



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 23, 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: David Detweiler

1) Call In Instructions

- a) To call in for Public Comment on the items on this agenda, please call **1-208-939-6718**, **Conference ID: 956 094 682#**. Calls must be received between 6:00 pm - 6:10 pm and will be put into the queue to speak during the Public Hearing portion of the meeting.

2) 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, Hansen, Bolton, Detweiler

Staff Present: Spendlove, Strickland, Ebersole, Vitek, Hafer

3) Consent Calendar

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

Unanimously Approved by a vote of 5-0.

- a) Approval of Minutes from the following meeting: June 9, 2020

4) Items of Consideration

- a) Request for consideration of the Preliminary Plat for Broadmoor Subdivision No. 2 approximately .49 (+/-) acres into 2 residential lots on property located at 1170 Woodland Meadows Way. c/o EHM Engineers, Inc. (PZ20-0068)

Staff Presentation:

City Planner Strickland presented the request for consideration of the Preliminary Plat for

Broadmoor Subdivision No. 2 approximately .49 (+/-) acres into 2 residential lots on property located at 1170 Woodland Meadows Way. c/o EHM Engineers, Inc. (PZ20-0068).

Approval of a preliminary plat does not constitute a commitment by the City to provide water or wastewater services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed.

A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

The property is located within the Broadmoor Subdivision and was originally platted as Tract A of the Broadmoor Subdivision in 2015.

This preliminary plat complies with the standards as set forth in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding R-2 zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50-13.

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood therefore staff has determined this request complies with the 2016 comprehensive plan.

Upon conclusion, 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:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a Preliminary Plat for Broadmoor Subdivision No. 2 approximately .49 (+/-) acres into two (2) residential lots on property located at 1170 Woodland Meadows Way. He stated this was originally platted for small tract and that they would now like it platted into two (2) buildable lots. He stated the streets are already in place.

PZ Director Spendlove clarified this property is zoned R2.

Discussions Followed: without concern

MOTION:

Commissioner Bolton moved to approve the request for consideration of the Preliminary Plat for Broadmoor Subdivision No. 2, approximately 0.49 acres (+/-) into two (2) residential lots on property located at 1170 Woodland Meadows Way, c/o EHM Engineers, Inc. (PZ20-0068) Commissioner Detweiler seconded the motion.

Unanimously approved by a vote of 5-0.

5) Public Hearings

- a) Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)

Staff Presentation:

PZ Director Spendlove presented the Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)

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 a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

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 the applicant providing written statements from all utility companies on company letterhead indicating whether or not they are in agreement with vacating the requested easement.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision. He stated this property was recorded in 2008, and the development plans have changed. He stated the current easements restrict the footprint of the property. The applicant is asking to vacate all easements at once.

PZ/Questions & Comments:

- Commissioner Detweiler asked if all utility letters have been submitted.
- Mr. Vawser stated they have not been submitted, but will be before the vacation is approved by City Council.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos, as presented, with staff recommendations.

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5-0.

- b) Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)

Staff Presentation:

City Planner Strickland presented the Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)

The Special Use Permit process requires a public hearing in which interested persons can be heard, with regards to the application.

The Commission shall decide 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.

No applicable zoning history exists for this location. The building has historically housed various businesses including Krengle's Hardware Store and most recently the Salvation Army.

The property is located along a downtown commercial corridor where there is a substantial amount of traffic. Although, staff and the applicant anticipate this land use will bring increased traffic to the area we do not anticipate any negative impacts to the surrounding properties.

Amplified music could be a concern after hours when things quiet down around the area however this property is surrounded by commercial businesses and the stage will be located adjacent to 2nd Avenue South, therefore this should not present a problem. Neighbors are encouraged to notify the applicant should a problem arise and if necessary, they may contact city staff.

On June 1, 2020, the applicant received a Certificate of Appropriateness from the Historic Preservation Commission for exterior modifications.

Upon conclusion should the commission approve the request, as present staff recommends the following conditions

1. Subject to compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to applicant obtaining an approved Certificate of Appropriateness from the Historic Preservation Commission for exterior modifications.

Applicant Presentation:

Applicant David Buddecke presented the request for a SUP to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South. Mr. Buddecke presented the outdoor plan for the project. He stated there will be live music and special events, mostly on weekends. He stated the stage is on the 2nd Avenue side of property, with the sound going towards the west to an empty lot and other businesses. He stated no residences will be affected by the sound.

PZ/Questions & Comments:

- Commissioner Kelley asked staff if this project has been previously brought to the P&Z Commission.
- PZ Director Spendlove clarified the applications brought to P&Z Commission for this location.
- Commissioner Bolton asked if there is a noise ordinance in Twin Falls.
- PZ Director Spendlove clarified that there is no noise ordinance but any disturbing the peace concerns can be called in to the Twin Falls Police Dept.
- Commissioner Kelley asked about the requested extended hours that are not listed.
- Applicant Buddecke stated the extended hours would be 11:00 pm at the latest.

