



Twin Falls Planning & Zoning Commission Minutes

Tuesday, September 10, 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

NAME called the meeting to order at 06:00 PM

Members Attending: Titus, Rambur, Weatherford, Zimmerman

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, O'Leary

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of meeting minutes from the following meeting: August 27, 2024

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

Commissioner Weatherford seconded the motion.

4) Items of Consideration

5) Public Hearings

- 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 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.

The Federation Point Zone Development Agreement (ZDA) was created in 2021. In 2022, the Federation Point ZDA was amended to accommodate the Gem Prep charter school.

A preliminary presentation before the Planning and Zoning Commission was presented at the August 27, 2024, Planning and Zoning Meeting, satisfying the requirement of City Code 10-6-1.7 (B).

Proposed Changes are as follows:

1. Modifying Section 3, Subsection B.2 to allow for duplex and four-plex buildings to be on lots no less than 8,000 SF.

The base zoning (RM) is allowed to have duplexes on 7,000 SF lots and four-plex units on 11,000 SF lot. The current ZDA Documents allow for the following: *"The lot/parcel area shall be a minimum of six and one-tenth (6.1) acres and shall contain 19 four-plex buildings and 7 duplex buildings with a total of 90 residential units per 6.1 acre parcel as depicted upon the master plan included as Exhibit B"*. The proposed amendment before you today keeps this verbiage.

However, it adds the following clarification: *"Four-plex and duplex buildings may be placed on any individual lot or parcel provided the lot/parcel area of any individual lot or parcel shall not be less than 8,000 square feet in area nor shall the combined total of buildings or units exceed the amount previously stated within this section nor shall the total land area be less than 6.1 acres"*.

The applicant narrative states the purpose for this amendment is to "allow individual lots within the multifamily portion of the development to be built in stages". This is necessary for the applicant due to the "current status of the economy". No other changes are being proposed in this amendment. The density, uses, layout, etc. all remain the same. The applicant concludes the narrative with "The change will not add any effect to the surrounding area other than to allow the development to proceed with construction in stages as the market determines. The intent and terms of the originally approved ZDA remain intact with a minor change to allow individual lots for each building."

Staff would agree with this statement and would recommend approval of the proposed amendment.

The Commission is tasked with making a recommendation on the Amendment of "Federation Point ZDA" to allow, by right, duplex and four-plex on their own parcel of 8,000 SF or greater, with a max density of 90 units on 6.1 acres.

Staff proposes the following conditions:

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

Applicant Presentation:

Tim Vawser from EHM Engineers stated that they are splitting the property for financing reasons to finish the project.

PZ/Questions & Comments:

- Chairperson Titus asked if there is a plan for phases on this build.
- Tim Vawser explained that there is a conceptual phasing plan. He stated that it can be changed if it's approved through engineering.
- Chairperson Titus asked about the connections that already exists throughout this property and if they are planning on finishing this to connect to others.
- Tim Vawser replied that they will keep everything flowing together.

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Rambur feels that it was approved in the past and feels it will work now
- Chairperson Titus asked about sidewalks and other connections and when does that get approved and looked at.
- Senior Planner Klaver stated that is done during the building permit process, he added that they can have it come back to dictate where to build first.
- Chairperson Titus asked about a specific criteria and asked if this applies to the entire ZDA and she feels that there is extra traffic at certain times. She asked if there are any concerns with access at this time.
- Senior Planner Klaver replied that engineering hasn't made any comments. He stated that there have been talks about a crosswalk but there are no concerns at this time.
- Director Spendlove explained that the issues with drop offs are with the school and their SUP. He stated that they can lose the SUP if it can't be managed.

MOTION: Commissioner Weatherford moved to approve the 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). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- b) Request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 2 acres located on the SW corner of Park Ave. and Washington St. South c/o Gem State Dairy Products, LLC (PZ24-0082).

Staff Presentation:

Planner Strickland presented the request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 2 acres located on the SW corner of Park Ave. and Washington St. South c/o Gem State Dairy Products, LLC (PZ24-0082).

