



Twin Falls Planning & Zoning Commission Minutes

Tuesday, August 27, 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, Campbell, Weatherford, Herrgesell, Zimmerman

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

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: August 13, 2024

Commissioner Herrgesell made a motion to approve the consent calendar, as presented. Vice-Chair Campbell seconded the motion.

4) Items of Consideration

- a) Preliminary Presentation for a request for a recommendation to City Council to amend the Federation Point Zoning Development Agreement and Conceptual Plan to specify lot sizes for each building on property located AT 2035 Washington St N c/o EHM Engineers Inc on behalf of Federation Point Property, LLC (PZ24-0081).

Staff Presentation:

Senior Planner Klaver presented the Preliminary Presentation for a request for a recommendation to City Council to amend the Federation Point Zoning Development Agreement and Conceptual Plan to specify lot sizes for each building on property located AT 2035 Washington St N c/o EHM Engineers Inc on behalf of Federation Point Property, LLC (PZ24-0081).

Per City Code 10-6-1.7 (B) The applicant is required to present a preliminary review prior to a public hearing to the Planning and Zoning Commission in which the Commission may give suggestions and ask questions of the applicant about the proposed ZDA.

Per City Code 10-6-1.7(E) Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surrounding properties; deviations from Title 10 shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan, and existing and/or proposed infrastructure must be adequate for the project.

Per City Code 10-14-1 thru 8 Any application for a zoning district change shall follow the procedures outlined in these sections.

N/A

A full analysis of this application will be provided during the public hearing.

Staff makes no recommendations at this time. Staff will present a full analysis of the request at the public hearing scheduled for Tuesday, September 10, 2024.

PZ/Questions & Comments:

- Chairperson Titus asked for clarification about the size of the lots being asked for.
- Senior Planner Klaver explained the difference from the original plat to this one is for the allowance of individual lots, and allow them to be smaller. This will keep the original 90 total units, but allow smaller individual lots for the duplexes and fourplexes.
- Chairperson Titus asked if it still meets the minimum density requirements.
- Senior Planner Klaver stated it would meet requirements for the duplex size but not the fourplex size. This approval will allow for that.
- Director Spendlove explained that the developer needs to make the lots individual to sell. The original was 1 large lot and now they are splitting them up. The lots for the fourplex need to be smaller than code requires.
- Vice-Chair Campbell asked how much smaller they are going to be.
- Senior Planner Klaver explained the R-4 zone for a duplex requires 7000 sq feet, this will be on 8000 square feet. The requirement for a fourplex would need 11,000 sq feet, this will balance it out.

Applicant presentation:

Tim Vawser from EHM explained in more detail why they are asking for this. He explained the financing part of this and why it's different when it's 1 lot vs individual lots.

PZ/Questions & Comments:

- Commissioner Herrgesell asked what will be the final square foot per lot.
- Tim Vawser responded it will be no less than 8000 square feet per lot.
- Commissioner Herrgesell asked if without this amendment would it be harder to develop.
- Tim Vawser stated that the only changes are that some buildings are moved to accommodate setbacks. They are wanting to do this in phases.
- Senior Planner Klaver clarified that this is informational only.
- Chairperson Titus asked about the original having to be built all at once, with this change will there be any current requirement for completed construction of internal connection, sidewalks or common areas at the moment attached to the ZDA.
- Senior Planner Klaver explained that the internal loop has been completed and most of the infrastructure if not all is in.
- Tim Vawser stated that all sewer/water, pressure irrigation and asphalt has been done. To get a Certificate of Occupancy on any unit all the other improvements on those individual lots would need to be in place.

5) Public Hearings

- a) Request for a Special Use Permit for a Motel/Hotel on property located at 195 Avenida Del Rio. c/o Greg Gastineau on behalf of Rimrock Hospitality Twin Falls, LLC (PZ24-0079)

Staff Presentation:

Planner Ebersole presented the request for a Special Use Permit for a Motel/Hotel on property located at 195 Avenida Del Rio. c/o Greg Gastineau on behalf of Rimrock Hospitality Twin Falls, LLC (PZ24-0079)

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 in regard 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.

Per City Code 10-4-8.2 states "a special use permit is required for "Motels and transient hotels."

10-13-2-2: Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

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

The property is zoned C-1 PUD, as part of the Northbridge PUD. The Planned Unit Development (PUD) was established in 1993 and amended in 2009. The PUD states C-1 use allowances are to follow city code. City code, Title 10-4-8.2, states that a Motel/Hotel may be allowed in the zone with an approved Special Use Permit.

The applicant is requesting to build an Everhome Suites, an extended stay hotel. The hotel will operate seven (7) days per week, twenty-four (24) hours a day, including holidays.

The hotel will be four (4) stories tall, with 114 guest rooms, and amenities for hotel guests. The maximum building height in the C-1 zone is fifty (50') feet.

