



Twin Falls Planning & Zoning Commission Minutes

Tuesday, March 12, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

Members -

City Limits: Danielle Titus, Chairperson; Craig Hawkins; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley, Vice-Chair

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Commissioner Higley called the meeting to order at 06:03 pm.

A quorum was present.

Members present: Higley, Hawkins, Hansen, Kelley, Musser

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

2) Consent Calendar

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

Commissioner Hawkins seconded the motion.

Consent Calendar Approved 3-0-2

- a) Approval of Minutes from the following meeting: February 26, 2019

3) Items of Consideration

a) Nomination of Planning and Zoning Chairperson

Jonathan Spendlove facilitated the nominations for Chairman and Vice Chairman of the P&Z Commission.

Commissioner Higley motioned to nominate Commissioner Danielle Titus for Chairperson.
Commissioner Kelley seconded the motion.

Unanimously approved

Commissioner Hawkins motioned to nominate Commissioner Kelley for Vice Chairperson.
Commissioner Higley seconded the motion.

Unanimously approved

4) Public Hearings

- a) Request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot Drive on behalf on Carleen M. Duncan. (PZ19-0007)

Commissioner Hawkins recused himself from this item.

Staff Presentation:

City Planner Steve O'Connor presented the applicant's request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot.

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.

The property was platted in 1998 and development occurred shortly thereafter.

This is a request to establish a Home Occupation for Massage Therapy, on property located at 1333 Bitterroot Dr. The property is zoned R-2 PUD and per the R-2 zone and PUD #205 a home occupation requires a Special Use Permit.

The home is accessed via a driveway, on a separate lot, from Bitterroot Dr. which is shared with three (3) other residences. The applicant stated she only sees 4 to 5 clients in any day and there is a thirty plus (30+) minute break in between to accommodate customer parking. The driveway on the applicants own property is rather large and is able to handle an extra vehicle to prevent any conflicts with the neighbors on the shared driveway.

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 customers parking on lot 20 only, and no parking on lot 19 of the Grove Estates Subdivision.

Applicant presentation:

Applicant Duncan presented her request to have a home occupation as a therapeutic massage therapist. She would like to relocate her office to her home. She stated that she sees 4-5 clients

per day, Monday - Friday. Applicant stated she leaves a 30 minute window between clients, with only one car at her location at a time. Her clients would park in her driveway, with the applicant parking in the garage. She stated that she has an older clientele that would be no threat to the neighborhood.

PZ/Questions & Comments:

- Commissioner Hansen asked for clarification on the location of the lot.
- City Planner O'Connor clarified that the house is on Lot 20, while the common driveway is Lot 19.

Public Hearing: Opened

- Citizen Donna Newberry, Twin Falls, is not in favor of the applicant's request. Her concern is that the residential area becoming commercial.
- Citizen Pat Herman, Twin Falls, is not in favor of the applicants request due to a concern of increased traffic, noise, and safety issues in the area. She is concerned of damage to the cul-de-sac from clients leaving the area.
- Citizens Juan and Lorena Ramirez, Twin Falls, are not in favor of the applicant's request. They have a concern about noise and loss of their quiet neighborhood. They are next door neighbors to applicant and worry they will lose their privacy.
- Citizen Pat Anderson, Twin Falls, is not in favor of the applicant's request. She is concerned if one home business is allowed in neighborhood, more will follow and impact property values.
- Citizen Phil Tucker, Twin Falls, is not in favor of the applicant's request. His concern is the amount of traffic the business will generate, but respects applicants desire to have home business.
- Citizen June Messman, Twin Falls, is not in favor of the applicants request due to increased traffic.
- Citizen Scott Clites, Twin Falls, is not in favor of the applicant's request. He is concerned that the business would result in a decrease in his home value. He is concerned it will set a precedent for more home businesses coming into neighborhood.
- Citizen Ben Woodbury, Twin Falls, is not in favor of the applicant's request. His concern is that there is not enough room for a turnaround for customers and increased traffic in the neighborhood. He believes this is not the best neighborhood for a home business.
- Citizen Beth Wantik, Twin Falls, is not in favor of the applicant's request. She believes this would be detrimental to neighborhood property improvements of the driveway and landscaping, incurring additional expenses to homeowners to repair driveway. She believes, if the SUP is approved, the driveway repair costs should go to the applicant.
- Citizen Jayne Fischer, Twin Falls, is in favor of the applicant's request. She believes the applicant's clients would be respectful of the neighborhood and noted that a large family moving into that house would have more vehicles and cause more traffic than the traffic the applicant's clients will in a day. She knows the applicant to be respectable and clean and will not harm cul-de-sac.

