



Twin Falls Planning & Zoning Commission Minutes

Tuesday, February 26, 2019, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

AMENDED Item 4B Withdrawn

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 06:01 pm.

A quorum was present.

Members Present: Titus, Munoz, Hansen, Kelley, Detweiler

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

2) Consent Calendar

Commissioner Hansen made a motion to approve the consent calendar, as presented. Vice Chairperson Titus seconded the motion.

Motion Approved: 4-0-1.

- a) Approve minutes from the following meeting: February 12, 2019
- b) Approval of Findings of Fact and Conclusions of Law:
 - New Generation Homes (SUP)

3) Items of Consideration

4) Public Hearings

- a) Request to vacate an undeveloped portion of Bolton Street right of way located north of 202 Caswell Avenue West on behalf of Dr. David Kemp c/o EHM Engineers. (PZ19-0001)

Staff Presentation:

City Planner O'Connor presented the request to vacate an undeveloped portion of Bolton Street right of way located north of 202 Caswell Avenue West on behalf of Dr. David Kemp c/o EHM Engineers. (PZ19-0001)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission

where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Right-of-Way in question was dedicated over time as lots were created from the platted lots within the Fireside Plat in 1939 and the Puddy Subdivision in 1956. The Development to the west of this ROW was approved in September 1994, effectively closing any through way for Bolton St.

This is a request to vacate a fifty foot (50') by sixty-two foot (62') portion of the 100 & 200 block of Bolton St Right of Way. Currently the Right of Way ends approximately one and a half feet from the eastern property line of the four-plexes that front Honey Locust Ln. currently the ROW limits development of the property, but does not prevent development.

The ROW is unutilized due to the lack of a thru-way due to the four-plexes to the west. Vacating the property will give more develop-able land to the owner which they plan on developing multi-family units.

The commission is tasked with recommending approval, approval with conditions, denial or you may table for more information. Should the Commission recommend approval, 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 a City Engineer and Fire Marshal approved permanent Public access easement to replace Temporary Cul-de-sac agreement r-D 634.
3. Subject to a fifteen foot wide utility easement centered on any future water pipe for city water infrastructure as approved by the City Engineer.

Applicant Presentation:

D. Thibault, EHM Engineers, Inc., representing applicant, presented the request to vacate an undeveloped portion of Bolton Street right of way located north of 202 Caswell Avenue West. The applicant owns the property on both sides of Bolton Street and would like to develop a multi-family subdivision. There will be an access for emergency vehicles once developed. There are no utilities in the way as it is undeveloped ground. Mr. Thibault stated the applicant agrees to the conditions of the Planning and Zoning staff.

PZ/Questions & Comments:

- Chairman Munoz asked about the fire turnaround at the time of development.
- City Planner O'Connor stated that condition #2 addresses the turnaround and an alternate access for emergency vehicles will be put in upon development of the

subdivision and will be reviewed by both the Fire Marshal and City Engineer.

- Commissioner Titus asked for clarification on what the right of way is actually attached to and how it would affect about the other property owners in area.
- City Planner O'Connor reviewed the map and showed that the right of way butts up to Dr. Kemp's properties on both sides of Bolton St. The right of way is contiguous to his properties.

Public Hearing: Opened

- Citizen Mary Wiggert, owns property that backs up to Bolton St. and asked if the vacation of the right of way would close off access to the back of her property.
- City Planner O'Connor showed Ms. Wiggert on the site map that the right of way only butts up to Dr. Kemp's property and should not affect the access to the back of the property.

Public Hearing: Closed

Closing Statement:

Mr. Thibault gave a closing statement clarifying the location of the requested vacation.

Discussions Followed: without concerns

Motion:

Commissioner Hansen motioned to recommend approval to City Council of the request to vacate an undeveloped portion of Bolton Street right of way located north of 202 Caswell Avenue West on behalf of Dr. David Kemp c/o EHM Engineers, as presented with staff recommendations. Commissioner Titus seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow a Storage Unit Rental Facility on property located at 2469 Addison Avenue East on behalf of Hatch Design Architecture/Jeff Hatch. (PZ19-0003)
Withdrawn By Applicant
- c) Request for a Special Use Permit to allow a Home Occupation on property located at 661 Crestview Drive on behalf of Pamela N. Holt. (PZ19-0005)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 661 Crestview Drive on behalf of Pamela N. Holt. (PZ19-0005)

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 County Records the primary residence on this property was constructed in 1970. This is a request to establish a home occupation for a professional dog grooming business on the property located at 661 Crestview within the R-2 Zoning District.

