



MINUTES

TWIN FALLS CITY PLANNING & ZONING COMMISSION

June 24, 2014 6:00 PM

City Council Chambers

305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Munoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

<u>Present</u>	<u>Absent</u>
Boyd	Munoz
Derricott	Reid
Frank	
Grey	
Tatum	

AREA OF IMPACT MEMBERS

<u>Present</u>	<u>Absent</u>
Higley	
Woods	

CITY COUNCIL LIAISON(S):

CITY STAFF: Carraway, Spendlove, Strickland, Vitek, Wonderlich

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **June 10, 2014**
2. Approval of Findings of Fact and Conclusions of Law:
 - Lengfeld Sub (Pre-Plat 06-10-14)
 - Mr. Gas (SUP 06-10-14)

Motions:

Commissioner Grey made a motion to approve the consent calendar as presented. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

III. ITEMS OF CONSIDERATION: **NONE**

IV. PUBLIC HEARINGS:

1. Request for a Special Use Permit to establish a religious facility on property located at 552 Shoup Avenue West c/o Gary Garrison (app.2644)

Applicant Presentation:

- Heroon Rashid, representing the applicant, state the reason for the request is to qualify the property for religious congregation. The religious congregation will meet about one time per week inside the building usually on Fridays from 12:30pm to 2:30pm. The total number of people expected in this congregation are approximately 40 to 75 and will require about 15-20 car spaces (most of these parking spaces are already provided on the property). There are no employees but there are volunteers that may use the building for meeting purposes periodically during the week but will likely be only 5-10 persons present at any one time usually between the hours of 2pm to 3pm on Sundays. Currently they congregate at another facility but have outgrown the space and are looking to expand to this location.
- John Tolk, Gem State Realty, represents the owners of the property and they have both signed the application.

Staff Analysis:

Planner I Spendlove reviewed the requested on the overhead and stated this property has been used as various medical offices for a very long time. The last confirmed occupancy was in 2009 by the City Utility Billing Department. The Building Department files revealed no history. No zoning history was found currently zone R-6 PRO.

The applicant has supplied a narrative outlining the operation of the facility, including number of employees, hours of operation and how the assembly facility will affect neighboring property owners. It is anticipated the hours of operation will be from 12:30pm-2:30pm on Fridays, as well as 2:00pm-4:00 pm on Sundays; other occasional meetings periodically during the week may also occur. Traffic anticipated will be 15-20 cars on Fridays and less on Sundays. The anticipated number of people expected to attend the Friday meetings is between 40 -75. The anticipated number of people for the Sunday meetings and other occasional meetings are between 5 -10. There will be minimal to no noise during the congregation. No other effects on adjoining properties are anticipated by the applicant.

City Code 10-4-6.2(B)-6b states that religious facilities need a special use permit in order to be established in the Residential Multi-Household zoning district. The R-6 zone is designated as an area intended to promote and preserve residential development and to provide a high density residential environment free from encroachment by major commercial and industrial activities with a proportional increase in amenities as density rises.

The religious facility is classified as a public assembly and as such would offer a location for people to assemble for various activities and meetings outside normal business hours.

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City Code 10-10 addresses parking requirements for land uses. Religious facilities are currently assessed one (1) parking space per four (4) chairs present in the main assembly area. The parking will be reviewed for compliance with current City Code at the time of building permit application.

City Code 10-11-1 thru 8: The required improvements, i.e. landscaping, screening, parking area (including surface condition and material), and sanitation facilities, as applied to this building, will be reviewed for compliance with current City Code at the time of building permit application. This building will require a Certificate of Occupancy to change the type of occupancy to assembly.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the applicant applying for a Certificate of Occupancy permit through the Building Department before occupying the building.

PZ Questions/Comments:

- Commissioner Grey asked about the parking and if the requirements can be met.
- Planner I Spendlove stated staff feels there is ample space for parking whether, and a Certificate of Occupancy will not be issued until there is ample off street parking.

Public Hearing: [Open](#)

- Dallin Young, 920 Misty Meadows Trail, asked if there were any more details about people that will be attending.
- Imad Eujayl, 2570 Joshua Way, this center has been operating on Addison Avenue for the past 7 years and has created minimal impacts to the neighbors. The assembly is very quiet and occurs on Fridays during business hours. This will be a very suitable location for the Islamic Center. The attendees are citizens within the community that work and live within Twin Falls.

