



Twin Falls Planning & Zoning Commission Minutes

Tuesday, September 11, 2018, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Members -

City Limits: Danielle Dawson, Vice-Chair; Craig Hawkins; Gerardo "Tato" Muñoz, Chairman; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Munoz 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.

Members Present: Higley, Hansen, Bolton, Munoz, Kelley, Hawkins

Staff Present: Cherry, Nope, O'Connor, Spendlove, Strickland, Vitek, Kingsbury, Kenworthy

2) Consideration of Amendments to Agenda

3) General Public Input

4) Consent Calendar

- a) Approval of Minutes for the following meeting: 08-14-18

Motion:

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

Commissioner Hawkins seconded the motion.

Unanimously Approved

5) Items of Consideration

- a) Consideration to initiate the revocation process for Special Use Permit #1233, Indoor Recreation and Extended Hours, located at 139 Shoshone St N. (PZ18-0075)

Staff Presentation:

P&Z Director Spendlove reviewed the request on the overhead and stated this is a consideration to initiate the revocation process for Special Use Permit #1233, Indoor Recreation and Extended Hours, located at 139 Shoshone St N.

Per City Code 10-13-2-3: The commission may initiate revocation by adoption of a motion. The permit holder shall be notified of the motion, the change in circumstances which have been alleged to occur and the adverse impact the changes made, and the conditions alleged to have been violated. A public hearing would then be scheduled and held, where the permit holder will have the opportunity to address the allegations, and the Commission will be tasked with making a decision on revocation.

The Commission is tasked with making a motion to initiate the revocation process for Special Use Permit #1233. The Commission may approve the request, deny the request, or table the request for more information.

Chairman Munoz explained to the audience this is not a public hearing item and therefore he will not be taking public testimony. If the motion is to proceed with the revocation process, will be scheduled for a public hearing and the appropriate notifications will take place so that testimony can be heard.

Discussions Followed: Without Concerns

Motion:

Commissioner Hawkins made a motion to approve the request to initiate the revocation procedures. Commissioner Bolton seconded the motion. All members present voted in favor of the motion

Scheduled for Planning & Zoning Commission Public Hearing October 9, 2018

- b) Consideration to reinstate SUP #1440 due to the use not being established within the one (1) year required after approval.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a consideration to reinstate SUP #1440 due to the use not being established within the one (1) year required after approval.

The commission may review any Special Use Permit which has not been established within one (1) year of approval. The commission should review the current situation and determine if the conditions of the surrounding properties has changed enough to warrant a new SUP or approve reinstatement of the SUP. This is a request to reinstate SUP #1440. The SUP has become void due to the fact that the property has had to go through extensive environmental remediation. The owner and applicant of the property was unable to establish the kennel or Pet Resort due to the remediation efforts.

The SUP was approved June 27th, 2017 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 no pets outside between the hours of 7:00 PM to 7:00 AM.
- 3) Subject to no occupancy until the COO is issued.

The Commission is tasked with approving reinstatement of SUP #1440, or requiring a new Special Use Permit be obtained.

Chairman Munoz explained this item is not a public hearing item and because this delay was at no fault of the applicant and there have not been any significant changes in the surrounding

area, he will not be taking public testimony on this item.

Discussion Followed: Without Concerns

Motion:

Commissioner Bolton made a motion to approve the request to reinstate the Special Use Permit #1440, as presented, with stated conditions. Commissioner Hawkins seconded the motion. All members present voted in favor of the motion.

[Approved for Reinstatement](#)

6) Public Hearings

- a) Request for a Special Use Permit to operate an ATM drive-through service on property located at the 102 2nd Avenue South. c/o Andrea Rios on behalf of Wells Fargo Bank (app. PZ18-0028)

Applicant Presentation:

James Vicks, explained they are here to request approval of a Special Use Permit for an ATM drive thru service. This will be a replacement ATM for the Wells Fargo ATM across the street due to closure of that branch office. The plan is to building the ATM with brick to look similar to the surrounding, to landscaping around the perimeter of the property and update the ADA ramp at the street corner.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for a Special Use Permit to operate an ATM drive-through service on property located at the 102 2nd Avenue South.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. The Administrator If conditions are placed on the permit, shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void. If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

This lot is does fall in the Downtown Historic District, however, it does not have any contributing historic structure or use, and has been utilized as parking lot since as early as the 1980's. The Historic Preservation Commission approved the structures and design for the ATM in January 2018. This is a request to establish a drive through in conjunction with a Drive-Up ATM on property located at 102 2nd Ave S. The property is zoned CB (Central Business) with the P-1 parking overlay and the Downtown Historic District. The applicant has already received a Certificate of Appropriateness from the Historic Preservation Commission, for the structure and ATM.

