



Twin Falls Planning & Zoning Commission Minutes

Tuesday, March 23, 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: 820 430 246#. 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, Perez

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

3) Consent Calendar

- a) Approval of Minutes from the following meeting: March 9, 2021

MOTION:

Commissioner Hansen moved to approve the Consent Calendar, as presented.
Commissioner Kelley seconded the motion.

Unanimously Approved by a vote of 5 to 0.

4) Items of Consideration-none

5) Public Hearings

- a) Request for a recommendation to City Council for a Zoning District Change and Zoning

Map Amendment for approximately 10 (+/-) acres from R-4 & R-6 CRO to R-4 & R-6 CRO ZDA for property located at the 500 block of Canyon Falls Drive c/o Gerald Martens on behalf of Concept Investors, LLC. (PZ21-0008)

Staff Presentation:

Senior Planner Hart presented the request for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment for approximately 10 (+/-) acres from R-4 & R-6 CRO to R-4 & R-6 CRO ZDA for property located at the 500 block of Canyon Falls Drive c/o Gerald Martens on behalf of Concept Investors, LLC. (PZ21-0008)

Per City Code 10-6-1.7(E) Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surround properties; deviations from Title 10 shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan, and existing and/or proposed infrastructure must be adequate for the project.

Per City Code 10-14-5 The Commission shall hold a public hearing to provide a recommendation to the City Council to amend the zoning district and the zoning map, amend with recommendations, or deny the request.

The subject property is approximately ten (10) acres and was previously used for agricultural purposes.

A conveyance plat was recorded on the property in 2009.

In 2017 the Property was Annexed into the City. The current zoning designations of R4 and R6 were established at that time.

The applicant has declared modifications from the applicable City Code:

1. Allow for attached single family dwellings, of two (2) or less. *R4 and R6 Zones to permit attached single family households fronting arterial/collector streets.*
2. Zero property line setbacks from the common residential lot line for attached single family dwellings.
3. Fifteen (15) feet for front and rear setbacks, except for setbacks along the subdivision boundary which shall be twenty (20) feet for attached and detached single family dwellings. *The R4 district requires a twenty (20) foot front and rear yard setbacks. The R6 requires a twenty (20) foot for front yard setbacks.*

Other property development standards added:

1. The minimum lot sizes proposed is 4000 square feet. *Matches the R4 and R6 districts.*
2. A fifteen (15) foot landscaped buffer adjacent to all roadways except vehicular turnouts.

3. Five (5) foot side yard setbacks for attached and detached single family dwellings. *Matches the R4 and R6 districts.*
4. Each residential unit shall have a minimum of four (4) parking spaces.
5. Streets and common areas are private and will be maintained by the Home Owners Association.

The modifications from current code are not anticipated to create undue impacts to the surrounding properties. Because of the addition of residential units an increase in traffic is expected on Fillmore Street traveling out to Pole Line Road. The proposed development is an infill project for the area. An increase in traffic is typical to any new development on vacant land. Staff does not foresee unmanageable negative impacts from an increase in traffic to this area on the surrounding properties.

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

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:

- Commissioner Hansen asked how the emergency access will be monitored.
- PZ Director Spendlove clarified how emergency accesses are monitored.
- Commissioner Perez asked for the definition between arterial roads vs other roads and why an exemption is needed due to the attached homes.
- PZ Director Spendlove explained the attached single family dwelling standards, are usually only allowed attached to arterial and collector roads. The exemption is being asked as part of the ZDA.

Applicant Presentation:

Gerald Martens, representing applicant, presented the request for a Zoning District Change and Zoning Map Amendment for approximately 10 (+/-) acres from R-4 & R-6 CRO to R-4 & R-6 CRO ZDA for property located at the 500 block of Canyon Falls Drive. He stated the property is in the Canyon Rim Overlay, which requires a Zoning Development Agreement. He stated the proposed development would have a reduced density from what would be allowed in the R4 and R6 zones. He stated the development would be built similar to the Breckenridge subdivision to the North East. He stated there will be more details of the development with the Preliminary Plat application.

PZ/Questions & Comments:

- Commissioner Hansen asked if the attached homes would be similar to the Breckenridge Subdivision.
- Mr. Martens clarified how the townhomes would be constructed.

Public Hearing: Opened

- Citizen Kate Doherty stated her concerns regarding the project.
- Chairperson Titus clarified the zoning is what is being voted on tonight.
- Mr. Martens addressed the citizens' concerns.

