



## Twin Falls Planning & Zoning Commission Minutes

Tuesday, March 26, 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; VACANT

**Area of Impact:** Ryan Higley; David Detweiler

### 1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 pm.

A quorum was present.

**Members Attending:** Titus, Bolton, Musser, Kelley, Detweiler, Hawkins

**Staff Attending:** Spendlove, Ebersole, Cherry, O'Connor, Vitek

### 2) Consent Calendar

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

**Consent Calendar was approved by a vote of three (3) in favor and three (3) abstentions.**

- a) Approval of Minutes from the following meeting: 03/12/19
- b) Approval of Findings of Fact and Conclusions of Law:

- Pamela Holt
- Carleen Duncan
- Bearded Axe
- David Wilcox
- The Circus
- Country Auto
- Doug Vollmer, WS&V

***Due to technical difficulties, a break was taken at 6:05 pm.***

***Meeting resumed at 6:45 pm.***

### 3) Items of Consideration

### 4) Public Hearings

- a) Request to Vacate platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West on behalf of Tres Gringos c/o EHM Engineers, Inc. (PZ19-0016)

**Staff Presentation:**

City Planner Steve O'Connor presented the request to Vacate platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West on behalf of Tres Gringos c/o EHM Engineers, Inc. (PZ19-0016)

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.

Perrine Point was platted and recorded in May 2008.

This is a request to vacate the rights of way and easements within Blocks 5, 6, 7 and 8 of the Perrine Point Subdivision. The purpose of the request is to remove the undevelopable area for future development. At the time a new development plan is presented new easements will be dedicated by separate deed for public access and utilities.

We have received all the required letters from the appropriate utility companies. Only Twin Falls Canal Company has existing infrastructure and will agree to a new easement once a new lateral is piped and or rerouted to standard.

Please review Vacation Exhibit (attachment #3) for a better understanding of the request. Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to City Engineer and Fire Marshal approved permanent Public Access and Utility easements to replace the platted Right of Way and easements.

**Applicant Presentation:**

Tim Vawser, EHM Engineers, Inc., representative for applicant, presented the request to vacate the right of ways and easements within Blocks 5, 6, 7 and 8 of the Perrine Point Subdivision. Mr. Vawser gave a history of the development. The original development was platted by a different developer and sold to the current owners. The entitlements were already in place and the current layout it is very congested.

He stated the applicant's intent is to vacate the existing easements and right of ways to rebuild for multi-family units with a better layout. The applicants will come back for a PUD agreement

amendment in the future for more flexibility with the development. Mr. Vawser stated they are only in the vacation process for now and are asking the commission for recommendation of approval to City Council.

**PZ/Questions & Comments:**

- Commissioner Bolton asked for clarification on the plan for the development.
- Mr. Vawser stated the plans at this time for the portion of the development in question.
- Chairperson Titus asked staff about the process for rededication of the streets back to city with vacation of right of way.
- City Planner O'Connor clarified the process of vacating the right of ways and easements, giving the developers the opportunity to expand the lots for multifamily size units.
- Mr. Vawser expanded the explanation for vacating right of way and easements. Creating temporary easements for access to the lots. The easements will be relocated and recorded as a new easement. City will have access to all of the corridors that they originally had.
- City Planner O'Connor stated the right of way will go away, but easement access will stay until development plan is presented. Developer will create new easements around the new development that is more conducive to traffic and utility flow. (Condition #2)
- Chairperson Titus asked about the current zoning of the properties.
- City Planner O'Connor stated the zoning is R-6 PUD.
- Chairperson Titus asked about roads surrounding around the development are constructed right now.
- City Planner O'Connor stated the roads are not constructed right now.
- Commissioner Detweiler asked if Silver Creek Rd. is stubbed right now.
- City Planner O'Connor stated Silver Creek Rd and Fieldstream Rd are both stubbed and will be continued with new development.

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

**Discussions Followed: without concerns**

**Motion:**

Commissioner Bolton made a motion to recommend approval to City Council of the request to vacate platted easements and dedicated right of way within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 1000 block of Falls Avenue West on behalf of Tres Gringos c/o EHM Engineers, Inc., as presented, with staff recommendations. (PZ19-0016)  
Commissioner Detweiler seconded the motion.

**Unanimously approved**

- b) Request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft.

on property located at 177 Orchard Drive on behalf of Glenn Earl. (PZ19-0017)

**Staff Presentation:**

City Planner Cherry presented the request a Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive on behalf of Glenn Earl. (PZ19-0017)

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 residence on the subject property was first built in 1922. The residence was then substantially remodeled in 1959.

This is a request to construct a detached accessory building larger than 1000 sq. ft. (approx. 1,140 sq. ft.) on property located at 177 Orchard Drive. The subject property is located within the R-2 (Residential Single Household or Duplex) Zoning District.

The applicant has stated the proposed accessory building will be used for personal storage. The site plan and elevations submitted indicate that the accessory building will have two (2) garage bays and gray steel siding. The accessory building will be located at the rear of the property.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

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 personal use only – no commercial activity.

**Applicant Presentation:**

Applicant Glenn Earl, presented his request for a Special Use Permit to build a shop for his fifth wheel and outdoor toys. He stated he will comply with the requirements of the commission.

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

**Discussions Followed: without concerns**

**Motion:**

Commissioner Kelley made a motion to approve the Special Use Permit to allow a detached accessory building greater than 1000 sq. ft. on property located at 177 Orchard Drive on behalf of Glenn Earl (PZ19-0017), as presented with staff recommendations.  
Commissioner Musser seconded the motion.

**Unanimously approved**

- c) Request a Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018)

**Staff Presentation:**

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018)

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 and City records the subject property was built in 1924.

This is a request to allow a Home Occupation for a Federal Firearms Licensed Transfer business located at 828 Maurice Street. The subject property is located within the R-4 (Residential Medium Density) Zoning District.

The applicant intends to operate regularly from 8:00 A.M. to 5:00 P.M. The applicant intends to serve approximately twenty (20) customers a week. It is anticipated that deliveries (USPS, UPS, & FedEx) will be made to the subject property daily.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

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 Mabey presented her request for a Special Use Permit for a home occupation. The applicant stated they have a current engraving business. She would like to expand business to engrave on firearms and needs the Special Use Permit per the ATF. The new addition to the business will have no affect to neighbors, as there will be minimal traffic, with customer drop off and pick up only.

**PZ/Questions & Comments:**

- Commissioner Musser asked for confirmation of what will happen at the business.
- Ms. Mabey clarified they may receive guns for customers and there will be a transfer for customers.
- Commissioner Musser asked about storing weapons for customers.
- Ms. Mabey stated they are not storing weapons for customers.
- Commissioner Bolton asked about parking accommodations and is the reason for the Special Use Permit for a chain of custody.
- Ms. Mabey stated there is curb across street for parking. She clarified the transfer process.
- Commissioner Detweiler asked if weapon repair is being done on property and for clarification on the number of customers being seen a week.
- Ms. Mabey stated there is no weapon repair on property and they may see twenty (20) people a week.
- Chairperson Titus asked if there will be discharging of weapons on property.
- Ms. Mabey stated there is no discharge of weapons on location.
- City Planner Cherry stated discharge of firearms is not allowed in the city.
- PZ Spendlove clarified the weapons transfer has to take place at the business address on license listed with ATF.

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

**Discussions Followed: without concern**

**Motion:**

Commissioner Hawkins motioned to approve the Special Use Permit to allow a Home Occupation on property located at 828 Maurice Street on behalf of Joe and Jana Mabey. (PZ19-0018), as presented with staff recommendations.

Commissioner Kelley seconded the motion.

**Unanimously approved**

**5) Upcoming Meeting(s)**

a) Worksession Wednesday, April 3, 2019 at noon

b) Tuesday, April 9, 2019 at 6:00 pm

*PZ Director Spendlove reviewed the vote from City Council on the hotel from the March 18 meeting. He reviewed the changed and added elements to the design that the Planning and Zoning Commission did not see when the hotel was presented.*

**6) Adjournment**

The meeting adjourned at 07:14 pm

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Kelli Ebersole, Administrative Assistant