Public Hearing: [Closed](#)

Closing Statement:

Mr. Rashid stated he understands the area is zoned professional office he is a doctor and understands what a professional office area is and the need for quiet neighbors. The maximum amount of time they meet is 45 minutes, there will be no music, and there will not be any noise impacts. At the current location they meet from 1:30-2:15 and he welcomes anyone to attend to see what happens at the center. Ninety percent of the

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congregations live here in Twin Falls and are productive individuals and they all come together during this time to pray. He has been a resident of Twin Falls for the past two years and he considers the people in the congregation his brothers and sisters and is happy to represent them.

Deliberations: Without Concerns

Motions:

Commissioner Derricot made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With The Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
 2. Subject to the applicant applying for a Certificate of Occupancy permit through the Building Department before occupying the building.
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2. Request for a Special Use Permit to construct a 2,876 sq. ft. detached accessory building on property located at 2508 Canyon Gate Place c/o Steve Wybenga (app. 2645)

Applicant Presentation:

James Ray, representing the applicant, stated he has been asked to construct this detached garage for the applicant to park his motorhome and collectable autos that he owns. The reason for the request is because it is larger than the allowed 1500 sq. ft.

Staff Analysis:

Planner I Spendlove reviewed the requested on the overhead and stated the Canyon Gate Subdivision was recorded in January 1997. A single family residence was constructed in 2011 on this property. The Certificate of Occupancy was issued in September of 2011. Analysis:

The applicant has submitted a narrative detailing the proposed project. The location of the proposed building is within a platted subdivision that was approved by the Board of County Commissioners. The lot is zoned SUI within the Area of Impact, allowing for Single Family Dwellings and detached accessory buildings. Detached accessory buildings over fifteen hundred (1500) square feet require a Special Use Permit prior to construction in order to mitigate possible adverse effects on adjoining property owners.

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City Staff will conduct a full review of the detached accessory building at the time of building permit for compliance with all applicable City Codes, including but not limited to Building, Fire, Zoning, and Engineering Requirements.

The accessory building as shown on the site plan and elevations has been designed to complement the main dwelling in architectural design, materials and size. It is reasonable to assume that the possible impacts to neighboring property owners will be minimal due to the surrounding development pattern. The SUI Zone was designed as a transition between agricultural uses and more dense residential neighborhoods. Large outbuildings or accessory structures are common in this zone and in this area.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Detached Accessory building shall be for personal residential use and storage of personal property only, no commercial use shall be allowed.

PZ Questions/Comments:

- Commissioner Woods asked about the architectural drawings and if approved, as presented, does that preclude the applicant from changing their mind and building a different type of building.
- Planner I Spendlove explained that would be a significant enough change that it would require the applicant to come back.

Public Hearing: [Open & Closed Without Concerns](#)

Deliberations: [Without Concerns](#)

Motions:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Boyd seconded the motion. All members present voted in favor of the motion.

[Approved, As Presented, With The Following Conditions](#)

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Detached Accessory building shall be for personal residential use and storage of personal property only, no commercial use shall be allowed.

3. Request for a Special Use Permit to establish a Recreational Vehicle and Camping Park on .83 acres located on the south side of the 200 Block of Shoup Avenue West c/o E. Dan Carter on behalf of Cowboy Investments, Inc. (app. 2646)

Applicant Presentation:

Dan Carter, the applicant, stated he is here to request a special use permit for an RV Park. He reviewed a sketch of the property and explained the proposed layout. There are approximately 15 spaces with grass and a fence around the property. He understands there may be an issue with accessing City sewer. At the present time he is considering this to be an RV Park with only electric and water services available. In the process of planning for the future sewer he would rough in the pipe so he wouldn't have to dig up asphalt later to make the connection. He thinks this would be a prime location for this type of use.

Staff Analysis:

Planner I Spendlove reviewed the requested on the overhead and stated this lot is a portion of Lot 23 of the Delong Addition Subdivision. In May of this year the zoning was changed from R-6 PRO to C-1 (Commercial Highway District).

