



Twin Falls Planning & Zoning Commission Minutes

Tuesday, February 9, 2021, 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: 750 517 907#. 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 06:01 PM

A quorum was present.

Members Present: Titus, Kelley, Detweiler, Musser

Staff Present: Strickland, Spendlove, Hart, Zollinger, Hafer, Vitek, Nope

3) Consent Calendar

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

Unanimously approved by a vote of 4-0.

- a) Approval of Minutes from the following meeting: January 26, 2021

4) Items of Consideration

- a) Request for a consideration of a Preliminary Plat for the Claret Subdivision consisting of 8 lots (Lot 8 as Retention), and 1.81 acres (+/-) located on the west side of Harrison Street South, between Highland Avenue and Park Avenue, c/o EHM Engineers, Inc. on behalf of Greg Olsen. (PZ20-0152)

Staff Presentation:

PZ Director Spendlove presented the request for a consideration of a Preliminary Plat for the Claret Subdivision consisting of 8 lots (Lot 8 as Retention), and 1.81 acres (+/-) located on the west side of Harrison Street South, between Highland Avenue and Park Avenue, c/o EHM Engineers, Inc. on behalf of Greg Olsen. (PZ20-0152)

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.

Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including total number of lots, street layout, sidewalk connections, and other similar items.

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.

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.

There is no known history for this property.

This subdivision if approved would allow for a small infill project to occur. The Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood". Staff has determined this request complies with the 2016 Comprehensive Plan. It complies with the the City's General Subdivision Provisions and State Statute Chapter 50-13.

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:

Dave Thibault, EHM Engineers, representing applicant, presented the request for a Preliminary Plat for the Claret Subdivision.

The surrounding neighborhood is residential. Seven (7) lots to be developed, with lot 8 used for retention. Access gained from Harrison St South. Pressurized irrigation to this project, with city services and infrastructure. This subdivision is in conformance with the city's Comprehensive Plan.

Discussions Followed: without concerns

Motion:

Commissioner Musser made a motion to approve the request for a Preliminary Plat for the Claret Subdivision consisting of 8 lots (Lot 8 as Retention), and 1.81 acres (+/-) located on the west side of Harrison Street South, between Highland Avenue and Park Avenue, c/o EHM Engineers, Inc. on behalf of Greg Olsen, as presented with staff recommendations. (PZ20-0152)

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 4-0.

- b) Preliminary Presentation for a request for a recommendation to City Council of an Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for 11.08 (+/-) acres located at the southwest corner of Federation Road and Washington Street North c/o EHM Engineers, Inc. on behalf of Hepworth Family Landholdings, LLC. (PZ21-0004)

Staff Presentation:

PZ Director Spendlove presented the Preliminary Presentation for a request for a recommendation to City Council of an Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for 11.08 (+/-) acres located at the southwest corner of Federation Road and Washington Street North c/o EHM Engineers, Inc. on behalf of Hepworth Family Landholdings, LLC. (PZ21-0004)

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.

After a previous application for this property was denied by the City Council on December 14, 2020 . The applicant has resubmitted the project with the changes proposed by the comments of the City Council during the Public Hearing.

A full analysis of this project will be made during the public hearing at a future date. Staff makes no recommendation at this time. A comprehensive staff analysis will be provided at the public hearing.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc., gave a Preliminary Presentation for a request for a recommendation to City Council of an Annexation with a Zoning District Change and Zoning Map Amendment from R2 CRO to RM CRO ZDA for 11.08 (+/-) acres located at the southwest corner of Federation Road and Washington Street North.

He reviewed the changes made with this new application. He stated the residential portion complies with the density in the RM district.

PZ/Questions & Comments:

- Commissioner Musser asked what changes have been made to the plan.
- PZ Director Spendlove explained what was changed on the plan.
- Chairperson Titus asked about special conditions made on the first application.
- PZ Director Spendlove stated this is a new case. He gave the setback and landscaping buffer information.
- Commissioner Detweiler asked about the change to the duplexes.
- PZ Director Spendlove reviewed the plan for the duplexes.

5) Public Hearings

- a) Request for a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue c/o Wendee Gardner. (PZ20-0151)

Staff Presentation:

Senior Planner Hart presented the request for a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue c/o Wendee Gardner. (PZ20-0151)

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 Records the multi-tenant building was constructed in the 1970s and has seen multiple businesses in its various spaces over the years.

The applicant has described the subject property to be a sports bar and grill. The sports

bar will include a dart and pool lounge, located within 679 Filer Ave. The restaurant will be located within 677 Filer Ave. Both spaces will serve alcohol. The applicant has stated that no entertainment or loud music will take place on site.

The distance from the exterior building walls to neighboring residences located to the East and North varies from around ninety feet (90') to two hundred and fifty feet (250').

The applicant is also requesting extended business hours. Monday through Saturday from ten o'clock (10:00) A.M. to one o'clock (1:00) A.M., and Sunday from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.

If the Commission approves this request as presented, then staff recommends the following conditions:

Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

1. Subject to the hours of operation being extended to one o'clock (1:00) A.M. Monday thru Saturday; and ten o'clock (10:00) PM on Sunday.

Applicant Presentation:

Wendee Gardner, applicant, presented the request a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue.

She stated there will be no live bands at this time, with the restaurant being open to families.

PZ/Questions & Comments:

- Commissioner Kelley asked what the hours of the operation were for the previous tenants (bars).
- Senior Hart stated the previous tenants were in prior to the code changing, so there is no record of any operating hour conditions.
- PZ Director Spendlove clarified the previous tenants' conditions.
- Commissioner Musser asked normal hours of operation.
- Senior Planner Hart clarified the regular commercial business hours.
- Commissioner Detweiler asked if there will be live entertainment.
- Senior Planner Hart stated there will be no live entertainment.

Public Hearing: Opened

- Citizen Tina, The Potter's House Christian Center, expressed her concern with this request. She stated the church is leasing the kitchen from Ms. Gardner and is concerned with the ventilation system of the building and the crime rate on

Filer Avenue in Twin Falls.

- Citizen Jean Reyes expressed her concern with this request due to the proximity to the day cares.
- Citizen Bryan Harshman is in favor of this request. He lives in the area and does not believe this establishment will be a problem.
- City Attorney Nope clarified there was a police officer shot at the incident referenced by the citizen.
- Applicant Wendee Gardner addressed the concerns of the citizens. She stated the bar was established prior to the church. She is interested in working with the community.

Public Hearing: Closed

Discussions Followed:

- Commissioner Kelley stated that Garabaldi's is established in the center and does not have any concerns with this request. He believes precedent has been set by the prior tenants in the building.
- Commissioner Detweiler is in favor of the request. He would like to see this building used and kept up.
- Commissioner Musser is in favor of this request. Applicant was established prior to the church.
- Chairperson Titus is in favor of this request. She feels it is a good fit for the area and that the applicant addressed any concerns.

Motion:

Commissioner Kelley made a motion to approve the request for a Special Use Permit to allow alcohol beverages when consumed on the premises where sold if located less than three-hundred (300) feet from residential property and extended hours of operation on property located at 677C and 679 Filer Avenue c/o Wendee Gardner, as presented with staff recommendations. (PZ20-0151)

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 4-0

6) Upcoming Meeting(s)

a) Tuesday, February 23, 2021

7) Adjournment

The meeting adjourned at 06:54 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant