



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 14, 2020, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; 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 6:00 pm
A quorum was present.

Members Present: Titus, Kelley, Perez, Musser, Higley, Hansen

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 Hansen seconded the motion.

Unanimously approved

- a) Approval of Minutes from the following meeting: November 19, 2019
- b) Approval of Minutes from the following meeting: December 10, 2019
- c) Approval of Minutes from the following meeting: January 8, 2020 WS

3) Items of Consideration

- a) Request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

Staff Presentation:

City Planner O'Connor presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

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.

Should the Commission approve this request as presented, staff recommends approval be 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.

Applicant Presentation:

Steven Anderson, representing applicant, presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision. He stated the roadway approaches will line up with El Camino Avenue across the street.

PZ/Questions & Comments:

- Commissioner Hansen asked what has been approved on this property recently.
- City Planner O'Connor clarified when this property came before the commission previously.

Public Hearing: Opened and Closed without input

Discussions Followed: without concern

Motion:

Commissioner Kelley made a motion to recommend approval of the request, as presented, with staff recommendations.

Commissioner Musser seconded the motion.

Unanimously Approved

4) Public Hearings

- a) Request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

Staff Presentation:

City Planner Cherry presented the request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

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.

This is a request to vacate right of way within a portion of Lots 1 & 2, Block 1 of the Locust Grove North Subdivision located at 1629 & 1643 Locust Street North. Per the applicant the purpose of the proposed vacation is put the surplus of right of way back into private ownership, which would allow the subject property more landscaping, parking, and signage.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

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.

Applicant Presentation:

Gerald Martens, representing applicant, presented the request for a vacation of the right of way on property located at 1629 and 1643 Locust Street. He stated the owners would like use of the right of way for parking, landscaping, and signage. He presented the benefits to the City.

PZ/Questions & Comments:

- Commissioner Hansen asked if the land has been landscaped.
- City Planner Cherry clarified what is in the right of way currently. There is a desire to build signage in the right of way.
- Commissioner Musser asked if this occurs further along the street.
- PZ Director Spendlove clarified where the right of way exists.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to City Council of the request, as presented, with staff recommendations.

Commissioner Higley seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

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 the subject property was built in 2018.

This is a request to allow a Home Occupation for a Med Spa Business located at 850 Cambron Avenue. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to provide med spa services including facials, Botox, hair removal, and hair restoration. The services will be provided in an approximate ninety (90) square foot room in the applicant's home.

The applicant will serve one (1) to two (2) customers at a time. Hours of operation will be Monday through Friday from 9:00 AM to 6:00 PM and Saturdays by appointment only.

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:

Maricruz Davis, applicant, presented her request for a Special Use Permit to allow a Home Occupation. She stated she would have clients come to her residence for medspa services. She stated this is a temporary situation, as she wants to open a store front eventually. Clients would be seen by appointment only and she would service one customer at a time. She stated she is licensed with all agencies necessary. There will be no signage.

PZ/Questions & Comments:

- Commissioner Hansen asked for the maximum customers the applicant would see in a day.
- Applicant Davis stated 10 customers would be the maximum number of customers in a day, but not at this time as she is establishing clientele.
- Commissioner Perez asked for the timeline for her to move to storefront.
- Applicant Davis stated she is hopeful that she can be in a storefront in six months or less, as that is still in the early stages.

Public Hearing: Opened

HOA president, Robert Taylor, stated the concerns of the neighbors in the development. He

stated these residents purchased their homes as retirement homes, intentionally away from commercial development. He stated there is a concern that more home businesses will follow, increasing noise and traffic to the area. The neighbors are concerned that home occupations in the neighborhood will increase traffic, create parking issues, and change the quality of life in the upscale development. There is also a concern that she will expand her business in her home past the stated square footage. He stated the development is currently 1/3 and there is much construction going on now. He stated the neighbors understand the desire to have business, but don't want to be burdened with traffic or other businesses in neighborhood. There is a concern with the proper licensing and disposal of bio-hazard materials (chemicals/needles). He concluded that the neighbors would like to request strict limitations for future exemptions that would change quality of life, such as hours of operation, length of time allowed to operate out of the home.

Applicant closing statement:

Applicant Davis stated she realizes there are concerns by her neighbors. She stated that her property is not in a high traffic area and as the traffic from construction will subside as home are completed. She stated the only the people on her block would be affected. She stated there are three parking spots at her property to accommodate customers. The room size will accommodate her services. There is no plan for expansion. She stated she cannot speak to other business coming in to the neighborhood. She addressed the medical waste concern, as she is licensed and will dispose of the medical waste properly. She is willing to work with the hours of operation.

