



## Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 29, 2019, 6:00 PM

203 Main Avenue East  
Twin Falls, ID 83301

### Members -

**City Limits:** Danielle Titus, 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 pm.

A quorum was present.

**Members Present:** Titus, Hawkins, Munoz, Musser, Bolton, Hansen, Kelley, Higley, Detweiler

**Staff Present:** Spendlove, Cherry, O'Connor, Ebersole, Nope, Vitek, Palmer

### 2) Consent Calendar

a) Approval of Minutes from the following meeting: January 8, 2019

b) Approval of Findings of Fact and Conclusions of Law:

- Core Cycle
- Subaru

**MOTION:** Commission Member Bolton moved to approve the Consent Calendar, as presented. Commissioner Member Titus seconded the motion.

**Unanimously approved. 9 - 0**

### 3) Public Hearings

a) Request to amend PUD #264 to allow "Hotel" as a permitted use and increase maximum building height to sixty feet (60') for property located at 2151 Fillmore Street c/o EHM Engineers on behalf of Geronimo, LLC. (PZ18-0099)

#### Staff Presentation:

City Planner O'Connor presented the request to amend PUD #264 to allow "Hotel" as a permitted use and increase maximum building height to sixty feet (60') for property located at 2151 Fillmore Street c/o EHM Engineers on behalf of Geronimo, LLC. (PZ18-0099)

**Per Twin Falls City Code 10-6-1.4(E)** Approval of a ZDA Sub-District requires a preliminary

presentation to the Planning and Zoning Commission for a review of the proposed changes. A public hearing shall then be held before the Commission for a recommendation to the Council to amend the PUD, amend with recommendations or deny the request.

The history on this property and request is a bit lengthy and convoluted. There have been multiple PUD's approved in this area dating back over two decades, and multiple amendments to those PUD's.

To complicate matters, a Citizen's Design Review Committee was created to consider a 10 story hotel with a convention center in this area. The committee approved the request in January 2007. However, staff has no record of a development agreement being approved by City Council to develop the property in that manner.

Since the committee's approval in 2007, Canyon Park West PUD # 264 has been approved and recorded with no mention of a high rise hotel. It is staff's determination that the current iteration of the governing PUD supersedes that prior committee's approval.

This request is to amend the Canyon Park West PUD #264 to add "Hotel" as a permitted use specifically on the property identified as the "Hotel Property" within the PUD amendment. The amendment also requests to increase the maximum height to sixty feet (60'), and remove the requirement for a design review committee per the CRO development standards.

The original Canyon Park West PUD #219, approved in 2000, required an SUP for a hotel.

Canyon Park North #1 PUD #222, also approved in the year 2000, would have required an SUP for any hotel on properties within its boundaries. However, PUD #222 is no longer in effect as Canyon Park West PUD #264 encompasses and supersedes all of PUD #222.

Canyon Park West PUD #264, approved in 2012, includes all of PUD #222 and most of PUD #219, a few properties were excluded (such as Zions Bank and Golden Corral). The requested amendment is specific to PUD #264 which must follow both the C-1 and CRO use regulations and development standards as listed in City Code. If the proposed amendment is approved, it would outright permit a hotel on the property identified as the "Hotel Property" and allow for a maximum building height sixty feet (60'), as measured from the top of the existing retaining wall (see attachment #5), without a design review committee recommendation.

As a point of clarification this request does not forego the requirement to meet the design standards for construction as set forth in PUD #264 (see attachment #6). The renderings provided by the applicant have colors and materials depicted. However, those items are not part of the application, and are not being requested for change. The renderings are conceptual, and have not been reviewed for compliance with the applicable design standards. Compliance with colors and materials are reviewed during Building Permit submittals.