Per City Code 10-2: Definitions – “RECREATIONAL VEHICLE AND CAMPING PARK: Any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating recreational vehicles, travel trailers or tents for dwelling purposes for a period not to exceed six (6) months. (Ord. 2550, 6-2-1997)”

Staff's concern with all RV and Camping parks is the operation transitioning into a mobile home park with permanent residents, which would be a different use as identified in City Code. It may be appropriate to place a condition on this permit any RV unit may remain in the park for a maximum of 6 months within a continuous 12 month period.

Per City Code 10-4-8: The C-1 (Commercial Highway) District, RV and Camping Parks require a Special Use Permit in order to be established legally.

“A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken.”

Per City Code 10-10: Required parking spaces will be assessed at one (1) space per unit. This requirement will need to be reviewed on a final site plan. In order to review this requirement a condition should be this permit to require an Engineered Site Plan be approved by staff prior to any construction taking place on the lot.

Per City Code 10-11-1 thru 8; Required Improvements: These requirements include sewer, water, access, streets, sidewalks, storm drainage, landscaping, and others. All required improvements are required to be provided when a change of use occurs on a parcel or lot. In order to review these improvements, a condition should be placed on this permit to require an Engineered Site Plan be approved by City Staff prior to any construction taking place on the lot.

The possible impacts of this development should focus on the occupancy of the pad sites, means of ingress/egress, potential vagrancy of tenants, and possible future use as a longer term RV Park. It should be noted that Twin Falls City Code places a time limit of six (6) months for residency at RV Park locations.

In general, the greatest impacts these types of uses create are noise from traffic, and noise from tenants. This location is currently surrounded by a majority of professional offices and other commercial uses. The possible impact of noise from traffic and tenants would not overly burden the majority of current surrounding properties and owners. That does not mean we should forget that Special Use Permits stay with the land despite ownership, unless otherwise dictated by the commission.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to an engineered final site plan being approved by staff for compliance with applicable city codes and requirements prior to any construction or use taking place on site.
3. Subject to a maximum occupancy time limit of six (6) months, for any individual trailer, in a twelve (12) month period.

PZ Questions/Comments:

- Commissioner Frank asked about the management of the RV Park. He doesn't see a manager building and is wondering how the property will be managed.
- Mr. Carter stated he currently has a gentleman he plans to be the camp host. There will be an onsite RV for the RV Manager to live in and there will be another building where a desk and possibly lawn equipment will be stored.
- Commissioner Frank clarified that there will be an on-site manager.
- Mr. Carter confirmed there will be an on-site manager.
- Commissioner Grey asked about the 6-month limitation for RV parking and if that applies in this situation.

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- Zoning & Development Manager stated that a camp host would not fall into this category. The condition is specific to travelers.
- Mr. Carter stated his actual intension is to tell the traveling public that the RV Park is limited to a seven day permit and is only renewal by the RV Park manager. The idea of someone being parked there 6 months to a year is not appealing to him at all and he has no desire to allow that type of patron.
- Commissioner Grey asked if in the future shower facilities will be offered if the development can hook up to sewer services.
- Mr. Carter stated that possibly there could be plans for that type of accommodation.
- Commissioner Frank asked if a time limit restricting the length of stay for a customer would be reasonable to the applicant.
- Mr. Carter stated his intent is to limit the stay himself. He didn't want to get into a situation where someone comes to the sight and decides they want to live there. In an effort to prevent this he plans to take the responsibility and only guarantee stays up to 7 days at any given time.
- Commissioner Frank stated the perception is that this could turn into a transient site and if a 7 day restriction was placed on the permit it could reduce those fears and take care of problems.
- Commissioner Woods asked if hard surfacing will be required along with storm water retention and if so; is the applicant is aware of these requirements.
- Planner I Spendlove stated C-1 requires hard surfacing when there are going to be vehicles parking and maneuvering on the surface. The storm water retention will need to be addressed as well.
- Mr. Carter stated he understood the need for drainage control, and the requirement for hard surfacing where traffic will be driving on and along the ingress and egress areas. The stalls where the RV's will be parked he would like to use regrind materials if possible.
- Commissioner Higley asked if the applicant wanted to increase the number of spaces would that be allowed.
- Planner I Spendlove stated no, as presented, is what is being discussed additional spaces would have to come back through the process to make that type of change.
- Commissioner Tatum stated if the Special Use Permit is granted it is linked to the property, however, if ownership changes who is to say they will manage the property as presented.
- Planner I Spendlove stated it is possible for ownership to change and in the past a condition has been added stating it is valid under this person's ownership and any new owner would have to come back through the process.

