



Twin Falls Planning & Zoning Commission Minutes

Tuesday, September 24, 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

Vice-Chair Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Rambur, Herrgesell, Zimmerman

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

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: September 10, 2024.

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

Commissioner Herrgesell seconded the motion.

4) Items of Consideration

- a) Request for the consideration of the Preliminary Plat for Jack's 612 Subdivision consisting of 4 lots on 0.475 (+/-) acres located at 612 Jackson St. c/o Jeremy Orton. (PZ24-0086)

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Jack's 612 Subdivision consisting of 4 lots on 0.475 (+/-) acres located at 612 Jackson St. c/o Jeremy Orton. (PZ24-0086)

Per City Code 10-12-2-3: The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision the Commission shall consider the objectives of this Title and at least the following:

1. The conformance of the subdivision with a Comprehensive Plan.
2. The availability of public services to accommodate the proposed development.
3. The continuity of the proposed development with the capital improvement program.
4. The public financial capability of supporting services for the proposed development; and
5. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

This piece of land is in the "unity subdivision" which occurred in December 1938. County records show the north 1/2 of Lot 4 being split from the south 1/2 of Lot 4 in 2001.

Staff has researched the history of the zoning and found no records of rezoning. It is believed

the R-4 zoning district has been in place since 1981, ordinance 2012.

Staff has reviewed the preliminary plat based on the proposed development plan, the zoning regulations and comprehensive plan and finds that the preliminary plat is within compliance should the applicant conform to Staff's recommended conditions.

Upon conclusion, this preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding R-4 zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Should the Commission approve this request as presented, staff recommends approval be subject to 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; and
2. Subject to submittal of a preliminary plat submitted prior to final plat showing compliance with all conditions and comments in Engineering Memorandum dated August 5, 2024.

PZ/Questions & Comments:

- Vice-Chair Campbell asked what conditions the city is recommending.
- Senior Planner Klaver read the conditions staff recommended.
- Commissioner Rambur asked about access and if there were any concerns.
- Senior Planner Klaver stated Engineering doesn't have a concern and there will be a crosswalk agreement.
- Commissioner Rambur asked if there would be access to the south.
- Senior Planner Klaver replied that it would.

Applicant Presentation:

Rex Harding clarified the question about the access. He stated that additional fire lines will be put in.

PZ/Questions & Comments:

- Commissioner Rambur asked about the current easement and will it continue to go through.
- Rex Harding stated it won't go further than the 3rd lot.
- Commissioner Rambur asked if there will there be a circle for fire truck access.
- Rex Harding stated there will be a turnaround for the fire department on lots 2 and 3 and will have access to the 4th lot.

Discussions Followed:

- Commissioner Rambur feels this is similar to the surrounding buildings and is a good fit.
- Commissioner Herrgesell feels it meets the criteria.

MOTION: Commissioner Herrgesell moved to approve the request for the consideration of the Preliminary Plat for Jack's 612 Subdivision consisting of 4 lots on 0.475 (+/-) acres located at

612 Jackson St. c/o Jeremy Orton. (PZ24-0086). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

5) Public Hearings

- a) Request for a recommendation to City Council to approve a Zoning District Change from C-1 PUD to C-1 on property located at 997 Washington St S., c/o J-U-B Engineers, Inc. on behalf of Zaremba Group, LLC. (PZ24-0084)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council to approve a Zoning District Change from C-1 PUD to C-1 on property located at 997 Washington St S., c/o J-U-B Engineers, Inc. on behalf of Zaremba Group, LLC. (PZ24-0084)

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Zoning Map Amendment: The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.

The Orchard Park PUD agreement was approved in 2006 with a five (5) year maximum time limit for final development. The Orchard Park Plaza Subdivision No. 1 was later approved and the final construction of the eastern portion of the Master Plan was completed. Swenson's Market was given occupancy in 2007. This Orchard Park Plaza Subdivision No. 1 contained phase 1 and 2 of the development with phase 3 to follow in 2022 when the City of Twin Falls platted the Washington Fire Station Subdivision and constructed Fire Station No. 3. There are still a few undeveloped lots remaining within the PUD, the subject property being one of them. Upon review of the Orchard Park PUD for development and design standards, staff made the applicant aware of the modified restrictions within the agreement for development of the site. The applicant has been working to meet the design and development requirements within the PUD, but there has been difficulty designing the site to allow for the building, parking, and landscaping requirements per the PUD Agreement. Staff has provided a land use and development standards chart comparing the Orchard Park PUD variations from the C-1 zoning district. The areas that vary from C-1 are land uses, property line setbacks, off-street parking, signs, building height and building design standards.

The land uses identified within the PUD for the western portion of the Master Plan was limited to Neighborhood Commercial land uses with a limited list of additional uses allowed with a special use permit. The PUD would allow for an automobile parts store with an approved special use permit, a land use outright permitted within the C-1 zoning district.

A request to rezone this property to C-1 would remove this lot from the PUD agreement and

allow development to move forward using the C-1 zoning district standards. For example, the design of the lot would allow for no property line setbacks along the side and rear of the property, making for a larger area to build. Parking standards would change from 4.5 per 1000 sq. ft. of floor area to 4 per 1000 sq. ft of floor area. Freestanding signs within the PUD is limited to a 50 sq. ft. monument sign for lots within the western portion of the Master Plan. A rezone to C-1 would allow the applicant to follow current city code requirements for signage. The PUD calls for a gable or hip roof with a 31/2 pitch and twelve inch eaves, with a residential style not typically used for a commercial building design. While the staff is aware that the PUD offers the development some control over the design of the property at the time of approval, there was limited development within this area of town. A PUD was a planning document that provided a master development plan with a conceptual design in an attempt to protect the goals of the comprehensive plan.

Currently, the Comprehensive Plan has two designations for this property, Neighborhood Commercial and Mixed Use. The Neighborhood Commercial is characterized by providing support services and small-scale commercial uses that complement the neighborhood. The Mixed Use is characterized as an area that serves local and regional commercial uses and consists of retail, offices, restaurants and entertainment. The C-1 zoning district proposed for this property would be found within both the Mixed Use and Neighborhood Commercial designation. While removing the property from the PUD would remove some design restrictions, it would not alter its compatibility with the comprehensive plan.

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 C-1 PUD to C-1, recommend the C-1 PUD zoning be maintained, recommend an alternative zoning designation, or table the request to acquire new information.

PZ/Questions & Comments:

- Commissioner Rambur asked for clarifications for the request.
- Planner Strickland explained that the PUD is too restrictive for what the applicant wants to do.
- Commissioner Rambur asked about landscaping and are there requirements.
- Planner Strickland stated the front will stay but the zone does require some additional.
- Vice-Chair Campbell asked if this will affect the others who have built in the PUD.
- Planner Strickland replied it will only affect the lot in the application.
- Commissioner Herrgesell asked if there were any modification to Swensons market.
- Planner Strickland stated they are the ones that set up the PUD.

Applicant Presentation:

Caleb LaClair from J-U-B Engineers explained that they tried to work in the PUD requirements but the setback on the south side is keeping them from that. He explained the roof requirements wouldn't work for them either.

PZ/Questions & Comments:

- Vice-Chair Campbell asked if they have talked with Swensons about being different.
- Caleb LaClair replied they (Swensons) have been supportive the whole time.

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Rambur feels using the setback isn't an issue.
- Commissioner Herrgesell feels it would be a nice addition to the neighborhood.
- Commissioner Zimmerman feels if Swansons is in support it's a good fit.

MOTION: Commissioner Rambur moved to approve the request for a recommendation to City Council to approve a Zoning District Change from C-1 PUD to C-1 on property located at 997 Washington St S., c/o J-U-B Engineers, Inc. on behalf of Zaremba Group, LLC. (PZ24-0084). Commissioner Zimmerman 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 district for a proposed annexation of approximately 10 (+/-) acres located along the 1500 block of Harrison St S., c/o Katrina Kulm on behalf of Elevate Academy Foundation, Inc. (PZ24-0087)

Staff Presentation:

City Planner Ebersole presented the request for a recommendation to City Council on the appropriate zoning district for a proposed annexation of approximately 10 (+/-) acres located along the 1500 block of Harrison St S., c/o Katrina Kulm on behalf of Elevate Academy Foundation, Inc. (PZ24-0087)

Per City Code 10-15-1: 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.

Per City Code 10-15-2 (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)

The property is currently vacant and located in the Unincorporated area of the City of Twin Falls.

Twin Falls County records show this land has always been used for agriculture purposes. This area is primarily residential in nature, in the southeast portion of Twin Falls.

There are multiple residential developments under different phases of construction in the area. R-4, Medium Density Residential, is the primary zone in the area, mixed with R-2 and R-1 Variable.

This property is located off Harrison St S and South Hills Road (3600 E) to the south, both collectors. South Hills Middle School is located to the west.

A zoning designation of R-4 on this property is an appropriate zoning designation as it is consistent with the current area and the addition of residential or school development would not adversely impact the area. Both Harrison Street South and South Hills Road are not at full traffic capacity and can handle an increase in traffic due to the annexation of this property. The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

The Comprehensive Plan has designated this area as Town Neighborhood. The land uses typically found in the designation are: Residential, Schools, Parks and Recreation facilities, and

Civic Facilities.

The Town Neighborhood designation calls for lot sizes smaller than found in Rural Residential.

The Commission will make a recommendation to City Council to approve the requested zoning designation, as presented, recommend denial of the requested zoning designation, recommend a different zoning designation or table the request for additional information.

PZ/Questions & Comments:

- Commissioner Rambur asked if they have a layout for future use.
- Planner Ebersole stated this is just for the appropriate annexation zone.

Applicant Presentation:

Katrina Kulm presented for the applicant. The client is a school and they are proceeding through the necessary steps and feel the R-4 zone is an appropriate zone.

Public Hearing: Opened

- Richard Dean had questions about his personal usage from the water runoff from this property. He asked if there would be a fence installed, he has traffic concerns in the evening and people parking for activities. He wants to know if the city has a plan to fix these situations.

Public Hearing: Closed

- Katrina Kulm stated she doesn't have any answers tonight. They will get to all that as they progress.
- Director Spendlove commented about the water issue. The street will become city jurisdiction if annexed and the city would handle those issues.

Discussions Followed:

- Commissioner Herrgesell asked to look at the map again and asked what the current zone is.
- Planner Ebersole explained it doesn't have a zone being in the area of impact but the property is R-4 in nature.
- Commissioner Rambur feels the issues will be discussed at a later date and the recommended zone is good.
- Vice-Chair Campbell feels this is a good fit for the area.
- Commissioner Zimmerman feels R-4 is a good fit for this property.

MOTION: Commissioner Rambur moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed annexation of approximately 10 (+/-) acres located along the 1500 block of Harrison St S., with staff recommendations, c/o Katrina Kulm on behalf of Elevate Academy Foundation, Inc. (PZ24-0087) . Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) October 2, 2024 - Work Session – Will be cancelled this month.
October 8, 2024

7) Adjournment

The meeting adjourned at 06:48 PM

Jody Green

Jody Green, Planning Technician