The Historic Preservation Commission specifically conditioned the certificate to have landscaping on the exterior of the lot. The commission's concern was that this would just be a large open hard surfaced lot with no landscaping. Since the P-1 overlay does not require parking, and the CB zone's landscaping requirement is tied to "required parking," there is no required internal landscaping per the zone. The commission may feel it appropriate to condition this SUP request to include internal landscaping.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.

PZ/Questions & Comments:

- Commissioner Bolton asked for clarification on the traffic flow through the drive thru area. The entrance will be from 2nd Avenue East and the egress will be along Shoshone Street South. She asked if any of the surrounding businesses have been approached.
- Mr. Vicks explained this has been owned by Wells Fargo and has not been in use, and that contact has not been made with the surrounding businesses other than the notice for this meeting.
- Commissioner Hansen asked about the Certificate of Appropriateness and the landscaping condition.
- City Planner O'Connor explained the conditions for landscaping can be added as a condition on the SUP, but is also a condition for the Certificate of Appropriateness approval.
- Commissioner Kelley asked about the sidewalk improvements.
- City Planner O'Connor explained that the sidewalk is the responsibility of the property owner to maintain, they will be required to update the ADA ramp, and widen the egress along Shoshone Street South. As for the asphalt, as long as the maneuvering area is hard surfaced, they can proceed with their operations.

Public Hearing: Opened & Closed Without Concerns

Discussions Followed:

- Commissioner Kelley explained the property needs to be spruced up and the walking traffic in the area will increase and having the drive through moved to this location would be better.
- Commissioner Munoz explained he has no issue with this request.
Commissioner Hansen explained the landscaping has been approved by HPC, saving the P&Z Commission time in making a decision.

Motion:

Commissioner Higley made a motion to approve the request, as presented, with staff recommendations. Commissioner Kelley seconded the motion. All members present voted in

favor of the motion.

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

1. Subject to site plan amendments as required by City Code Standards.

- b) Requests for a Special Use Permit to construct a detached accessory building with a total square footage that exceeds 1000 sq. ft. (approx. 1600 sq. ft.) on property located at 278 Caswell Avenue West. c/o Mel Moeller (app. PZ18-0054)

Applicant Presentation:

Mel Moeller, stated he lives at 278 Caswell Avenue West and would like to build a 40x40 accessory building, he would like to use for his shop and to store his motor home. It will only be used for personal use and it should not be a detriment to the neighbors.

Staff Presentation:

City Planner Cherry reviewed the request on the overhead and stated this is a request for a Special Use Permit to construct a detached accessory building with a total square footage that exceeds 1000 sq. ft. (approx. 1600 sq. ft.) on property located at 278 Caswell Avenue West.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. The Administrator If conditions are placed on the permit, shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Twin Falls County Records indicates the primary residence on the property was built in 1948. The portion of the property the applicant wishes to construct the accessory structure has remained unchanged and remains vacant/undeveloped.

This is a request for a detached accessory building which exceeds 1,000 sq. ft. on property located at 278 Caswell Ave W. within the R-4 Zone. The R-4 Zone requires an SUP for all detached accessory buildings exceeding 1,000 sq. ft. The applicant has stated the structure will be utilized for storage and personal shop space.

If the Commission approves this request as presented, staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to personal use only – no commercial activity.
3. Subject to Existing access/approaches being utilized and no new access/approaches to be created.

PZ/Questions & Comments:

- Commissioner Munoz asked about hard surfacing.
- City Planner Cherry, explained the surface from the access has been hard surfaced.
- Commissioner Bolton asked if the building will be plumbed, will it have a living area.
- Mr. Moeller explained it will be plumbed with a bathroom and sink, no living area.