Public Hearing: Open

Rosalinda Bowman, Director of Step Ahead Learning Center, an office located near this property stated she is strongly opposed to this request. She read into the record a letter submitted by Tracy Serrano to the Commission prior to the meeting that has been filed with the applicant's request.

Public Hearing: Closed

Closing Statement:

Mr. Carter stated his interest is to build a very nice park and offer the traveling public a nice place to stay.

Deliberations:

- Assistant City Engineer Vitek stated that he is unfortunately unable to issue a will serve at this location. The Engineer that the applicant chooses to design the project will have to address this issue either with self-containment or find another alternative. He is not sure what the plumbing code will allow for multiple RV's hooking into one service. The other issue is the discussion about regrind and Shoup Avenue West. Curb, Gutter and Sidewalks will be required on this project and Shoup Avenue West will have to meet city standards. There are some projects in the City where regrind has been used it's called a double chip seal, essentially regrind is put down, packed and then two layers of chip seal are placed on top. This material is used in areas that have limited movement. This will be looked at during the engineering review.
- Commissioner Woods clarified that if the applicant is not able to address the technical issues for storm water retention then the Special Use Permit becomes invalid.
- Assistant City Engineer Vitek stated that would be correct, if the applicant can't meet the conditions then the Special Use Permit became invalid.
- Commissioner Grey asked if the storm water and the sewer issues are tied together to approve the permit.
- Assistant City Engineer Vitek explained that the storm water can be addressed in many different ways and the sewer issue is a separate issue they will need to address.
- Commissioner Frank stated he thinks the applicant has plans to manage the property, but does like the idea of placing conditions addressing ownership and possibly time limits.
- Commissioner Woods stated ownership is the key to addressing management of the property. He would agree that assigning the Special Use Permit to the applicant would help address some of the concerns. His other concern is the view from the residence located along the northwest side of the property.
- Mr. Carter explained the residence is a rental; he has spoken to the tenants and the owners of the property have been notified several times. The tenants think this will be an improvement and the property owners have not spoken for or against the project.
- Commissioner Boyd stated this is within the list of uses; it would be an improvement over what is there currently.

Motions:

Commissioner Tatum made a motion to approve the request, as presented, with staff recommendations and an additional condition stating approval is subject to the Special Use Permit being limited to Cowboy Investments c/o Dan Carter; any change in ownership would require a new Special Use Permit approval. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With The Amended Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
 2. Subject to an engineered final site plan being approved by staff for compliance with applicable city codes and requirements prior to any construction or use taking place on site.
 3. Subject to a maximum occupancy time limit of six (6) months, for any individual trailer, in a twelve (12) month period.
 4. Subject to the Special Use Permit being limited to Cowboy Investments c/o Dan Carter; any change in ownership would require a new Special Use Permit approval.
4. Request for a Special Use Permit to operate a multi-stage retirement community to be developed on 10.5 (+/-) acres located on Lots 2, 3 and 4 block WS&V 1st Amended Sub-A PUD, which borders Field stream Way to the east, Cheney Drive West-extended, to the north and Creekside Way-extended, to the west c/o Peter Candy on behalf of Canyon Retirement Community (app. 2647)

Applicant Presentation:

- Brad Wills, representing the applicant, stated this area has been discussed before. This would be a great use for this property and is excited about the development. The applicant and architects are here to answer any questions.
- Peter Candy, the applicant/developer of record for Canyon Retirement Community. He stated as a result of a demand demographic study it was determined a continuing care retirement community is needed. The community will serve the 65 and older population. As a single contiguous community it will be comprised of facilities that accommodate independent living, assisted living and a memory care facility. This community will allow retirees to live in small family residences, while later having a priority option to move into assisted living or memory care quarters if necessary. He is under contract to purchase 6 acres of undeveloped land fronting Cheney Drive West, extended and Field Stream Way, extended. He is also optioning for an additional 4.8 acres contiguous to this property. The property is currently zoned R-6 PRO PUD.

Phase 1 is designed for 13 independent living units, 30 assisted living units some of which will accommodate double occupancy and 20 memory care units. The assisted living units and memory care units will be connected to a community facility that will provide spaces a dining area, commercial kitchen, lounge entertainment area, a small activity area, beauty salon, meeting and special activities room, reception area and administrative and marketing offices. The 13 independent living units that will be constructed in Phase 1 will be duplexes with two types of units one approximately 600 sq. ft. with full kitchen, bath and attached garage and the other size that will be approximately 1050 sq. ft. with 1 bedroom, 1 ½ bath, den and an attached garage. All units will be landscaped with front, side and rear yards. Due to his need to utilize the existing will serve letter from the City each resident will acquire the vertical improvements only and not the units underlying ground. Each unit will be assessed a monthly fee that will pay for comprehensive services such as emergency medical care, landscape and residence maintenance, a selective dining plan, use of the separate independent community facility and amenities, weekly housekeeping and full night time security. If desired or needed by the independent living residence they will have priority access for continuum privileges to move into assisted living or memory care quarters.

Phase I will also have 30 assisted living units and 20 memory units. The assisted living units will average 375 sq. ft. in size, some units will be designed for double occupancy the memory care units will average 320 sq. ft. The services offered will include 24 hour staffing, medical emergency care, counseling, in room and dining area food services, coordinated group activities, housekeeping and on-site security. Project vans will transport assisted living residences to various opportunities such as shopping, interesting outings, and doctor appointments. Assisted living and memory care residents will be charged monthly fees for residency and medical services according to the level of care contracted.

This request is being made for the following reasons. 1) The maximum building size controlled by the existing PUD is 14000 sq. ft. The Phase 1 Community Building is estimated at 37,800 sq. ft. and the Phase 1 13 independent living units are calculated at 1050 sq. ft for an estimated Phase 1 total of 51,440 sq. ft. The Phase 2 estimate for the main building facility expansion is 26,500 sq. ft. and the additional Phase 2 for 16 independent living units is calculated at 1450 sq. ft. each with a Phase 2 total of 9,700 sq. ft. The increased building size requires a Special Use Permit. 2) The current PUD land use limits the hours of operation from 7am to 10pm this facility will operate 24 hours a day, the increased hours of operation requires a Special Use Permit. 3) The project consists of multiple building including accessory buildings on a single lot; this design requires the approval of a Special Use Permit. 4) The current PUD limits nursing homes and rest homes to 16 residential beds including staff. The proposed project has 17 or more residential beds including staff; therefore the higher level of occupancy requires a Special Use Permit.

As stated in the narrative the applicants feel the impacts on the surrounding area will be minimal. The facility must be operated in a secure, quiet and serene environment which essentially means free from noise and other confusion. Traffic will be mitigated by the construction of Cheney Drive West, the necessary staging of staff arrivals and departures, limited visitation hours and non-frequent deliveries. The project's design with its single story campus approach will produce very little night time glare, there will be no noxious fumes or vibrations produced. He does not anticipated problems arising from the surrounding uses. Finally the project is a partial solution to the increasing social and economic demands of an aging Twin Falls and Magic Valley population.

Staff Analysis:

Planner I Spendlove reviewed the requested on the overhead and stated the applicant was very thorough in reviewing the request. The history for this property dates from 2006 with annexation and multiple rezones from R-2 all the way to R-6 PRO PUD. The amended PUD was recently approved in this last year. He stated the applicant went through all of the reasons why this request is being made, however he will highlight the items as follows:

Per City Code 10-11-1 thru 8 Required Improvements: All required improvements will need to be installed concurrently with building construction and are to be completed prior to issuance of the Certificate of Occupancy of a building.

Some of the required improvements correlate with the conditions placed on the PUD Agreement; both requirements will be met in the order established by common practice and the City Engineering Department. Some of the improvements include constructing a portion of Cheney Drive Extended, a portion of Fieldstream Way, water and sewer facilities as needed and other improvements as required prior to a Certificate of Occupancy for each phase of development.

Per Amended PUD #268: Covenant II – D Building Size: The maximum building size is 14,000 SF (a larger building may be allowed with an application for a special use permit). The applicant is proposing a main facility that is larger than the outright permitted size and therefore is applying for this special use permit.

The PUD is the document which governs this requirement. The base zoning does not contain a maximum building size requirement.

Per Amended PUD #268: Exhibit C – Land Use Regulations (B) Special Uses: “Hours of operation shall be 7:00 Am to 9:00 PM unless extended hours of operation are permitted with an approved special use permit.” The applicant is proposing a retirement center that will be operating 24/7. It is generally understood that these types of businesses will operate as such. Therefore the applicant is applying for this Special Use Permit to satisfy the PUD and City Code requirements.

