



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
March 14, 2017 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 Darren Hall Craig Hawkins Gerardo "Tato" Muñoz Ed Musser
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Dawson
Frank
Grey
Hall
Hawkins
Muñoz
Musser

ABSENT

AREA OF IMPACT MEMBERS

PRESENT

Woods

ABSENT

Higley

CITY STAFF: Carraway-Johnson, O'Connor, Spendlove, Strickland, Vitek

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. Election of Officers –

Motion:

Commissioner Woods made a motion to nominate Commissioner Frank for Chairman. Commissioner Grey seconded the motion.

Unanimously Approved

Motion:

Commissioner Frank made a motion to nominate Commissioner Grey for Vice-Chairman. Commissioner Woods seconded the motion.

Unanimously Approved

2. Approval of Minutes from the following meeting(s): **02-28-17 PH 03-01-17 WS**
3. Approval of Findings of Fact and Conclusions of Law:
 - Orton (SUP 02-14-17)

Motion:

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

Unanimously Approved

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III. ITEMS OF CONSIDERATION: None

IV. PUBLIC HEARINGS:

1. Request for a **Special Use Permit** to allow the operation of an Automotive Repair Business and including a Commercial Indoor Paint booth on property located at 1920 Highland Avenue East c/o Jeremy Petersen/Petersen Brothers Construction, Inc. on behalf of Premier Automotive (app. 2843)

Applicant Presentation:

Jeremy Petersen, the applicant, stated he is here because they have built a new facility and in the back southwest corner they would like to install a paint booth for automotive painting and refinishing.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated 1920 Highland Ave E is the NW portion of Lot 7, Block 1 of the Highland View Tract, recorded in 1913. The zoning was likely set in 1981 when the current zones were established with Ordinance 2012. County parcel records go back to 1996, and 1920 Highland Ave E first appeared in the Polk Directories in 1978 as M&M Automotive. No history on the property until 2010 when a construction office was built within the warehouse.

This is a request for a Special Use permit to operate an Automotive Repair Business and including an Indoor Commercial Paint Booth on property located at 1920 Highland Avenue East. The building currently houses a portion of the Petersen Brother's Construction Company. A section of the building was reserved to provide space for automotive repair and service of their own fleet vehicles. The applicant also plans to provide service for other vehicles. This property is located on a parcel within the M-2 zone. The impacts of this request are not anticipated to increase to an unacceptable level beyond what is normal for the M-2 Zone. The applicant also indicated they would not be mixing paint on site.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Industrial/Employment/Flex". This designation is described as supporting non-retail type employment, and adjacent to railyards. The appropriate land uses are, but not limited to, warehousing, general manufacturing, food processing and industrial/corporate campuses. Staff has determined the requested use is consistent with the Industrial/Employment/Flex designation.

Per City Code 10-4-10:

A Special Use Permit is required for Automobile and truck service and/or repair.

Per City Code 10-7-18:

Any interior commercial painting requires a Special Use Permit.

Per City Code 10-11-1 thru 8:

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

The paint booth and auto repair and or service are not anticipated to cause adverse impacts to the surrounding properties due to the current zoning and surrounding land uses. Highland Ave E is heavily developed and zoned for manufacturing and thus supports this land use and operation.

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The Commission should evaluate the request and its associated impacts to determine if conditions should be placed on this permit.

Planner I O'Connor 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 dismantled vehicles, parts, and items associated with vehicle repair or painting, being located entirely within the building or behind a sight obscuring fenced area as approved by staff.

PZ Questions/Comments:

- Commissioner Woods asked if the first condition applies to issues associated with storage and disposal of hazardous materials.
- Planner I O'Connor confirmed this would be covered under the first condition.
- Commissioner Grey asked about street improvements.
- Planner I O'Connor explained the improvements are done.
- Commissioner Frank asked if the applicant is aware of the second condition listed with regards to parts being stored behind a screened fence.
- Mr. Petersen showed on the overhead where the vehicles will be stored while waiting for repairs.