Public Hearing: Opened

Citizen Shawnee Kyle, 152 2nd Avenue South, stated she owns the business across the street. Her concern is if there are concerts all week, it would affect her business. She stated she does not have issues if the music/events are on weekends, and/or random dates. She stated her hours of operation will be 10:00 am – 10:00 pm. She stated the applicant has been a good neighbor, and wanted to share her concerns for the record.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen stated the request of extended hours past 10:00 pm leaves it wide open. He asked if the commission can add an extended hour condition with allowed definitive hours of operation.
- PZ Director Spendlove clarified their narrative and tentative hours, and this commission can add condition to stop outside noise at a certain hour.
- City Planner Strickland stated there has been prior discussion with applicant regarding the extended hours of operation.

- Commissioner Kelley agreed that setting a 12:00 am closing time is advisable.

Motion:

Commissioner Bolton made a motion to add a condition for extending hours of operation to 12:00 am midnight.

Commissioner Kelley seconded the motion.

Unanimously Approved by a vote of 5-0

Discussion Followed:

- Commissioner Hansen stated he believes the applicant will work with neighbors regarding noise.
- Commissioner Detweiler stated he believes the proposed landscaping and fence will help with noise and does not believe it will be louder than street noise.
- Commissioner Bolton likes the retrofit of the building and happy with the change. She stated she is confident with the cooperation.
- Commissioner Kelley stated he believes the size of the business will help buffer the noise as well.
- Chairperson Titus stated she believes this is good use of the space, and is a good project for the area. She compared the noise levels to the current Wednesday night concerts downtown and any issues can be brought to local authorities.

Motion:

Commissioner Kelley made a motion to approve the Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke, with staff recommendations and the addition of Condition #2. (PZ20-0060)

Commissioner Hansen seconded the motion.

Unanimously approved by a vote of 5-0

- c) Request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson. (PZ20-0062)

Staff Presentation:

PZ Director Spendlove presented the recommendation to City Council the Request for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson. (PZ20-0062)

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. This presentation took place on June 9, 2020. 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.

The property has been historically used for agriculture. In June 1997, the City Council approved a rezone of this property to R-2, R-4, R-4 PRO, and C-1 PUD to allow mixed residential, professional, and commercial development. Cedar Park Agreement was recorded in 2004.

The requested Zoning Development Agreement has a few deviations from the base C1 Zoning District. They are as follows:

- Modification of Permitted, Special, and Prohibited Uses: The applicant would like to make some uses outright Permitted that would normally require a Special Use Permit. The applicant would also like to extend the normal operating hours of businesses to be 6:00 AM to 10:00 PM. (current city code lists 7 AM - 10 PM). Lastly, the applicant has included a list of uses they would like prohibited.
- Property Development Standards: The applicant would also like to require a landscape buffer along Carriage Lane.

The modifications the applicant has requested are not anticipated to create undue impacts on the surrounding properties, and the land uses listed as outright permitted are services/commercial uses expected within the C-1 Zone.

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends 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.

PZ/Questions & Comments:

- Commissioner Hansen asked about the list of prohibited uses.
- PZ Director Spendlove clarified the different types of businesses the applicant would like to preclude. He stated there is no impact of precluding these types of businesses, as far as staff is concerned.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North. He stated this is the last part of Cedar Park.

PZ/Questions & Comments:

- Chairperson Titus asked about displays at the equipment rental location. She asked if this is a permitted use or on the site plan.
- PZ Director Spendlove clarified it does not show a display pad along Addison Avenue, but the tenant could display along the building, according to code. He stated it is not outright permitted for display in landscaping, and would need an SUP for this use.
- Tim Vawser, EHM Engineers, stated, at this time, there are no plans for display pads.

Public Hearing: Opened and closed without input

Discussion Followed:

- Commissioner Hansen asked about the buffer (screening) between the storage unit rentals on the North and the residences.
- Mr. Vawser stated he believes it is a ten (10) foot buffer there. He stated the storage unit rental business will be screened for security reasons.
- PZ Director Spendlove stated that code requires screening between the commercial and residential properties on property line, and can be waived if the neighboring property asks for it to be waived. They are not asking to reduce screening requirement. Screening would be looked at with the building permit.
- Commissioner Hansen asked if the storage unit pulls out, can another type of business go in to that location.
- PZ Director Spendlove stated a business allowed in the C1 zoning district would be able to go in to the location, following the C1 zoning code.
- Mr. Vawser explained how the storage unit project came to be part of this ZDA.
- Commissioner Detweiler asked about the landscape plan on Carriage Lane.
- PZ Director Spendlove stated the landscaping will be built to city standards, submitted with the building permit.
- Commissioner Kelley stated the property to the North has screening and landscaping. He believes this project fits well with area.

MOTION:

Commissioner Kelley moved to recommend approval for a Zoning District Change and Zoning Map Amendment from R-2, R-4, R-4 PRO, C-1 PUD to C-1 ZDA for property located at the northwest corner of Addison Avenue East and Carriage Lane North c/o EHM Engineers, Inc. on behalf of Gary N. Nelson. (PZ20-0062)
Carolyn Bolton seconded the motion.

Unanimously Approved by a vote of 5-0

6) Upcoming Meeting(s)

a) Tuesday, July 14, 2020

7) Adjournment

The meeting adjourned at 6:50 pm.

Kelli Ebersole

Kelli Ebersole, Administrative Assistant