



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 17, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

COUNCIL CHAMBERS

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

NAME called the meeting to order at 06:00 PM

Members Attending: Titus, Campbell, Rambur, Zimmerman

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

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of the minutes from the following meeting: December 3, 2024.

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

Commissioner Zimmerman seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for a Special Use Permit for a public charter school and alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, erstad Architects.

Staff Presentation:

Planner Ebersole presented the request for a Special Use Permit for a public charter school and alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, erstad Architects.

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 10-4-5.2, a special use permit is required for “Schools – private academic or public”.

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.

In October 2024, the property was annexed to the city by request of the applicant. The land is now located in city limits with the R-4 zoning Designation, and under the City of Twin Falls city codes and laws.

The property is currently vacant and there are no records that the property has ever

been used for anything but Agriculture.

This area is primarily residential in nature, in the southeast portion of Twin Falls. This property is located off Harrison Street South, with South Hills Road (3600 E) to the south, both having road classifications of collectors. South Hills Middle School is located directly to the west.

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.

Per the Engineering Department, the sewer and water modeling has been completed for this upcoming project. The applicant will have their own Pressurized Irrigation system. All current irrigation systems are to remain and will not take away from any of the neighbors' water rights.

Having two schools across the street from each other will increase traffic on Harrison Street South-during drop off and pick-up times. A way to help mitigate traffic issues would be to stagger the start and end times of school days. Elevate Academy has addressed this concern in the enclosed traffic study, showing there are different start and end times between the two schools.

There is no crosswalk across Harrison Street South. A condition has been added for a crosswalk to be installed, paid for by the applicant, if deemed necessary by the City Engineer. The applicant has shown a potential crosswalk location on their site plan.

The applicant is required to build the public infrastructure (curb, gutter, sidewalk, street improvements) for the entire length of the property and will work with the Engineering Department to get this accomplished.

The applicant has asked to do an alternative landscape plan, removing the parking islands and moving the island landscaping to the perimeter of the grounds, for easier parking lot weather maintenance.

The site plan shows two approaches on Harrison Street South that will line up with the approaches at South Hills Middle School. There is a parent drop off zone in front of Building A, with bus parking along the south approach. The parking lot is located in front of the buildings, with a pedestrian/ADA crossing lane from the lot to the buildings.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood", which is primarily residential in character, with parks, schools, and civic facilities included.

Staff has determined the proposed use is compatible with the comprehensive plan.

Based on the standards for approval, Staff does not foresee detrimental impacts related to the land use. The applicant has addressed potential traffic issues with an extensive traffic study and, as this land has never been developed located in the R-4 zone, Staff believes a new charter school is a good use of the land.

There are two items for the commission to vote on:

1. The alternative landscape plan.
2. The Special Use Permit for the public charter school.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. The commission may approve each request, deny one or both of the requests, or table for further information.

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 a crosswalk paid for by Elevate Academy, if deemed necessary by the City Engineer.

PZ/Questions & Comments:

- Chairperson Titus asked if they would come back if they build anything else.
- Planner Ebersole replied they would not if it's outright permitted.
- Commissioner Rambur asked if they had anything in mind for the north part.
- Planner Ebersole stated they would have to ask the applicant.
- Vice-Chair Campbell asked about the crosswalk.
- City Engineer Vitek explained the City will work with applicant for the crosswalk if it is safe and needed.
- Chairperson Titus asked if there is a time limit on when the crosswalk can be built.
- City Engineer Vitek answered if there is an issue on Harrison then it will be needed and looked at again.
- Director Spendlove replied there is no time limit with the way the permit is written.

Applicant Presentation:

Katrina Kulm presented on behalf of the applicant. They feel the size of the school will not cause issues with traffic. The landscape will be moved to the outer perimeter. They only have 480 kids chartered for the school. The school busses 60% of the kids. Monica White co-founder of Elevate Academy. The safety of kids is a concern they take serious. They will help stage with parents the first few weeks to teach the flow to parents.

PZ/Questions & Comments:

- Chairperson Titus asked about the staff and size.
- Monica White replied they have 42 staff members.
- Chairperson Titus asked how many car spaces will they have.
- Monica White stated they have 144 junior and seniors with about half driving.
- Katrina Kulm answered they have 112 spaces on site.