Public Hearing: Closed**Discussions Followed:**

- Commissioner Bolton stated she is in favor of this zoning proposal.
- Commissioner Kelley stated this is a unique property and is in favor of the request.
- Chairperson Titus agreed, and likes the density being decreased.

MOTION:

Commissioner Hansen moved to recommend approval of the request for for a recommendation to City Council for a Zoning District Change and Zoning Map Amendment for approximately 10 (+/-) acres from R-4 & R-6 CRO to R-4 & R-6 CRO ZDA for property located at the 500 block of Canyon Falls Drive c/o Gerald Martens on behalf of Concept Investors, LLC. (PZ21-0008), as presented, with staff recommendations.

Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 5-0.

- b) Request for a recommendation to City Council to vacate a platted utility easement within the Fieldwood Subdivision on property located south of Cheney Drive West, in between Fieldstream Way and Grandview Drive c/o EHM Engineers, Inc. on behalf of Gary Nelson. (PZ21-0013)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council to vacate a platted utility easement within the Fieldwood Subdivision on property located south of Cheney Drive West, in between Fieldstream Way and Grandview Drive c/o EHM Engineers, Inc. on behalf of Gary Nelson. (PZ21-0013)

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.

The easement was originally platted as part of the Fieldstone Professional Subdivision. After reconsideration the developer submitted an application to replat what was once

a 5 lot subdivision into a 14 lot subdivision with plans to redevelop into residential lots. Most recently the portion know as Lot 5 was submitted for a rezone to R-2 in order to subdivide the lot into 5 more residential lots with the intent to construct duplexes.

With the resent rezoning of Lot 5 and re-platting of the Fieldstone Professional Subdivision into residential lots known as Fieldwood Subdivision there has been a need to reconfigure the original layout of the utility easements, therefore the applicant is requesting approval to vacate and abandon the utility easement.

The interested utility companies have been contacted and all agree that abandonment of this easement will not be detrimental to the development and there are not any utilities located within the platted easement.

With both the reconfiguration and re-platting of this development along with consent from the utility companies staff supports this request.

The Commission is tasked with making a recommendation to City Council.

Applicant Presentation:

Tim Vawser, representing applicant, presented the request for a recommendation to City Council to vacate a platted utility easement within the Fieldwood Subdivision on property located south of Cheney Drive West, in between Fieldstream Way and Grandview Drive. He stated this subdivision was originally platted with a different configuration, and Cheney Drive was not part of original concept.

PZ/Questions & Comments: none

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Hansen stated he is in favor and believes this finishes the construction project.
- Commissioner Bolton is in favor of the request. The commission has seen plans change over the year.

MOTION:

Commissioner Hansen moved to recommend approval to City Council to vacate a platted utility easement within the Fieldwood Subdivision on property located south of Cheney Drive West, in between Fieldstream Way and Grandview Drive c/o EHM Engineers, Inc. on behalf of Gary Nelson. (PZ21-0013), as presented, with staff recommendations.

Commissioner Kelley seconded the motion.

Unanimously Approved by a vote of 5-0.

- c) Request for a recommendation to City Council to Vacate a portion of a platted access and public utility easement for the property located at 2013 Rivercrest Drive c/o EHM Engineers, Inc. on behalf of Bach Homes. (PZ21-0014)

Staff Presentation:

Senior Planner Hart presented the request for a recommendation to City Council to Vacate a portion of a platted access and public utility easement for the property located at 2013 Rivercrest Drive c/o EHM Engineers, Inc. on behalf of Bach Homes. (PZ21-0014)

Per 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.

The subject property exists under the North Bridge No. 2 2291 PUD (recorded 1994) and is part of the Rivercrest Apartments PUD plat.

Per the applicant the purpose of the proposed vacation of the platted easement is to accommodate a five-plex building that is being added to the subject property. The Rivercrest Apartment complex is located on the subject property.

The easement in question is a twenty-six (26) foot-wide access and public utility easement. The applicant is proposing to replace the portion being vacated with additional area to be vacated as part of the existing easement, seen in Exhibit A.

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:

Tim Vawser, EHM Engineers, Inc., representing applicant, presented the request to vacate a portion of a platted access and public utility easement for the property located at 2013 Rivercrest Drive. He stated the five-plex addition fits outside of the easement, but the applicant wants the vacation to account for setbacks and overhangs.

PZ/Questions & Comments:

- Commissioner Hansen asked if there is an access to Vermont Avenue.

- Mr. Vawser stated there is no access to Vermont Avenue.
- Chairperson Titus asked if the utility company needs the easement, could the commission add a condition that the recommendation to City Council being contingent on the utility companies approvals.
- Mr. Vawser stated if there is a utility easement needed in the location, the developer would pay to relocate that easement.