10-15-1: COMMISSION RECOMMENDATION REQUIRED:

Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area. The council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the commission. (Ord. 2012, 7-6-1981)

10-15-2: PUBLIC HEARING:

- A. The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)
- B. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the proposal with its recommendations to the council. (Ord. 3091, 3-2-2015)
- C. The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the hearing of the council, if the council makes a material change in the plan or zone, further notice and hearing shall be provided before the council adopts the plan or zone

- D. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the planning and zoning regulations as shall be found to be necessary. (Ord. 2012, 7-6-1981)

In 2019, Gem State Dairy rezoned the undeveloped agricultural property to the northwest from R-4 and M-1 to M-2 for future development. They have since purchased the subject property that is currently zoned M-1 and are proposing to change the zone to M-2, if annexed. The subject area is located within the County's area of impact. This area references and utilizes the City's zoning district. This area was zoned M-1. Although it is County zoning and we have no jurisdiction on how it was previously utilized, we know generally what was entitled in the County. An analysis between the M-1 and M-2 zoning district's has been conducted below.

Although a declaration of land use is not required with a rezone request, the commission can take into consideration the differences between the zones and the land use allowances when making their recommendation. A review of the M-1 and the M-2 Zoning District revealed that the land uses within each zone are very similar, except for how the uses are categorized into permitted and special uses. The M-2 Zoning District also has uses that are not listed in the M-1 zoning district, but these additional uses require a Special Use Permit within the M-2 zone. Staff has provided a land use comparison chart in the attachments along with a copy of the M-1 & M-2 Zoning District Chapters.

As part of the consideration, the commission must also review the comprehensive plan to determine if the change would be appropriate and compatible with the future land use plan. This property has two comprehensive plan designations, the first being Neighborhood Commercial on the east and Industrial/Flex on the west. Neighborhood Commercial is characterized by small scale commercial developments designed to complement the neighborhood's character. Examples of neighborhood commercial land uses are offices, small scale retail, civic and community facilities and apartments. The Industrial/Flex is characterized by businesses that provide non-retail employment and support local industries within the community, such as hotels, restaurants and other retail uses and located near regional roads and railways. Staff has determined that the current zoning of M-1 and the proposed zoning of M-2 are very similar in nature and are compatible with the future land use plan. The proposed zone change, if approved, would support the goals of the comprehensive plan which is to allow future industrial growth in this area.

Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from M-1 to M-2, recommend the M-1 zone be maintained, recommend an alternative zoning designation, or table the request to acquire new information.

Should the Commission recommend approval, Staff recommends the following conditions:

1. Right-of-Way dedication for Park Avenue; and
2. Park Avenue Right-of-Way improvements completed at the time of development.

PZ/Questions & Comments:

- Chairperson Titus asked for clarification on Park Ave and if it exists yet.
- Planner Strickland stated it does not the applicant would responsible to build their part of the road.
- Director Spendlove explained how the road would work. If it's required to get to Washington for a safe development, Park will go East to West.

- Planner Strickland showed other properties on the map and explained that once development starts they will extend beyond this parcel.

Applicant Presentation:

Hank Hafliger stated they have no intentions of construction at this time.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

- Chairperson Titus asked the other commissioners if the change in zone changes their minds.
- Commissioner Weatherford asked for clarification on the chart. What is permitted vs what needs a special use Permit.
- Planner Strickland explained the differences on the list with more detail.
- Director Spendlove added that anything on the list can be used. The decision need to be if this zone is appropriate with the surrounding zones.
- Commissioner Rambur asked about the Future Land Use and will the zones work with that.
- Planner Strickland stated both future uses will work with that area.
- Chairperson Titus stated with no one speaking against or with concerns she feels this will work.

MOTION: Commissioner Weatherford moved to approve the request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 2 acres located on the SW corner of Park Ave. and Washington St. South c/o Gem State Dairy Products, LLC (PZ24-0082). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- September 23, 2024 - Combined work session with City Council
- September 24, 2024

7) Adjournment

The meeting adjourned at 06:44 PM

Jody Green

Jody Green, Planning Technician