



Twin Falls Planning & Zoning Commission Minutes

Tuesday, April 9, 2019, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

Members -

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

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:02 PM

A quorum was present.

Members present: Titus, Kelley, Hawkins, Perez, Musser, Bolton, Higley, Hansen, Detweiler

Staff present: Spendlove, O'Connor, Cherry, Ebersole, Vitek, Nope

2) Consent Calendar

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

Motion passed by a vote of six (6) votes in favor and three (3) abstentions.

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

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

- Joe and Jana Mabey
- Glenn Earl

3) Items of Consideration

a) Preliminary Presentation for a Zoning Development Change and Zoning Map Amendment from R-4 to R-6 on property located at the 100 & 200 Block of Caswell Avenue West, Fireside Subdivision on behalf of Dr. David Kemp c/o EHM Engineers. (PZ18-0097)

Staff Presentation:

City Planner O'Connor presented the Preliminary Presentation for a Zoning Development Change and Zoning Map Amendment from R-4 to R-6 on property located at the 100 & 200 Block of Caswell Avenue West, Fireside Subdivision on behalf of Dr. David Kemp c/o EHM Engineers. (PZ18-0097)

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. The Commission is allowed and may grant the public the ability, to ask questions and give

suggestions to the applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

Staff makes no recommendation at this time.

Applicant Presentation:

David Thibault, EHM Engineers, representing applicant, presented the applicants request for a Zoning Development Change and Zoning Map Amendment from R-4 to R-6 on property located at the 100 & 200 Block of Caswell Avenue West, Fireside Subdivision. The plan is to build six-plex units on the property, with parking and a green space and retention area. There will be a hammerhead turn around at the end of Bolton St. for emergency vehicles.

PZ/Questions & Comments:

- Commissioner Higley asked the applicant where the street access to the property is.
- Mr. Thibault stated the access to the development will be off Bolton Street.
- Commissioner Higley asked if the development changed and four-plexes were built on the property, would the applicant consider going back to city code setbacks.
- Mr. Thibault explained that the requested reduced setbacks are to accommodate parking regulations. If four-plexes are built, there would be same amount of units as the six-plexes, as there would be an additional building. The parking requirements would remain the same.

4) Public Hearings

- a) Request for a Special Use Permit to allow a Religious Facility on property located at the southwest portion of the 1400 N block of Sunway Drive on behalf of Believers Church. (PZ19-0019)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Religious Facility on property located at the southwest portion of the 1400 N block of Sunway Drive on behalf of Believers Church. (PZ19-0019)

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 property has been utilized for agricultural uses and has not been developed.

This is a request to allow a Religious Facility on property located at the southwest portion of 1400 N block of Sunway. The subject property is located in the Suburban-Urban Interface (SUI) Zoning District.

The applicant is proposing a religious facility to be constructed in phases that will accommodate both family and youth programs. The primary religious facility and corresponding development is anticipated to utilize a maximum of six (6) acres.

The anticipated hours of the primary religious facility will be Sundays between 8:00 A.M. and 10:00 P.M. Other associated uses of the religious facility will be between 8:00 A.M. and 10:00 P.M. Monday through Saturday.

Staff notes that the site plan provided by the applicant does not meet all City Code regulations. The applicant will be expected to comply with City Standards during the Building Permit Review process.

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 a signed deferral agreement for the roadway improvements along Sunway Drive (N 2700 E).
3. Subject to dedication of right of way along Sunway Drive (N 2700 E).
4. Subject to Cheney Drive being constructed when any property within three hundred (300) feet of future Cheney Drive roadway is developed or utilized for non-agricultural purposes.

City Planner Cherry reviewed a letter from a concerned neighbor regarding fencing around the property.

Applicant Presentation:

Applicant Clay Ramirez presented his request for a Special Use Permit the Believers Church facility. The location is ideal for their growing congregation. Church is active in Jerome and Twin Falls. He stated the building would happen in phases as needs present themselves.

PZ/Questions & Comments:

- Commissioner Detweiler asked about the property's proximity to the canal.
- Mr. Ramirez stated they will work with the Twin Falls Canal company regarding safety

issues from canal.

- Commissioner Bolton asked what the timeline is for construction.
- Mr. Ramirez stated construction would start within next two (2) years.
- Commissioner Bolton asked about the citizen's request for a fence.
- Mr. Ramirez stated they will be good neighbor and have no issue with building a fence.
- Chairperson Titus asked staff if the Special Use Permit is for the entire lot or only the marked section on the site map.
- PZ Director Spendlove stated the Special Use permit is only for the area marked on site map.
- Commissioner Bolton asked applicant where they are willing to place fencing.
- Mr. Ramirez stated that citizen is north of property and they would be willing to put a fence on that end of property.
- Commissioner Detweiler asked how much property will be purchased and would there be grass areas on property.
- Mr. Ramirez stated the complete 21 acre parcel would be purchased and there would be grass areas, while keeping some of the unused property as farming area.

Public Hearing: Opened

- Citizen Carol Sperry owns property near the proposed location of the religious facility. She has a concern with the increased traffic and parking issues that may come with building the church. She is also concerned that the facility would not be on city sewer and water and the potential for sinkhole issues. She stated the Special Use Permit should not allowed unless property is hooked up to city services or have a condition in permit to convert to city when available.

Public Hearing: Closed

Applicant Closing Statement:

Mr. Ramirez stated to address the traffic concerns, there will be a turn off lane to the facility off of Sunway Drive. He also stated there is a desire that the facility would be able to connect to city services as available.

Discussions Followed:

- Commissioner Musser asked staff when city services may be available.
- PZ Director Spendlove stated the property is not able to access city services now due to distance and grade of property. The city Comprehensive plan does not allow for city sewer and water west of Sunway Drive. South Central Public Health District will have to approve any underground sewage system for the facility and a sign off letter would need to be submitted before the city issues a building permit.
- Commissioner Hansen asked about the Sunway Soccer project and if a road is being put in to the north.
- Assistant City Engineer Vitek answered the city is putting in North College Rd from Creekside to Sunway Drive. This should be completed by the first part of May, weather permitting. The city owns the property around the park. The future bike path is planned on Creekside.
- Commissioner Bolton asked about the location of the turning lane to the church.
- Assistant City Engineer Vitek explained the two way traffic will go north and south and

a short turn lane feeding off to the church.

- PZ Director Spendlove explained the city has to work with the area of impact partners to have development occur. This happens at the building permit phase.

Motion #1:

Commissioner Bolton made a motion to add condition # 5 to construct fence on northern boundary of property prior to development of the property. Commissioner Musser seconded the motion.

Discussion:

- Commissioner Musser asked if Idaho is a fence in or fence out state. He asked whose responsibility is it to keep the neighbors cows off property.
- Commissioner Detweiler stated because of safety concerns, it could go either way.
- Commissioner Kelley stated if he read the citizen's letter correctly, the fence would be required during construction.
- Commissioner Hawkins stated he would not be comfortable defining the fence for the applicant.
- Commissioner Hansen stated the fence is a building issue. Planning and Zoning should not have the responsibility for the fence.

Roll call vote was taken on Motion #1. Motion failed by a unanimous vote.

Motion #2:

Commissioner Hansen made a motion to approve a Special Use Permit to allow a Religious Facility on property located at the southwest portion of the 1400 N block of Sunway Drive on behalf of Believers Church. (PZ19-0019). Commissioner Musser seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow Dog Grooming and/or kennels on property located at 314 2nd Avenue E on behalf of Jay and Shelly Fort. (PZ19-0020)

Staff Presentation:

City Planner Cherry presented request for a Special Use Permit to allow Dog Grooming and/or kennels on property located at 314 2nd Avenue E on behalf of Jay and Shelly Fort. (PZ19-0020)

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 1963. The subject property was most recently operated as a retail smoke shop and market.

This is a request to allow a dog grooming and/or kennels service on property located at 314 2nd Avenue East. The subject property is located in the Commercial Business (C-B) and P-1 Parking Overlay Districts.

The applicant intends to provide dog grooming services including bathing, brushing, hair trimming, and nail trimming. The intended hours will be Monday through Friday 7:30 A.M. to 6:00 P.M. and Saturdays 8:00 A.M. to 5:00 P.M. It is anticipated that services will be provided for ten (10) to thirty (30) customers per day. There will be three (3) employees on site with the potential to have five (5) employees total.

The applicant has stated in their narrative that they will provide approximately nine (9) parking spaces with both off and on street options.

Staff has determined that the request meets both City Code and Comprehensive Plan requirements.

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 Jay Fort presented the request for a Special Use Permit for a dog grooming facility on property located at 314 2nd Avenue E. The applicant would like to move the business to this location. The applicant addressed any concerns/impacts that may arise to their neighbors, such as cleanliness, barking dogs, and parking. The applicant assured the commission that they will be a good neighbor to the surrounding businesses.

PZ/Questions & Comments:

- Commissioner Musser asked if this is strictly a dog grooming business or will there be overnight stays for the animals.
- Mr. Fort stated there will be no overnight stays and the dogs will only be on property while they are being groomed.
- Commissioner Detweiler asked the applicant the number of groomers that will be on staff.
- Mr. Fort stated the plan is to have up to 4-5 groomers in the future. Appointments times will be staggered.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to approve a Special Use Permit to allow Dog Grooming and/or kennels on property located at 314 2nd Avenue E on behalf of Jay and Shelly Fort. (PZ19-0020). Commissioner Bolton seconded the motion.

Unanimously approved

5) Upcoming Meeting(s)

a) Tuesday, April 23, 2019 at 6:00 pm

6) Adjournment

The meeting adjourned at 6:59 pm

Kelli Ebersole, Administrative Assistant