Full staffing consists of eleven (11) full-time employees, with 5–7 employees on site at any given time.

Traffic generated at this location is estimated to be eighty-one (81) new external trips per average AM peak weekday hour, and eighty-seven (87) new external trips per PM peak weekday hour. The City Engineer is aware of this project and does not have major concerns regarding the trip count coming off Washington Street North. Avenida Del Rio is a private road, maintained by the local property owners, not the city.

The applicant has stated that there will be no food service restaurants or other commercial establishments at this location. There will be no rooftop mounted HVAC equipment. Because of these things, staff has determined there will be minimal impact to neighboring properties due to noise and odor.

Possible glare from hotel room windows and vehicle headlights will be similar to the two hotel properties to the west. Staff does not believe there will be an increased adverse impact to the neighboring properties due to glare.

The PUD has specific landscape requirements that will have to be followed and a detailed landscape plan will need to be submitted with the building permit for review. The site plan shows a sketch of where the landscape will be located.

City code 10-11-3 requires screening to be installed between commercial and residential uses, except screening shall not be required if a public traffic way, other than a service road, separates the two (2) uses. Vermont Street is a private road that runs directly to the north of the property, separating it from the residential homes to the north, therefore, a solid screening fence would not be required. The applicant does show a four (4') foot steel fence on the site plan.

The comprehensive plan designates this area as Mixed Use. The Mixed Use designation denotes uses such as, but not limited to, retail, office, restaurants, townhomes, hotels, and plazas/parks. The surrounding uses align with this mix of development with two hotels directly to the west of this property, professional offices, with the intertwining of food/drink establishments with spurts of residential ranging from duplexes to the River Crest apartment community.

This area north of Pole Line has grown over recent years. A drive-through oil change facility was recently opened just south of this location. Another hotel (Field and Stream) was approved for a Special Use Permit on the canyon rim next to Elevation 486 earlier this year. There is also a building permit in review for a large professional office building near the canyon rim.

Staff has determined the proposed use is compatible with the current growth of the area and the comprehensive plan. Based on the standards for approval, staff does not foresee 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.

PZ/Questions & Comments:

- Vice-Chair Campbell asked what the 2 hotels next to it are.
- Planner Ebersole stated they are both owned by Fairfield.
- Commissioner Herrgesell asked why they need a Special Use Permit.
- Planner Ebersole stated it is not an outright permitted use in the C-1 zone.

Applicant Presentation:

Greg Gastineau explained that it will be similar in size and shape to the existing hotels. They like the location because of the retail businesses near and feel this will be a good fit for everyone in the area.

- Commissioner Herrgesell asked about the difference in extended stay and regular stay.
- Greg Gastineau stated it is no different, nationally it's a 27 night stay for extended stay and is set up differently with weekly cleaning instead of daily. From the outside it is no different.
- Chairperson Titus asked if it is just for the use with no additional requests.
- Planner Ebersole responded that it is not above height and they are asking for no additional requests.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

- Commissioner Herrgesell feels this is harmonious with the surrounding.
- Commissioner Zimmerman feels it looks compatible.
- Vice-Chair Campbell nice for with existing services needed.
- Chairperson Titus with no issues with the existing hotels.

MOTION: Vice-Chair Campbell moved to approve the request for a Special Use Permit for a Motel/Hotel on property located at 195 Avenida Del Rio. c/o Greg Gastineau on behalf of Rimrock Hospitality Twin Falls, LLC (PZ24-0079). Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- b) Request for a Special Use Permit to operate a commercial daycare facility on property located at 166 Blake St N. c/o Alexandria Brown (PZ24-0080).

Staff Presentation:

Planner Strickland presented the request for a Special Use Permit to operate a commercial daycare facility on property located at 166 Blake St N. c/o Alexandria Brown (PZ24-0080). 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 building located at 166 Blake St N is a modular building that was originally owned by the Twin Falls School District for a modular classroom. The occupancy of this building is limited to educational use for school-aged children. An architectural analysis of the building to change the occupancy will be required in order to make changes to accommodate a daycare serving children ages 0-12. To the west of the property is an assisted living/memory care facility and a women's health services office adjacent to Blake St N. To the south of the property is a motel with a fuel station southeast of the location. Along the northern boundary is a head-start facility offering care for 47 children and a residential property to the northeast. There have not been any recent zoning actions within the area but it is an area that contains a mix of commercial, residential and professional office land uses.

The applicant's narrative states she would like to operate a commercial daycare Mon-Fri 5am - 7pm with staff leaving around 8pm after cleaning the facility. The applicant is proposing to have up to eight (8) employees including herself and would like to care for up to forty (40) children between the ages of 0 and 12 years old.

The property is zoned R-6 PRO. Per City Code 10-4-6 and 10-4-18 a special use permit is required for a commercial daycare. The comprehensive plan has designated this area as Neighborhood Commercial with Mixed Use to the south. Generally, the neighborhood commercial designation allows for support services and small scale commercial that complements the neighborhood. The land use proposed is compatible with the designation as it would provide a support service for the neighborhood. The assisted living/memory care facility to the west provides services for its residents 24/7. The Sage Women's medical office to the east provides services Mon-Fri from 10am to 5pm by appointment.

Staff has concluded that the proposed and current uses should have minimal impact on one another. The majority of children would likely be dropped off prior to the medical office opening and picked up after the office closes. While there could be an occasion for some cross over use of the parking area and access, there is a cross-use agreement for this development on file. Staff would recommend that the applicant clearly identify the parking area with staff and the customers. Based on the proposed maximum number of eight (8) employees, the code would require twelve (12) parking spaces. The site plan shows fifteen (15) spaces which exceed the minimum requirement. For commercial daycare, the code also requires a loading and unloading space to be provided. However, in this circumstance, staff would recommend the applicant educate the customers to avoid stacking vehicles in the drive aisle and utilize the parking spaces for drop off. This will help reduce the impact on the neighboring businesses that utilize the shared access driveway. The applicant plans to have drop off times limited to fifteen (15) minutes and educate parents not to disrupt the other businesses that share the access and parking area for this development. The children will be dropped off throughout the day, but should there be an issue with traffic circulation due to multiple vehicles at one time, the applicant has offered to create a drop-off schedule to reduce impacts to neighboring businesses. Staff has concluded that the use of the parking spaces for drop off should minimize impacts, however the commission could require a drop-off schedule as a condition.

The property is located within the city limits and is connected to city water and sewer services. Shoup Avenue is a local road that provides access to commercial, residential and professional offices in the area. Blake Street North is a local road that connects this area to Addison Avenue West a gateway arterial to the south. Access to and from this location is viable and the amount of traffic generated by the business would be minimal as this is a well-traveled system that is able to withstand additional vehicles this business may generate.

Staff does not anticipate the approval of this land use would create additional burden on the current system or additional costs for public services. The services are already in place and the road system is adequate to support the business. The use would not require the use of any dangerous/hazardous materials that would generate a concern for public safety. Operation of the land use will not result in the destruction, loss or damage of natural scenic or historic features of major importance.

Upon conclusion, Staff does not foresee negative impacts associated with the operation of a commercial daycare in this area. 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 maximum number of children being limited to forty (40) as stated by the applicant.

PZ/Questions & Comments:

- Commissioner Zimmerman asked what the cross agreement looks like.
- Planner Strickland stated that the parking and access are shared with all 3 properties.

Applicant Presentation:

Alexandria Brown responded to the letter that was sent in and explained that they will have cameras and a teacher will be present at all times. No phones will be allowed outside with the kids. This is her lifelong dream and she found a building that will work.

PZ/Questions & Comments:

- Commissioner Herrgesell asked where the hotel is in proximity to the property.
- Alexandria Brown showed the buildings on the map.
- Director Spendlove stated it's south of the property.
- Alexandria Brown stated that there is no telling what room is occupied by a sex offender.
- Chairperson Titus asked about the drop off time.
- Alexandria Brown explained that they have 15 minutes to be parked for drop off.
- Vice-Chair Campbell asked about what experience or certifications the applicant has.
- Alexandria Brown listed her accomplishments, licenses and experience over the last 6 years.
- Vice-Chair Campbell asked if there is a fence around the property.
- Alexandria Brown stated that the back is fenced but she will need to fence off to the west to separate the two businesses.
- Commissioner Weatherford asked how tall the fence that is there is or what the new one will be.
- Alexandria Brown stated she doesn't know.
- Vice-Chair Campbell asked if there is a grassed area.
- Alexandria Brown stated it is grassed.

Public Hearing: Opened

- Nicki Kroese the Executive Director of Sage Women's Center stated they have not signed an agreement for the shared driveway. She feels like 40 cars traveling in and out will cause problems because the driveway is narrow. She is concerned about the windows at the motel behind the properties.
- Amber Madsen is a nurse manager at Sage Women's Center. The Apollo Inn is their concern. The parking lot is full and having cars in and out with children there is a concern.
- Johnathan Garner explained that there is no fence now but something can be done. The other speaker deals with pregnant women and children but she doesn't have a fence either. The children come first. If the other business is still there then maybe there isn't a problem. Parking won't be an issue as dropping off children doesn't take that long.
- Alexandria Brown stated she will always keep the safety of the kids. She can build a fence high enough to block the windows of the hotel if needed.
- Commissioner Herrgesell asked staff if the hotel was one story.
- Director Spendlove stated yes.
- Alexandria Brown explained that they will be open at 5 am and close at 7 pm for people who need the earlier and later hours and feels that the parking lot shouldn't be an issue with those hours.
- Vice-Chair Campbell asked staff about the road agreement.
- Director Spendlove clarified that the agreement was signed in 1996. Cross-use agreements are used to access building that are not on a road frontage.
- Vice-Chair Campbell asked if there were any stipulations on how many cars.
- Director Spendlove read the agreement.

