



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 3, 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:

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 PM

Members Attending: Titus, Campbell, Rambur, Weatherford, Zimmerman

Staff Attending: Spendlove, Klaver, Ebersole, Green, Vitek

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: November 19, 2024

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

Commissioner Rambur seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request a recommendation to City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102)

Staff Presentation:

Senior Planner Klaver presented the request for a recommendation to City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102)

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
- 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.

In 1988, the Fire Station received approval for a sign and records show the zoning being the current zoning designation of R-4. In 2005, the Fire Station was expanded to accommodate two brush trucks by building a 2,000 Square Foot garage.

The subject property was the old Fire Station #3, which has stopped being used since the new Fire Station #3 was finished in February 2024.

The City of Twin Falls would like to rezone the property located generally at 929 Washington Street South from Residential Medium Density (R-4) to Commercial Highway (C-1). The property is located on the intersection of two (2) arterials, Washington Street South and Orchard Drive. The busy intersection makes this property better suited for the C-1 district, which is intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodations. This district is designed for application on major streets or portions thereof. Furthermore, the property is surrounded by the C-1 zoning district on the south, east, and west.

How the proposed zoning change relates to the Comprehensive Plan.

- The future land use map of the comprehensive plan calls out the area being a mixed-use area. The mixed-use designation describes this area as anchored by grocery store, civic, or entertainment uses that allows for high-intensity mixed use development in a compact, pedestrian oriented environment. The desired mix of land uses is retail, office, restaurants, civic, hotels, apartments, vertical mixed use, etc. All these uses align with the uses in which the C-1 zone allows by right or with a Special Use Permit.

Compatibility with the surrounding area.

- The area is surrounded by C-1 zoning. Immediately to the south and east is zoned C-1 with the Orchard Park Planned Unit Development. This development is housing the fire station, Swenson's Market, a Coffee shop, with other development in the works. Across the Washington St S, to the west, is undeveloped land that is zoned C-1 with a family dollar directly to the south of the vacant land. On the North East corner of Orchard and Washington St S is residential property zoned R-1. On the North West corner of the Orchard and Washington St S is C-1 zoned property that has an Oasis gas station.

Explanation of the intended use/development of the property.

- The intended or desired use of this property is follow the desired uses outlined in the Comprehensive Plan's future land use designation of Mixed-use as stated above in question 1. We believe this rezone request would allow for the

flexibility to make that desire a reality.

Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested.

The commission may recommend the proposed zone change from R-2 to C-1, recommend the R-2 zoning be maintained, recommend an alternative zoning designation, or table the request to acquire additional information.

PZ/Questions & Comments:

- Commissioner Rambur asked if there were any specific plans.
- Senior Planner Klaver replied that there are none but the zone change would be beneficial in the future.
- Commissioner Rambur asked if the city is planning on keeping or selling the property.
- Senior Planner Klaver stated they plan on selling.
- Chairperson Titus asked about the R-4 zone and how the fire station was permitted.
- Senior Planner Klaver answered that a Special Use Permit was given.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission feels this will be a good fit with the surrounding.

MOTION: Vice-Chair Campbell moved to approve the request for a recommendation to City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- b) Request a recommendation to City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Staff Presentation:

Senior Planner Klaver presented the request for a recommendation to City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

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.

In 2005, Campus Park PUD was created and established the land use and zoning entitlements.

The proposed amendment is to increase the building coverage of the sight by allowing for another building consisting approximately 8,000 SF. Per 10-6-1.6, increasing the building coverage of the sight from the approved Conceptual Development Plan requires a recommendation from the Planning and Zoning Commission to the City Council. The Council makes the decision.

The applicant is not requesting to increase the density, building height, reduction in off-street parking ratio, reducing setbacks, reduction in open space, or the design theme. This approval grants the right for the developer to apply for a building permit for a new residential building, while keeping all regulations (i.e. parking ratio, height, density, etc.) the same.

The City of Twin Falls Comprehensive Plan calls for Commercial and Town Neighborhood type uses. Commercial uses denoted in the Comprehensive Plan are Highway-oriented, large-format retail, hotels, restaurants, and other retail. Town Neighborhood uses denoted in the Comprehensive Plan are primarily residential, such as single family, triplex, schools, etc. City Staff believe this amendment would be in line with the City's Comprehensive Plan.

Staff does not see detrimental impacts with the request, and would recommend approval.

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 approval as presented, recommend approval with conditions, recommend denial, or table the request to acquire new information. Should the commission recommend approval of the request, Staff recommends the following condition:

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 about parking.
- Senior Planner Klaver stated it still meets standards and is included when obtaining the building permit.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this will work in the property.

