impacted. She would like to allow until 11pm.
- Commissioner Rambur stated he feels different because this is a new area and similar areas have residential. He commented about Blue Lakes having residential behind the restaurants there. He wonders if because it's different if they feel that way.
- Commissioner Herrgesell asked if they can do different hours for weekend vs weekday.
- Commissioner Petruzzelli asked what the noise ordinance is in Twin Falls.
- Director Spendlove stated we don't have on but we do have disturbing the peace.
- Chairperson Titus stated an example of hours being restricted after opening.
- Commissioner Rambur feels if the issue is that the bars closing will have people go to Taco Bell then look at closing earlier.
- Commissioner Herrgesell is in favor of closing earlier and people can go to the other location.
- Commissioner Zimmerman agrees with Commissioner Herrgesell that the other location can be used that late at night.
- Commissioner Herrgesell midnight on Friday and Saturday and 10pm on weekdays.
- Commissioner Weatherford likes that idea.
- Chairperson Titus asked what hours the other businesses run. She feels that as the area builds more it can be revisited.
- Commissioner Petruzzelli asked if it's approved and they receive complaints, can the hours be adjusted.
- Director Spendlove stated yes.
- Commissioner Petruzzelli asked what Thompson park hours were.
- Director Spendlove stated he's not sure.
- Commissioner Zimmerman likes the 10 pm weekdays and midnight weekends Fri- Sat.
- Commissioner Petruzzelli asked if the extended hours are not granted can the applicant come back in a few months and ask for them again.
- Director Spendlove stated that yes they can, there is no set timeframe for that.

Condition #3 **MOTION:** Commissioner Weatherford moved to add condition for extended hours being granted for Friday and Saturday from 10 pm - 12 am. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 1.

MOTION: Commissioner Herrgesell moved to approve the request of extended retail hours of operation, as presented with staff recommendations and added condition, on property located at 2616 Addison Ave E. Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 1.

6) Upcoming Meeting(s)

a) August 27, 2024

7) Adjournment

The meeting adjourned at 08:32 PM

Jody Green

Jody Green, Planning Technician