



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
December 13, 2016 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Danielle Dawson Tom Frank Kevin Grey Gerardo "Tato" Muñoz Ed Musser Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Dawson
Frank
Grey
Muñoz
Musser
Reid
Tatum

ABSENT

AREA OF IMPACT MEMBERS

PRESENT

Higley
Woods

ABSENT

CITY STAFF: Carraway-Johnson, O'Connor, 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): **November 8, 2016 PH**
2. Approval of Findings of Fact and Conclusions of Law:
 - Elison (SUP 11-08-16) • Oasis Stop N Go (SUP 11-08-16) • Oasis Stop N Go (SUP 11-08-16)

Motion:

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

Unanimously Approved

III. ITEMS OF CONSIDERATION:

1. Request for consideration of the Preliminary Plat LeMoyne Subdivision, A PUD, consisting of 2 lots and .44 acres (+/-) located on the north side of North College Road and east side of Fillmore Street c/o EHM Engineers, Inc.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing the applicant stated this property is Lot 1 Blk 1 of Breckenridge Subdivision, phase 3. There is a large parcel that has always been maintained for future growth. A building permit could be completed to construct another building on this lot, however the applicant has someone interested in purchasing the property for themselves to construct a building. This would be an infill project completing the development.

**Planning & Zoning Commission Minutes
December 13, 2016**

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated this property has been zoned C-1 PUD under the Woodbury PUD agreement since May 1990. The Breckenridge Farms #3 Subdivision took place in 1995. According to county parcel records the office building currently on the property was built in 1997. Sometime prior to 2007, the northern portion of Lot 1 was "split" and sold to a separate owner.

The applicant is requesting a re-plat of parcel RPT0354001001A, a portion of Lot 1, Block 1, of Breckenridge Farms Subdivision Phase 3. The property currently has developed access off of Fillmore St. A cross use agreement between the current office building and the future building has been executed.

The proposed subdivision complies with the applicable City Codes found in Title 10 Chapter 12: Subdivision Regulations, and the Woodbury PUD, as to lot size, access, and other applicable codes and regulations.

Staff recommends the Commission approve the preliminary plat of the LeMoyne Subdivision, as presented and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

Public Hearing: **Opened and Close Without Public Comments**

Deliberations Followed: **Without Concerns**

Motion:

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

Approved, As Presented, With the Following Conditions

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
 2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
-
2. Request for consideration of the Preliminary Plat Pillar Falls Plaza a PUD, consisting of 24 lots, 1 tract and 21.61 acres (+/-) located on the north side of Pole Line Road East between Bridgeview Boulevard and Eastland Drive North c/o EHM Engineers, Inc.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc., representing the applicant, stated this is property that has a PUD approved with a master concept of the development. This would be mixed use development of Commercial, Residential and Professional with two accesses off of Pole Line Road East. They do not have any changes to make to the PUD but there may be some minimal changes to building layout and a reduction in the density of the residential area. They do realize there are conditions placed on this preliminary plat for approval and they agree with the conditions.

**Planning & Zoning Commission Minutes
December 13, 2016**

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and summarized the history explaining that this property was annexed, rezoned and had an approved final plat along with an approved PUD agreement. The plat was recorded on June 29, 2009, with bonding on improvements. Improvements were not completed due to multiple change-over in the ownership of the property.

On March 12, 2012, City Council heard and approved a motion to vacate the Pillar Falls Subdivision, Phase 1 Plat, with the condition a 58' easement along Pole Line Road East be dedicated and the easement for the Canyon Rim trail remain for the dedication and use of a trail in accordance with the Master Development Plan presented.

The Original PUD stated the residential portion of the development shall be limited to attached or detached Single Family Townhomes, condominiums, and residential accessory use, but shall not exceed density as specified in the Residential Multi-Household District (R-6). The plan shows townhomes in 6 and 7-plex clusters, with a 30-unit condominium structure. The land area provided for the proposed 81 units (51 townhomes and 30 condominiums) does not exceed the density specified in the R-6 District and therefore follows the requirement found in the PUD Agreement.

The proposed development has an issue with sewer facilities. The majority of the area between Eastland and Bridgeview, North of Pole Line Road, is lower in elevation than the existing City sewer system. The Concept Plan for sewer service delivery is being discussed between the Applicant, City Staff, and the City Council due to the monetary and regulatory constraints. Some of the solutions may include individual sewer pumps, a localized lift station, and others.

