



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 10, 2025, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

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

NAME called the meeting to order at 06:00 PM

Members Attending: Zimmerman, Rambur, Weatherford, Gomes, Bulkley

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

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Request to approve minutes from the following meeting: May 13, 2025, and June 4, 2025.

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

Commissioner Rambur seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for a Special Use Permit to allow an Indoor recreation facility on property located at 3227 Eldridge Ave. c/o Lisa Lekkerkerk on behalf of Eduardo Garcia and Fabiola Aguilar (PZ25-0055).

Staff Presentation:

Planner Ebersole presented the request for a Special Use Permit to allow an Indoor recreation facility on property located at 3227 Eldridge Ave. c/o Lisa Lekkerkerk on behalf of Eduardo Garcia and Fabiola Aguilar (PZ25-0055).

Approval of this special use permit would allow the applicant to construct the sports arena and operate as such.

City Code 10-4-10 states “a special use permit is required for “an indoor recreation facility” in the M-2, Heavy Manufacturing zone.

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.

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 M-2, Heavy Manufacturing District. The shell building was constructed in 2024 and is currently vacant.

The applicant will be running an indoor sports arena, primarily for soccer. The plan is to be open every day from 9:00 am – 9:00 pm, with a schedule built for open play, team trainings, and league play.

The facility can be used for tournament play and can be rented out for public and private trainings and team practices. When not in use for soccer, the facility may be converted for

batting cages for baseball/softball practice. There are currently no other facilities in the city offering the same amenities.

The anticipated traffic for the facility is between 50 – 100 people a day, with tournaments having between 100 – 150 people coming in and out of the facility in a single day. There is paved parking on site, and the number of required spaces will be evaluated with the building permit review. Parking should be available for the vehicle traffic of players, spectators, and the five (5) employees for the facility.

As this property is in the M-2 zone, surrounded by manufacturing facilities, there is little concern for issues with noise, glare, or odor from the facility.

The 2016 Comprehensive Plan; “Grow With Us” designates this area as appropriate for “Industrial” use, which allows for a variety of uses integrated with the manufacturing facilities in the area. Staff has determined the proposed use is compatible with the comprehensive plan.

Based on the standards for approval, staff does not foresee negative impacts related to the land use and will serve a need in this city and for its citizens.
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.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The commission feels this is a good location and likes the project.

MOTION: Commissioner Weatherford moved to approve the request for a Special Use Permit to allow an Indoor recreation facility on property located at 3227 Eldridge Ave. c/o Lisa Lekkerkerk on behalf of Eduardo Garcia and Fabiola Aguilar (PZ25-0055). Commissioner Bulkley seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- b) Request for a Variance, to reduce the required building setback distances, on property located at 689, 687 and 677 Washington St N. c/o EHM Engineers, Inc on behalf of Zey, LLC (PZ25-0044).

Staff Presentation:

Planner Ebersole presented the request for a Variance, to reduce the required building setback distances, on property located at 689, 687 and 677 Washington St N. c/o EHM Engineers, Inc on behalf of Zey, LLC (PZ25-0044).

Per City Code 10-4-7, buildings within the C-1 Zone are required to meet a Front Yard Setback of 35 feet on major arterials, and 15 feet on all other streets.

Per City Code 10-7-6, buildings are required to meet additional Front Yard setback distances along certain roadways. The setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street.

Per City Code 10-13-2-1, the Commission may authorize variances from the terms of Title 10 that will not be contrary to the public interest, where special conditions apply that would result in unnecessary hardship.

The Variance Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. 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.

The Variance request must meet the five criteria for approval:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
2. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
3. That special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.
5. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

In 2000, the City Council adopted the Front Yard Setback code, 10-7-6, modifying the front yard setback along Arterial streets and Collector roads. This modification was made to account for future road expansion, as needed by the city. Around 2010, Washington Street North was widened from two (2) lanes to four (4) lanes, with turning lanes created at needed intersections. This widening project took place from Addison Avenue to Pole Line Road, completed in multiple phases. The project required the City to acquire private property from residential and business owners along Washington Street North to create the extra lane and infrastructure, making those properties legal non-conforming due to the reduction of the front yard setbacks.

