



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 13, 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) Confirmation of Quorum/Call Meeting to Order

Vice Chairman Kelley called the meeting to order at 6:03 pm
A quorum was present.

Members present: Kelley, Detweiler, Perez, Musser

Staff Present: Spendlove, Ebersole, Hart, Zollinger

2) Consent Calendar

MOTION: Commissioner Musser moved to approve the Consent Calendar, as presented.
Commissioner Detweiler seconded the motion.

Approved by a vote of 3-0-1

- a) Approval of minutes from the following meeting: June 8, 2021

3) Items of Consideration - None

4) Public Hearings

- a) Request to amend Special Use Permit #1143 to remove a condition for hours of operation for the preschool at the Amazing Grace Fellowship on property located at 1061 Eastland Drive North c/o Amazing Grace Fellowship. (PZ21-0067)

Staff Presentation:

Senior Planner Hart presented the request to amend Special Use Permit #1143 to remove a condition for hours of operation for the preschool at the Amazing Grace Fellowship on property located at 1061 Eastland Drive North c/o Amazing Grace Fellowship. (PZ21-0067)

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.

The property currently has 3 special use permits. #0324 allowed the applicant to establish a religious facility in 1992. #0885 allowed the applicant to expand the existing religious facility by more than 25% in 2004. #1143 allowed for a public preschool facility to operate within the religious facility in 2009. This is a request to remove condition #3 from SUP #1143 which states the following "Preschool to operate Monday through Friday 8:00 am to 4:00 pm". The purpose behind this request is so the preschool can operate during normal business hours for their customers.

Staff does not anticipate any increase of negative impacts in this area from this request.

Applicant Presentation:

Vivian Flexser, applicant, presented the request to amend Special Use Permit #1143 to remove a condition for hours of operation for the preschool at the Amazing Grace Fellowship. She stated the request is to meet the needs of community. She stated they would like to extend the hours to later in the day to help working parents.

PZ/Questions & Comments: none

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Detweiler moved to approve the request to amend Special Use Permit #1143 to remove a condition for hours of operation for the preschool at the Amazing Grace Fellowship on property located at 1061 Eastland Drive North c/o Amazing Grace Fellowship, as presented, with staff recommendations. (PZ21-0067)
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 4-0.

- b) Request to allow for Additional Building Height for new silo on property located at 236 Washington Street South c/o Dick Vawser on behalf of Glanbia Nutritionals. (PZ21-0076)

Staff Presentation:

Senior Planner Hart presented the request for a recommendation to City Council to allow for Additional Building Height for new silo on property located at 236 Washington Street South c/o Dick Vawser on behalf of Glanbia Nutritionals. (PZ21-0076)

The addition height process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application. After the public hearing, the Commission shall make a recommendation to the City Council in the form of approval, conditional approval, or disapproval of the application as presented during the hearing. After receiving the recommendation from the Commission, the City Council shall hold a public hearing. After the public hearing, the Council may approve, conditionally approve, or disapprove the application as presented.

In February 2011, a non-conforming expansion permit was issued to Glanbia Foods for an expansion of their operations at this location.

In December 2014, the city council approved additional building height for two other silos on the subject

property.

The applicant wants to replace an existing silo #5 with a height of 42 feet with a new silo of 74 feet to better serve their needs at the facility on the subject property.

Staff does not foresee a significant negative impact on adjoining property owners for this requested item. The location of the silo is considerably set back from the current roadway, and from any nearby residential 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.

Applicant Presentation:

Dick Vawser, applicant, presented the request for a recommendation to City Council to allow for Additional Building Height for new silo on property located at 236 Washington Street South. Mr. Vawser gave a history of the plant and production levels. He stated the new silo will replace a silo of 30,000 gallon capacity to a silo of 50,000 gallon capacity. He stated there will be no new truck traffic, as there will be no extra production. The new silo will help move trucks through quicker. He stated the silo has been evaluated to withstand the additional load. He showed commission gave what the new silo will look like, with new heights, but same diameter, after installation.

PZ/Questions & Comments:

- Vice Chairman Kelley asked for clarification of recommendation to City Council.
- Senior Planner Hart clarified that it is a recommendation to City Council by the commission.
- Commissioner Perez asked about the one shorter silo.
- Mr. Vawser clarified location of the shorter silo, which will stay as is.
- Commissioner Perez asked staff why the commission didn't approve the additional height for all silos at one time.
- PZ Director Spendlove clarified the process for this application.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Musser moved to approve the request for a recommendation to City Council to allow for Additional Building Height for new silo on property located at 236 Washington Street South c/o Dick Vawser on behalf of Glanbia Nutritionals, as presented with staff recommendations (PZ21-0076). Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 4-0.

- c) Request for a Special Use Permit to allow vehicle sales (utility trailers) and equipment rental on property located at 299 Addison Avenue West c/o Lawry Wilde on behalf of K Hardware Inc. (PZ21-0078)

Staff Presentation:

PZ Director Spendlove presented the request for a Special Use Permit to allow vehicle sales (utility trailers) and equipment rental on property located at 299 Addison Avenue West c/o Lawry Wilde on behalf of K Hardware Inc. (PZ21-0078)

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 has the authority to make a final decision after a public hearing process has taken place. Appeals must be filed within fifteen (15) days of the final decision.