- Citizen Linda Roundtree, Twin Falls, is in favor of the applicant's request. The applicant previously worked in her salon and was always very professional and quiet. She knows the applicant only sees one client at a time. She is also a current client.
- An email was shown onscreen from a citizen who is opposed to the applicant's request.

Public Hearing: Closed

Closing statement:

Applicant Duncan stated the newspaper delivery people have put the tire marks/lines in the common landscaping. She addressed the concern for the increase in traffic by noting that there will be less traffic with her home business than when her husband was making 6 - 10 trips out of the cul-de-sac a day.

Discussions Followed:

- Commissioner Higley asked if this is a public road and are there covenants the city enforces in this neighborhood.
- City Planner O'Connor stated it is a public road and the city does not enforce covenants.
- Commissioner Higley asked for clarification on the parking condition and the number of clients seen a day.
- City Planner O'Connor stated that the condition allows for clients to park on her driveway only.
- Applicant Duncan stated there are 4-5 clients on most days.
- Commissioner Higley stated it is important to realize this is a public street and a family could move in with more cars would generate more traffic than this business. He also stated any other home based business in area would have to come before the Commission for a Special Use Permit.
- Commissioner Hansen also stated it is a public street and that five (5) additional cars is not excessive. Speeding issues can be taken up with police. He feels they must take Item 4 on the Special Use Permit requirements into consideration- private driveway could be disturbed with business.
- Commissioner Musser stated the commission needs to respect wishes of neighborhood.
- Commissioner Higley stated the condition on the permit only allows for parking in her driveway. Neighbors can file complaint if conditions are not complied with and SUP can be revoked.

Motion:

Commissioner Hansen moved to approve the request for a Special Use Permit to operate a Home Occupation at property located at 1333 Bitterroot Drive. Commissioner Higley seconded the motion.

Motion declined by a vote of two (2) votes in favor, two (2) votes not in favor, and one (1) abstention.

10 minute break was taken

Commissioner Hawkins returned to seat after break.

- b) Request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South on behalf of Luke Mickelson/Bearded Axe. (PZ19-0008)

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd 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. 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 subject property was constructed in 1977 as a warehouse/storage building. Currently the building is being used as storage.

This is a request to allow an indoor recreational facility on property located at 246 3rd Avenue South. The subject property is located within the Old Town (O-T) Zoning, Historic Warehouse Overlay (WHO), and Parking District 3 Overlay (P-3) Districts.

The applicant intends to operate a recreational/competitive axe throwing venue. The proposed use will consist of approximately twenty (20) throwing lanes, a manager's office, sales counter, and other ancillary business components.

The anticipated business hours will be Monday through Thursday from 8 A.M. to 10:00 P.M. and Friday through Saturday from 8:00 A.M. to 12:00 A.M. The proposed use will employ approximately five (5) to ten (10) employees.

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 off street parking not being required for the proposed use.

Applicant presentation:

Applicant Luke Mickelson presented his request for a Special Use Permit for the Bearded Axe Indoor Recreational Facility. The facility will have axe throwing lanes and a party room for groups. The facility will be open to all ages. The applicant is excited about downtown location as a way for more people to enjoy downtown.

PZ/Questions & Comments:

- Commissioner Musser asked applicant how the business plans to control alcohol use prior to customers coming into the establishment.
- Applicant Mickelson stated safety is their number one priority. Staff will fully train participants on axe throwing. Intoxicated persons will not be allowed to participate. The establishment will not be serving alcohol.

Public Hearing: Opened And Closed Without Input**Discussions Followed: Without Concerns****Motion:**

Commissioner Hansen made a motion to recommend approval of the request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 246 3rd Avenue South. Commissioner Musser seconded the motion.

Unanimously approved, with the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
 2. Subject to off street parking not being required for the proposed use.
- c) Request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue on behalf of David Wilcox c/o EHM Engineers, Inc. (PZ19-0009)

Staff Presentation:

PZ Director Jonathan Spendlove presented the applicant's request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue.

The Variance 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 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.

In 1999, the City Council passed Ordinance 2620 updating the Centerline Setback distances for Fillmore and Caswell to their current figures. In that same year, the Fred Meyer Subdivision was reviewed, and later approved and recorded as part of a re-platting of existing lots.

This is a request for a Variance from the Street Centerline Setbacks on two collector roadways (Caswell Ave. & Fillmore St.). Typically Centerline Setbacks are in place for the purpose of future roadway lane expansions.

Current FEMA Floodplain maps designate the majority of the property within a floodway. In order to avoid disturbance of the mapped floodway, the applicant has asked for a variance from the centerline setbacks.

If the Variance is granted, the Property Line Setbacks will still be enforced, and the availability for future roadway lane expansions can still be met with the current Right of Way dedication and setback area in front of any future building.

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.

PZ/Questions & Comments:

- Commissioner Higley asked if city owns the area to widen road.
- PZ Director Spendlove pointed out where the right-of way is on Fillmore and Caswell. The proposed building will not be built in the right of way.
- Commissioner Hawkins asked if building is being built into the flood plain.
- PZ Director Spendlove stated the proposed building is not in flood plain. The building will be built on private property and meets the property line setback. The applicant is asking for reduction of the centerline not to exceed private property line.
- Commissioner Hansen asked if side lines for Fillmore and Caswell corners will be affected.
- PZ Director Spendlove stated they will need to meet the setbacks and may need to be addressed if the road is widened in the future.
- Commissioner Musser asked if applicant own other property where the applicant could move building back and be back and still be out of floodplain. Is there an option to elevate building to be able to build into the floodplain?
- PZ Director Spendlove reviewed the lot that the applicant owns. He explained there are regulations that would make it difficult for the applicant from building into the floodplain, even with an elevated building.

Applicant presentation:

David Thibault, EHM Engineers, representing applicant, presented applicants request for variance of centerline setback. There are two (2) setbacks (property line, centerline from collector street) that apply to this property. The two streets don't function as collector streets at this time. Applicant is asking for setback reduction to utilize more of the property. 65% of the lot is in floodplain. They have met with city staff to determine appropriate request for variance. The proposed building would be used for office and retail space, appropriate to current C1 zoning.

PZ Questions/Comments:

- Commissioner Higley asked Mr. Thibault to clarify why the applicant is not able to build into the floodplain.
- Mr. Thibault answered building into floodplain would push waters elsewhere onto other properties. There is ample parking. The cost of building into the floodplain would increase costs of 25- 50 %.
- Commissioner Higley asked if the building is a single story.
- Mr. Thibault stated CCR's and covenants precludes them from building anything taller than 23 feet.

Public Hearing: Opened

- Applicant David Wilcox explained intent for building. Speaking to floodplain was drawn 32 years ago reflecting old Blue Lakes mall. The floodplain is not applicable any longer. They are trying to build around the floodplain.
- Jared Heward, future tenant of building, variance would allow more space, and is necessary to have his business as part of building.

Public Hearing: Closed**Discussions Followed: Without Concerns****Motion:**

Commissioner Hawkins made a motion to recommend approval of the request for a Variance from the street centerline setbacks for Fillmore Street and Caswell Avenue for property located at the north east corner of Fillmore Street and Caswell Avenue as presented, with staff recommendations. Commissioner Musser seconded the motion.

Unanimously approved, with the approved condition:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

- d) Request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street on behalf of The Circus, LLC (PZ19-0010)

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street.

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 primary building on the subject property was built in 1926. Most recently the City of Twin Falls occupied the building from 2007 to 2018.

This is a request for a special use permit to allow an indoor recreational facility on property located at 324 Hansen Street. The subject property is located within the Commercial Business (C-B) Zoning District and P-1 Parking Overlay.

The primary use of the property is a Cultural Facility (Museum/Arts Center) which is outright permitted in the C-B Zoning District. Additionally, applicant intends to occasionally allow the subject property be used for public assembly purposes (receptions/school dances/social gatherings) which is also outright permitted.

