



Twin Falls Planning & Zoning Commission Minutes

Tuesday, April 23, 2019, 6:00 PM

203 Main Avenue 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 6:01 pm and confirmed a quorum.

Members Attending: Titus, Hawkins, Musser, Bolton, Hansen, Perez

Staff Attending: Spendlove, Strickland, Vitek, Nope

2) Consent Calendar

- a) Approval of Minutes from the following meeting: April 9, 2019
- b) Approval of Findings of Fact and Conclusions of Law:
 - SUP for Believers Church
 - SUP for Jay and Shelly Fort

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

Unanimously approved

3) Items of Consideration

- a) Request for consideration of a preliminary plat for the Fieldwood Professional Subdivision, located at the 1000 Block of Cheney Drive West, on behalf of Brad Wills c/o EHM Engineers, Inc. (PZ19-0035)

Staff Presentation:

Planning & Zoning Director Spendlove stated this is a request for consideration of a preliminary plat for the Fieldwood Professional Subdivision, located at the 1000 Block of Cheney Drive West.

As per Twin Falls City Code 10-12-2.3:

The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

There have been several plats of this property, most recently in 2015. Fieldstone Professional Subdivision in conjunction with the PUD #271 modified the western half of the original Fieldstone Subdivision. That original subdivision was platted as single family homes with the layout similar to what is constructed on the eastern half. Over the course of a few years the owner has applied for various changes to the zoning/layout of the property through PUD amendments and the Platting Process. Staff has reviewed the Preliminary Plat and found it has followed the requirements in City Code per the applicable subdivision regulations.

Staff recommends the Commission approve this request as presented, subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

PZ/Questions & Comments:

- Commissioner Bolton clarified that what is to be considered, is related to lot size, access, and sidewalks.
- PZ Director Spendlove explained the commission should also consider possible impacts to surrounding area

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc. representing the applicant, presented the applicant's request. He gave a brief history of the Fieldstone subdivision. The property was originally approximately 40 acres and subdivided for single family homes. Recorded in 2015, the addition of Fieldstone Professional Office PUD #271 was later added. There have been approximately five (5) R-4 professional office overlay lots available for sale and there has not been any interest as of today. The applicant's desire is to re-plat the property into fourteen (14) lots, some are proposed to be develop into duplexes. Duplexes are permitted in this PUD. They are seeking approval of the preliminary plat of the Fieldwood Professional Subdivision.

PZ Questions/Comments:

- Commissioner Perez asked for clarification for park dedication vs a parks in lieu.
- Mr. Thibault explained the process this subdivision went through and stated that City Council has approved a parks in lieu contribution.
- Commissioner Titus clarified that Cheney has been extended as well as Fieldstream Way. She also asked about the sidewalk within the Fieldstone subdivision and asked for clarification on access to the lots along the southern portion of the proposed preliminary plat.
- Mr. Thibault explained there would be shared private drives accessed from Cheney Drive.
- Commissioner Bolton asked where the single family homes and duplex will be located.
- Mr. Thibault explained the planned locations.

Public Hearing: Opened

- Citizen Gary Kavender, 941 River Mist Path, asked if the turn around on River Mist Path will be completed as part of this project. He also asked if there will be a fence between the properties.
- Citizen Megan Humble, 1027 Misty Meadows Trail, stated she moved into this subdivision with a recorded plat, reasonably assuming they knew what they were getting. This has not been the case, as it has become a parcel subdivision. The development was a platted and recorded plat which has changed again. This has changed the desirability of the original subdivision.
- Citizen Clint Hales, 1378 Misty Meadows Court, stated he moved into the subdivision in 2014. He is upset that the developer keeps changing the plan for the original subdivision. He is also upset that the developer has not cleaned up the lots in the past two years and has not fulfilled the promises as originally presented and has not upheld the subdivision's CC&R's. He would like developers to be held accountable by the city.
- Citizen Karen Palmer, 1006 Cobble Creek Rd, explained if the project meets the PUD Agreement, then they do not object to the development of the duplexes, but asked that the developer complete the stone wall or a composite to the maximum height allowed by City Code.

Public Hearing: Closed**Applicant Closing Statement**

Mr. Thibault stated that the cul de sac on River Mist Path is planned to be constructed as part of this phase. He stated that four-plexes are permitted with approval of Special Use Permit, and there is a due process to follow for things to develop.

Applicant Brad Wills answered some of the questions of the citizens. He explained the office buildings did not work on those lots, so they are asking for residential use of those lots. He is conscious of the density of the subdivision. Four-plexes are not part of this plan. He explained where the construction area is, the cul de sac will be finished and the RV storage area will be reconstructed. He explained the wall will be completed in April and May. Once wall is constructed, the cottages and duplexes will not have access to Fieldstone.

PZ Comments/Questions:

- Commissioner Bolton asked what the material of the wall be made of.
- Applicant Wills stated the wall will be made of white vinyl.
- Commissioner Perez asked if there is anything that can be done in the future to prevent four-plexes from being built.
- PZ Director Spendlove state that the decision would lie with the Planning and Zoning Commission if a Special Use Permit is brought before the commission.
- Chairperson Titus asked if fencing is required around each lot.
- Applicant Wills stated the first phase was required to use rod iron, but has since been changed to vinyl fencing around back yards.
- Commissioner Higley asked the intention for the large lot to the south and the reason for the corner cut of the lot.

- Applicant Wills stated it is for a nursing home use and stated the angle cut is for a retention pond for Fieldstream Way.

Discussions Followed:

- Commissioner Bolton clarified if the initial development was in 2003 there have been changes in the economy over the years, community needs have changed and believes this is a good use of this property.
- Chairperson Titus asked for clarification on the R-4 zoning of the lots and what could be built on those lots now.
- PZ Director Spendlove stated that four-plexes could be built with an approved SUP.
- Commissioner Perez asked for clarification on the fencing.
- PZ Director stated the applicant is saying he is planning to build a fence.
- Commissioner Perez asked if this commission could enforce anything regarding the debris on the properties.
- PZ Director Spendlove stated that the debris is a code enforcement issue, and this commission cannot do anything, but it can be noted.
- Commissioner Higley asked for clarification if a condition for fencing and cul-de-sac completion could be put on the preliminary plat.
- PZ Director Spendlove stated this commission could add conditions to the preliminary plat.
- Commissioner Hawkins stated he appreciates the concerns and that they can be rectified and he has no problem with the request.
- Commissioner Hansen stated the request makes sense to split into smaller lots.
- Commissioner Higley would like the motion to include conditions for the cul-de-sac and fencing to be complete.
- Commissioner Bolton asked if there could be a completion date on the conditions.
- PZ Director Spendlove stated yes, the commission could put a completion date on the conditions.
- Chairperson Titus asked for clarification on the turnaround on River Ridge that it does not have access to this part of the subdivision.
- Commissioner Higley stated he does not want to put condition on materials used, just that the fencing and cul-de-sac completion.
- Commissioner Musser stated he did not see the reason to put a condition in requiring fencing.
- Applicant Wills stated he will have the fence complete by June 1, if the commission would like to add that condition.
- Commissioner Higley stated he believes the cul-de-sac completion should be a condition to the approval of the preliminary plat.

Motion:

Commissioner Hansen made a motion to add Condition #2 that before any building permit is issued for the Fieldwood Subdivision, the cul-de-sac at end of River Mist Path is completed, according to city code. Commissioner Musser seconded the motion.

Unanimously approved

Commissioner Hansen made a motion to add Condition #3 that the fencing be completed along the southern border of lots #5, 6, 9, 10, and 14 by June 1, 2019 or before any building permit is issued, whichever comes first. Commissioner Hawkins seconded the motion.

Motion approved by a vote of 5 – 2.

Commissioner Bolton made a motion approval of the Preliminary Plat for the Fieldwood Professional Subdivision, located at the 1000 Block of Cheney Drive West, with staff recommendations, with Conditions #2 and #3 added as approved. Commissioner Perez seconded the motion.

Unanimously approved

4) Public Hearings

- a) Request for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West on behalf of Dr. David Kemp c/o EHM Engineers, Inc. (PZ18-0097)

Staff Presentation:

Planning & Zoning Director Spendlove stated this is a request for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West. The applicant is required to present a preliminary review to the Planning and Zoning Commission in which the commission may give suggestions and ask questions of the applicant about the proposed ZDA. A public hearing shall be held before the Commission for a recommendation to City Council to; amend the zoning district and the zoning map, amend with recommendations or deny the request.

This property has been part of multiple subdivisions over the years and has been vacant and underutilized for some time.

This is a request to rezone, with a Zoning Development Agreement, property located in the vicinity of the 100 & 200 blocks North of Caswell Ave W, from R-4 to R-6 ZDA.

The ZDA is proposing a base zone of R-6, with a few deviations from the development standards. If approved the ZDA would allow multiple dwelling structures with multiple dwelling units per structure, on one lot. The applicant is also requesting to reduce the rear yard setback from fifteen feet (15') to ten feet (10') as denoted on the conceptual Master Development Plan. Building height is also requested to be forty feet (40'), up from thirty-five feet (35').

If the Commission determines the proposed request appropriate, you may recommend approval to the City Council, as presented, subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to comply with applicable City Codes and standards.

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc., presented the applicant's request. He stated the applicant is not planning to use brick in his design. The four-plexes will be three (3) story units. He stated that the units will match the other buildings in the area. The applicant is requesting the ZDA to use this land as an in fill project that fits with the neighborhood on this long, narrow lot. This development will blend into the neighborhood.

PZ/Questions & Comments:

- Commissioner Perez asked if the green space would ever be built on or would the applicant have to come back to the commission for approval.
- PZ Director Spendlove stated that if the applicant wanted to build on the green space shown, he would have to come back to the commission for approval as it deviates from the plan shown today.

Public Hearing: Opened and Closed without input

Applicant Closing Statement:

Mr. Thibault stated the green space will have some storm water retention use.

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to the City Council of the request for a Zoning Map Amendment from R-4 to R-6 ZDA on property located at the 100 & 200 blocks of Caswell Avenue West on behalf of Dr. David Kemp c/o EHM Engineers, Inc. (PZ18-0097), as presented, with staff recommendations. Commissioner Higley seconded the motion.

Unanimously approved

5) Upcoming Meeting(s)

- a) Worksession: Wednesday, May 1, 2019
- b) Tuesday, May 14, 2019

6) Adjournment

The meeting was adjourned at 7:26 pm.

Lisa A. Strickland/Kelli Ebersole,
Administrative Assistant