



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
November 12, 2014 6:00PM
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	Derricott
Frank	
Grey	
Munoz	
Reid	
Tatum	

AREA OF IMPACT MEMBERS

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

CITY COUNCIL LIAISON(S): Mills Sojka

CITY STAFF: Spendlove, Strickland, Vitek, Williamson, 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): **October 28, 2014 PH**
2. Approval of Findings of Fact and Conclusions of Law:
Labat (SUP 10-28-14) Murray (SUP 10-28-14) Roth (SUP 10-28-14)

Motion:

Commissioner Grey made a motion to approve the consent calendar, as presented. Commissioner Munoz seconded the motion.

Unanimously Approved

III. GENERAL PUBLIC INPUT:

IV. ITEMS OF CONSIDERATION: NONE

V. PUBLIC HEARINGS:

1. Request for a **Special Use Permit** to operate a beauty salon as a home occupation on property located at 2624 Carriage Way. c/o Tanille Olsen (app. 2686)

**Planning & Zoning Commission Minutes
November 25, 2014**

Applicant Presentation:

Tanille Olsen, the applicant stated she is requesting a Special Use Permit to operate an in-home beauty salon so that she can be home with her children. She will not have any employees so traffic should not be an issue and she will only have one client at a time. She will provide off street parking for her clients. She does not offer perm or nail services so fumes should not be an issue for the neighbors or clients. She will be taking clients during the week and be off on weekends. She will do her best to keep the business from impacting the neighbors.

Staff Presentation:

Planner I Spendlove reviewed the exhibits on the overhead and explained the property is located within the Cedar Park PUD Subdivision that was recorded in 2006.

Per City Code 10-2-1 Definitions: HOME OCCUPATION: A service, excluding daycare, offered by the resident of a household unit or the sale of items handcrafted on the premises by the resident of a household unit providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation.

The operation outlined by the applicant meets the Home Occupation Definition found in our City Code. The property is zoned R-2 and prior to any home occupation being legally established in this zone a Special Use Permit is required.

In regards to the parking requirement, by virtue of this being a Home Occupation separate off street parking spaces are not required by code. In order to maintain a residential appearance, it is reasonable to leave the home owner responsible to provide an open off street space for customers who are arriving. If parking becomes an issue, staff can re-evaluate the establishment to ensure the business has not fundamentally changed and is operating within bounds set by the approved Special Use Permit.

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 the owner providing a paved on-site parking space for customers during hours of operation.

**Planning & Zoning Commission Minutes
November 25, 2014**

PZ Questions/Comments:

- Commissioner Boyd asked for clarification as to where the customers are going to park.
- Commissioner Munoz asked about hours of operation.
- Planner I Spendlove explained that the hours would most likely be similar to retail hours between 7:00am to 10:00pm.

Public Hearing: **Opened & Closed Without Comments**

Deliberations Followed: **Without Concerns**

Motion:

Commissioner Boyd 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 owner providing a paved on-site parking space for customers during hours of operation.
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2. Request for a **Special Use Permit** to operate a used automobile sales lot on property located at 818 Main Avenue South. c/o Steve Griffin (app.2687)

Applicant Presentation:

Steve Griffin, the applicant, stated he is looking to open a business at 818 Main Avenue South. The property is corner lot in the CB District. He has been working with the Planning & Zoning staff for several months and realizes there are several beautification requirements for this property. One condition is to provide a divider/fence to enclose any cars that may not run and to provide some shrubbery along the Minidoka Avenue side of the property. There are three buildings located on the lot that he plans to use, one is a small shop which be used strictly for his customers. There will be no signage for the shop and it will not be open to the public, he has no desire to provide oil changes. There is an office for the car lot and the third building will be a small retail/second hand shop for comic books. The parking will be designated with concrete blocks and the two entrances located at the south end of the property will be blocked off with concrete blocks.

**Planning & Zoning Commission Minutes
November 25, 2014**

Staff Presentation:

Planner I Spendlove reviewed the exhibits on the overhead and summarized the history of the property. The City has some history on the building and property that includes various automotive type uses that occurred on the property off and on throughout the years. Some of those uses include car wash, refueling station, and most recently used automobile sales lot.

The applicant has supplied a narrative detailing the proposed operation of a retail used automobile sales lot. The site plan provided by the applicant is not to scale and shows a significant area that will be used for his business that is actually both City and State right-of-way. It needs to be noted that the area designated by the applicant as usable space contains a large amount of city and or state right-of-way. Staff has attempted to show the actual property lines and area that is privately owned. The Engineering Department has commented that the undeveloped/unused right-of-way may continue to be used by the adjacent private owner until such a time when the roadways are expanded to accommodate increased traffic or roadway projects.