The PUD is the document which governs this requirement. The base zoning does not contain a limit on hours of operation for a residential use.

Per Amended PUD #268: Exhibit C – Land Use Regulations (B) Special Uses – 5 Multiple Buildings: “Multiple buildings, including accessory buildings, on a lot” requires a special use permit prior to being established. The applicant has proposed to build multiple buildings on a lot. These multiple buildings include, the main care facility and multiple “independent living” homes.

The project will be accomplished in two (2) phases as shown on the provided documents. These multiple buildings will be constructed on a total of three (3) lots. Therefore the applicant is applying for this special use permit to have multiple buildings on a lot.

Per Amended PUD #268: Exhibit C – Land Use Regulations (B) Special Uses – 8 Residential: “Nursing homes and rest homes with 17 or more residents/beds – including staff” are required to obtain a special use permit prior to being established.

The applicant is proposing a facility that will exceed the 17 or more residents/beds within this proposed development and therefore is applying for this Special Use Permit.

The majority of the impacts associated with this type of development center around traffic, late night operation/shift changes, and light intrusion. These facilities do generate a fair amount of traffic that can have a negative effect on surrounding property owners. With the construction of Cheney Drive Extended, it is expected that the negative impacts derived from traffic of employees, patrons, deliveries and visitors will be mitigated by the majority of traffic using Cheney Drive as opposed to traversing through the surrounding neighborhoods. The late night operations and shift changes are anticipated to be mitigated by the construction of Cheney Drive as well.

The light intrusion should be minimal in this particular development due to the distance of the main facility to the surrounding single family residences. The proposed layout shows a type of single family or duplex type residential homes or condos being constructed on the east side of the development. These units are anticipated to have a residential feel, including residential style lighting. Future phases also show additional residential style

independent living units being placed between the main facility and the existing neighborhoods, further shielding these neighborhoods from the potential light intrusion of the main 24 hour operating facility. In either case, the City does have a regulation that states lighting is to be downward facing so as to preclude light intrusion happening on neighboring properties.

Planner I Spendlove stated upon conclusion should the Commission approve the request, as presented, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to compliance with the WS&V PUD #263 Amended; an R-6 PRO Planned Unit Development.
3. Subject to Cheney Drive West Extended, from Grandview Drive to Creek Side Way, being built for the extent of each phase of the proposed development. To be constructed to acceptable current City Standards prior to issuance of any Final Certificate of Occupancy for this project.

PZ Questions/Comments:

- Commissioner Grey asked about the development of Cheney Drive, extended and North College will be impacted by this development. What about the strip across Grandview Drive that is going to be impacted.
- Assistant City Engineer Vitek stated the building of Cheney Drive West will reduce the traffic along North College Drive. Cheney Drive West will be a collector and will T into Grandview. There is currently a development called Broadmoor that will improve the portion of right of way along North College.
- Commissioner Frank asked about the facility and if the staff is comfortable with the infrastructure with this complex to handle traffic.
- Assistant City Engineer Vitek explained this complex is currently in trust, so they have to install sewer and water. When staff reviews this development the water and sewer models that have been will be used to ensure compliance. Once this is installed and Cheney Drive West is improved it will be sufficient. The City does have a portion of the responsibility along the pump station and discussions are under way.
- Commissioner Higley asked how Cheney Drive West will connect to the proposed site.
- Assistant City Engineer Vitek showed on the overhead how the road will connect to the development. Currently the north and west portion of Fieldstone is being looked at for possibly re-platting so that Cheney Drive West can be extended across the north property line of that subdivision. The City owns a pump station in this area and that pump station needs to be rebuilt to continue to provide services and to get Cheney Drive West developed. The developer of Fieldstone Subdivision is working with the church north of this area and the canal company to assist in getting the project

developed. Fieldstream Way has only a portion of it developed so it will have to be built to standard also, as part of this project.