If a lift station is allowed per City Council, we believe it is in the best interest of all parties to only have one lift station for the whole area. We also feel it is the responsibility of the respective property owners to create the sewer system plan for a single lift station. A condition requiring a sewer service plan for the entire area, between Eastland and Bridgeview, on the north side of Pole Line Rd E be furnished by the applicant, prior to submitting a Final Plat would be appropriate.

The Parks In-Lieu Contribution has been approved by the Parks and Recreation Commission, however, it has not been granted by the City Council at this time. A condition requiring that approval prior to submittal of a Final Plat would be appropriate.

The developer has not resolved issues with the Pressurized Irrigation requirement as of this date. A condition requiring an acceptable/approvable plan for supplying Pressurized Irrigation is appropriate.

Planner I Spendlove stated upon conclusion should the Commission approve the preliminary plat of the Pillar Falls Plaza, a PUD, as presented, staff recommends the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to the Parks In-Lieu Contribution being resolved prior to submittal of a Final Plat.
3. Subject to a plan for supplying Pressurized Irrigation to the project being approved by the City Engineer, prior to submittal of a Final Plat.
4. Subject to a Sewer System Plan showing adequate provision for all properties designated within the service area to be approved by the City Engineer prior to submittal of the Final Plat.
5. Subject to said Service Area being designated by City Engineer.
6. Subject to the verified engineered fill or compaction test results, being reviewed and approve by City Staff, prior to submittal of a building permit.

Planning & Zoning Commission Minutes
December 13, 2016

PZ Questions/Comments:

- Commissioner Munoz asked about the alignment of the intersections across Pole Line Road East.
- Assistant City Engineer Vitek explained the intersections were designed to align across Pole Line Road East.
- Commissioner Munoz asked about the possibility of a traffic signal and a traffic impact study.
- Assistant City Engineer Vitek explained it is difficult to say at this time when or if a traffic signal would be warranted, however if the development is successful and traffic impacts create the need for a traffic signal this will be addressed.
- Commissioner Grey asked about pedestrian signals for people crossing.
- Assistant City Engineer Vitek explained lighting will be installed to warn traffic of pedestrians in the area.
- Commissioner Grey asked about the lift station process.
- Assistant City Engineer Vitek explained lift stations are a maintenance issue for the City and if there is a need for a lift station there needs to be one for the entire area. The condition basically does not allow the final plat to be approved until a sewer plan is approved. DEQ requires that the lift stations be maintained by a jurisdiction so the discussion needs to occur with the City Council on whether or not the City wants to maintain a lift station.
- Commissioner Woods asked about provisions for power loss if a lift station is used.
- Assistant City Engineer Vitek explained that they are powered by electricity with a natural gas back-up connection.

Public Hearing: [Opened](#)

Mr. Sparks explained his concern is that this development compliments the trail. He has been approached concerning the sewer line and has no big concern but would like to be able to hook-up to the system. He will be working with City staff to find out what the needs are for him to gain access to the sewer services once available.

Public Hearing: [Closed](#)

Closing Statement:

Mr. Vawser explained they would work with Mr. Spark's however he is not sure the property can be connected without being annexed. They will make sure that the fill dirt is compacted correctly.

Deliberations Followed:

- ❖ Commissioner Grey asked about the Parks-in-lieu that has not yet been approved.
- ❖ Planner I Spendlove explained it will be on the City Council Agenda December 19, 2016. There are provisions with the PUD that will need to be coordinated with the Parks and Recreation Director Davis to design connections to the trails.
- ❖ Assistant City Engineer Vitek stated the City no longer has Out of City Service Agreements because there is not a way to bill for the service. Mr. Spark's property will not be able to be hooked up unless the property is annexed. The developer will however be required to provide an access point for surrounding properties to connect once they are annexed.

Motion:

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

**Planning & Zoning Commission Minutes
December 13, 2016**

Approved, As Presented, With the Following Conditions

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
 2. Subject to the Parks In-Lieu Contribution being resolved prior to submittal of a Final Plat.
 3. Subject to a plan for supplying Pressurized Irrigation to the project being approved by the City Engineer, prior to submittal of a Final Plat.
 4. Subject to a Sewer System Plan showing adequate provision for all properties designated within the service area to be approved by the City Engineer prior to submittal of the Final Plat.
 5. Subject to said Service Area being designated by City Engineer.
 6. Subject to the verified engineered fill or compaction test results, being reviewed and approve by City Staff, prior to submittal of a building permit.
3. Request for consideration of the Preliminary Plat Westpark Commercial Subdivision No. 10, consisting of 1 lot and 2.14 acres (+/-) located on the north side of Pole Line Road and east side of Washington Street North. c/o EHM Engineers, Inc.

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc. representing the applicant, stated he is here to request approval of a one lot preliminary plat. This plat is specifically for a 55' hotel under common ownership of an existing hotel that is immediately to the west. There will be shared parking with a plaza in between both buildings, with no additional public access. There is a private road along the southern boundary of the existing hotel and access will be available to this property.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead summarizing the history and stated that property is a portion of a large parcel that has been platted as businesses have come through for development. This is just another preliminary plat designed for a single user.

This Preliminary Plat is for the Westpark Commercial Subdivision #10, a ZDA includes 1 commercial lot on 2.18 (+/-) acres. Also on the P&Z Public Hearing Agenda this evening the developer is requesting this site to be rezoned to Westpark Commercial #10, a ZDA from C-1 PUD Northbridge PUD and Northbridge #2 PUD to Westpark Commercial #10, a ZDA.

The request is to plat one (1) lot for the development of a hotel up to 55' tall. The site is located east of the Fairfield Inn at 1788 Washington Street North. The property is currently undeveloped. It is located in Lot 4; Block 2 of the Westpark Commercial Subdivision #3. The lot is covered under the Northbridge PUD. This lot is proposed to be platted and rezoned under a ZDA that shall be consistent with the most restrictive of the Northbridge PUDs. The property to the north is zoned C-1 PUD and developed as Bach Storage. To the east is undeveloped property that is zoned C-1 PUD. The property to the south is zoned C-1 PUD and is developed as Walgreens, Culver's and Popeye's. To the west is Washington Street North and property zoned R-4 and R-2 and is mostly developed as the Villa Del Rio and the Los Lagos residential subdivisions.

The intended use for the Westpark Commercial Subdivision #10 – a ZDA is to allow the commercial development of a hotel up to 55' tall and accessory uses as outright permitted. There is not a minimum lot square footage requirement in the C-1 zone for commercial uses; the lot is required to be of "sufficient size to provide for the building, the required setbacks, off street parking and landscaping". A full review of required improvements will be made by the Building, Planning, Fire and Engineering Departments for full compliance with minimum development standards prior to issuance of any building permits.

**Planning & Zoning Commission Minutes
December 13, 2016**

Planner I Spendlove stated upon conclusion staff recommends the Commission approve the preliminary plat of the Westpark Commercial Subdivision #10- a ZDA, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" ZDA Master Development Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

PZ Questions/Comments:

- Commissioner Grey asked about pedestrian walkways and the impacts to the streets in this area.
- Planner I Spendlove explained there is not a code requirement or standard for a platted pedestrian walkway along private drives, however there may be a condition added to the ZDA.
- Assistant City Engineer Vitek explained he doesn't have any recourse for pedestrian walkways along private drives through the platting process, however staff does encourage that a pedestrian walkway or path be incorporated to assist people walking throughout the development or accessing the trail.

Public Hearing: **Opened and Close Without Public Comments**

Deliberations Followed:

Commissioner Munoz explained he does understand the concerns for a walkway for pedestrians to access the businesses located in this area but also understands there is nothing in code that would make it a requirement along private drives through the platting of the property.

Motion:

Commissioner Reid 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 final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" ZDA Master Development Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

IV. PUBLIC HEARINGS:

1. Request for the Commission's recommendation on the Zoning District Change and Zoning Map Amendment for 2.14 (+/-) acres from C-1 PUD to C-1 ZDA to develop a Hotel and accessory uses with a maximum building height of 55' on property located east of 1788 Washington Street North. c/o Gerald Martens on behalf of Westpark Partners, LLC app. 2826)

**Planning & Zoning Commission Minutes
December 13, 2016**

Applicant Presentation:

Gerald Martens, representing Westpark Partners, LLC, stated this request is to rezone the property to allow for a 55' tall hotel. He explained that he will work with the developer of those properties to provide a designated pedestrian plan and safe means for people to walk in this area. They will work with staff to identify some crossing areas that can be striped and signed.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated this is a request for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 ZDA for 2.14 (+/-) acres to allow a commercial development of a hotel and accessory uses that may be a maximum of 55' tall on property located east of the Fairfield Inn, 1788 Washington Street North.

Per City Code 10-6: Zoning Development Agreements:

The applicant shall provide a proposed zoning development agreement containing development requirement criteria for the project. This criteria may include, building heights, land uses, parking requirements, pathways, and other items.

The applicant shall also provide a Conceptual Master Development Plan that illustrates the criteria outlined in the proposed zoning development agreement.

The applicant has provided a draft of the Zoning Development Agreement and the Master Development Plan. These plans indicate the underlying Zoning District to be C-1: Commercial Highway. The document indicates a few variations from that Base C-1 Zoning District such as a hotel as a permitted use and a maximum height of 55'.

Per City Code 10-4-8: C-1: Commercial Highway District:

Motels and transient hotels require a special use permit. The applicant proposes these Land Uses to be permitted. The Max building height is listed as 50', with a provision to allow greater height through a public hearing process. The Northbridge PUD limits building heights to 35'. The applicant proposes the maximum height be raised to 55', with no additional public hearing process, other than the process we are going through with this current application.

No other variations from current City Code are being sought with this application.

The typical impacts of a Hotel include increased vehicular trips to the area, light and noise from the daily operations of the business. The light and noise of the operations are most likely to be felt on the northern portion of the property. The homes on the west side of Washington will be shielded by the hotel currently constructed on the site. The residential area to the north will be in close proximity to this development and there will be some ambient noise and light intrusion.

The increase in vehicular trips to the area is expected. A vast majority of the trips will take place on Washington Street North and Pole Line Road. With both these roadways being designated and constructed to Arterial Standards, it is not expected this project will create a great burden on the road system in the area.

The commission should review all the possible impacts, and provide appropriate mitigating conditions.

**Planning & Zoning Commission Minutes
December 13, 2016**

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the request, as presented, staff recommends the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a Master Pedestrian Pathway Plan for the entire undeveloped area between Washington Street North and Canyon Crest Drive being reviewed by City Staff per the Westpark Commercial Subdivision No. 10 preliminary plat discussion.

PZ Questions/Comments:

Commissioner Reid asked about the height of the Fairfield Inn to the west of this proposed site.

Planner I Spendlove explained he doesn't know the exact height however this building will be taller.

Public Hearing: **Opened and Close Without Public Comments**

Deliberations Followed:

Commissioner Munoz stated he would be more concerned with the height if it were closer to the rim. The extra height is a good way to maximize land use without spreading out development.

Motion:

Commissioner Grey made a motion to recommend approval of the request to City Council, as presented, with staff recommendations as amended. Commissioner Dawson seconded the motion. All members present voted in favor of the motion.

Recommended for Approval to City Council, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a Master Pedestrian Pathway Plan for the entire undeveloped area between Washington Street North and Canyon Crest Drive being approved by City Staff.

Scheduled for City Council Public Hearing January 9, 2017

2. Request for Vacation of a portion of utility easement and sewer easement at the northeast corner of Lot 1 Block 1 St. Luke's Subdivision-a PUD on property located at 801 Pole Line Road West c/o Jason Densmer, the Land Group, Inc. on behalf of St. Luke's MVRMC, LTD. (app. 2827)

Applicant Presentation:

Jason Densmer, The Land Group, Inc., representing the applicant, stated this request if for the vacation of two separate easements. St. Luke's MVRMC would like to construct a new Medical Office Building along the northeast corner of the property. In order to do so there are a couple of easements that need to be vacated. The hospital has had plans to build a Medical Office Building in this area for approximately 10 years. During the time of the original planning process utilities were constructed to provide for this building in the future. However, since that time the need for the Medical Office Building has grown and the building designed for this need does not fit the original pad site design. One of the vacations is in reference to a utility easement identified on the plat, the only utility that was installed in this easement was a water line. The second vacation is in reference to a sewer line. Prior to the construction of the hospital the City operated a sewer trunk in this corridor and when the pad was developed that sewer line was relocated but the easement was never vacated

**Planning & Zoning Commission Minutes
December 13, 2016**

from the plat. In summary the vacations of these easements will allow for development of the site to move forward.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated this area is under the St. Luke's PUD Agreement # 264 which went through the public hearing process in 2005-2007. The Preliminary Plat was approved at the September 12, 2006 Planning & Zoning Commission meeting, and the Final Plat was approved and recorded in January 2008. Since that time, St Luke's Magic Valley has constructed multiple buildings on the property including the main Medical Facility, Helicopter Pad, and most recently a surgery center.

The applicant is requesting the vacation of two (2) utility easements as described and shown in the attachments. The vacation is essential for the construction of a proposed Medical Office Building. One of the easements contains an existing water main maintained by the City of Twin Falls. The other easement does not contain any infrastructure as the sewer line was re-routed during construction and a separate easement was dedicated through separate instrument number.

As part of the proposed project, the existing water main will need to be relocated to an acceptable location. As of this date, the City has not received an acceptable plan for the relocation of said water line. It would be vital to place a condition upon City Engineer approval of Construction Plans for the relocation of the existing water main.

The Sewer Easement is "on paper" only, and the vacation of said easement will not have an adverse effect on the City Sewer System.

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 receiving an approvable Construction Plan for the relocation of the existing Water Main, per City Engineer, prior to publishing the Ordinance for Vacation.

PZ Questions/Comments:

- Commissioner Munoz stated he understands the sewer line was relocated and wanted to know if there is an easement where the new sewer line is located.
- Planner I Spendlove explained that there is an easement.
- Commissioner Frank asked about the need for more parking.
- Planner I Spendlove explained staff will be doing an evaluation of the parking and he has heard some talk about putting in additional parking.

Public Hearing: [Opened and Close Without Public Comments](#)

Closing Statement:

Mr. Densmer explained he has been working with the City on the construction plans for moving the water line and stated they are very close to having that ready for approval. As for the parking, originally the staff training was to have employees park farthest away from the entrance to provide for customer parking. Once the medical office building is constructed staff will be given different directives on where to park.

**Planning & Zoning Commission Minutes
December 13, 2016**

Motion:

Commissioner Dawson made a motion to recommend approval of the request, to City Council, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

Recommended for Approval to City Council, 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 receiving an approvable Construction Plan for the relocation of the existing Water Main, per City Engineer, prior to publishing the Ordinance for Vacation.

Scheduled for City Council Public Hearing January 9, 2017

3. Request for a Special Use Permit to establish an auto dealership and accessory uses also including vehicle display pad sites on Kimberly Road number to be determined by Commission on property located at 160 Eastland Drive c/o CRC Property Holdings, LLC on behalf of Goode Motor (app. 2828)

Applicant Presentation:

Errin Bliss representing the applicant stated Goode Motor is planning to relocate their VW/Mazda dealership on Blue Lakes Boulevard North and their Central Reconditioning Center located on Kimberly Road to the 160 Eastland Drive location. This property consists of approximately 6 acres, and will consist of a new two story dealership/show room. There are plans for a new service/repair shop, drive through car-wash for the dealership, body shop, and staff offices. A portion of the development will include the existing theater located at the southeast corner of the build and will be used for an auditorium. The proposed dealership will be in a commercial district surrounded by cemetery to the south and east. The business will operate from 7am to 7pm, with increased traffic to the area but not any more than what was there when the theater was in operation. The request also includes a plan to have approximately 14-15 display pads adjacent to Kimberly Road.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. The County parcel records for this property start in 1994, and the theater was first listed at this location in the Polk City Directory in 1971. The theater closed in May 2014 and has been vacant since.

The applicant is applying for an SUP to operate a Retail Automobile Dealership with accessory uses. These accessory uses include Automobile Service and Repair Center, an Auditorium in one of the old theater spaces, and multiple display pads along Kimberly Road. The Applicant has supplied a detailed narrative laying out the regular operation of the dealership and service center.

Also included is a detailed description of the intent for keeping the theater space to be utilized as a spot for community organizations, schools, churches and other various entities to utilize as a meeting and gathering space. It is clearly stated that their intent is not to compete with the other theaters in town in any way. The property being zoned C-1 and surrounded by C-1 and Open Space, make a dealership, repair center, and auditorium a compatible use for this location.

Per City Code 10-4-8:

An SUP is required in the C-1 zone to operate an Automobile and Truck dealership, and Vehicle Service and/or Repair.

**Planning & Zoning Commission Minutes
December 13, 2016**

The Site Plan provided by the applicant depicts the location of the Dealership vehicles and Service/Repair area. The display areas are not required to follow the parking lot landscaping requirement. The Service area is shown to be within buildings and is not foreseen to be an overly burdensome impact on neighboring properties.

Per City Code 10-7-12:

Thirty feet (30') of landscaping is required along Kimberly Road. This landscaped area will require a certain number of trees and bushes per the landscaping requirement in City Code.

Per City Code 10-11-1 thru 8:

Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

As part of the landscaping section of required improvements, vehicle display pads may be permitted within the required landscaping through the Special Use Permit process.

The applicant has shown the number and location of display pads along Kimberly Road they desire to have. The commission should evaluate the number and location, then determine if it is following the intent of the Gateway Arterial Landscaping code section.