Another item that needs clarification in the applicant submitted site plan is the limited location of cars for sale. The applicant has identified the western area of the lot for this purpose only. However, the eastern portion of the lot has not been identified for any specific purpose.

Per City Code 10-4-7: The CB zone requires Automobile and truck sales and/or rentals to acquire a Special Use Permit prior to being legally established.

This designation of Automobile Sales does entail a certain degree of service to be performed on vehicles prior to the sale occurring. The approval of this Special Use Permit would only allow service to be performed on vehicles owned and licensed to the Used Car Lot. It would not permit the location to be used for automobile service and/or repair. Due to this allowance of service, it would be appropriate to address the possible negative impacts that may occur, including the number of vehicles that may be “serviced” at any one time, screening or inside storage of inoperable or unlicensed vehicles and automotive parts. There is a different impact between a retail sales lot and an automobile service & repair business. – IF the plans are to purchase wrecked vehicles and repair them for resale on this site there should be conditions placed on this permit similar to an automobile repair business; no outside non-operable vehicles or parts.

Per City Code 10-10: The parking requirements for this particular lot total zero spaces due to the property being located within the P-1 Parking Overlay.

**Planning & Zoning Commission Minutes
November 25, 2014**

Per City Code 10-11-1 thru 9: Required improvements for this site will include the maintaining of the parking lot asphalt. Landscaping requirements include 5% of the total parking area. Other improvements include drainage, access, screening and sanitation facilities.

The lot is currently developed with asphalt, since this location is in the P-1 Parking Overlay, and the landscaping is tied to the parking requirement, the amount the applicant has supplied will satisfy the required amount. Drainage is an item the applicant will need to work with the Engineering Department to satisfy their drainage requirements for the area. Screening and sanitation facilities will also need to be addressed. It would be reasonable to address these items in a separate condition that will satisfy the need to bring this property up to current code standards due to the Special Use Permit.

Other specific items the Engineering Department expressed a concern were the multiple approaches located on the property. Engineering has placed a condition on this special use permit to permanently close the 2 furthest East approaches on the North and South side of the property. These particular approaches create a traffic hazard due to their proximity to the intersections.

Possible Impacts: Staff does not foresee a significant increase in negative impacts to the surrounding properties with the establishment of this business as presented. Staff has recommended some conditions for this permit that should mitigate the visual impacts that this type of business have historically created.

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 all inoperable, unlicensed, or junk vehicles and all vehicle parts being stored within a sight obscuring screened area or inside a building; screening material to be approved by staff prior to installation.
3. Subject to all required improvements being addressed by the applicant within six (6) months and approved by City Staff according to applicable codes and standards as listed in City Code 10-11-1thru 9.
4. Subject to the eastern most approaches on Minidoka Ave/2nd Ave S and Main Ave S being permanently closed in accordance with City Engineering standards.

**Planning & Zoning Commission Minutes
November 25, 2014**

PZ Questions/Comments:

- Commissioner Grey asked if the screening for trash bins is covered in the code and asked if the landscaping would be required to be done on the private property section.
- Planner I Spendlove explained the trash bin screening is required by code and the location of landscaping is not specifically required to be planted on private property.
- Commissioner Munoz asked if there will be any painting of vehicles on-site.
- Mr. Griffin stated he does not do body work and there will be no painting done on the property. There have already been some improvements made to the buildings and he has five daughters so beautification should not be an issue.

Public Hearing: [Opened](#)

Rosalee Dingwall, explained she is the property owner and the property has been used as a car dealership for a long time she is hoping this request will be approved.

Public Hearing: [Closed](#)

Deliberations Followed: [Without Concerns](#)

Motion:

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

3. Requests the Commission's recommendation to approve [Additional Building Heights](#) for two 70'9" silos located at 236 Washington Street South. c/o Steve Maughan on behalf of Glanbia USA (app. 2689) **RESCHEDULED FOR NOVEMBER 25, 2014**

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Planner I Spendlove reminded the Commission of the dates for the next public hearing and the work session in December has been moved to December 17, 2014. He explained there are three items scheduled for public hearing on the November 25, 2014 Planning & Zoning Agenda. Commissioner Frank asked for multiple reminders as the work session date gets closer.

**Planning & Zoning Commission Minutes
November 25, 2014**

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

1. Public Hearing-~~November 25, 2014~~
2. Work Session- **Rescheduled for December 17, 2014**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 6:30 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department