- Commissioner Frank asked about parking impacts to the surrounding area and if this has been addressed. There needs to be parking for residents, staff and visitors.
- Planner I Spendlove stated currently 4 beds equal 1 parking space. Research has shown that the average is 2 beds equal 1 space. Other jurisdictions have similar requirements; most of the issue is multiple staff for support and care of the patients. Taking a comprehensive look and requiring 1 space per 2 beds would provide sufficient parking.
- Commissioner Grey asked if it meets the requirements.
- Planner I Spendlove explained a floor plan is not available for review to estimate parking. Staff can break the building up into different uses so the number or parking spaces may be different depending on the use of the space.
- City Attorney Wonderlich explained if the Commission feels 1 space per 4 beds is inadequate a condition could be added to change the requirement.
- Commissioner Woods asked if there is an estimate of what is being shown on the exhibit.
- Mr. Candy stated he can't give an exact number but the design was based on the code requirement 1 space per 4 beds and then an allocation for staff was made. The staff varies with more staff during the day and fewer in the evening. Visitor parking was discussed and it is limited.
- Randy Haze, JHS Architects, stated his recollection is that the calculation used was 1.2 stalls per bed for the overall facility.
- Mr. Candy stated 1 space per 2 beds is quite stringent. He can see how there may be some concern with the overall parking layout and they are more than willing to adjust it. Most of the facilities he is familiar with have 1 space per bed with an allocation for visitors and staff.
- Assistant City Engineer Vitek stated Bridgeview Boulevard allows for street parking, Cheney Drive West will not allow for parking on the street so parking will have to be contained on-site.

Public Hearing: [Open](#)

- Joyce Burkett, 1380 Silver Creek Way, asked if the development will adversely impact the surrounding property values. They were told when her parents purchased their home that the area would be developed as single family residence so this change is a concern.
- Charles Bell, 1009 Terra Ave, stated his other concern is whether or not the common areas will be leased out to the public for use; he would like it to be limited to the use by the residents of the development. He would also like to see some traffic controls located along Cheney Drive West and at Grandview Drive and the North College intersection. Parking is also a concern that needs to be addressed. His personal experience is that existing facilities he is familiar with do not have sufficient parking.

Public Hearing: Closed

Closing Statement:

- Mr. Wills reviewed on the overhead the extension of Cheney Drive West. He is considering an offset "T" intersection and it may require the re-platting of the northern portion of his subdivision to accommodate the extension. The extension of this road crosses four properties and these property owners are working together to help move the project forward. As for the design of the project the City Code has been used to design the layout of the property. The intention would not be to under park the development. As for traffic signals the cost of a signal at an intersection cost approximately \$400,000.00. The City Engineer has a list of possible locations for lights and lights in this area are on the list. He doesn't think there will be one where Cheney Drive West T's into Grandview but there may be a need eventually.
- Mr. Candy stated he is not in the business for under parking; the assisted living residents and memory care residents will not be driving. He would like the opportunity to design and meet the needs for parking. The Community Facilities are private only. The Memory Care Community Facility will be in a locked down area because this unit consists of brain trauma patients, Alzheimer and birth defects that have to have 24/7 care. The independent living residents will be separate from the assisted living group and the memory care unit will be separate from the assisted living. The approach is to spread the development out utilizing landscaping with a campus approach. As for property value he is not able to speak to that concern, but it seems that the extension of Cheney Drive West and the improvements to Field Stream Way, as part of this project, would not have a negative impact to property values.

Deliberations:

- Commissioner Derricott asked how to segment the parking.
- Planner I Spendlove stated it could be done by defining the requirements based on the uses. It would be difficult to state how the numbers would be calculated without seeing a final plan.
- Commissioner Higley asked about required parking for the residential units.
- Planner I Spendlove stated two spaces are required for the residential units and the garage is not included as a space.
- Commissioner Higley asked about expansion of Cheney Drive West for possible on street parking.
- Assistant City Engineer Vitek stated this would be a collector and collector have certain requirements and will not allow for on-street parking.
- Commissioner Tatum stated that parking is an issue at most of the facilities in the area she has visited.

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- Commissioner Frank stated he is all for the concept and if his parking concerns are addressed he has no problem with approving the request.
- Commissioner Higley stated he would agree.
- Commissioner Grey stated he doesn't want to put a hindrance on the applicant, because as the applicant stated he doesn't plan to under park the complex. However, he doesn't want it to end up a problem. He asked if Cheney Drive West will be widened in the future.
- Assistant City Engineer Vitek stated any future development along this area will have to develop the road.
- Commissioner Wood stated parking should be determined by the developer and a lot of the parking requirements depend on the nature of the facility. He has a 92 year old mother in a facility currently so he is familiar with the concept. There shouldn't be many required spaces for memory units however with an independent living facility more required parking is necessary. Staffing can be minimal or can result in a one to one staffing. He would like to think that the developer is going to invest in making this project successful.
- Commissioner Boyd stated she doesn't like the idea of parking outside of the development. She likes the campus concept, however she would want the independent living area to provide space for visitors and would expect that the people paying to live there would expect the same accommodations.
- Commissioner Higley asked about the private road width and if the City has any requirements.
- Assistant City Engineer stated the road would have to meet the requirements for Fire Department access and turn around.
- Commissioner Frank stated he would rather make some restrictions at the front end versus come back for amendments, because this decision is being made based on a rendering.
- Commissioner Grey stated can the parking be done by splitting the difference and making it 1 space per 3 beds, because in the future it may be changed to 1 space per 2 beds.
- Planner I Spendlove explained that Pocatello, Meridian and Coeur d'alene that use the 1 space per 2 beds.
- Commissioner Frank stated he still has issues with the parking because he isn't sure what the final mix is and the Commission only gets one shot.

Public Hearing: Re-Opened

- Commissioner Woods asked if the independent units will be designed with a driveway to accommodate a vehicle in front of the garage.
- Mr. Candy stated yes, the current drawings show there will be a driveway and the garage size will be 12x26. The driveway has been designed to accommodate one car and storage area. It is very difficult when people move to a cottage style living space they need space for their stuff and the garage will allow for storage if necessary. He is not opposed to make space for visitor parking. He doesn't want a parking lot in the

independent living area he wants it to look residential. He stated this is what the community needs and it gives people an honest shot at a healthcare continuum for the 65 and older population.

Public Hearing: Closed

Deliberations:

Commissioner Grey stated he is not comfortable with adding more restrictive conditions because if parking is not designed correctly the project will fail.

Motions:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Wood seconded the motion. Commissioners Boyd, Derricott, Grey, Tatum, Higley and Woods all voted in favor of the motion with Commissioner Frank voting against the motion.

Approved, as presented, with the following conditions

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to compliance with the WS&V PUD #263 Amended; an R-6 PRO Planned Unit Development.
3. Subject to Cheney Drive West Extended, from Grandview Drive to Creek Side Way, being built for the extent of each phase of the proposed development. To be constructed to acceptable current City Standards prior to issuance of any Final Certificate of Occupancy for this project.

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

- Zoning & Development Manager Carraway stated that she received positive feedback from the Commissioners that attended the Jerry Mason training. She stated at the next work session she will review what items are scheduled for the next few agendas. There will also be a review of the nine standards that are used when hearing a request for a Special Use Permit.
- Commissioner Frank stated that the Community Development Director Humble will be presenting to City Council information regarding Zoning Title Amendments.
- Zoning & Development Manager Carraway also reminded the Commission that there are two Zoning Title Amendment requests coming up for public hearing which are related to Building Height requirements and Parking requirements.
- Commissioner Grey asked if the parking requirements change what requirements do they have to meet.

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- Planner I Spendlove stated the parking requirements are tied to the building permit and they will have to comply with current code at that time. He also explained the other places that were mentioned also add a requirement for staffing. The proposed change is fairly lenient compared to what the other areas require. We are similar in population size; the problems that their codes address are problems that we will most likely have in the future. It is common practice to review code requirements in City's that are the same size or a little larger so that amendments can be made to adjust for the issues they have experienced with similar development trends.
- Commissioner Frank stated this is why he encourages the Commission to make additional recommendations if necessary to address concerns because if it is not done up front it is too late.
- Zoning & Development Manager Carraway stated the flip side of this is that engineered site plans are not required with a Special Use Permit application and staff does rely on the code to back them up on certain issues. Code amendments are brought forward because staff realizes that the code may be inadequate and there are a few coming up in the future. The code addresses minimum requirements the Commission can always require more but if the minimums don't meet the needs of today then they are not adequate.
- Commissioner Higley stated the code should be current and adequate.
- Commissioner Frank stated that is why he keeps bringing it up if the current code doesn't address the concern, the Commission has the opportunity to address the concern with additional conditions.

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session-[July 2, 2014](#)
2. Public Hearing-[July 10, 2014](#)

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 8:00 PM