Public Hearing: Closed

Discussions Followed:

- Commissioner Higley stated he understands concerns, but feels there are ways to find a happy medium.
- Commissioner Perez stated she would be okay with restrictions, and believes the applicant is motivated to comply and move to store front out of house.
- Commissioner Hansen asked how the CCR's come into play.
- City Attorney Nope stated the city has no bearing on CCR's, and if the SUP is approved, does not supersede the CCR's.
- Commissioner Hansen asked if the roads are private or public.
- PZ Director Spendlove stated the roads are public.
- Commissioner Higley suggested putting a limit to a one year SUP, no more than four (4) customers a day, and no employees.
- Commissioner Hansen asked if 10 cars a day would be excess. He stated he does not believe it is excessive with construction going on now.
- Chairperson Titus stated she does not believe as 1/3 complete, ten (10) cars is not excessive with the current construction going on and does not believe limiting to four (4) customers is reasonable.
- PZ Director Spendlove stated studies on trip generation and 9.44 trips per each single family dwelling a day is the average. The impact would be as of one extra home habitable in the neighborhood.
- PZ Director Spendlove stated they can bring SUP to reevaluate in one year.
- Commissioner Perez agreed limiting the number of customers would inhibit business and is okay with a reevaluation.

Motion #1:

Commissioner Hansen made a motion to approve the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Diaz, as presented with staff recommendations.

Commissioner Musser seconded the motion.

Motion #2:

Commissioner Higley made a motion add a condition to reevaluate the Special Use Permit one year from the date of approval.

Commissioner Musser seconded the motion.

Vote on Motion #2:

Unanimously Approved

Vote on Motion #1:

Unanimously Approved

- c) Request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

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 initial Special Use Permit was approved on March 31st 1981 for the Head Start (daycare) Center. The initial Head Start Facility was constructed in 1983. Since that time the subject property has been operated as a school/daycare facility. This is a request to allow the expansion of an existing school/daycare facility located at 296 Falls Avenue West (or per County Records 308 Falls Avenue West). The subject property is located within the R-4 (Residential Medium Density) Zoning District.

Per the applicant the expansion includes a new 6,257 square foot building, 47 space parking

lot, a new fenced playground, and a reconstructed driveway entrance.

The expansion will continue to serve the approximately 100 children already enrolled in CSI Head Start programs. Upon completion of the project 40 children will be moved to the new building and the other 60 will remain in the existing facilities. The applicant employs approximately 27 employees. The applicant intends to operate from 8:00 AM to 5:00 PM Monday through Friday.

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:

Mr. Wayne Thowless, LKV Architects, representing app, presented the request for a Special Use Permit to allow the expansion of an existing school/daycare for CSI Head Start/Early Head Start. The facility now services 100 students with a 1/2 day program. With the new building, they would be able to offer a full day program for those students. Mr. Thowless explained the layout of the property. There will be screening around the complete property, with landscaping to city code.

PZ/Questions & Comments:

- Commissioner Perez asked staff about the proposed screening material and would chain link be sufficient.
- PZ Director Spendlove stated code states required between residential and manufacturing/trade use, but it may be required with a SUP process at the commissions discretion to dictate type and if required.
- City Planner Cherry stated there are a variety of fencing in the area.
- Mr. Thowless stated most of the surrounding residences have their own fencing, and they are not relying on that screening. He is proposing chain link with slats around the property.
- Commissioner Kelley asked is proposed screening is within compliance of current code.
- PZ Director Spendlove gave commission their three choices on how they could go with the screening: require screening and certain material, require screening, or approve as presented.
- Chairperson Titus asked applicant if the existing playground is fenced.
- Applicant Ruby Allen clarified the current screening around the playground.
- Commissioner Musser asked if existing SUP required fencing.
- City Planner Cherry clarified what is on the current SUP. There was no screening requirement.

Public Hearing: Opened and closed without input

Applicant Final Statement:

The applicant stated they are excited to expand their services within facility.

Discussions Followed:

- Commissioner Kelley stated he is content with proposed screening.
- Commissioner Hansen he agreed and would vote to accept as presented.
- Commissioner Perez stated her concern is the parking lot goes to back of property and headlights shining into residences. She would be okay with a screening requirement.
- Commissioner Kelley stated being on Falls Ave, he believes landscaping and parking is required by code and is good as presented.
- Chairperson Titus agreed the additional foliage will help, and this will be a vast improvement to site.

Motion:

Commissioner Kelley made a motion to approve the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)
Commissioner Higley seconded the motion.

Unanimously Approved

5) Upcoming Meeting(s)

- a) Tuesday, January 28, 2020.

6) Adjournment

The meeting adjourned at 7:15 pm.