The property is zoned C-1, Commercial Highway District.

The applicant is asking for a front yard setback reduction from Washington Street North, as well as the side yard setbacks abutting the residential neighboring properties.

With the Washington Street North widening project, property front yard setbacks were reduced from the required street centerline building setbacks. The residential properties along Washington Street North were reduced significantly, making those properties legal non-

conforming properties. As those properties stand today, the reduced front yard setbacks are allowed. If those property owners choose to expand or alter the properties, there is a permitting process that must be followed and approved prior to any property becoming more non-conforming.

Any new development along Washington Street North or Caswell Avenue is required to meet the current zoning code, including setbacks. Per 10-7-6, the centerline setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street. The properties are also subject to a 15' front yard setback, measured from property line. Properties in the C-1 zone abutting residential properties have a required side yard setback of 25 feet from the property line.

Using the required setbacks leaves a small building footprint. The applicant is asking to reduce the front yard setback to eight (8) feet from the property line along Washington Street North, following the legal non-conforming residential properties, to the south, along Washington Street North. Furthermore, the applicant is asking to reduce the side yard setback to 5'-10' from the property lines that abut residential properties.

The Variance request must meet the five criteria for approval:

1. **That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.** *Because of the Washington Street North expansion project, the existing properties lost street frontage, making the properties legal non-conforming. With the current setback regulations, the building envelope for the properties is much smaller than other properties in the C-1 zoning district. Portions of this property are located in a flood plain, reducing the allowed buildable land. With Washington Street North having a raised median, it restricts access to the property with a right in, right out only access, requiring access points on Washington Street North and Caswell Avenue West.*
2. **That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.** *The applicant has stated that a building of 4,500 sq. ft. is not able to be placed on this property, meeting current front, centerline, and side setback requirements, as well as meeting access and drive isle requirements. While this may be true, a smaller building footprint may be able to be configured and built on site to meet the current requirements. While the C-1 zone allows for many commercial uses, this site is limited to what could be built there based on the lot size, the flood plain, and setback requirements. A large, big box store would not fit, and the tenant space is limited. Based on an average size Tenant Improvement space of 1,500 square feet, this lot would not allow for more than three if the applicant was allowed to build the 4,500 square foot building, as requested.*
3. **That special conditions and circumstances do not result from the actions of the applicant.** *The applicant is asking for the variance to the setbacks due to the diminished building footprint due to current setback and floodplain regulations. The applicant is not asking for any additional land use changes. The right in, right out access limitation is not the fault of the applicant.*
4. **That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.** *Approving this variance would allow for the vacant properties to be developed*

as submitted in this request. Making allowances for setbacks due to the diminished building footprint does not change any other regulations that the applicant will have to meet with regard to building, engineering, fire, or other zoning codes. The land use of commercial office/retail space is now an outright permitted use in the C-1 zone, and could be built today, following the current code. The existing properties to the south are now legal non-conforming buildings, and have a separate permitting process to go through for any expansion.

5. **That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.** *The commission is tasked with deciding whether a variance is required to have any development on these properties. A smaller building may be able to be developed on site using the diminished footprint, although the cost of the development may be a hardship for the applicant if the costs outweigh the return on investment.*

The applicant has stated in the narrative that the building envelope left by the current setback requirements is too small to build anything usable, therefore making the property unbuildable by current standards. The applicant would like to use this property for retail/office space for a building of approximately 4,500 square feet, situated along the southern piece of property. The eight (8') foot setback request is only for the portion of building to the far south. The side setback variance affects the southern and western boundaries of the project bordering residential properties, with multiple setbacks ranging from five (5') feet to ten (10') feet. The existing residential property owners may be adversely affected by this request, due to the close proximity of the building to their residential properties. A condition may be added that requires the applicant to plant a landscape buffer between the commercial building and the bordering residential properties to help mitigate any noise disturbance that may occur.

The proposed building has been located along the southern and western portions of the property. The northern portion of the property is located in the flood plain, restricting any building on that portion of property. The flood plain map is attached, showing the portion of property located in the flood plain. Parking spaces are allowed to be placed in that location.

The required parking is placed along the Washington Street North frontage, with access to the property on Caswell Avenue West and Washington Street North. The access points are both right in only access, directing traffic one way through the parking lot. Washington Street North has a raised median, restricting vehicles from turning left onto Washington Street North.

The current parking and landscaping requirements will need to be met with the building permit, with Washington Street North having a 10-foot gateway arterial landscape requirement, per Title 10-7-12 (B). Approving this variance request would allow the applicant to alter this requirement as they are asking for the setback to be reduced to 8 feet where the building fronts Washington Street North. Allowing this reduced setback would create a smaller arterial landscape strip where the building fronts Washington Street North.

The proposed side yard setbacks are very close to the surrounding residential neighbors. The applicant has sent a letter to the surrounding neighbors stating their intent for the property (included in the packet), and, as of this staff report being written, there have been no public comments sent to the city regarding the request, in favor or against.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for

“Neighborhood Commercial” which is designed to complement the neighborhood character, providing supporting services and small-scale commercial for the surrounding neighborhood. 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 landscape buffer between the commercial building and the bordering residential properties to help mitigate noise disturbance. Per Title 10-11-4(B)2, whenever bushes or trees are used as screening/buffer, the screening height may not be less than three feet (3') at the time of planting, providing a minimum height of six feet (6') is achieved within six (6) years after planting.

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, approve with conditions, or deny the request.

Applicant Presentation:

David Thibault from EHM Engineers, Inc, presented on behalf of the applicant. He explained the problem the setback causes for building on the lots.

PZ/Questions & Comments:

- Commissioner Bulkley asked if there is a way to not have to come in for a variance.
- Planner Ebersole explained that right now code verbiage states that this is the way to do this. Going forward with code rewrite this will be easier.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The commission feels this will work on the property and likes the idea being presented.

MOTION: Commissioner Rambur moved to approve the request for a Variance, to reduce the required building setback distances, on property located at 689, 687 and 677 Washington St N. c/o EHM Engineers, Inc on behalf of Zey, LLC (PZ25-0044). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- c) Request for a Variance, to reduce the required front building setback distance to 20 feet, on property located at 448 Addison Ave. c/o Rich Davis (PZ25-0050).

Staff Presentation:

Senior Planner Klaver presented the request for a Variance, to reduce the required front building setback distance to 20 feet, on property located at 448 Addison Ave. c/o Rich Davis (PZ25-0050).

Per City Code 10-4-7, buildings within the C-1 Zone are required to meet a Front Yard Setback of 35 feet on major arterials, and 15 feet on all other streets.

Per City Code 10-7-6, buildings are required to meet additional Front Yard setback distances along certain roadways. The setback for Washington Street North is 80 feet, with the setback for Caswell Avenue at 52 feet, as measured from the center of the street.

Per City Code 10-13-2-1, the Commission may authorize variances from the terms of Title 10 that will not be contrary to the public interest, where special conditions apply that would result in unnecessary hardship.

The Variance Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. 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.

The Variance request must meet the five criteria for approval:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
2. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
3. That special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.
5. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

The property is located in the Original Townsite Plat for Twin Falls, which was created in 1904. The original configuration of this lot was around 9,000 Square feet. This plat has the front property line utilizing 35 feet from the centerline of Addison Avenue. In 1994, the State of Idaho purchased a little more than 18 feet for right-of-way expansion from this lot. This effectively reduced the lot by roughly 2,000 Square feet. In the 70's the neighbor to the east purchased 808 Square feet of property to make the configuration today which is around 6,000 Square feet. A typical lot in the Twin Falls Original Townsite was 50' x 125' or 6,250 Square feet.

By 1978, the house was removed and has been land has been vacant since.

In 1999 the centerline setback code section (10-7-6) was instituted which required a building setback of 80 ft from the centerline of Addison Avenue.

That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

The applicant's narrative talks about the front yard setback not being applied to the

neighboring properties. Where this is an historic plat and most houses existed prior to the 1999 centerline setback, this would be true. These existing structures are now considered legal, nonconforming and would require zoning approval for a change of use or expansion of the building footprint. Where this code section doesn't apply to all properties within the R-6 designation, an argument could be made that this regulation/circumstance is not applicable in the same district for other properties. However, this regulation is uniformly enforced for the designated collectors and arterials. Furthermore, this property was substantially reduced when Addison Avenue was widened by the State in 1994.

That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.

Rights commonly enjoyed in the zoning designation of R-6 PRO, are primarily residential with the ability to ask for some limited professional offices. The R-6 zoning designation allows by right single family, duplex, triplex, fourplex, and structures with 5+ units. This is the City of Twin Falls highest intensity, solely residential, zoning designation. For a property of this size, a single-family residence would be the most units that could be constructed on this property. A professional office could also be approved by a special use permit. The applicant is seeking to place a 600 square foot structure. This is not excessive and would be reasonable size for the surrounding area.

That special conditions and circumstances do not result from the actions of the applicant.

The applicant and previous owner did not result in this special circumstance. The lot has been in this configuration since the 70's and vacant since the late 70's.

That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.

One special privilege could be seen as this property would be fully permitted to build to the 20 foot setback as requested. Other properties that are less than the 80-foot centerline setback are considered legal non-conforming. Legal non-conforming structures need to go through a process to expand or change the use. This process isn't necessarily a huge process, however, it is another step these other properties would have to take, whereas granting this variance this property would not.

However, the Planning and Zoning Commission just heard and passed a recommendation to the City Council a text amendment which removed the Centerline setback requirement as found in 10-7-6. The City Council has not heard this text amendment and is not effective until an ordinance is passed, if it is passed at all. Staff has not heard negative comments on this proposed title amendment and anticipates this section being removed with the conclusion of the Title 10 rewrite.

That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

Utilizing the applicant's scale on the site plan, the current setbacks would result in a building area of a little over 760 Square feet. However, this would result in a triangle house which would pose some unique situations and may be seen as unnecessary and unreasonable. 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 vehicles not backing onto Addison Avenue. This may be done through access from the alleyway or an onsite turnaround. This condition shall be met at the time of the building permit.

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, approve with conditions, or deny the request.

Applicant Presentation:

Rich Davis explained the reason for his request.

PZ/Questions & Comments:

- Commissioner Weatherford asked if they were wanting to only put 1 home.
- Senior Planner Klaver explained it only allows for one.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The Commission feels this will work for this property and the turnaround will not affect traffic.

MOTION: Commissioner Rambur moved to approve the request for a Variance, to reduce the required front building setback distance to 20 feet, on property located at 448 Addison Ave. c/o Rich Davis (PZ25-0050). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0 to 1.

- d) Request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039).

Staff Presentation:

Director Spendlove presented the request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R6 High Density Residential, on property located at the 900 block of Falls Ave W. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039).

Per City Code 10-6-1.7(E) approval of a ZDA shall be based on the following standards:

1. The proposed uses shall not be detrimental to any surrounding uses; nor shall they be detrimental to the health, safety and general welfare of the public.
2. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.

3. The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.
4. Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development

Per City Code 10-14-5, Zoning Map Amendment:

The commission 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 City Code 10-7-20.

Per City Code 10-6-1: A preliminary presentation of the request is required before a public hearing in front of the Planning & Zoning Commission. The preliminary presentation was held on Tuesday, May 13, 2025.

Once the commission makes a recommendation of the Zoning Development Agreement (ZDA) / Zoning District Change (ZDC) request, the item will go before City Council for public hearing and a final decision.

The property is currently zoned R2 NCO PUD, as part of the Meadow West PUD #274. This agreement was created and approved in 2017.

The property in question is located in the Neighborhood Commercial area of the PUD, created for a high-end retail/office village to complement the surrounding residential neighborhood.

As of today, the property has remained vacant.

A zoning development agreement (ZDA) is designed to accommodate appropriate combinations of uses that may be planned, developed, and operated as integral land use units either by a single owner or a combination of owners. A ZDA is intended to accomplish some, or all of the following:

1. Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;
2. Encourage developers to use a creative approach in land development;
3. Retain and conserve natural land and topographic features;
4. Promote greater use of streetscape and pedestrian-oriented aesthetics;
5. Promote the creation and efficient use of open spaces;
6. Create flexibility and variety in the location of improvements on lots;
7. Provide flexibility in development standards to facilitate creative land development concepts.