The applicant will operate her business inside the garage attached to her house. Clients will enter from a private side entrance on the garage.

The applicant intends to provide services to no more than five (5) dogs during a regular business day. The applicant intends to be with the dogs at all times. All waste will be cleaned at the end of each business day. The applicant intends to regularly operate 9 A.M. to 5 P.M. Monday through Thursday with an occasional Friday.

If 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 no more than four (4) dogs being on the subject property at one time.

Applicant Presentation:

Applicant Pamela Holt presented her request to allow a home occupation for a dog grooming business. Ms. Holt stated that she has an established clientele. She would not be doing any advertising and will be respectful of neighborhood. She stated that by city code, she is limited to 4 dogs on her property. She owns two dogs, so that would only allow two other dogs on property at a time. There should not be traffic issues, as there should only be one vehicle at her property every two hours. She will be servicing no more than 5 dogs a day.

PZ/Questions & Comments:

- Commissioner Detweiler asked if there will be additional employees.
- Applicant Holt stated that per city code, she cannot have employees, and will be a sole proprietor.
- Chairman Munoz asked if she will have dogs on property all day long.
- Applicant Holt stated she would only have dogs for extended periods of time only with prior approval.
- Chairman Munoz asked to see on the site plan where the business will be located and

outside access for the dogs.

- Applicant Holt clarified the business would be located in part of her garage and the outside area for dogs would be on west side.
- Commissioner Hansen asked if there will be dogs stored outside.
- Applicant Holt stated that the client's dogs will always be in her presence, and if the dogs need to be taken outside, she will be with them.
- Chairman Munoz asked if the commission could put a leash condition on the SUP.
- PZ Director Spendlove stated there is already city code that addresses the leash law.
- City Planner Cherry presented four letters sent to Planning and Zoning in support of applicant.

Public Hearing: Opened

- Chairman Munoz put a limit of three minutes on each speaker and asked speakers to stick to statements regarding the SUP in question.
- Citizen Tammy Billman, Twin Falls, has been a client of the applicants for 12 years and spoke in favor of the applicant.
- Citizen Deanna Wilbur, Twin Falls, is not in favor of the SUP. She lives next door to the applicant and spoke of her concern about the amount of cars on property and lack of parking available.
- Citizen Beth Reddick, Twin Falls, is not in favor of the SUP. She is a neighbor and is concerned about parking issues in the neighborhood.
- Citizen Eloise Hankins, Twin Falls, spoke in favor of the applicant. She is a current client and stated applicant is very professional and there is only one client car coming and going at a time.
- Citizen Heather Shiroy, Twin Falls, spoke in favor of the applicant. She stated that there is no lingering when dropping off her dogs.
- Citizen Sara Egan, Twin Falls, spoke in favor of the applicant. She stated that the applicant only sees one client at a time and to the applicant's professionalism.
- Citizen Adam Dixon, Twin Falls police officer, spoke in favor of the applicant. He has patrolled area and has never responded to her businesses with noise issues, animals or parking problems.
- Citizen Christie Hyde, Twin Falls, spoke in favor of the applicant. She is a current client and spoke to applicant's professionalism.
- Citizen Robert Jackson, Twin Falls, spoke in favor of the applicant. He is a neighbor and is happy to have applicant back in the neighborhood. He spoke to applicant's professionalism.
- Citizen Holly Jones, Twin Falls, spoke in favor of the applicant. Ms. Jones is a previous neighbor of the applicant and spoke to the applicant being a great neighbor and respectful of her neighbors. Ms. Jones is a current client.
- Citizen Jameson Sharp, Kimberly, spoke in favor of the applicant. He is a current client and drives from Kimberly because of her great service.

Public Hearing: Closed

Closing Statement:

- Applicant Holt gave closing statement and clarified reason for number of cars in the driveway and the tractor in yard is to remove tree once weather permits.
- PZ Director Spendlove clarified that if the neighbor's driveways are blocked or vehicles are illegally parked, those are separate code enforcement issues and will be enforced.

Discussion Followed: without concerns**Motion:**

Commissioner Titus motioned to approve a Special Use Permit to allow a Home Occupation on property located at 661 Crestview Drive on behalf of Pamela N. Holt, as presented with staff recommendations. Commissioner Hansen seconded the motion.

Unanimously approved**5) Upcoming Meeting(s)**

- a) Worksession: March 6, 2019 [Cancelled](#)
- b) Tuesday, March 12, 2019

6) Adjournment

The meeting adjourned at 7:04 pm.

Kelli Ebersole, Administrative Assistant