- Chairperson Titus asked if it's the same owner for the entire lot. She asked where the sidewalk to the north would connect.
- Director Spendlove answered that it's not close.
- Vice-Chair Campbell asked about the landscape plan
- Planner Ebersole replied it's not a specific condition and they proposed an alternate location.
- Director Spendlove clarified that landscaping will probably not be on the frontage of Harrison with a ditch running along that area.
- Chairperson Titus asked if the landscape needs to be on the frontage.
- Director Spendlove explained that landscaping has a percentage that will require a certain amount of trees.

Public Hearing: Opened

- Richard Dean is the neighbor. He feels the traffic is already a problem. He stated the land slopes and how will they get the sewage to the road. He asked about the irrigation ditch and if it will be piped or open. He uses the runoff water currently and thinks this will cause a problem for him. He would like it denied until they answer his questions.
- Pete Johnston has some concerns. He thinks this will be troubled youth. Are they from out of town, if they are he doesn't want them here. He feels there are enough schools. Parking will be an issue if the students are driving and parking at the school. Harrison has enough traffic.
- Tami Walker feels the school is needed and the students are local. She feels the traffic will work.
- Katrina Kulm stated they have been working with all the departments in the City to solve any issues that might arise with the school. They will continue to work with city staff.
- Vice-Chair Campbell asked about the other locations and were they comparable to this area.
- Monica White stated the one in Idaho falls shares a fence and they've had no issues. Post Falls is a block off a main road with no issues. Caldwell is across from water department and have no issues. Nampa is on a main road and they have no issues there either.
- Vice-Chair Campbell asked if the parking spaces and canal drainage will be sufficient.
- Katrina Kulm stated they have similar layouts and the parking works. No other locations have needed overflow.
- Justin Scott (phone) has been working with the irrigation district. It is outside their district and is considered a user canal/ditch but will continue to work with them. Middle schools and High schools have to have enough to meet code. They will make sure concerns are addressed.
- Chairperson Titus asked about the sloping of land.
- Director Spendlove replied that the grade runoff/stormwater generated from their property will have to be maintained by them. Harrison is a collector and there will be no parking at some point.
- Commissioner Zimmerman asked if there is a turn lane on Harrison.

- Director Spendlove stated it is not painted but there is room. Middle School has a right turn into the school.
- Commissioner Zimmerman asked if the commission can make a request for one.
- City Engineer Vitek answered that if the traffic is enough the city would do it.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur feels that this falls in R-4 zone and complies with comprehensive plan and is confident the city will address any issues.
- Vice-Chair Campbell likes that they are using similar site plans that have worked in other areas.
- Chairperson Titus likes that it will come back if it's an issue but thinks it looks good. Her only concerns are infrastructure.

MOTION: Vice-Chair Campbell moved to approve the request for a Special Use Permit for a public charter school on property located at Harison Street South c/o Katrina Kulm, Erstad Architects. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

Landscape

- Commissioner Rambur feels like the city will make sure it works.
- Chairperson Titus stated if the frontage won't work does anyone have any specifications.
- Commissioner Rambur feels the applicant wants this to look good so they will do what it takes to meet requirements and look good.

MOTION: Vice-Chair Campbell moved to approve the alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, Erstad Architects. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- b) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City

Council in February 2018.

Per 10-14-4, Zoning amendments 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.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment 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. 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 amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the parking regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the parking regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission agrees with the stacking requirements and feels it will be easier. Tandem parking for residential will be better.

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations". Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- c) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments 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.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment 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. 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 amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

1. *Move to recommend approval for the proposed zoning text amendment to the landscaping regulations chapter of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the landscaping regulations chapter of Title 10; or*
3. *Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission would like city staff to review and report back on the male to female ratio to reduce allergens.

MOTION: Vice-Chair Campbell moved to table the item to January 14, 2025. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- d) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments 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.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment 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. 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 amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the required improvements of development chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the required improvements of development chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- e) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments 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.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment 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. 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 amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

1. *Move to recommend approval for the proposed zoning text amendment to the floodplain regulations chapter of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the floodplain regulations chapter of Title 10; or*
3. *Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations". Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) January 8, 2025 - Work Session
January 14, 2025

7) Adjournment

The meeting adjourned at 08:10 PM

Jody Green

Jody Green, Planning Technician