The Commission is tasked with making a recommendation to the City Council. The Commission may do one of the following:

- Recommend approval as presented

- Recommend approval with conditions
- Recommend denial
- Table the request to a future date in order to gather additional information

**Applicant presentation:**

David Thibault, EHM Engineers, Inc., representing applicant, presented request to amend PUD #264 to allow Hotel use be permitted. The hotel would be located west of the Twin Falls Visitors Center and east of Petco. The applicant is requesting a maximum height allowance of sixty feet (60') from the highest curb, with a proposed building height of a little over fifty-five feet (55').

Mr. Thibault gave brief history of previous requests for this property. The hotel use has been minimized in impact to the canyon with a four story hotel, with 124 rooms. He stated that this requested use is in compliance with the Twin Falls Comprehensive Plan. The hotel will have access from property to the canyon rim. The hotel will not deviate from the design standards of the PUD and will comply with city code of setbacks of the canyon rim. The proposed hotel is a Hilton brand hotel, Home to Suites.

Josh Wilcox, GBA architect. He gave history of design firm, McNeill Hotel Company. This hotel would have 124 rooms total, with 37 keys (rooms) on upper floors. This is an all-suite hotel, extended stay. The hotel would be built to accommodate use of the canyon rim. Mr. Wilcox gave overview of the hotel plans and site plan. The design is custom to the unique site to take advantage of the canyon view. There would be a heavy emphasis on landscaping, keeping the existing retaining wall and landscape. The hotel would have a higher level of "Beacon" design.

**PZ/Questions & Comments:**

- Commissioner Bolton asked the applicant if there had been geologic studies done on the property.
- Mr. Thibault stated that there have been geological canyon rim studies done when restaurant use was considered in February of 2013.
- Commissioner Bolton asked if the bird eye view are to scale.
- Mr. Wilcox stated they are close to scale within a couple of feet. Hotel is to scale.
- Commissioner Bolton asked staff if the adjacent structures are one or two story buildings.
- City Planner O'Connor answered that they are one story buildings.
- PZ Director Spendlove stated that the building are not over the thirty-five feet (35') restriction. The buildings are not measured by story.
- Chairman Munoz asked about minimum and maximum distance from canyon rim to the hotel.
- Mr. Thibault stated the minimum distance from canyon rim is fifty-five feet (55'). City code states that minimum distance is one-hundred feet (100') unless the geological study recommends a different setback. The height is similar to Elevation 486 fifty feet

(50') from canyon rim and a height of fifty-six feet (56').

- Commissioner Hansen asked if there is sufficient parking that meets city code.
- City Planner O'Connor stated there is sufficient parking that meets code as the PUD allows for cross parking for all businesses.
- Chairman Munoz asked if PZ recommends approval of the PUD amendment and hotel does not go through, can other authorized uses in the PUD be located there under the same regulations.
- PZ Director Spendlove stated there could be other uses to use the maximum height of sixty feet (60'), if approved. If master development plan stated only for hotel use, then no other business could be built until come back through this process.
- Mr. Thibault stated sixty foot (60') use is only meant for hotel use.

#### **Public Hearing: Opened**

- Chairman Munoz ran rules of engagement and placed a time limit to two minutes per speaker. He advised speakers to please stick to the three items on the amendment (increase building height, hotel use, remove Citizen Design Review Committee).
- Citizen Steve Woods, Twin Falls, is not in favor of hotel due to obstructed canyon view. He believes that the hotel does not fit into the 2016 Twin Falls Comprehensive Plan.
- Citizen Richard Aldama, Twin Falls, is not in favor based on his belief there is no need for additional hotel and the location of the proposed hotel.
- Citizen Gregg Phipps, Twin Falls, is not in favor of hotel due to closeness to canyon rim and trail.
- Citizen Theresa Hyndman, Twin Falls, is not in favor of hotel due to detracting of overall appearance of the area.
- Citizen Shawn Willsey, Twin Falls, geology professor at CSI and licensed professional geologist, is not in favor of hotel because of the structural integrity of the rocks in the canyon. He stated there are geological hazards to building a hotel in this location. He believes the minimum setback rule of one-hundred feet (100') from the canyon rim should be considered and enforced.
- Citizen Melody Lenkner, Twin Falls, is not in favor of the hotel location and traffic issues to the area.
- Citizen Cooper Brossy, Twin Falls, licensed professional geologist, is not in favor of the hotel due to geologic issues and weight and stress on the canyon rim.
- Citizen Ann Beck, Twin Falls, is not in favor of hotel due to hotel not being for current residents of Twin Falls.
- Citizen Rosalie Orton, Twin Falls, is not in favor of hotel. She does not believe in line with the Twin Falls Comprehensive Plan and that the canyon rim district needs protection and a hotel is not appropriate at entrance of the community from the Perrine Bridge.
- Citizen Eleanore Burkhart, Twin Falls, is not in favor of the hotel because she believes the canyon rim is not safe to build on.
- Citizen Nancy Cox, Filer, is not in favor of a hotel. She believes the local citizens should be able to enjoy the canyon.

- Citizen Eric Kreming, Twin Falls, is not in favor of the hotel. He is opposed to all three amendments due to loss of natural beauty of the canyon rim. He agrees with geologists concerns and compared this issue to Boise foothills and preservation.
- Citizen Tami Billman, Twin Falls, is not in favor of the hotel due to the Canyon Springs rockfalls over the past few years and the safety concerns building on the canyon rim.
- Citizen Andy Hemmings, Twin Falls, is not opposed to the hotel. He would like community to work with architect to come up with something that would benefit all.

### **Public Hearing: Closed**

### **Discussions Followed:**

- David Thibault addressed some of the public concerns. This location is in the C1 district with good access from primary arterial street and highway. In regards to the Canyon rim study, there are structures built along canyon rim that are much closer than proposed hotel and experience rockfall and still stand. He stated canyon deterioration is slow. He displayed pictures of houses that are closer along Eastland that are still there. They are not asking to change setback, they will comply. He stated that the 4 story hotel is necessary due to size of site to maximize density and viability. This is appropriate use in C1 zone. There are more hotels under construction in town now because there is a need for hotels in this city and this is prime property. Geological issues can be addressed. He stated Geronimo, LLC has been generous with their land and is willing to work with city to address concerns to have a hotel built at this location.
- PZ Director Spendlove read a letter from a citizen not able to attend tonight's meeting. Citizen, Kevin Dane, Twin Falls, is opposed to the proposed hotel. PZ Director Spendlove also stated he has received other emails and letters from citizens regarding the PUD amendment request, but those letters came in after the deadline for tonight's meeting. Those letters will be included in the upcoming City Council public hearing packet.
- PZ Director Spendlove addressed fire and emergency protection, stating he has no indication from the Fire Chief that the fire trucks the city has wouldn't be able to handle an emergency at the proposed hotel. Every new development goes through review with the Fire Marshall to address issues not brought up with the amendment request.
- Commissioner Bolton stated that she is opposed to building height, hotel use at this location, and removal of the citizen review process.
- Chairman Munoz stated is not necessarily opposed to a hotel, but has issue with height and removal of the citizen advisory evaluation and if it is compliant with the Comprehensive Plan.
- Commissioner Higley stated he does not believe this request is in compliance with the Comprehensive Plan or code and does not believe in removing the Citizen Review Committee. He cannot give positive recommendation to this PUD amendment.
- City Planner O'Connor stated development standards from CRO is measured from the

top of the canyon rim or ground level of the building, whichever is greater.

- PZ Director Spendlove stated the code states it is measured from building pad.
- Commissioner Hawkins has mixed feelings regarding setting precedent and the geological safety. Personally, he is in favor of hotel and would be enhancement to entrance of city, while preserving the canyon beauty. The growth of Twin Falls should be addressed.
- Commissioner Titus stated they are responsible to follow the rules. The facts are not in compliance with Comprehensive Plan as written. The hotel is not fitting in this location based on the Comprehensive Plan.
- Commissioner Kelley stated he agrees that this development does not follow the rules of the Comprehensive Plan.
- Chairman Munoz stated the applicant are following the rules by following the right process, but doesn't believe their requests are in compliance with Comprehensive Plan.
- Commissioner Higley does not have problem with hotel, but that it is not in compliance.
- Commissioner Musser has respect for applicant and quality of project, but this request is not consistent with Comprehensive Plan.
- Commissioner Titus asked for clarification on what the commission can vote on tonight.
- PZ Director Spendlove reviewed the options for the recommendation for this item.