Public Hearing: Opened & Closed Without Testimony

Discussions Followed: Without Concern

Motion:

Commissioner Kelley 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 site plan amendments as required by City Code Standards.
 2. Subject to personal use only – no commercial activity.
 3. Subject to Existing access/approaches being utilized and no new access/approaches to be created
- c) Requests for a Special Use Permit to construct a Communication Utility building larger than 25 sq. ft. or taller than 3 ft. above ground on property located at 260 Highland Avenue. c/o EHM Engineers, Inc on behalf of PMT (app. PZ18-0055)

Applicant Presentation:

Tim Vawser, EHM Engineering, Inc. representing the applicant, they are requesting a Special Use Permit to place a communications hut in an area that needs enhanced services for their customers. The hut will be 10x20 sq. ft. and there will be fiber optics stored on site, along with this hut will be a forklift to help load and unload this equipment. During work hours it will serve as a parking area for staff to park their personal vehicles and pick-up and drop-off their service vehicles. However, it will be uninhabited for the most part, clean and screened.

Staff Presentation:

Requests for a Special Use Permit to construct a Communication Utility building larger than 25 sq. ft. or taller than 3 ft. above ground on property located at 260 Highland Avenue.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void. If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony

and minutes of the previous hearing to reach a decision on the appeal.

There is very little history on this property, which originally had a home on it from 1908 to as late as 1978. This is a request to construct a communications utility structure which is more than 3' above ground and larger than 25 sqft in size on a vacant piece of land at 260 Highland Ave. The property is zoned M-1 and the requested use requires an SUP.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.

PZ/Questions & Comments:

- Commissioner asked if the portable storage units are on the site currently.
- City Planner O'Connor explained they are there, not shown on the site plan.
- Jeff Schamber, PMT representative, explained that they will have to be removed within 30 days after the final purchase date. There will be two personal vehicles parked during the day and service vehicles will be parked there in the evening for the two employees. There will also be a forklift on site.
- Commissioner Bolton asked about fencing
- Jeff Schamber, PMT representative, explained they will fence all sides and it will be secure.
- Commissioner Munoz asked about the screening if it will be slatted.
- Jeff Schamber, PMT representative, explained yes, it will be slatted.
- Commissioner Munoz asked about hard surfacing
- City Planner O'Connor explained hard surfacing is only required for the Handicap parking space, otherwise no hard surface is required in M-1.
- Jeff Schamber, PMT representative, explained they are planning to budget for asphalt.
- Commissioner Kelly asked what the adjacent business is?
- City Planner O'Connor explained it is a sign company.
- Commissioner Munoz asked about antennae's.
- Jeff explained that they are fiber optic based he doesn't foresee any antennae's for the site.

Public Hearing: Opened

Elizabeth Dorpat, 310 Lois Street South, explained they live at the corner of Highland and Lois, She asked if it will be wired fence, how high will the fence be, she wants to know the distance from her home for the forklift and vehicles.

Public Hearing: Closed

Closing Statements

Mr. Vawser explained the fence will be chain link with slats for privacy. The barbed wire is not necessary, for the site. The applicant will work with the adjacent owners. The sewer easement shown on the site is approximately 15 ft and the driveway will be 16 feet with the hut being places approximately 50 ft from the property line on the east.

Discussions Followed:

- Commissioner Higley clarified the city code requirement for sidewalks.
- City Planner O'Connor explained a sidewalk is not required unless it is on an arterial.
- Commissioner Hansen explained the weed control should be better, the setback look sufficient and their willingness to work with the neighbor alleviates any concerns he may have had.

Motion:

Commissioner Bolton 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 site plan amendments as required by City Code Standards.

7) Upcoming Meeting(s)

a) September 25, 2018 Public Hearing

P&Z Director explained that there will be some minor changes to the format of the agenda. Due to a recent change in state code for agenda posting the item that addresses any amendments to the agenda will be removed. State has clarified that an agenda cannot be amended once posted, for any items that require decisions be made by the governing body. Therefore this item will be removed from the agenda. The second item that will be removed from the agenda is general public input. The Planning & Zoning Commission does not have the ability to make decisions on items brought to them by the public, the person would have to be referred to the City Council, therefore this item will also be removed from the agenda format.

8) Adjournment

Chairman Munoz adjourned the meeting at 7:05pm

Lisa A. Strickland, Administrative Assistant