The property in question has historically been a sales and maintenance location for various businesses. The earliest record we have is Century Auto Machines in 1983. Thereafter, Century Boatland and J&C Customs operated a boat/recreational vehicle sales and service location from the 1990's through 2018. The visible portion of the Equipment Rental portion of the business will act in very much the same way as ATV/Boat/Trailer Sales. Items will be displayed along the property. In this staff does not foresee a detrimental impact to surrounding properties.

The maintenance side of the equipment rental will cause some impacts to surrounding properties. These typically include the running of equipment, and some basic services like washing and changing oil. Similar types of activities took place on these properties previously with the ATV/Boat sales and service. The applicant has indicated the Rental maintenance will take place inside, or next to, the main building. As such, staff believes the impacts will be a negligible change to what has historically taken place on the property. The required improvements found in City Code should mitigate the vast majority of increased impacts to surrounding properties.

Upon conclusion should the Commission approve 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.
2. Subject to the property at the corner of Addison Ave W and Blake St being developed with curb, gutter, sidewalk, and landscaping; within six (6) months of this approval.
3. Subject to the southern property boundary being screened per City Code standards, within six (6) months of this approval.

Applicant Presentation:

Brian Brussman, representing applicant, presented the request to allow vehicle sales (utility trailers) and equipment rental on property located at 299 Addison Avenue West. He stated the Idastone building next door is owned by applicant. He stated they are willing to fix the property and believes the change of use is questionable, the special use for the equipment. He clarified they will do the improvements as they can afford, and are happy to landscape, but there are no water rights at the corner of Blake St. and Addison Ave. He stated they would like to have an alternate landscape plan approved by the commission and will submit their plan within the week. The applicant will need time to complete the curb and gutter.

PZ/Questions & Comments:

- Commissioner Perez asked staff what happens if the applicant can't meet six (6) month timeline for the curb and gutter per condition #2.
- PZ Director Spendlove answered there is some leeway, if there is some progress on the project. Per city code, if there is no progress within six (6) months, the SUP would be void.
- Vice Chairman Kelley asked about the screening requirement on the south side.
- Mr. Brussman clarified where the screening is located and where the equipment will be displayed.
- Vice Chairman Kelley asked staff where the curb and gutter is located and is there anything there now.
- PZ Spendlove clarified that the equipment rentals is kicking in the required improvements. The corner of Blake St. and Addison Ave. is the area in question. He stated the other display areas will also need improvements, per site plan as presented.

- Commissioner Perez asked why the equipment rentals kick in the improvements.
- PZ Director Spendlove stated it is a change of land use that kicks in improvements, as any change of land use requires improvements (curb, gutter, landscaping, storm water retention).
- Commissioner Musser asked about making an exception to the six (6) month window.
- PZ Director Spendlove stated the commission can add a condition to bring the application back in one year for a check up. He stated the six (6) month timeline is required by city code 10-13-2-2-K, and if there are no improvements the SUP would be void. He explained that only City Council can extend improvement timelines (10-11-1) as a separate action from the Planning and Zoning Commission.

Public Hearing: Opened and closed without input

Discussions Followed:

- Commissioner Detweiler stated he is happy the applicant purchased this property and is understanding about needing time to do improvements. He believes the business fits in the area and has no issues with the application.
- Commissioner Perez agreed, stating her only concern is the timeline for improvements, but believes applicant is trying to make the area better.
- Commissioner Musser stated he does not see a material change to property, and agrees with the improvements needed, and is open to extending timeline with check ins.
- Vice Chair Kelley stated he understood that an extension can be granted if progress being made (bids in hand).
- Commissioner Perez stated she does not believe the commission can extend the six (6) month timeline, but there is a way for the applicant to get an extension.
- PZ Director Spendlove stated code says improvements need to be done in six (6) months. Historically, things take time to complete and if things are progressing, the code is being followed and defensible to extend timeline.
- Commissioner Musser asked where the line is drawn. Should the extension be dealt with now or wait?
- PZ Director Spendlove stated if the applicant fails to prove compliance within six (6) months of approval, the SUP is void. He stated staff will work with applicant but does not have evidence the improvements can't be done in the time given.
- Vice Chair Kelley stated six (6) months can be reasonable per code and stated the commission should stick with code.
- Commissioner Perez agreed, as it sounds like there will be flexibility. She stated the commission's job is not to be the enforcers and does not want to set precedent.
- Commissioner Musser stated he is confident staff will be reasonable when dealing with applicant.
- Commissioner Detweiler agreed and stated they will see this applicant again if the matter needs to come back to commission.
- Vice Chair Kelley commented on his concern with the landscaping plan. He stated code 10-11-2 addresses minimum requirements.
- Commissioner Perez asked if there is alternative landscaping allowances that are not water intensive.
- PZ Director Spendlove stated there is part of code that addresses an alternative landscape plan that applicant can request at a later time.

MOTION: Commissioner Detweiler moved to approve the request to allow vehicle sales (utility trailers) and equipment rental on property located at 299 Addison Avenue West c/o Lawry Wilde on behalf of K Hardware Inc, as presented, with staff recommendations (PZ21-0078). Commissioner Perez seconded the motion.

Unanimously Approved by a vote of 4-0.

5) Upcoming Meeting(s)

- a) Tuesday, July 27, 2021 - Cancelled
- Wednesday, August 4, 2021 - Worksession
- Tuesday, August 10, 2021

6) Adjournment

The meeting adjourned at 06:53 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant