



Twin Falls Planning & Zoning Commission Minutes

Tuesday, April 8, 2025, 6:00 PM

Members -

City Limits: Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Rui Gomes

Area of Impact: Jeff Bulkley

1) Confirmation of Quorum/Call Meeting to Order

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

Members Attending: Campbell, Weatherford, Herrgesell, Zimmerman, Gomes, Bulkley

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

2) Election of Chairperson and Vice-Chairperson

MOTION: Commissioner Bulkley moved to nominate Vice-Chairperson Campbell as Chairperson. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

MOTION: Chairperson Campbell moved to nominate Commissioner Zimmerman as Vice-Chairperson. Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

3) Conflict of Interest Declaration

4) Consent Calendar

- a) Request for approval of minutes from the following meeting: March 11, 2025.

Vice-Chairperson Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Gomes seconded the motion.

5) Items of Consideration

- a) Request for the consideration of the Preliminary Plat for Ashlee Manors Subdivision, consisting of 4.35 acres on property located at 1607 Washington South. c/o Rex Harding on behalf of Jeremy Orton (PZ25-0023)

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Ashlee Manors Subdivision, consisting of 4.35 acres on property located at 1607 Washington South. c/o Rex Harding on behalf of Jeremy Orton (PZ25-0023)

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 property was brought to the Planning and Zoning Commission and City Council for approval of the "1607 Washington St. South ZDA" in 2024. The ZDA was approved in August 2024, with the ordinance being recorded in November 2024. The ZDA was created to include "Dwellings - Attached Single Household (Townhouses)" as an outright permitted land use on the property as part of the R-4 ZDA zone.

Of the 46 lots, lots 1 and 2 have existing single-family dwellings, built around 1940. Those lots are not being considered for the Townhouse lots and will remain as is.

The Preliminary Plat drawings shows the subdivided townhome lots being grouped in 4-unit sections, similar to Valencia Park townhomes nearby.

As part of the ZDA, the applicant shows access to the subdivision off Ponderosa Street with a small roundabout built at the intersection of Vista Drive and Ponderosa St. The applicant has agreed to finish Vista Drive to South Hills Rd., for an additional access point, as agreed upon with the City Engineer. This preliminary plat reflects this requirement.

Staff has reviewed the preliminary plat based on the proposed development plan, zoning regulations and the Comprehensive Plan. Staff finds the preliminary plat is within compliance should the applicant conform to Staff 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 submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated February 13, 2025.

PZ/Questions & Comments:

- Chairperson Campbell asked if this follows the Comprehensive plan.
- Senior Planner Klaver yes and the zoning designation also.
- Chairperson Campbell asked if staff had more information about the availability of services.
- Senior Planner Klaver explained that water and sewer are already throughout the property.
- Commissioner Bulkley asked if Vista Dr will tie in or is it a dead-end.
- Senior Planner Klaver explained that the road will be finished to South Hills rd.

Applicant Presentation:

Rex Harding with TD&H Engineering detailed the agreement made last year and how they have followed that with this plat. Infrastructure is in line with this project.

PZ/Questions & Comments:

- Commissioner Bulkley asked about the easement on the ditch and if there is one in place.
- Rex Harding replied there will be an easement.

Public Hearing: Opened

- Brian Lancaster lives on the south end of the development and stated a fence was supposed to be put in with the development on the east side. He wants to know where the water rights for that property are and what they are doing with them.
- Rex Harding responded that he doesn't know about a fence for the east side. There will be a fence around the new development. Water rights will be turned over to the city.
- Commissioner Gomes asked about the east side fence and if it needs to be placed when the road goes in.
- Senior Planner Klaver will hold them to build the fence on the south side of the property during the building phase.

Public Hearing: Closed

Discussions Followed:

Commission likes the plan and feels it fits with the surrounding area.

MOTION: Commissioner Herrgesell moved to approve the request for the consideration of the Preliminary Plat for Ashee Manors Subdivision, consisting of 4.35 acres on property located at 1607 Washington South. c/o Rex Harding on behalf of Jeremy Orton. (PZ25-0023). Vice-Chairperson Zimmerman seconded the motion. Roll call vote showed all members present

voted.

Approved 6 to 0.

- b) Request for the consideration of the Preliminary Plat for Knife River Industrial Park, consisting of 45.4 acres on property located northwest of Hankins Road and Eldridge Ave Intersection c/o Caleb LaClair on behalf of Bryce Seats (PZ25-0028).

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Knife River Industrial Park, consisting of 45.4 acres on property located northwest of Hankins Road and Eldridge Ave Intersection c/o Caleb LaClair on behalf of Bryce Seats (PZ25-0028).

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 property was originally part of the "Not Zyque Subdivision", which was recorded in 2007. The subject portion for this preliminary plat is the entirety of the 1 Lot, Not Zyque Subdivision.

The subject property was annexed in summer 1999 (Ord. 2616) and has been zoned M-2 ever since.

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 submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated February 25, 2025, amended on March 24, 2025

PZ/Questions & Comments:

- Commissioner Bulkley asked about the road between Hankins Rd and Eldridge Ave.
- Senior Planner Klaver used the map to show the road and explain the requirements.

Applicant Presentation:

Caleb LaClair from JUB explained the phases they will use for development. He explained the agreement with the City about Eldridge Ave being completed through the property. They are working with the city on a good time to work on this together.

Public Hearing: Opened

- Diana Bordi asked what they would be producing.
- Bryce Seats responded about the materials being used. They use natural resources, raw material used to make concrete - rock, sand, cement powder and flash. Will put in a precast plant that uses the same material. They make sure all DEQ permits are followed.

Public Hearing: Closed

Discussions Followed:

Commission feels this is a good area for this.

MOTION: Commissioner Bulkley moved to approve the request for the consideration of the Preliminary Plat for Knife River Industrial Park, consisting of 45.4 acres on property located northwest of Hankins Road and Eldridge Ave Intersection c/o Caleb LaClair on behalf of Bryce Seats (PZ25-0028). Tiffany Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- c) Request for the consideration of the Preliminary Plat for Western Horizon Subdivision, consisting of 40.03 acres on property located at the southeast corner of Sunway Drive and Pole Line Rd. c/o Tim Vawser on behalf of Gary Nelson (PZ25-0029).

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Western Horizon Subdivision, consisting of 40.03 acres on property located at the southeast corner of Sunway Drive and Pole Line Rd. c/o Tim Vawser on behalf of Gary Nelson (PZ25-0029).

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 property was annexed into the City of Twin Falls in December 2024, where the R-2 and C-1 Zoning designations were established.

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 submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated March 4, 2025, amended March 24, 2025.

PZ/Questions & Comments:

- Commissioner Bulkley asked what the requirement is along Pole Line Rd.
- Senior Planner Klaver this would follow the gateway arterial landscaping requirements. Pole Line is an ITD right of way and they control what happens there.

Applicant Presentation:

David Thibault from EHM Engineering, Inc presented more details of the plat. He explained that the landscaping is done by the users of the land not developers. They will have 1 acre lots on the west side that could be duplexes. They will have easements outside the right of way for irrigation and storm water. They will have commercial along Pole Line Rd.

PZ/Questions & Comments:

- Commissioner Gomes asked if there will be a sidewalk along Pole Line before a buyer or later.

- David Thibault replied they are not planning any sidewalk at this time. They usually provide access and will have pedestrian routes identified.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The Commission feels this usage will work in the area and follows the future of the city.

MOTION: Commissioner Hergesell moved to approve the request for the consideration of the Preliminary Plat for Western Horizon Subdivision, consisting of 40.03 acres on property located at the southeast corner of Sunway Drive and Pole Line Rd. c/o Tim Vawser on behalf of Gary Nelson (PZ25-0029). Commissioner Gomes seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

6) Public Hearings

- a) Request for a Comprehensive Plan Amendment to modify the Future Land Use Map to expand the Utility Service Boundary and change Future Land Use Categories for properties generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3400 East). c/o Champ LLC (PZ25-0014)

Staff Presentation:

Director Spendlove presented the request for a Comprehensive Plan Amendment to modify the Future Land Use Map to expand the Utility Service Boundary and change Future Land Use Categories for properties generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3400 East). c/o Champ LLC (PZ25-0014)

The Comprehensive plan is a document used to plan and identify desired land uses, utility service boundaries and encourage future growth that will help the community thrive. The original plan was created through community input and outlines the infrastructure framework needed to develop in a reasonable and sustainable approach.

An amendment to the Comprehensive Plan is required to follow State Statute 67-6509. The process requires the Planning & Zoning Commission to hold a public hearing in which interested persons have the opportunity to be heard with regards to the application. The commission will then forward their recommendation to the City Council. After holding a public hearing, the City Council will then adopt, revise or reject the amendment. No plan shall be effective unless adopted by resolution by the governing board.

This area was never in the planning boundary for the City of Twin Falls. The last major update to the planning boundary was the 2016 Comprehensive Plan.

As future development is proposed throughout the community, the Comprehensive Plan Document is used as a tool to balance the request of individual property owners against the overall direction the community wishes to see occur. The proposal to move the utility service boundary further east would allow for future developments to engage in planning for utility services based on the availability and capacity of the utility systems.

The proposal includes an amendment to the City Utility Service Boundary by pushing it roughly 2/3 of a mile east to engulf the entirety of the proposed area. The City Engineering

department had no concerns with the proposed utility service boundary amendment. The Water and Sewer Master Plans have recognized this area and made preliminary assumptions on growth taking place.

The area being proposed to be included within this expansion incorporates property both to the north and south of Kimberly Road. Currently, the land has no comprehensive plan designation. The applicants are proposing Commercial Highway uses along Kimberly Road and Industrial type uses on the southern portion of the proposed area. This falls in line with the surrounding future land use designations currently shown on the plan with Mixed Use north of Kimberly Road and Industrial to the south of Kimberly Road.

Industrial/Flex/Employment designation is characterized by having non-retail employment with supporting uses such as hotels, restaurants, and other retail integrated into the land use. Suitable sites have excellent access to Regional roads and are adjacent to the railway. Where the property is adjacent to Kimberly Road, an arterial designed for heavy traffic, and adjacent to the railway, the proposed designation of Industrial/Flex/Employment would be a suitable designation as far as location. The desired land use mix is office parks, corporate campus, warehouse, food processing, general manufacturing, etc. The applicants' desire to utilize commercial highway type uses, the Industrial designation would be a suitable and flexible land use designation to accommodate those desires.

Mixed Use Designation is characterized as local and regional commercial with it being sited at intersections of major arterials. This is typically anchored by a grocery store, civic, or entertainment uses and would allow for high-intensity mixed use development. The proposed amendment would be on the NW corner of Champlain Road and Kimberly Road, both being major arterials. This would make the proposed designation of Mixed Use suitable for this intersection. The desired land use mix is broad to include uses similar to retail, office, restaurants, civic, townhomes, vertical mixed use, apartments, hotels, plazas and parks. This designation would also be suitable for the applicants ultimate desire for commercial highway oriented.

In summary, the applicants are seeking a change to the document, which will open up the opportunity to ask for possible changes to their land development rights in the future. This process does not grant changes to the land development rights by itself.

The Planning & Zoning Commission is charged with making a recommendation on the proposed changes. The Commission may recommend approval as presented, approval of different designations, or leaving this area out of the planning boundary. This recommendation will move forward to City Council to make a final decision.

PZ/Questions & Comments:

- Commissioner Bulkley asked where the line is between Kimberly and Twin Falls.
- Director Spendlove stated it could be very close with overlapping in some areas.

Applicant Presentation:

Gerald Martens presented his request. He gave a little history of the property. This has been in the city of Kimberly, but they cannot provide services for this property, so they made a resolution to allow this area to be included in Twin Falls. They would like to keep the same zone as presented by staff. They would like to make this change now for future use.

PZ/Questions & Comments:

Public Hearing: Opened

- Robert Champlin is one of the owners and explained that the property stays in the Kimberly School District.
- Rod Kack is the owner to the north and pointed out that the word “recommended” is not on the agenda. He has concerns with the access off the highway. He feels the property on the north will have issues. He thinks the water will become a problem with Chobani using it. He asked if this is industrial, where will they get water. The speed limit is fast at the corner, and he thinks there will be problems.
- Gerald Martens followed up on the questions. Water is from the city, and they didn't have any concerns. Access will be on the north and has been platted and approved by ITD. Permitting will fall under the city jurisdiction.
- Chairperson Campbell asked about the school money going to Kimberly.
- Gerald Martens responded that the school district boundaries are different than city or even county boundaries. Development on the property funds are allocated by the county assessor.
- Chairperson Campbell asked about the speed limit concern.
- Gerald Martens replied that it's a state highway. A light needs to be placed near this property and is being worked on now. Speed is set by ITD.
- Commissioner Bulkley asked about the houses in the area, and would they be annexed, and if they were, would they pay taxes and get services.
- Director Spendlove clarified that ownership of residential property has the right to annex or not. If annexed, then they would pay city taxes and receive services.
- Gerald Martens commented that the homes are owned by applicants.

Public Hearing: Closed

Discussions Followed:

Commission likes the idea of the expansion and thinks this will work well in the future. Chairperson Campbell has concerns about not knowing the impact and adding services on services that have already been overloaded as well as the school district tax dollars.

Commissioner Bulkley made a motion to recommend approval of the request for a Comprehensive Plan Amendment to modify the Future Land Use Map to expand the Utility Service Boundary and change Future Land Use Categories for properties generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3400 East). c/o Champ LLC (PZ25-0014), as presented, with staff recommendations. Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.
Approved 5 to 1.

- b) Request for a recommendation for a Zoning Title Amendment to allow “Assisted Living/Nursing Homes” as a Special Use Permit in the PRO Overlay Zone. c/o David Thibault on behalf of Clint Schnoor (PZ25-0019).

Staff Presentation:

Planner Ebersole presented the request for a recommendation for a Zoning Title Amendment to allow “Assisted Living/Nursing Homes” as a Special Use Permit in the PRO Overlay Zone. c/o David Thibault on behalf of Clint Schnoor (PZ25-0019).

Per City Code 10-14-1: Whenever the public necessity, convenience, general welfare or good zoning practices require, the council may, by ordinance, after receipt of a recommendation thereon from the commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property. (Ord. 2012, 7-6-1981)

Per City Code 10-14-4: 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. (Ord. 3091, 3-2-2015)

Per City Code 10-14-6: The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

Per City Code 10-14-7: The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the council hearing, if said council makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the council adopts the amendment.

Upon granting or denying an application to amend this title, the council shall specify:

- A. The regulations and standards used in evaluating the application.
- B. The reasons for approval or denial.
- C. The actions, if any, that the applicant could take to obtain a permit.

Title 10-4-18 (PRO, Professional Office Overlay) was adopted by ordinance in 2000. This overlay district is intended to provide for professional office uses along or near specifically designated major arterials where increased traffic has impacted residential uses and in areas that are near large public or private medical facilities.

The applicant has proposed adding Assisted Living and Nursing Home facilities to the PRO

overlay as a Special Use.

Allowing this Title Amendment will add the commercial use of Assisted Living/Nursing Home to the PRO overlay as a Special Use as part of the Residential category.

Assisted Living/Nursing Home is defined as a facility whose design and function shall provide area, space and equipment to meet the health needs of two (2) or more individuals who, at a minimum, require inpatient care and service for twenty-four or more consecutive hours for unstable chronic health problems requiring daily professional nursing supervision.....on a twenty-four hour basis.... {Idaho State Statute 39-1301(b)}

The State of Idaho preempts local governments from disallowing group homes with 8 or fewer individuals as they are defined as residential by State code. This request does not include group homes of 8 or fewer individuals.

The PRO overlay is generally located in our downtown area and along Addison Avenue. There are a few other locations where the PRO overlay exists, those being on collectors and arterials where there is not a strong desire for residences.

City Staff finds the result of this change creates a nice option for this overlay, as it is a natural transition from the commercial and residential uses in the areas.

Staff does not find potential detrimental impacts to the areas in the PRO overlay due to this request.

The Zoning Title Amendment request requires a recommendation to City Council. The Commission may make the following recommendations:

1. Choose to modify the proposed Zoning Title Amendment (which may require another public hearing before the Commission).
2. Recommend the proposed Zoning Title Amendment to the City Council.
3. Recommend the proposed Zoning Title Amendment be denied.

PZ/Questions & Comments:

- Chairperson Campbell asked if this was requested by an applicant or the department.
- Planner Ebersole replied that an applicant asked for this and staff felt this was the most appropriate zone to add to it.
- Chairperson Campbell asked if this would make it a Special Use Permit.
- Planner Ebersole replied that this will add it to the Special Use Permit list and applying for it would come back to commission. PRO overlay is only to increase Special Use Permits.
- Commissioner Bulkley asked which zones this could go in now.
- Planner Ebersole replied it's more commercial zones.
- Commissioner Bulkley asked if this is like a group home setting.
- Planner Ebersole clarified that 8 or less in residential is allowed per state. This is for in-patient care 24 or more consecutive hours with 8 or more.
- Chairperson Campbell asked when PRO came about.

- Planner Ebersole explained that it was in 2000. As the city grew and residential was not being used as much so the overlay was adding to increase the options.
- Commissioner Gomes asked about parking with the permits.
- Planner Ebersole clarified that it is part of the permit process.

Applicant Presentation:

David Thibault from EHM Engineers, Inc., they feel there needs to be a better transition from R-2 and R-4 to commercial. They try to find users to go in some of these vacant areas and make it usable for them. They feel this would be compatible for a transitional area.

PZ/Questions & Comments:

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Bulkley asked why this wasn't already in the overlay and where it was allowed.
- Director Spendlove clarified that the R-6 zone allows it. It is not a special use in other areas.

Commission thinks this is a good use for the PRO overlay zone.

MOTION: Commissioner Herrgesell moved to approve the request for a recommendation for a Zoning Title Amendment to allow "Assisted Living/Nursing Homes" as a Special Use Permit in the PRO Overlay Zone. c/o David Thibault on behalf of Clint Schnoor (PZ25-0019).

Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- c) Request for a recommendation for a Zoning District Change/Zoning Map Amendment from R-4 to R-6 on property located at 134 Adams St. c/o Shannon Troop (PZ25-0024).

Staff Presentation:

Planner Strickland presented the request for a recommendation for a Zoning District Change/Zoning Map Amendment from R-4 to R-6 on property located at 134 Adams St. c/o Shannon Troop (PZ25-0024).

Per City Code 10-14-4 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 provided herein; 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 under the notice and hearing procedures provided in section 10-7-20 of this title. (Ord. 3091, 3-2-2015)

Per City Code 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments. Zoning amendments may consist of text or map revisions.

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. (Ord. 3091, 3-2-2015)

The Twin Falls New School Addition was platted in 1904 and this lot has been vacant for more than 10 years, with no significant history.

The applicant is requesting a zoning district change to allow for the development of a duplex. A duplex is an outright permitted use within the R-4 and R-6 zoning districts. Currently, the subject property requires approximately 450 sq. ft. to meet the R-4 minimum lot size standard for a duplex, this change would reduce the minimum lot size standard by 500 sq. ft. allowing for a duplex to be constructed.

Upon reviewing the comprehensive plan, identifies this area as neighborhood commercial, which suggests a mixture of small commercial that serves the neighborhood as well as mixed residential uses. Changing from R-4 to R-6 would be more compatible with the neighborhood if approved. The change from one residential zone to another would not be as drastic as changing to commercial, which would also be allowed based on the comprehensive plan neighborhood commercial designation. Furthermore, the transition from R-4 (medium density) to CB (Central City Commercial) could be looked at as abrupt, and having the R-6 zoning designation may provide for a smoother transition between development patterns.

This lot is limited in size, and by allowing the proposed change, it does allow the option of building a duplex vs only a single family unit, supporting the goal of providing more housing.

Per City Code 10-14-6, the Commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives. The City Council will take into consideration the commission's recommendation after hearing public testimony and make a final decision on the request. Should the request be approved, the amendment to the zoning district map shall be made upon the preparation and passage of an ordinance.

Upon conclusion, Staff finds the proposed zoning district change to be compliant with the comprehensive plan by supporting desired land use patterns. The Commission is responsible for making a recommendation to the City Council.

PZ/Questions & Comments:

- Chairperson Campbell asked if there were any conditions.
- Planner Strickland replied this is just a recommendation.
- Vice-Chairperson Zimmerman asked what the lot size is.
- Planner Strickland answered it is 6900 sq ft.

- Commissioner Bulkley asked how we make it more appealing to have people want to clean up these lots with Twin Falls having a lot of these vacant lots.
- Planner Strickland replied that the design criteria were created to restrict these kind of developments and with times changing these are now needed.
- Commissioner Gomes asked about parking.
- Planner Strickland answered that it is 2 spaces per unit and parking can be in setback but not the building.
- Commissioner Gomes asked what the frontage depth and width is.
- Planner Strickland replied that the lot it is just shy of the 7000 sq ft requirement.

Applicant Presentation:

David Thibault from EHM Engineering, Inc. explained that the owners were requesting this change to help lend and buffer the different zones.

Public Hearing: Opened

- Diana Bordi asked if this was going to be an AirBNB or rental. She asked about the parking and size of the lot. She wonders if they are going to cut down trees.
- David Thibault replied they have no idea what will go there. The applicants just wanting options.
- Commissioner Gomes asked about the alley access.
- David Thibault replied there are 2 alleys so there should be no access issues.
- Chairperson Campbell commented on the public concern about what will go there as this is just a recommendation to city council. If people have concerns they can wait until it comes back and voice them then.
- David Thibault replied that this will only come back if a Special Use Permit is needed.

Public Hearing: Closed

Discussions Followed:

The commission feels good about the change and feel the use isn't a big change.

MOTION: Commissioner Bulkley moved to approve the request for a recommendation for a Zoning District Change/Zoning Map Amendment from R-4 to R-6 on property located at 134 Adams St. c/o Shannon Troop (PZ25-0024). Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- d) Request for a Special Use Permit for equipment rental on property located east of 2647 Kimberly Rd (portion of Sunset Business Park). c/o Laughlin Ricks Architecture on behalf of Tate's Rents (PZ25-0027).

Staff Presentation:

Planner Strickland presented the request for a Special Use Permit for equipment rental on property located east of 2647 Kimberly Rd (portion of Sunset Business Park). c/o Laughlin Ricks Architecture on behalf of Tate's Rents (PZ25-0027).

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.

Conditions May Be Attached To:

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

This request is for 2.8 (+/-) acres located within Sunset Business Park. This property is east of what was originally the National Forrest Service Office, which has since been purchased, repurposed and expanded to include new office spaces along with several new buildings that are generally related to the construction trade business. The applicant is proposing to construct a new building on this vacant property to operate an equipment rental store. Equipment rental is within the retail trade category of the commercial zoning district and

requires approval of a special use permit. This property is located within the C-1: Commercial Highway District and is adjacent to a larger commercial corridor.

Development of a vacant lot will trigger required improvements to the site to meet current city code. This will include items such as gateway arterial landscaping, site landscaping, trash enclosures, hard surfacing etc. These items will be reviewed at the time of the building permit and the site plan provided for this request is for reference only. Amendments to the site plan may be required per city codes and standards.

The narrative states the company will operate during the months of April–October, with hours of operation being 7:00 AM to 5:30 PM on Monday-Friday and 9:00 AM to 3:00 PM on Saturdays. During the "off-season", November-March, operating hours will be 8:00 AM to 5:00PM Monday-Friday and closed on weekends. Customers will visit the site to pick up and return rented equipment throughout the day. The impact of this type of visit should be minimal and similar to other businesses within the area. Kimberly Road is a major arterial that is constructed to handle large amounts of traffic and Staff does not anticipate the operation of such a business will impact the flow or volume of traffic traveling within this area.

While reviewing the application with the community development team, the applicant was sent comments regarding the location of the trash enclosure, the parking and maneuvering area, purpose of the canopies as well as plans for washing equipment. The revision to the original site plan shows that the trash enclosure has been relocated to a more appropriate location. The canopies will be used to house equipment that needs protection from the weather. The plan has identified the parking and maneuvering path throughout the site and clarified that a wash bay will be used that will contain a grease interceptor for management of any waste materials such as oils and lubricants that could damage the sewer system.

The comprehensive plan identifies this area as commercial, which is characterized by highway-oriented businesses such as large retail stores, hotels, restaurants and other businesses. The land uses recommended are mixes of retail, offices, plazas and parks. The land use proposed is compatible with the comprehensive plan and should blend well with the surrounding area.

Upon conclusion, this is a land use request and, if approved, does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. Should the commission approve the request as presented, staff recommends approval be

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 providing a grease interceptor for wash bays

Applicant Presentation:

Colby Ricks commented that there is a lot of growth in Twin, and they would like to open more locations. They like to keep a certain look, and it has been incorporated into the design. He added that the original application wanted to be open seasonally but they have since thought about changing it to year-round.

PZ/Questions & Comments:

- Commissioner Bulkley asked if they were using the building access on the west.

- Colby Ricks replied that this is one property, and they will share the lot.
- Chairperson Campbell asked if they want to change the application to year-round will they need to revise it.
- Director Spendlove clarified that they are not asking for outside business hours and if it is discussed during the meeting it will be fine.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The commission feels this fits the plan and will help fill in blank space. It fits with the surrounding area and comprehensive plan.

MOTION: Vice-Chairperson Zimmerman moved to approve the request for a Special Use Permit for equipment rental on property located east of 2647 Kimberly Rd (portion of Sunset Business Park). c/o Laughlin Ricks Architecture on behalf of Tate's Rents (PZ25-0027). Commissioner Gomes seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

7) Upcoming Meeting(s)

- a) April 22, 2025.

8) Adjournment

The meeting adjourned at 08:34 PM

Jody Green, Planning Technician