#### **MOTION:**

**Commissioner Hansen recused himself from the vote due to business conflicts.**

Commissioner Titus motioned to recommend approval the amendments of PUD #264 to increase height of hotel as a permitted use and increase building height to sixty feet (60'), as presented with staff recommendations. Commissioner Musser seconded the motion.

**Commission recommended the PUD Amendment application be denied by a vote of 2-6-1.**

**10 minute break at 8:15 pm.**

**Commissioner Craig Hawkins stepped down at 8:25 pm**

- b) Request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair or Service Facilities on property located at 154 Washington Street on behalf of Jose Angulo. (app. PZ18-0100)

#### **Staff Presentation:**

City Planner Cherry presented the request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair or Service Facilities on property located at 154

Washington Street on behalf of Jose Angulo. (app. PZ18-0100)

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. A special use permit for a furniture and automobile upholstery business was approved on January 13, 2004.

This is a request to establish an Automobile Sales and Repair or Service facility on property located at 154 Washington Street. The proposed use will be in conjunction with the current furniture/car upholstery repair use on the subject property. The property is located within the C-B Zoning District.

The applicant indicates the hours of operation will be from 8:00 A.M. to 8:00 P.M. and employ approximately four (4) employees.

It is Staff's determination this request meets the criteria in City Code, and complies with the City Plans.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to all parts for service and or repair, and non-operating vehicles to be screened or stored indoors.

**Applicant Presentation:**

Applicant Jose Angulo requested a Special Use Permit to sell used automobiles along side his upholstery business at 154 Washington Street.

**Public Hearing: Opened and Closed without input**

**Discussions Followed:**

- Commissioner Higley has concern if the SUP is granted, is there a limitation on the number of vehicles the applicant can have available for sale.

- City Planner Cherry stated the display area on site plan shows two cars, and the applicant has to abide by parking requirements. There are requirements for staff parking and an ADA space with signage will need to be available for customers. This is a change of use, so there will need to be updates to the pedestrian ramp updated, and 10 feet of landscaping requirements off of Washington Street.
- Chairman Munoz asked what the zoning of the property is.
- City Planner Cherry stated it is zoned “CB”, Commercial Business, but it is not in the historic downtown district.
- PZ Director Spendlove stated it is not in the downtown parking overlay. Code enforcement would address any parking issues.
- Commissioner Hansen asked to verify that the display area is only for two vehicles.
- City Planner Cherry stated that the automobile sales will be in conjunction with the existing upholstery business.
- Commissioner Titus stated that she is in favor of SUP request.
- Chairman Munoz stated that this will improve the area and is an appropriate use for the property.
- Commissioner Bolton stated it is wise to diversify your business and the improvements to this section of town is great.
- Commissioner Detweiler stated he is concerned that there may be too many cars on the lot.
- City Planner Cherry assured the commission that those matters will be taken care of by Code Enforcement.

**Motion:**

Commissioner Titus made a motion to approve the request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair or Service Facilities on property located at 154 Washington Street.(app. PZ18-0100), as presented with staff recommendations. Commissioner Bolton seconded the motion.

**Unanimously approved. 8 - 0**

- c) Request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair of Service Facilities on property located at 1534 Blue Lakes Boulevard North c/o Errin Bliss on behalf of Goode Motors. (PZ18-0108)

**Staff Presentation:**

Request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair of Service Facilities on property located at 1534 Blue Lakes Boulevard North c/o Errin Bliss on behalf of Goode Motors. (PZ18-0108)

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. Per City and County records the automobile sales and repair or service use was initially established on the subject property in 1972 as Blue Lakes Volkswagen-Porsche-Audi Inc. The subject property has remained an auto dealership since its inception in 1972. Currently, Goode Motors operates on the subject property. This is a request to operate an automobile sales and repair or service facility on property located at 1534 Blue Lakes Boulevard North. The subject property is located in the C-1 Zoning District.

Currently the subject property is operating as a "legal non-conforming" automobile sales and repair or service facility. The applicant intends to expand remodel the exterior of the property. The expansion will include a new showroom, additional offices, retail sales area, service drive thru and approximately six (6) new service bays.

The dealership will operate six (6) days per week Monday through Saturday from 7 A.M. to 7 P.M.

In addition to this request, the applicant is proposing to group the required landscaped parking lot islands as per City Code 10-10-11(B). City Code currently requires landscaped parking lot islands to end-cap each row of parking, and medians for parking rows which exceed fifteen (15) spaces. The purpose of this city code is to mitigate the adverse effects of extensive asphalt paved areas and to enhance the design and character of the property.

Per the Applicant the proposed island grouping plan would provide 108 ft. more landscaping, 40% more trees and 46% more bushes.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable
2. Subject to all parts for service and/or repair, and non-operating vehicles to be screened or stored indoors.
3. Subject to the approved Parking Lot Island Grouping conditions set by the Commission.

**Applicant presentation:**

Architect Errin Bliss, representing applicant, presented the request by Goode VW to continue operation and remodel the auto dealership. Goode VW would like to go to a two story dealership, add a new sales floor and remodel the service area for a total of 19,000 sq ft. Mr. Bliss reviewed the site plans and the two options for the landscape grouping. The applicant would like to go to Option 2 as there is an increase in trees and bushes with alternate island groupings which would allow more flexibility for the dealership to display vehicles.

Matt Cook, owner of Goode VW, stated the reason for the alternate island grouping is to provide inventory display options. It is not a traditional parking lot. The dealership has been in business at this location since 1972.

**PZ/Questions & Comments:**

- Commissioner Titus asked for clarification on the location of the landscape increase.
- City Planner Cherry outlined the areas of increased landscaping.
- Commissioner Detweiler asked if the square footage of the dealership will be increased.
- City Planner Cherry stated there will be an increase in square footage.
- The applicant reviewed the landscaping along Cheney Ave. and Blue Lakes Blvd. will remain the same. He stated that the landscape increase will be along the building and along the back of property.
- Chairman Munoz asked about the gateway arterial street landscaping requirements, with a change of square footage over 25%.
- City Planner Cherry stated because this is an existing building, there is only a 10 foot landscape requirement along arterial street.
- PZ Director Spendlove stated that city code states there is a 10 foot requirement for existing buildings, with a change of use.

**Public Hearing: Opened and Closed without input**

**Discussions Followed:**

- Commissioner Kelley recommends approval because of the increased landscaping.
- Commissioner Hansen agreed that he is in favor of approval.
- Chairman Munoz agrees that he is in favor of approval.
- Commissioner Bolton agrees and would advocate for landscape option 2 to display merchandise optimally.
- Commissioner Titus agrees the applicant has made a good effort with the increased landscaping.

**Motion:**

Commissioner Hansen made a motion to approve the island grouping landscaping plan that has been presented as Option 2. Commissioner Detweiler seconded the motion.

**Unanimously approved. 8 – 0.**

**Second Motion:**

Commissioner Hansen made a motion to approve the request for a Special Use Permit for the purpose of operating an Automobile Sales and Repair of Service Facilities on property located at 1534 Blue Lakes Boulevard North c/o Errin Bliss on behalf of Goode Motors. (PZ18-0108), as presented with staff recommendations. Commissioner Higley seconded the motion.

**Unanimously approved: 8 - 0**

**4) Upcoming Meeting(s)**

- a) Worksession: Wednesday, February 6, 2019
- b) Tuesday, February 12, 2019

**5) Adjournment**

The meeting adjourned at 8:54 pm

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Kelli Ebersole, Administrative Assistant