However, the applicant is requesting with this application to operate an indoor recreational facility which provides professional dance instruction and group exercise classes. General hours of operation will be from 7:00 AM to 9:00 PM.

Staff determines that the requested use is in compliance with both the City Zoning Ordinance and the Comprehensive Plan.

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.

Applicant Presentation:

Applicant Joshua Olsen presented the request for a Special Use Permit for The Circus. This building will be used as a multi-use cultural facility. There will be two studios of instruction for

the community. The Circus will cater to all ages. The facility will be available to public for dances, receptions, and a local artist venue. The applicant is asking for a Special Use Permit to allow for expansion of services and activities. There will be a locally excavated mammoth located at the facility to be used for research local and regional archaeological use for local college students and public viewing.

PZ/Questions & Comments:

- Commissioner Higley asked about parking issues and where public parking is located.
- PZ Director Spendlove outlined the public parking in the area.

Public Hearing: Opened

- Citizen Robert Starr, Twin Falls, neighboring business owner, is concerned about parking. The parking lot in front of his business is a private lot, not for the public use.

Public Hearing: Closed

Applicant Closing Statement:

Applicant Olsen stated he is willing to work with neighbors to do everything in his power to make sure any parking issues are addressed right away and wants to make this work for everyone.

Discussions Followed: Without Concerns

Motion:

Commissioner Hawkins made a motion to recommend approval of the request for a Special Use Permit to operate an Indoor Recreation Facility at property located at 324 Hansen Street. Commissioner Hansen seconded the motion.

Unanimously approved, with the following condition:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

- e) Request for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North of behalf on Country Auto, Inc. c/o JUB Engineers. (PZ19-0011)

Staff Presentation:

City Planner Brock Cherry presented Request for a Special Use Permit to operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North.

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 southern building on the subject property was built in 1984 and was most recently operated by "Moxie Java". The northern building (as shown on the Vicinity Map) has been demolished and was last operated as "Asian Massage".

This is a request to allow an Automobile sales and repair or service facility at 430 Blue Lakes Boulevard North. The subject property is located in the Commercial Highway (C-1) Zoning District.

The applicant intends to operate a used car lot, beginning with an inventory of 35-40 vehicles. Hours of operation will be Monday through Friday from 9:00 A.M. to 6:00 P.M., Tuesday 9:00 A.M. to 8:00 P.M., and Saturday 10:00 A.M. to 4:00 P.M. The applicant plans to have two (2) to four (4) employees on site at all times.

Staff determines that the requested use is compliant with City Zoning Code and the Comprehensive Plan.

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.

Applicant Presentation:

Applicant Brian Glodowski presented his request for a Special Use Permit for an automobile sales facility. Applicant stated he runs a clean operation. His current lot in Jerome would be used for any auto storage. Twin Falls location would be a sales lot only.

PZ/Questions & Comments:

Commissioner Higley asked the applicant for clarification of display area.
Applicant clarified display area.

Public Hearing: Opened and Closed Without Input

Discussions Followed:

- Commissioner Musser asked staff about front landscaping on Blue Lakes Boulevard.
- City Planner Cherry reviewed arterial landscaping requirements and stated on the site plan, the applicant has assured staff they will comply with the requirements.
- Commissioner Higley asked where the office will be located compared to the vehicle display area.
- City Planner Cherry clarified the vehicle display and office areas.
- Applicant Glodowski stated parking to the north leave open for customer parking spaces and display the vehicles to the south. He verified the customer parking for businesses in the rear of complex are directly in front of the rear building.
- PZ Director Spendlove clarified there is enough parking designated for all businesses.

Motion:

Commissioner Hansen made a motion to recommend approval of the operate an Automobile Sales and Repair and/or Service facilities at property located at 430 Blue Lakes Blvd North. Commissioner Hawkins seconded the motion.

Unanimously approved, with the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

- f) Request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point Place on behalf of Geronimo, LLC c/o EHM Engineers, Inc. (PZ19-0012)

Commissioner Hansen recused himself from this item.

Staff Presentation:

City Planner Steve O'Connor presented the applicant's request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point.

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 subject easement is part of lot 6 in the Canyon Park Subdivision Plat, recorded in December 2013.