MOTION: Commissioner Rambur moved to approve the request for a recommendation to City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114). Vice-Chair Campbell seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- c) Request for a Special Use Permit to allow drive-thru services and extended hours of operation on property located at 1823 Blue Lakes Blvd N. c/o Michael O'Reilly on behalf of LuAron Foster (PZ24-0120).

Staff Presentation:

Planner Ebersole presented the request for a Special Use Permit to allow drive-thru services and extended hours of operation on property located at 1823 Blue Lakes Blvd N. c/o Michael O'Reilly on behalf of LuAron Foster (PZ24-0120).

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.

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 “any facility with drive-through service” and “permitted retail/trade uses operating outside the hours of seven o’clock (7:00) A.M. to ten o’clock (10:00) P.M.”

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, located within the Canyon Park West No. 1 PUD. The property was home to Golden Corral until mid-2024, and the building is now vacant. The applicant’s narrative states the proposed hours of operation are seven (7) days per week, 9:30 A.M. – 1:30 A.M., Sunday – Thursday and 9:30 A.M. – 3:30 A.M., Friday and Saturday. The hours of operation fall outside the allowed retail hours of 7:00 A.M. – 10:00 P.M. and require a Special Use Permit.

The restaurant will be staffed with an average of twelve (12) associates per shift.

The parking requirements for this request are calculated by building size. A building of 3,118 square feet plus 1,209 square foot outdoor seating area requires 43 total parking spaces, per City Code. The Canyon Park West No. 1 PUD has a cross-use parking agreement that allows the center’s parking to be used by all tenants. On the site plan, the applicant has shown the parking for the restaurant at forty-eight (48) spaces, including ADA spaces, exceeding the requirement.

The restaurant will have two (2) drive-through lanes for order taking and food service. 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. The proposed site plan shows the queue in three (3) different phases, depending on the

number of vehicles waiting in the drive-through lanes.

With the grand opening and other busier times of the shopping and tourist seasons, this queue may become overcrowded with vehicles. The applicant has addressed this concern in their narrative by having store associates available to manage the excess vehicle traffic. Staff is deployed with handheld tablets to take multiple orders, moving the vehicles through the drive-through lanes efficiently.

Per the ITE Trip Generation Manual, a fast-food restaurant with a drive-through window will generate 50.94 vehicle trips per PM peak hour (4:00 – 6:00 pm) per 1,000 Sq. Ft. GFA (gross floor area), with a directional distribution of 51% entering, 49% exiting. Based on this statistic, a restaurant of approximately 3,118 sq. ft. can expect up to 154 total vehicle trips per PM peak hour. That calculates out to roughly seventy-nine (79) vehicles entering and seventy-five (75) vehicles exiting per PM peak hour.

A “buzz” may be created with the restaurants' grand opening and extra traffic may be generated to this location. Staff have discussed traffic concerns with the applicant and have added a condition that the restaurant traffic cannot impact the local public roads. Should the traffic become a condition, they would be in violation of the Special Use Permit and would have to figure out a new traffic management solution or the permit would be revoked. Fillmore Street is a private road, while Canyon Springs Road is public. Raising Cane's and Wood Investment Group will oversee the traffic management through the shopping center and to and from the restaurant. The narrative speaks to their traffic management plan, with staff and possible off-duty police officers directing traffic through the site.

This request is not the first drive-through request that has come before the commission in this area. There are currently multiple drive-through businesses in the surrounding area, which are all responsible for managing their drive-through queues. Swig has a drive-through in the same shopping center as this proposed location. In N Out Burgers was approved for a drive-through in October. The Habit is also located in the same shopping center and has a working drive-through. Across the street, at the Magic Valley Mall, there are two drive-through restaurants (Starbucks and Taco Bell), plus many more along Blue Lakes Blvd. and Pole Line Rd.

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Mixed Use” serving local and regional commercial businesses, which allows for high-density mixed use development in a compact, pedestrian-oriented environment, sitting at intersections of major arterials. Staff has determined the proposed use is compatible with the comprehensive plan and the area, as it is a high-density commercial center with other retail stores and restaurants serving the community at large.

Based on the standards for approval, Staff does not foresee detrimental impacts related to the land use, although traffic congestion may be an issue with the grand opening of a new, highly anticipated business coming to town. 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.
2. Subject to the traffic flow for the drive-thru does not impact the local public roads.

PZ/Questions & Comments:

- Commissioner Zimmerman asked what the hours were for In-N-Out.
- Planner Ebersole answered they are approved until 1:30 am.

Applicant Presentation:

Michael O'Reilly presented on behalf of the applicant. The site plan shows a right-in right-out set up for traffic to prevent backup. If needed, they will hire off-duty police officers to help facilitate traffic. They have 3 phases of operation as needed.

PZ/Questions & Comments:

- Commissioner Zimmerman asked if customers come off Fillmore how will they enter.
- Michael O'Reilly explained on screen the different options. They are flexible with hours and will close if not busy.
- Chairperson Titus asked for clarification about the extended hours and if they are asking for both drive-thru and lobby, and would close the lobby if slow.
- Michael O'Reilly replied yes.
- Chairperson Titus asked staff if the city has anyone else with 2 lanes. How will applicant deliver food to the second lane.
- Michael O'Reilly answered that the food is hand delivered to cars.
- Commissioner Weatherford asked about the phase 3 vehicle plan and who is facilitating the movement.
- Michael O'Reilly explained the employees or police.

Public Hearing: Opened and closed with no public input.

- Director Spendlove clarified the 154 was incoming traffic, city does not have city police that would work there. The applicant would have to hire independently.
- Chairperson Titus asked to clarify the intention of the escape lane.
- Director Spendlove stated after chick-fil-a had an emergency, an escape lane was needed.
- Chairperson Titus asked the applicant to clarify about employee walking food to the second lane.
- Michael O'Reilly replied that there is no curb just striping.

Discussions Followed:

- Vice-Chair Campbell had concern with hours until 3 but others have the same.

- Commissioner Weatherford stated the city has some 24 hour restaurants and this will be a great addition.
- Chairperson Titus feels this is a good use of the property and there were no public comments.
- Commissioner Zimmerman feels with no public comment this shouldn't be an issue.

MOTION: Commissioner Weatherford moved to approve the request for a Special Use Permit to allow drive-thru services and extended hours of operation on property located at 1823 Blue Lakes Blvd N. c/o Michael O'Reilly on behalf of LuAron Foster (PZ24-0120). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- d) Request for a recommendation to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritionals (PZ24-0123).

Staff Presentation:

Planner Ebersole presented the request for a recommendation to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritionals (PZ24-0123).

The additional height process requires a public hearing to be held in which interested persons have the opportunity to be heard in regard to the application. After the public hearing, the Commission shall make a recommendation to the City Council in the form of approval, conditional approval, or disapproval of the application as presented during the hearing.

Per City Code 10-4-10(C) states "No building shall exceed fifty feet (50') in height except as provided by Section 10-7-3".

Per City Code 10-7-3 The council may allow greater than standard building heights with or without extra setback requirements, in the CB, C1, OT, M1 and M2 zoning districts and subdistricts. A request for additional height shall follow the public hearing process for zoning map amendments as described in subsection 10-4-5(B) and 10-14-7 of this title.

After receiving the recommendation from the Commission, the City Council shall hold a public hearing. After the public hearing, the Council may approve, conditionally approve, or disapprove the application as presented.

In February 2011, a non-conforming expansion permit was issued to Glanbia Foods for an expansion of their operations at this location.

In December 2014, the city council approved additional building height for two other silos on the subject property.

In August 2021, the city council approved additional building height for an additional silo on the subject property.

The applicant wants to add additional 50,000 gallon raw milk silos for milk segregation,

to better serve their needs at the facility on the subject property. The silos will be a maximum of 75 feet tall. The first silo is expected to be the same height as Silo #8.

The addition of the silos will not have detrimental impacts on surrounding properties, due to traffic, noise, glare, odor, or fumes and/or vibrations. There is no need for additional employees, and no change to the hours of operation.

The location of the silo is considerably set back from the current roadway, and from any nearby residential properties.

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 to City Council 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:

- Chairperson Titus asked where the new one is going.
- Planner Ebersole showed on screen they are in the back of the current ones.

Applicant Presentation:

Kim Jasper presented on behalf of the applicant. They are asking for 2 additional feet for the pads.

PZ/Questions & Comments:

- Chairperson Titus asked for clarification if they are asking for 2 new silos.
- Kim Jasper replied yes.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels that with the city approving the same heights for other silos, this should not be an issue.

MOTION: Vice-Chair Campbell moved to approve the request for a recommendation to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritionals (PZ24-0123). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

6) Upcoming Meeting(s)

- a) December 17, 2024

7) Adjournment

The meeting adjourned at 06:58 PM

Jody Green

Jody Green, Planning Technician