Public Hearing: Closed

Discussions Followed:

- Vice-Chair Campbell asked the others if they have any feelings about sex offenders. Her house has a lot of offenders and she feels that it would be hard to find an area without any.
- Commissioner Herrgesell asked for clarification if this can only be used for educational.
- Planner Strickland explained that it started with the school district. It fits for children and might need more requirements with the building occupancy.
- Commissioner Herrgesell asked if that would that be handled during the building permit stage.
- Planner Strickland stated yes.
- Chairperson Titus asked if there are any requirements for enclosures or fenced in areas with daycares in City Code.
- Planner Strickland replied that not per city code. There is no screening required. The back of the hotel is a solid brick wall with some windows. Any person wanting to be near the other property would have to be intentional and be on the other persons property. The windows are not egress windows.
- Commissioner Herrgesell asked if there was any concern with the commission recommending a certain height of a fence.
- Director Spendlove responded that they can put a requirement for a permit. When the application is submitted the owner has agreed to the process. He said to give a good reason as to why you are making them build a fence.
- Commissioner Herrgesell feels the proximity of the motel without a fence.
- Commissioner Weatherford stated that the fact you can look out a window concerns her.
- Commissioner Zimmerman asked if there is a fence separating the motel from the other properties.
- Director Spendlove responded that the state might require something with the license.
- Chairperson Titus would want a fence for containment and safety of the children. This has the containment already and she feels this is sufficient.
- Director Spendlove asked the commission to go through the 9 criteria and see if any stand out. The state will have their own rules for safety with the children during the licensing process.
- Chairperson Titus went through the criteria and feels things have been addressed and there will be no problems with them.
- Vice-Chair Campbell stated that you would have to put a fence up everywhere if you wanted to fence out sex offenders. If the applicant isn't opposed to a fence then maybe that would work to block the windows. She wonders if the applicant could make a circular drop off to keep vehicles from backing up.
- Commissioner Zimmerman feels the parking lot will need to be used for parents to walk their children in.
- Vice-Chair Campbell feels if they have 15 spaces and have to plan for 12 with 8 for employees, that might take up a lot of parking spaces with people backing up a circular pattern for drop off might make it easier.
- Chairperson Titus feels the parking spaces need to be used with the fact it's little children that will be walked in by their parents.
- Vice-Chair Campbell feels the applicant addressed the hotel issue and doesn't feel requiring that the windows be obstructed. She likes this application.
- Chairperson Titus feels the use is appropriate.
- Vice-Chair Campbell asked if the parking space number is sufficient for employees or

customers.

- Director Spendlove explained that depending on occupancy of the building and number of children and employees the parking stalls will be required during building permit process.
- Chairperson Titus asked if that would need to be met.
- Director Spendlove stated that yes it would for minimum code requirements.

condition: Vice-Chair Campbell made a motion to add a condition that the applicant needs to obscure the view by putting up fence or other material that would block the children in the back playing from the view of the window of the motel . Commissioner Weatherford seconded the motion.

- Commissioner Herrgesell thought that the licensing piece would take care of whether there needed to be an obstruction of the view.
- Director Spendlove stated he is not intimately familiar with licensing requirement but the safety from the state is of the upmost.
- Commissioner Herrgesell asked if you didn't put up a fence how else would you block the view.
- Planner Strickland explained that there are no property setbacks so the building is on the property line.
- Vice-Chair Campbell asked if no fence is required then can the kids touch the windows.
- Director Spendlove explained to the commission that they need to think about the safety access the windows might need.
- Vice-Chair Campbell withdrew her motion.
- Commissioner Herrgesell asked if they are in the backyard then you could touch the other building.
- Planner Strickland explained that there are powerlines that run along the building so there is an easement.
- Commissioner Weatherford would be more concerned if it was a permanent home and not temporary stay.
- Chairperson Titus doesn't feel that it is in planning and zonings jurisdiction to dictate that.
- Commissioner Herrgesell feels that should be on the owner and state if they feel it's a good location or an issue.

MOTION: Commissioner Weatherford moved to approve the request for a Special Use Permit to operate a commercial daycare facility on property located at 166 Blake St N. c/o Alexandria Brown (PZ24-0080). Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 1.

6) Upcoming Meeting(s)

- a) September 4, 2024 - Work Session - Special guest
September 10, 2024

7) Adjournment

The meeting adjourned at 07:22 PM

Jody Green

Jody Green, Planning Technician