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

Deliberations Followed: **Without Concerns**

Motion:

Commissioner Woods made a motion to approve the request, as presented. Commissioner Musser 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 dismantled vehicles, parts, and items associated with vehicle repair or painting, being located entirely within the building or behind a sight obscuring fenced area as approved by staff.
-
2. Request for a **Special Use Permit** to allow the operation of an Automobile Sales Dealership and including four (4) vehicle display pad sites on property located at 315 Addison Avenue West c/o Roland Allen (app. 2844)

Applicant Presentation:

Roland Allen, the applicant explained they would like to take a vacant lot and turn it into a car lot. He and his brother will be putting in a new building and will make the required improvements to the property. He asked to have four pad sites and the staff has recommended two. After thinking about the plans for the dealership, he would like to ask for three pad sites. They will be updating all of the ADA ramps and have a plan for storm water retention onto a property to the back with permission. They will also have ingress and egress marked for traffic entrance and exiting of the property. They want to improve the area and make it look nice.

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Staff Presentation:

Planner I O'Conner reviewed the request on the overhead and stated County Parcel records go back to 1996, and the current owner purchased the property in 2016. Aerial imagery has the property being utilized as far back as 1969, in various commercial activities. The property has been vacant for many years.

This is a request for a Special Use Permit to operate an auto sales dealership with up to four (4) display pad sites at 315 Addison Ave W. The property is zoned C-1 and for the last several years this lot has been vacant. The C-1 zone requires a Special Use Permit to operate an automobile sales dealership and a Special Use Permit to allow vehicle display pad sites within the gateway arterial landscaping. The lot is 100' wide by 150' deep +/- and shows a single arterial ingress and a single arterial egress already built. Ingress/Egress signs should be posted.

The applicant is requesting to have up to four (4) vehicle display pad sites within the required gateway arterial landscaped area(s). The applicant wishes to display the vehicles on portable metal vehicle display ramps. The applicant has provided example pictures of a type of vehicle display ramp he hopes to use. Staff has some concern if the commission grants up to four (4) display pad sites there will be no gateway landscaping. The code requires all parking & maneuvering areas to be hard surfaced. Each display pad site is classified as a parking area and shall be a minimum of a 9' x 20' hard surfaced area and shall be a minimum of fifteen (15') from the back of the sidewalk. The Commission may wish consider a lesser number of display pad sites if they grant this request.

The applicant feels that his business shall not create any impacts to the area, and staff does not anticipate any increase in impacts to the surrounding area, as the lot is surrounded by other dealership and or commercial businesses, as well as directly adjacent to Addison Ave W.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Mixed-use". Mixed-use is described as serving local and regional commercial opportunities, being located at intersections of or along major arterials and is usually more pedestrian friendly than other use designations. Mixed use generally consists of but not limited to retail, office, restaurant, and higher density residential. Staff has determined the requested use is consistent with the mixed-use designation.

Per City Code 10-4-8:

A Special Use Permit is required for an Auto dealership

Per City Code 10-7-12:

Gateway Arterial Landscaping standards are required for Addison Ave West of a minimum of 30' behind the sidewalk.

Per City Code 10-11-1 thru 8:

Required improvements include access, parking and maneuvering areas, landscape and display pads subject to a SUP, lighting, sanitation facilities (trash enclosure), drainage and storm water, etc... These required improvements shall be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Staff does not anticipate an increase in detrimental impacts to the surrounding area. The Commission should evaluate the request and its associated impacts to determine if conditions should be placed on this permit.

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Planner I O'Conner 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 a maximum of two (2) 9' x 20' hard surfaced vehicle display pad sites.

PZ Questions/Comments:

- Commissioner Grey asked if a hard surface is still required under a ramp.
- Planner I O'Connor explained yes
- Commissioner Grey asked about the number of three pad sites a new request.
- Planner I O'Connor explained that the staff would still recommend the two pad sites.
- Commissioner Musser asked why staff prefers two vs four pad sites.
- Commissioner Frank asked if staff could review the gateway arterial landscaping.
- Planner I O'Connor explained that the gateway arterial landscaping is in addition to the required landscaping.
- Commissioner Frank clarified this requirement is not negotiable.
- Planner I O'Connor explained that is correct.
- Commissioner Hall asked about the width of the accesses into the property.
- Planner I O'Conner explained they will have to meet code.

Public Hearing: [Opened](#)

- Jeff Trammel, Creekside, representing the property owner for the property to the south. He stated that he is a tenant at this location and operates a repair facility to the south of this property and wants to make sure the applicant is aware of the access easement to this property. He is very concerned about having access into and out of his property and wants to make sure this business does not impact his ability to operate his business.

Public Hearing: [Closed](#)

Deliberations Followed:

- Assistant City Engineer Vitek stated that easements are a right to use and there is an easement from Addison to the back property in question. This easement can be adjusted or moved, as it is not a dedicated easement. The property owners will have to work that out between each other. Staff has reviewed the width and access for one-way traffic and felt that could be accomplished. He would recommend that the property owners work together.
- Commissioner Frank asked about hours of operation and fencing requirements.
- Planner I O'Connor explained fencing would not be required and the hours of operation will need to meet code, which are 7am to 10pm.
- Commissioner Frank asked the applicant if he was aware of the easement and if he would be willing to work with the neighboring property owners.
- Mr. Allen explained he is aware of the easement, and they can work with the neighbors. He also explained all of the pad sites will have hard surfacing beneath them.
- Commissioner Musser asked about adding the third pad site.
- Commissioner Frank explained this requirement has been set by staff because of code requirements.

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Motion:

Commissioner Woods made a motion to approve the request, as presented. 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 a maximum of two (2) 9' x 20' hard surfaced vehicle display pad sites.
3. Request for a **Special Use Permit** to allow the operation of an Automobile Impound Facility on a portion of property located at 1215 Addison Avenue West in the Area of Impact. c/o Charles Legg (app. 2845)

Applicant Presentation:

Charles Legg, the applicant is requesting a SUP to have a tow yard to store impounded vehicles on the property located at 1215 Addison Avenue West. He explained that he has asked to have a 6ft fence because code requires an 8ft fence for a wrecking yard not a tow yard.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated his property was incorporated within the City/County Area of Impact Agreement in 1981. The entire property was zoned commercial at that time. At some point the southern 800' was rezoned to M-2; industrial – keeping the northerly 250' of frontage on Addison Ave West zoned C-1; commercial. The applicant submitted a Purchase and Sale Agreement for this property dated December 2016.

On June 12 2007 Mr. Legg was granted SUP 1039, attached, to operate an Automobile Impound Facility in conjunction with an auto service and repair business at 305 5th Ave W. The business is still in operation today.

This is a request for a Special Use Permit to operate an Automobile Impound Facility on a 200' x 300' area located at the southeast corner of 1215 Addison Ave West. The property is split into two (2) different zones; two-hundred-fifty feet (~250ft) of the northern portion of the property is zoned C-1 with the remainder of the property, approximately 800', to the south is zoned M-2. The applicant is requesting only the 200' x 300' southwest corner of this property be utilized for the Automobile Impound Facility. The applicant has an existing impound facility on 5th Ave W, it is unclear if this is an expansion of his current business, A1 Towing or a new facility. The remainder of the property is undeveloped and not part of this request. The applicant's site plan does show new building, a "fire lane and employee parking" outside of the designated fenced impound yard. All will be reviewed through the building permit review. Unless the C-1 portion of the property is paved Engineering has requested this area be blocked. The applicant stated in his narrative the hours of operation for the employees of A1 Towing will be 24 hours, but open to the public from 8a.m. to 5p.m. The site plan shows a 20' x 300' dirt bermed area with trees along the Addison Ave W frontage. It is unclear how the trees will be maintained- this should be clarified.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Industrial/Employment/Flex". This designation is described as supporting non-retail type employment, and adjacent to railyards. The appropriate land uses are, but not limited to, warehousing, general manufacturing, food processing and industrial/corporate campuses. Staff has determined the requested use for an Automobile Impound yard is consistent with the Industrial/Employment/Flex designation.

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Per City Code 10-4-8:

The C-1 portion of this property, 250' +/-, is not part of this request and shall remain undeveloped except for the portion utilized as the arterial ingress/egress, as approved by Engineering. The access and drive aisle shall be paved/hard surfaced as per code within the C-1 zoned area. An Auto Impound yard is not an allowable use in the C-1 Zone.