Currently the Goode operation off of Blue Lakes Houses two brand dealerships. A Central Reconditioning Center (CRC) to repair and recondition used vehicles is located on Aspenwood Drive. The move to Eastland Drive will take the Mazda dealership and the CRC to the new location.

The typical impacts of dealerships center around increased traffic and noise from daily operations. The daily operations include delivery of vehicles, minor service and repair, starting and running of vehicles, and other various activities.

Since the location is within a commercial district, and near similar uses in the area, the daily operations of a new dealership will likely not increase impacts in vicinity to unacceptable levels. The applicant has stated how they will mitigate noise, glare, and fumes from neighboring property owners.

The increased traffic will be due to the inactivity of the property in the recent years. It is not expected the increase in traffic will go beyond the historic traffic levels as a Theater. Additionally, the primary roads used to service this location are Eastland Drive and Kimberly Road. Both of these roadways are designated arterials and have been designed to accommodate larger traffic loads.

The relocation/consolidation of these businesses will have a positive impact on the area as an underutilized location within the city will be revitalized with minimal developmental impacts.

Planner I Spendlove stated upon conclusion should the Commission approve 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 construction of the building being consistent with the submitted drawings/elevations, as presented.
3. Subject to the vehicle display pads along Kimberly road being limited to a number determined by the Planning Commission.

Planning & Zoning Commission Minutes
December 13, 2016

PZ Questions/Comments:

- Commissioner Grey asked if the landscaping has to be increased because of the display pads.
- Planner I Spendlove explained that they still have to install the required amount of trees and bushes that meet the code requirements.
- Commissioner Munoz asked if there is any fencing requirement between the cemetery and this proposed business.
- Planner I Spendlove stated no, this would not be required.
- Commissioner Munoz clarified that outside speaker/paging systems would not be allowed without a special use permit.
- Planner I Spendlove stated that is correct to have amplified sound outside they have to have a Special Use Permit.
- Commissioner Woods asked about the proposal for future pad site being sold for a restaurant.
- Planner I Spendlove explained that is not part of this request but it is something they are considering possibly in the future.

Public Hearing: [Opened](#)

- Matt Cook, owner of Goode Motor, explained that he is not familiar with landscaping requirements and the pad sites are important to the operation of the business. He is willing to do what it takes to meet the requirements.
- Commissioner Grey asked if the applicant was envisioning trees with cars parked under them.
- Mr. Cook explained that they don't want to prohibit people from seeing the inventory, it would not be optimal to plant trees that block the cars, possibly grouping the trees together is possible.

Public Hearing: [Closed](#)

Closing Statement:

- Mr. Bliss explained that per the zoning ordinance they are required to provide 8050 sq. ft. of landscaping. They are providing 31500 sq. ft. of landscaping so the display pads are minimal.
- Commissioner Grey clarified the number of trees is something that needs to be considered it could become an issue with the display pads.
- Mr. Bliss explained they have not gotten far enough into the design to know what it will look like.

Deliberations Followed:

- Commissioner Frank asked if staff has some reference to other dealerships along the arterial gateways here in the City.
- Planner I Spendlove stated that in relation to some of the others there are quite a few pads shown on this plan. The concern is that the landscaping requirement has to be met. The code states 1 tree for 500 sq. ft. and 1 bush for every 100 sq. ft. The trees must be a minimum of 4ft tall when planted. There are ways to allow the trees behind the cars, between the cars and they don't have to be in front of the cars. The code reference by Mr. Bliss is for the C-1 zone, however this property is along a gateway arterial. The gateway arterial requires landscaping above and beyond the C-1 zone and there will also be landscaping in the parking. Staff just wanted the Commission to review the plan and give feedback on the number of pad sites.
- Commissioner Munoz asked for clarification on the number of pad sites they are requesting.
- Mr. Bliss stated 16 is the correct number shown and being requested.
- Commissioner Frank asked if the Commission has any issues with the pad sites.

Planning & Zoning Commission Minutes

December 13, 2016

- Commissioner Munoz stated he is not concerned with the number of pad sites as long as the landscaping requirement is met. He thinks this property can look really nice and is a great place for this business.
- Zoning & Development Manager Carraway-Johnson explained they have not started the design for the project but if there are issues this could be brought to the Commission later.
- Commissioner Woods asked if they are limited to how far back the landscaping can go.
- Planner I Spendlove explained gateway arterial landscaping shall be minimum 30' from back of sidewalk and they can't have a display pad within 15' of the sidewalk. There shall be a minimum of 15 between the front of the vehicle and the sidewalk. There is a minimum landscaping requirement, how they meet that code is up to them.
- Commissioner Frank stated he is comfortable with letting the staff work with the applicant as long as code is followed.
- Commissioner Higley stated he agrees.
- Planner I Spendlove explained that the pad sites can be approved as shown if there is not an issue with 16 pad sites.
- Commissioner Grey asked what the plans were for the public auditorium.
- Mr. Cook explained that this southeast end of the building is the first theater built on-site, so historically they would like to maintain that portion of the building. They will not be using it as a public theater however it could be used by local churches, schools, possibly a business like Chobani for a meeting location, other community events. This is a very preliminary plan so the details have not been determined.

Motion:

Commissioner Reid made a motion to approve the request, as presented, with staff recommendations. Commissioner Higley 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 construction of the building being consistent with the submitted drawings/elevations, as presented.
 3. Subject to the vehicle display pads along Kimberly Road not to exceed 16 pad sites.
3. Request for a Special Use Permit an auto body and service business to include an indoor paint booth on property located at 193 Eastland Drive c/o Bruce Bland (app. 2829)

Applicant Presentation:

Bruce Bland, the applicant, stated he is here to request a Special Use Permit to add a paint spray booth for Line-X liners and Powder Coating. There should not be any impacts to the surrounding area. They built the building 10 years ago and are trying to make the property more appealing for to selling the property in the future.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated the applicant has provided a detailed narrative of the operation of the business. They indicate the desire to operate an Automobile Service and/or Repair business (collision repair facility) with an indoor paint booth. Their narrative describes the expected number of vehicles, hours of operation, employees, and type of work being performed.

**Planning & Zoning Commission Minutes
December 13, 2016**

Per City Code 10-4-8:

Automobile and Truck service and/or repair establishments are required to obtain a Special Use Permit prior to being legally established due to potential impacts on neighboring properties.

City code does not differentiate between various Service and/or Repair businesses. This proposed business has “self-classified” as Collision Repair. This would typically entail having vehicles in various forms of disrepair or wrecked status being on the premises awaiting hoods, fenders, doors, etc. It also entails reconditioning, prepping, and painting body panels. It is uncertain if major engine repair or transmissions will also be part of the operation.

Per City Code 10-11-1 thru 8:

Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

It is not anticipated any new buildings will be constructed and the majority of renovations will take place indoors with over the counter permits. Therefore, some improvements will not be triggered. However, the majority of site improvements required within Title 10 Chapter 11 have previously been constructed and approved.

Increase in traffic, noise, odor, or glare is not anticipated to increase to unacceptable levels for neighboring land uses. This is primarily due to location along Eastland Dr. and being surrounded by the C-1 and M-1 Zoning districts and Land Uses. Additionally, it has been depicted the work on vehicles will take place indoors, during reasonable business hours.

One common impact of this type of business is the of the visual sort. These businesses occasionally have a tendency to proliferate vehicle parts outside the building. A condition requiring screening of wrecked vehicles and miscellaneous parts would be appropriate.

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 all wrecked vehicles, miscellaneous parts, and/or equipment being located within the building, or behind a screening fence. Said screening fence material to be approved by staff prior to installation.

PZ Questions/Comments:

- Commissioner Grey asked about attaching the Special Use Permit to the owner.
- Planner I Spendlove explained that they are looking to provide a way for the future business owner to operate. Staff feels the conditions will help to address future business operation and mitigate any future impacts.
- Commissioner Munoz asked about paving of the maneuvering area.
- Planner I Spendlove explained the parking and maneuvering area is already paved.

Public Hearing: [Opened and Closed Without Public Comments](#)

Deliberations Followed: [Without Concerns](#)

**Planning & Zoning Commission Minutes
December 13, 2016**

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.

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 all wrecked vehicles, miscellaneous parts, and/or equipment being located within the building, or behind a screening fence. Said screening fence material to be approved by staff prior to installation.
5. Request for a Zoning District Change & Zoning Map Amendment from R-1 to C-1 for 1(+/-) acres to allow expansion of an existing self-storage facility on property located at 2716 Addison Avenue East c/o Addison Secure Storage (app. 2830)

Applicant Presentation:

Forrest LeBaron, the applicant, stated he is here to make a request to rezone a portion of his property that is currently zoned R-2 and change it to C-1. This was originally zoned two different ways and they wanted to make sure business would be viable prior to moving forward with a rezone. A portion of the property will not be rezoned that is next to the canal, it will be left for access.

Staff Presentation:

Planner I Spendlove Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. Zoning designations were assigned at that time, or when areas were annexed. This lot is identified as Twin Falls Acres Inside, which makes this one of the older lots located within city limits. This corridor originally was zoned with a 600' in depth C-1 zoning – still existing today.

The first appearance of this address in the Polk Twin Falls City Directory was in 1988 as what appears to be a residence, and the remaining property to the south was likely used as agricultural land. The applicant purchased this property in 2014 and soon thereafter began the process of submitting construction plans for the north half of the parcel establishing Addison Secure Storage.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- to evaluate the request to determine the extent and nature of the amendment requested.

The applicant is applying for a Zoning District Change and Zoning Map Amendment for a portion of the southern parcel in order to complete the build out of Addison Secure Storage. Addison Secure Storage has been operating at this location for almost 2 years and according to the applicant's narrative, there will be no change in the overall operation, just an increase in the number of storage units towards the South. Currently the mini storage units occupy the northern half of the property which is located in the C-1 zone. The applicants overall plan shows 4 more phases at this location. The submitted documents indicate an approximate 35'+ "buffer" on the southern property line. This 35' is not part of this rezone application and is proposed to remain zoned R-2. The applicant states they plan to continue leasing the ground for agriculture use and canal access.

This Rezone request would allow for future development to occur under the codes and standards as set forth in the C-1 Zoning District.

**Planning & Zoning Commission Minutes
December 13, 2016**

The Commission is asked to make a recommendation on this request which shall automatically be scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to R-2 would be compatible with and not detract from the surrounding area.

If the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

PZ Questions/Comments:

- Commissioner Woods asked what the distance is from the storage unit to the property line and if this would be the time to discuss stacking of the units and other issues possibly related to the use.
- Planner I Spendlove explained this request is only for the zoning change. The use that they have planned will require a Special Use Permit and that would be when the issues related to use would be discussed.
- Commissioner Grey asked if notice was mailed out to property owners.
- Planner I Spendlove explained that there were letters mailed out and staff has only had one call related to the request. It was explained that the rezone is supported by the Comprehensive Plan but that if they have issues with the use they will be notified when a Special Use Permit is requested, that would be the time to speak about the impacts from the use.

Public Hearing: Opened and Close Without Public Comments

Closing Statement:

Mr. LeBaron explained that he plans to keep this property in his family for as long as possible and to expand this business. He is aware of the neighbor that has concerns about the aesthetics and use of the property. He does not stack the units, and they are all matching in color and blind to the point that people don't see them from Addison Avenue East. They also plan to install a screening fence along the back edge of the property where the C-1 stops and the R-2 starts. They have approximately 8 customers per day and it has minimal impacts to the area.

Deliberations Followed: Without Concerns

Motion:

Commissioner Dawson made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Musser seconded the motion. All members present voted in favor of the motion.

**Recommended for Approval to City Council, As Presented
To Be Scheduled for City Council; a date to be determined**

V. GENERAL PUBLIC INPUT: None

**Planning & Zoning Commission Minutes
December 13, 2016**

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

Chairman Frank congratulated Commissioner Reid on his move to City Council.

Zoning & Development Manager Carraway-Johnson congratulated Commissioner Reid on his move to the City Council and thanked him for his service on the Planning & Zoning. The vacancies will be advertised for at least two possibly three openings. The preliminary plats are a final approved by the Commission of the three that were on the agenda tonight, only one Westpark Commercial Subd No. 10-a ZDA has a final plat that will be ready to move forward for City Council soon. LeMoyne and Pillar Falls Plaza-a PUD do not have final plats submitted yet. The Pillar Falls Plaza-a PUD had many engineering issues to resolve prior to a final plat being accepted. The zoning district change for the Westpark Commercial Subd No. 10, the vacation for St. Luke's and the zoning district change for Addison Secure Storage are all to be scheduled for City Council in January.

The last item for discussion is the schedule for 2017. There are two options for scheduling to allow for the meetings to be scheduled around the holiday season. Alternative 1 has meetings in November and one in December. Alternative 2 has one meeting in November and two meetings in December. Staff wanted to see if they Commission had a preference on the schedule.

The Commission determined Alternative 1 with two meetings in November and one in December was their preference. The schedule will be posted.

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

1. Work Session-**January 4, 2016**
2. Public Hearing- **January 10, 2016**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 08:10 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department