This is a request to vacate a public utility easement to reroute existing utilities outside of the

proposed building pad. The developer would like this vacated to prepare for future development. The city does not have a building plan submitted as to what that development will be. As this easement is shown on a plat it must go through the public process to vacate it. The applicant has provided all the required letters of approval from the various utility owners, and all have agreed to the vacation. However, if a utility company has existing utilities they have indicated a new one shall be provided as a condition of their approval.

Below is a list of existing utilities:

1. Cable One
2. Century Link
3. Idaho Power
4. Intermountain Gas
5. PMT

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 the recordation of a new utility easement/s for all existing utilities, prior to official vacation of the platted easement.

Applicant Presentation:

David Thibault, EHM Engineers, representing applicant, presented the applicant's request for vacation of current public easements for realignment for preparation of future development. Applicant has reached out to utility owners. Applicant has reviewed staff conditions and finds the conditions acceptable.

PZ/Questions & Comments:

- Commissioner Musser asked if the easement is vacated does commission have to determine new easement.
- Mr. Thibault stated his understanding before the utilities sign off on relinquishment of their easement, utility relocation will have to be determined by applicant. Vacation paperwork will not be recorded until that time.

Public Hearing: Opened And Closed Without Input

Discussion Followed: Without Concerns

Motion:

Commissioner Musser made a motion to recommend approval of the request to Vacate platted easements within Canyon Park Subdivision located at the 2000 block of Neilsen Point Place. Commissioner Higley seconded the motion.

Motion recommended approval to City Council by a vote of four (4) in favor, zero (0) not in favor, and one (1) abstention, with the following conditions:

1. Subject to the recordation of a new utility easement/s for all existing utilities, prior to official vacation of the platted easement.
- g) Request for a Special Use Permit to construct multiple fourplex buildings on a single lot at 1265 Cheney Drive West on behalf of WS&V, LLC c/o EHM Engineers. (PZ19-0013)

Commissioner Hansen returned to seat.

Staff Presentation:

City Planner Brock Cherry presented the applicant's request for a Special Use Permit to construct multiple fourplex buildings on a single lot at 1265 Cheney Drive 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. 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.

The property became part of the WS&V PUD #268 in 2014. Available records indicate the subject property has been used for agricultural production.

This is a request to allow a fourplex multifamily development on a single lot located at 1265 Cheney Drive West. The subject property is zoned Residential Multi-Household (R-6) District Professional Office Overlay (PRO) Planned Unit Development (WS&V PUD).

The applicant is proposing nine (9) fourplex buildings (36 units) be constructed on a single lot on the subject property. The applicant intends to provide sixteen (16) three (3) bedroom units and twenty (20) two (2) bedroom units.

Staff has determined that the request is compliant with both City Zoning Code and the Comprehensive Plan if certain conditions of approval are required.

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. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the applicant's request. All four-plex units will be built on one lot. Mr. Vawser stated the pictures being displayed are shown as ideas of potential styles. Mr. Vawser outlined the lots of the subdivision. He stated the area to the south of the property has been bought by Xavier Charter School for expansion. He is asking for rewording to condition #2 to be stated to allow a hard walkway surface or curb, gutter, and sidewalk due to the unknown of Xavier Charter School's plans for expansion.

PZ/Questions & Comments:

- Commissioner Higley asked for clarification on the request for leeway on condition #2 for the sidewalks.
- Commissioner Hansen asked for clarification on hard surface materials.
- PZ Director Spendlove stated the commission can add another condition #3 to state the applicant must put in a temporary all weather pathway to be determined by City Engineer instead of modifying condition #2.

Public Hearing: Opened And Closed Without Input

Discussions Followed: Without Concerns

Motion:

Commissioner Musser made a motion to recommend approval of the request, with conditions approved by the Commission.
Commissioner Higley seconded the motion.

Unanimously approved

Approved, with the following amended conditions

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. The eastern half of the roadway of Creekside Way be built with curb, gutter, and sidewalk from Cheney Drive to Xavier Charter School prior to receiving Certificate of Occupancy.
3. The applicant must put in a temporary all weather pathway to be determined by the City Engineer.

5) Upcoming Meeting(s)

a) Tuesday, March 26, 2019

6) Adjournment

The meeting adjourned at 8:24 pm

Kelli Ebersole, Administrative Assistant