Per City Code 10-4-10:

An Automobile Impound Facility may be allowed by Special Use Permit in the M-2 Zone. The operation of an automobile impound yard shall meet or exceed code definition and development requirements:

AUTOMOBILE IMPOUND FACILITY: A facility that provides temporary outdoor storage for three (3) or more vehicles that are to be claimed by titleholders or their agents, provided that no vehicle shall be stored at said facility for more than forty five (45) days and must remain mechanically operable and licensed at all times, or a parcel of land or a building that is used for the storage of wrecked motor vehicles usually awaiting insurance adjustment or transport to a repair shop and where motor vehicles are kept for a period of time not exceeding fourteen (14) days. (Ord. 2773, 12-15-2003)

Per City Code 10-11-1 thru 8:

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

The applicant states lighting will be the only increase in impacts to the area. Staff does not anticipate an increase in overall negative impacts to the area due to the salvage yard to the east, agricultural land to the west, vacant lot to the south and an automobile repair shop to the north across Addison Ave W.

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

1. Vehicle storage in the impound yard be limited to the time allowed by code;
 - a. Maximum of 45 days for mechanically operable and licensed vehicles, and
 - b. Maximum of 14 days for wrecked vehicles awaiting transport.
2. No auto wrecking/salvage or junkyard permitted. The Impound Facility is for storage of impounded vehicles only.
3. Subject to plan approved by staff for management of storm water prior to operation of Impound Facility. Any change of surface will require additional water retention and shall be subject to review by staff.
4. Subject to a minimum 8' solid site-obscuring screening fence constructed around the entire perimeter of the Impound Facility.
5. No stacking of vehicles higher than the fence.
6. Subject to a plan approved by staff on the paved arterial access and the paved/graveled surface from Addison Ave W to the Impound Facility.
7. Subject to plan approved by staff addressing how vehicle fluids and/or chemicals are required to be disposed of properly- to include in the plan that those fluids and/or chemicals shall not drain onto the ground.
8. Subject to a plan approved by staff addressing how reasonable precautions will be taken to prevent

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Particulate matter from becoming airborne.

9. 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.

PZ Questions/Comments:

- Commissioner Grey asked for clarification from staff on the fence.
- Zoning & Development Carraway-Johnson explained code does not identify a tow yard for an 8ft fence. The impacts were similar to a wrecking yard and previous towing yards have been required to have an 8ft fence.
- Commissioner Hall asked about a well and water landscaping, and asked how the time limits are monitored. He explained that he has classified this as a holding yard and would not have a problem with a 6ft fence.
- Commissioner Woods clarified if this were to change to a wrecking yard/junk yard then the fence would come into play.
- Commissioner Musser asked if all of the tow yard facilities he has in Twin Falls have 8ft fences.
- Mr. Legg explained yes they all have 8ft fences, special use permits and he has never had any complaints about the way he has kept his property.

Public Hearing: [Opened & Closed Without Input](#)

Deliberations Followed:

- Commissioner Grey explained this is just a holding facility and the location is going to be set back far away from the road. He has no issue with a 6ft fence.
- Commissioner Frank explained this is not unreasonable and the location is far enough off the road, it is not an issue for him either.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with the exception the fence only needs to be 6' not 8'. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

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

1. Vehicle storage in the impound yard be limited to the time allowed by code;
 - a. Maximum of 45 days for mechanically operable and licensed vehicles, and
 - b. Maximum of 14 days for wrecked vehicles awaiting transport.
2. No auto wrecking/salvage or junkyard permitted. The Impound Facility is for storage of impounded vehicles only.
3. Subject to plan approved by staff for management of storm water prior to operation of Impound Facility. Any change of surface will require additional water retention and shall be subject to review by staff.
4. Subject to a minimum 6' solid site-obscuring screening fence constructed around the entire perimeter of the Impound Facility.
5. No stacking of vehicles higher than the fence.
6. Subject to a plan approved by staff on the paved arterial access and the paved/graveled surface from Addison Ave W to the Impound Facility.

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7. Subject to plan approved by staff addressing how vehicle fluids and/or chemicals are required to be disposed of properly- to include in the plan that those fluids and/or chemicals shall not drain onto the ground.
 8. Subject to a plan approved by staff addressing how reasonable precautions will be taken to prevent
 9. Particulate matter from becoming airborne.
 10. 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.
4. Request for a **Special Use Permit** to allow a drive through ATM facility, to include 3 unmanned ATM's, in conjunction with a future financial institution on property located at 123 Cheney Drive West c/o Mike Hill on behalf of CapEd Credit Union (app. 2846)

Applicant Presentation:

Mr. Lennon, Erstad Architects, representing the applicant, stated they are requesting an SUP for three unmanned ATM stations. They are excited to be here close to the school. These are unmanned with no speakers or access to staff inside the facility. They have this site plan at four other facilities and they have been able to manage stacking. They would like to be open by the holidays this year.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated this lot was platted as part of the larger Canyon Ridge High School development. This lot was purchased by the applicant in 2015. The Canyon Ridge PUD was passed by City Council in 2007, and the PUD was recorded a year later in 2008. The PUD set the current zoning for the lot.

This is a request to operate a financial institution; CapEd Credit Union, with three (3) unmanned drive-thru ATM facilities on property Located at 123 Cheney Dr. W. The lot is currently zoned C-1 PUD. A Credit Union is an appropriate use in the C-1 PUD Zone. The Drive-Thru ATM function and will help serve customers beyond regular banking hours. The drive thru functions will be three (3) "teller-less transactional ATM facilities" capable of all the same functions a traditional teller can provide. Staff has determined this is an appropriate request for this zone and area.

The 2016 Comprehensive Plan; "Grow With Us" designates this corridor as appropriate for "Neighborhood Commercial." This designation is described as supporting neighborhood. Appropriate land uses are, but not limited to, small scale commercial and retail/office, townhomes or apartments, as well as civic and community facilities. Staff has determined that the requested Land Use complies with the 2016 comp plan.

Per City Code 10-4-8:

Any facility with a Drive Thru requires a Special Use Permit.

Per City Code 10-11-1 thru 8:

Required improvements include access, landscaping, parking and maneuvering area, escape lane for drive thru, lighting, trash enclosure, drainage and storm water, etc. These required improvements shall be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

The property is located at the southwest corner of Cheney Drive West and Washington St N. Since this corner of this intersection is not developed, there is likely to be traffic level increases as customers use the

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services provided by the applicant. The narrative stated the ATM drive thru facilities will be operating 24 hours a day and therefore do not experience a high demand during peak hours due to their flexibility and availability. The increase in traffic is the one anticipated impact to the surrounding properties. It should be noted, the surrounding road network is constructed to arterial standards, and it was anticipated this property would develop as commercial property.

Planner I O'Connor 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 compliance with the stacking requirements for a drive-through facility.

PZ Questions/Comments:

- Commissioner Grey asked for clarification with regards to a drive through window and asked if there is a difference between unmanned and manned.
- Planner I O'Connor explained that the ATM has a stacking requirement of three, and there will not be a drive through window on the building.
- Commissioner Hall asked about assistance at the ATM if there are issues.
- Mr. Lennon stated they are cameras on the ATM and there is a button they can push for assistance during business hours of the credit union.
- Commissioner Musser asked about access to the property.
- Planner I O'Conner explained the only access would be from Cheney Drive West.
- Commissioner Frank asked about cars headed west how cars access the property.
- Assistant City Engineer explained there is a designed U-turn on Cheney Drive West for a U-turn to get into the credit union.

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

Closing Statement:

Mr. Lennon stated they are concerned with the U-Turn and are working with adjacent owners to create a cross use agreement for better access.

Deliberations Followed: **Without Concerns**

Motion:

Commissioner Musser made a motion to approve the request, as presented. Commissioner Woods 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 compliance with the stacking requirements for a drive-through facility.

V. GENERAL PUBLIC INPUT: None

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VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:
NONE.

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

1. Public Hearing- **March 28, 2017**

2. Work Session- **April 5, 2017-Training Session**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:02 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department