Land uses in the ZDA shall conform to the standards and regulations of the underlying zoning district(s), unless otherwise approved and included within the ZDA. The ZDA shall be comprised of a list of land use exceptions being requested, any development exceptions requested and shall be incorporated into the conceptual development plan. The ZDA shall provide exceptions requested shall not be detrimental to any surrounding uses or to the health, safety and general welfare of the public.

The applicant has proposed to change the zoning of eight (8) acres to R6 ZDA, specifically Lots 1 – 12, Block 1, Meadow West Subdivision. This action will remove the lots from the original

PUD, creating a new Zoning Development Agreement for multi-family use.

The R6 zone allows for multiple house dwellings (5 units or more) as an outright permitted use. This rezone would allow the developer to construct an apartment complex on the lots, adding more residential units to the area.

The applicant would like to create the Zoning Development Agreement to modify the allowed building height and off-street parking regulations listed in Title 10-4-6 (R6, Residential Multi-Family Household District) of city code.

Current code allows for buildings up to thirty-five feet (35') in height. The proposed ZDA would allow for buildings up to forty-two (42') in height.

Off-Street Parking regulations require two off-street parking spaces per residential unit. The proposed ZDA allows for the garage spaces to be counted towards the total required off-street parking. With 144 units proposed, the required parking would equal 288 parking spaces. Adding the garage spaces as counted as part of the required parking will allow the applicant to build less parking spaces on site.

The proposed apartment complex allows for 144 units per the site plan. There will be twelve buildings constructed, ranging from six – eighteen units per building. The six and twelve-unit buildings will have one-car garages located on the bottom floor, with the dwelling units located on the second floor. The eighteen-unit buildings will be three stories, with parking located in front of the units and the around the complex area.

Falls Avenue West and Grandview Drive is a high-traffic intersection, primarily residential, with a commercial gas station/convenience store directly to the North. The potential detrimental impacts on surrounding areas will be largely from more vehicles in the area, although the intersection and roads will be built to handle the increased traffic.

The original PUD agreement required Falls Avenue West to be constructed to city standards. The road has been constructed, but has failed inspection by the Engineering Department. A condition has been added to this request that Falls Avenue West must be constructed to city standards and approved by the Engineering Department. The ordinance for this request will not be taken forward to City Council for approval until there is confirmation of the road passing inspection.

The Future Land Use Map shows this area as Neighborhood Commercial, which allows for apartments. City staff finds the result of this change allows a transition between the commercial use to the north and the single family residential to the south, east and west, creating a mixed-use community.

Staff believes the layout of this project is well laid out, with the buildings being spaced apart and there being two accesses to the complex, located on the north and south sides of the properties. There is green space and landscaping surrounding the complex, which is cohesive with the surrounding area.

This specific project accomplishes a number of goals found in the Comprehensive Plan:

- **Land Use Goal 3:** encourage mixed-use developments. This area is close to the hospital and major retail and business locations, serving to provide resources for shopping and working environments for the residents.
- **Land Use Goal 5:** Create great neighborhoods with a wider range of housing types, mix of uses and amenities.

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 Falls Avenue West being constructed to city standards and approved by the Engineering Department prior to the ordinance for the request being signed by City Council.
3. Subject to a 6" raised concrete curb built on Falls Avenue West, from the Grandview Drive intersection to 375' west, as approved by the City Engineer. This will be enforced at time of first building permit.

Applicant Presentation:

David Thibault presented on behalf of the applicant. He gave some history of the property and the different options that have been proposed for this site and why they are asking for the change.

PZ/Questions & Comments:

- Commissioner Bulkley asked if they were asking to widen the road.
- David Thibault replied that both roads have been widened to city standards.
- Commissioner Bulkley asked if a traffic light was going in at the intersection.
- Director Spendlove explained that the City Engineer deems it appropriate as needed.
- Commissioner Bulkley asked about height if it's in line with other projects.
- Director Spendlove stated some are taller.
- Commissioner Gomes is concerned about the stacked parking.
- David Thibault stated that there will have to be some onsite supervision to make it work and not every unit will need 2 parking stalls.
- Commissioner Bulkley asked about the parking and how far off from standard are they asking.
- Director Spendlove replied it is not diminishing what is required. The City can't dictate where people park.

Public Hearing: Opened

- Glenn Kirby spoke on behalf of neighbors. He thinks a traffic signal is needed before the project is finished. They have concerns about the access roads and how much traffic will be going through their neighborhood. They feel traffic will go through the neighborhoods to avoid the Grandview and Falls Ave intersection. They would like the road to be rerouted or possibly a speed bumps. They have questions about the green

belt and if the new development will pay for maintenance of that. The last concern is the irrigation water and if they will be sharing, if they are, will there be enough water.

- Gerald Martens is the developer to the north and west. The intersection was designated as neighborhood commercial. He feels this is a perfect design for this corner.
- Troy Willie owns the market to the north and supports the project.
- Gary Wolverton is the owner of the project. He feels the area is nice with the homes.
- David Thibault replied that the traffic signal will be determined by the City Engineer. Access is compliant with city and fire code and will support the vehicles.
- Director Spendlove clarified this can be phased as far as building the unit but not changing the setup. They cannot change what they are building.

Public Hearing: Closed

Discussions Followed:

The Commission likes the project, but parking stall numbers are a concern.

Condition - parking

MOTION: Commissioner Bulkley moved to place a condition to remove the tandem parking exception from the ZDA. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

MOTION: Commissioner Bulkley made a motion to approve the request for a recommendation to City Council for a Zoning Development Agreement/Zoning District Change, from Neighborhood Commercial to R-6 High Density Residential, property located at the 900 block of Falls Ave W. With staff recommendations and Commission added condition. c/o EHM Engineers, Inc on behalf of Grandview Farms, LLC (PZ25-0039). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 4-0-1.

- e) Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.06 acres on property located at the 500 block of South Hills Rd. c/o Gerald Martens (PZ25-0043).

Staff Presentation:

Planner Strickland presented the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.06 acres on property located at the 500 block of South Hills Rd. c/o Gerald Martens (PZ25-0043).

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A), the commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord.

2012, 7-6-1981)

Currently, the subject property is undeveloped with no significant history. However, the surrounding property to the south was recently rezoned to R-2 as the second phase of the Sundance Subdivision. This development has a platted subdivision that will consist of 285 residential lots.

The subject property is located within the City's Area of Impact and abuts the city limits along the south and east side of the property. The property is designated as Town Neighborhood on the Future Land Use Map. This designation is characterized as residential with clustered developments consisting of 2-10 dwelling units per acre. Typical land uses found within this designation are single-family, duplex, townhomes, parks, recreational areas, schools and civic facilities.

Keeping in mind that the comprehensive plan designation is a guide and is not specific to property boundaries, the designation does represent what would generally be compatible with the surrounding area. With the property to the south being residential and with similar development to the north, rezoning the property to R-2 would be both compatible with the comprehensive plan designation and the neighboring properties.

Upon conclusion, prior to annexation of an unincorporated area, the council shall receive a recommendation from the commission on the appropriate zoning designation of the property. This recommendation will allow the council to hold a public hearing to make a final decision on the zoning designation and annexation of property. The recommendation from the commission may be to recommend approval as presented, recommend denial, recommend an alternative zoning designation or table the request to acquire new information.

PZ/Questions & Comments:

- Commissioner Rambur asked if they have a plat.
- Planner Strickland explained they have to annex first then they can plat.

Applicant Presentation:

Gerald Martens is the applicant and is the developer of the property to the east and west. would like to make it R-2 to match the area surrounding.

Public Hearing: Opened

- Dan Klien owns the property next door. He had a lot of questions about how the property would be allowed to be annexed and eventually built on. He doesn't like that a developer can buy property and be allowed to build but someone else was told they couldn't build on it. He feels a traffic light should be put up around that intersection.
- Gerald Martens replied that South Hills (3600 N) will get widened to match the west portion. They will plat this 3-acre portion.
- Commissioner Rambur asked about the split.
- Planner Strickland gave some history about the properties.

Public Hearing: Closed

Discussions Followed:

Commission likes the annexation and feels it makes sense to include this.

MOTION: Commissioner Weatherford moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.06 acres on property located at the 500 block of South Hills Rd. c/o Gerald Martens (PZ25-0043). Commissioner Gomes seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- f) Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 52.55 acres on property located at 4100 N 2700 E. c/o EHM Engineers, Inc on behalf of South Canyon Farms, LLC (PZ25-0004).

Staff Presentation:

Planner Strickland presented the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 52.55 acres on property located at 4100 N 2700 E. c/o EHM Engineers, Inc on behalf of South Canyon Farms, LLC (PZ25-0004). To initiate annexation, the property owner must request incorporation into the City Limits. The property must be within the city's utility services boundary, and either contiguous to or surrounded by the city. The subject property is contiguous along its southern boundary, and the service boundary in this area has been expanded westward to include properties along Pole Line Rd.

Per City Code 10-15-1, prior to the annexation of an unincorporated area, the City Council must seek and obtain a recommendation from the Planning and Zoning Commission regarding proposed plan and zoning ordinance changes. The Council shall neither hold a public hearing nor give notice of a proposed hearing, nor take any action on the plan, amendment, or repeal until the Commission's recommendations have been received.

Per City Code 10-15-2 (A), the Commission is required to conduct at least one public hearing, where interested parties can be heard. The hearing should focus solely on the proposed plan and zoning changes and shall not entertain comments on annexation (Ord. 2012, 7-6-1981). After receiving a recommendation from the Planning and Zoning Commission, on April 7, 2025, the Council reviewed a request including the subject property and others south of Pole Line Rd W, aiming to amend the comprehensive plan and expand the city's utility service area. This amendment creates opportunities for properties to request annexation, zoning changes, and access to city services. The Council approved this request on June 2, 2025, by resolution. The comprehensive plan amendment enabled the Council to establish future land use designations for this area. The decision was to maintain a commercial corridor along Pole Line Rd W, with Town Neighborhood to the north and south of the corridor. These designations guide development patterns and are not bound by property lines but do serve as a visual aid for determining the division of commercial and residential planning allowing the commission to make a more compatible zoning recommendation.

Currently, this area is predominantly under county jurisdiction but generally exhibits a mixture of commercial and residential use to the south and east, with commercial areas adjacent to Pole Line Rd. Properties in the area are primarily zoned either C-1 (Commercial Highway District) or R-2 (Residential Single-Family/Duplex):

- The R-2 Residential Zone supports residential development, ensuring sufficient personal space and privacy, protected from commercial and industrial intrusion, with centralized water and sewer services. Its main uses include single-family homes, duplexes, and complementary facilities like schools, religious institutions, cultural spaces, and parks.
- The C-1 Zone accommodates various commercial activities, offering businesses access to customers and is suited for major roadways.

Zoning needs to be generally aligned with the comprehensive plan and most suitable to the surrounding area. Because of this, Staff would recommend zoning the southern quarter-mile of the property as C-1, and the remainder as R-2 to be more harmonious with the neighboring zones. Rezoning the entire property as commercial would appear to be inappropriate given its lack of proximity to other commercial development along Pole Line Rd and the potentially adverse impact on an area that has historically been used for agriculture. A blend of commercial development along the highway with residential areas to the north would be considered more appropriate and align with the comprehensive plan amendments that were just made.

Upon conclusion, the Commission may recommend approval as it was requested, suggest an alternative zoning designation, recommend denial or table the request for additional information. This recommendation is then forwarded to the Council for a public hearing, to be followed by a final decision.

Applicant Presentation:

David Thibault presented on behalf of the applicant. He explained that they thought they had to zone with one zone.

PZ/Questions & Comments:

- Commissioner Rambur asked for clarification where the city was measuring from.
- David Thibault replied he would like to square off to make it easy.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission likes the applicants request for the C-1 north of the 1/4-mile line from Pole Line and R-2 south across the water line.

MOTION: Commissioner Rambur moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 52.55 acres on property located at 4100 N 2700 E. c/o EHM Engineers, Inc on behalf of South Canyon Farms, LLC (PZ25-0004). Commissioner Bulkley seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- g) Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 20.96 acres on property located approximately at 1400 block of Sunway Drive North (aka 2700 East) c/o EHM Engineers, Inc on behalf of Believers Church, Inc (PZ25-0054).

Staff Presentation:

Director Spendlove presented the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 20.96 acres on property located approximately at 1400 block of Sunway Drive North (aka 2700 East) c/o EHM Engineers, Inc on behalf of Believers Church, Inc (PZ25-0054).

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A): The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The property is currently utilized as a residential property. It is located in the Twin Falls City Area of Impact.

The Comprehensive Plan has designated this area as Town Neighborhood.

- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

The proposed zoning for this request is Residential Single Household or Duplex District (R-2). This zone can be characterized by the following:

- *Purpose Statement:*
 - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- *Sample of Permitted Uses:*
 - R-2: Single-family attached and detached; duplex; parks; etc.
- *Heights:*
 - R-2 is thirty-five (35') feet

The surrounding area is primarily in the County and zoned for larger lots. In December 2024, the City annexed the property on the east side of Sunway Drive N, which was zoned R-2 in this area. The R-2 designation seems to make sense in this area with trying to blend the county developments with proposed developments that were just annexed into the City. The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

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

Sample Motion:

- 1. Move to recommend to City Council the subject property be zoned as presented with the R-2 zoning district.*
- 2. Move to recommend to City Council the subject property be zoned ____.*
- 3. Move to table the request for additional information.*

Applicant Presentation:

David Thibault presented on behalf of the applicant. They are asking for R-2 for the whole lot.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission likes the R-2 designation for the property.

MOTION: Commissioner Bulkley moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 20.96 acres on property located approximately at the 1400 block of Sunway Drive North (aka 2700 East) c/o EHM Engineers, Inc on behalf of Believers Church, Inc (PZ25-0054). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- h) Request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.86 acres on property located at 2521 Stadium Blvd. c/o David Kemp (PZ25-0049).

Staff Presentation:

Senior Planner Klaver presented the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.86 acres on property located at 2521 Stadium Blvd. c/o David Kemp (PZ25-0049).

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A): The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The property is currently utilized as a residential property. It is located in the Twin Falls City Area of Impact.

The Comprehensive Plan has designated this area as Commercial and Town Neighborhood.

- The land uses typically found in the Town Neighborhood designation are: residential, schools, parks and recreation facilities, and civic facilities.

The proposed zoning for this request is Residential Single Household or Duplex District (R-2). This zone can be characterized by the following:

- Purpose Statement:
 - R-2 is "intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required."
- Sample of Permitted Uses:
 - R-2: Single-family attached and detached; duplex; parks; etc.
- Heights:
 - R-2 is thirty-five (35') feet

Where the surrounding zoning designations is primarily R-2 with some R-1, Staff believes either designation would fit with the Comprehensive Plan.

The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

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

Sample Motion:

1. *Move to recommend to City Council the subject property be zoned as presented with the R-2 zoning district.*
2. *Move to recommend to City Council the subject property be zoned _____.*
3. *Move to table the request for additional information.*

Applicant Presentation:

David Kemp presented his request for the R-2 zone for annexation of the property.

PZ/Questions & Comments:

- Commissioner Rambur asked why he wanted to annex.
- David Kemp explained he has been working on it for 8-9 years and is ready to move forward with it. He would like to plat the property out.

Public Hearing: Opened

- Gary Nelson spoke in favor of the request.

Public Hearing: Closed

Discussions Followed:

Commission feels this is a good request and R-2 will fit this property.

MOTION: Commissioner Rambur moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation of 3.86 acres on property located at 2521 Stadium Blvd. c/o David Kemp (PZ25-0049). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- i) Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

Staff Presentation:

Director Spendlove presented the request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

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.

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

Public Hearing: Opened

- Francis Alves doesn't like the "owner occupied" wording for Accessory Dwelling Unit (ADU) portion of this chapter. She feels that if the owner sells it will force the new buyer to have to remove a lot of things.

Public Hearing: Closed

Discussions Followed:

Commission wants to remove the "owner occupied" portion and the household verbiage.

MOTION: Commissioner Bulkley moved to approve the request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ25-0121). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

6) Upcoming Meeting(s)

- a) July 2, 2025 - Work Session - This is a public hearing
July 8, 2025.

7) Adjournment

The meeting adjourned at 10:21 PM

Jody Green

Jody Green, Planning Technician