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Kelley is in favor of the request.
- Commissioner Bolton agreed and is in favor of the request.

MOTION:

Commissioner Bolton moved to recommend approval of the request to Vacate a portion of a platted access and public utility easement for the property located at 2013 Rivercrest Drive c/o EHM Engineers, Inc. on behalf of Bach Homes. (PZ21-0014), as presented, with staff recommendations.
Commissioner Kelley seconded the motion.

Motion Approved by a vote of 4-0-1.

- d) Request for a Special Use Permit to allow for a beauty salon/spa on property located at 963 Blue Lakes Boulevard c/o Emily Bollinger. (PZ21-0015)

Staff Presentation:

City Planner Zollinger presented the Request for a Special Use Permit to allow for a beauty salon/spa on property located at 963 Blue Lakes Boulevard c/o Emily Bollinger. (PZ21-0015)

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.

No previous Special Use Permits for the property could be found. The property has had

professional office types of uses there before.

The applicant states within the application that the services to be provided will be permanent makeup, body waxing, lash lifts, brow laminations, brow henna, saline tattoo removal, and micro needling, all of which fall under the definition of beauty salon.

Services will be by appointment only and the hours of operation are Wednesday through Friday, 10 A.M to 6 P.M, and Saturdays, 10 A.M. to 2 P.M.

The anticipated impact is minimal. Services will be provided by appointment only. The property is accessed primarily by Blue Lakes Blvd. keeping traffic out of the surrounding neighborhood.

Upon conclusion should the Commission approves this request as presented, then staff recommends the following conditions.

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

Applicant Presentation:

Emily Bollinger, applicant, presented her request for a Special Use Permit to allow for a beauty salon/spa on property located at 963 Blue Lakes Boulevard. She stated that she has current location, but needs more space. She clarified she would be servicing one client at a time, and that she is the only technician servicing customers.

PZ/Questions & Comments: none

Public Hearing: Opened

- Citizen John Martin is concerned about fumes coming from the salon as a staff member has asthma and works next door to this property. He asked the commission to add a condition guaranteeing that nail services or any other services that omit fumes be banned from the permit for Ms. Bollinger and future tenants.
- Stan Visser, Property Manager, spoke in favor of this request explain that each suite separated by fire wall, and that the two suites (A&B) share the same furnace and double filtration ventilation system. He stated that he vetted Ms. Bollinger before renting her the space and is comfortable renting space to her. He stated he does not believe there are scents that would be bothersome to next door neighbors and her services would not require an outdoor ventilation system.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen stated he is in favor of this request. He stated he does not feel there is a need for additional conditions per Title 10, paragraph 7.
- Commissioner Bolton stated she is in favor of this request. She stated she understands the concern regarding an air quality issue, but is comfortable with the request and testimony from the Property Manager.
- Chairperson Titus is in favor of the request.
- City Attorney Nope stated that paragraph 7 talks about excessive fumes or odors. He stated the commission could add a condition for excessive fumes, if felt necessary. He asked Chairperson Titus to abstain from the vote as she is familiar with applicant.
- Commissioner Perez stated that she believes that a condition should be put on the Special Use Permits regarding excessive fumes for future tenants.
- Commissioner Hansen asked City Attorney Nope if paragraph 7 is part of the Special Use Permit criteria, why an additional condition would need to be added to this permit.
- City Attorney Nope clarified why the condition would be added, as it makes for clarity.

MOTION #1:

Commissioner Bolton moved to add a condition to the Special Use Permit that the services be limited to those presented here and cannot have any excessive fumes or odors.

Commissioner Perez seconded the motion. Discussion ensued.

Motion withdrawn.

MOTION #2:

Commissioner Hansen made a motion to add a condition subject to the business not creating excessive odors or fumes.

Commissioner Bolton seconded the motion.

Motion Approved by a vote of 4-0-1.

MOTION #3:

Commissioner Hansen made a motion to approve the request for a Special Use Permit to allow for a beauty salon/spa on property located at 963 Blue Lakes Boulevard c/o Emily Bollinger, as presented, with staff conditions and additional conditions added by the commission. (PZ21-0015)

Commissioner Bolton seconded the motion.

Motion approved by a vote of 4-0-1.

6) Upcoming Meeting(s)

- a) Wednesday, April 7, 2021 Worksession
Tuesday, April 13, 2021 at 6:00 pm

7) Adjournment

The meeting adjourned at 07:07 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant