

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
Chairman	Vice-Chair	Alt.					

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney, |

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

AMENDED MINUTES

JANUARY 10, 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Muñoz, Richardson, Stroder, Warren, Younkin

Bonnie Lezamiz in audience.

PLANNING AND ZONING MEMBERS ABSENT: None.

AREA OF IMPACT MEMBERS PRESENT: Kemp, Tenney

E. Rick Mikesell in audience.

CITY COUNCIL MEMBERS PRESENT: None

CITY STAFF PRESENT: Bates, Bravender, Carraway, Mathis, Sanchez, Wonderlich

Chairman Frank called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

ELECTION OF OFFICERS

Chairman Frank introduced new members and appointments to the Commission.

Bernice Richardson reappointed for another three-year term, Gerardo Muñoz and Karen B. Stroder as full members and Bonnie Lezamiz to serve as alternate, all representing the City.

On December 27, 2005, the Twin Falls County Commissioners appointed Dusty Tenney as a full member and E. Rick Mikesell to serve as alternate to the Twin Falls City Planning and Zoning Commission to represent the Area of Impact.

Commissioner Warren made a motion to nominate Commissioner Horsley as Chairman. Commissioner Muñoz seconded the motion and roll call vote showed all members present in favor of the motion. The motion passed.

Commissioner Warren made a motion to appoint Commissioner Younkin as Vice-Chairman. Commissioner Kemp seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

PUBLIC HEARING ITEMS:

- Item #1 Request of Todd Ostrom for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a duplex housing development for 1.9 acres on property located on the west side of the 900 block of Morningside Drive. *Rescheduled for January 31, 2006.*
- Item #2 Request of Kathryn Pierce for a Special Use Permit to operate a beauty salon as a home occupation on property located at 524 Monroe Street.

Kathryn Pierce, applicant, explained the request using overhead projections. She stated there was a salon at 524 Monroe Street in the 1980's and the 1990's and one in her home since 1989 on Vickie Lane.

She stated the following:

1. Little impact to the area and surrounding houses.
2. Two clients at most in the salon at one time.
3. Two off street parking spots available and would keep her car in the garage.
4. No employees.
5. Salon hours would vary from 8:00 am to 5 pm, Monday through Friday.
6. Immediate neighbors have been notified.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. The request is to operate a beauty salon as a home occupation. The property is zoned R-4. A special use permit is required to establish a home occupation within the R-4 zone. She listed the limitations established by code on home occupations.

The site plan shows the area to be used for the beauty salon is 117 sq ft. The narrative states the applicant will be the only person operating this business. The business hours will be from 8:00 am to 5:00 pm. The narrative does not state the days of the week she plans to be open. There can be no signs on the property advertising the beauty shop. Typically the impacts to surrounding neighbors of this type of home occupation are traffic. There is a 19' 7" wide by 35' long driveway which can easily accommodate the one to two customers at the home at a time. The owners of the home should be limited to using the driveway at times when the business is not in operation.

She said staff recommends the following condition be placed on this permit, if granted:

1. Residents to park in garage during business hours. The driveway is to remain open for customer parking.

Discussion followed:

-Salon hours.

Kathryn Pierce stated that the salon would be opened Monday through Friday between 8:00 am to 5:00 pm and closed on weekends.

-Existing manhole in driveway.

Public Works Director Bates stated that asphalt or concrete paving be placed around the existing manhole in her driveway and to keep the curb cut as it is. He suggested giving the applicant until June 1, 2006, to complete the work.

-Steel plates in street.

Public Works Director Bates stated that it is a major storm drain system for Addison.

The public hearing was opened and closed with no input.

Deliberations followed:

-Straightforward.

Commissioner Kemp made a motion to approve the permit as presented with staff recommendation and to add the following condition: Asphalt or concrete paving around existing manhole to be completed by June 1, 2006. Chairman Horsley seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #3

Request of Scott Goldstein on behalf of Enterprise Rent-A-Car for a Special Use Permit to operate an automobile rental business on property located at 256 Blue Lakes Boulevard North.

Scott Goldstein, applicant, explained the request using overhead projections.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. This property is located in a C-1 zoning district. The request is to operate an auto rental business. Within the C-1 zone this requires a special use permit. In 1997 a certificate of occupancy was issued to operate a pet grooming business at this site. An automobile rental business is classified as a retail trade based land use. The previous land use is classified as a service based land use. As per City Code Section 10-11-1; Required Improvements, a "Change of Use" from a service business to a retail business requires the property to be brought into full compliance with required improvements such as: landscaping, screening, parking and streets.

The narrative states the applicant wishes to operate a car rental business from 7:30 am to 6:30 P pm., Monday to Friday and from 9:00 am to 12:00 pm on Saturday.

The site plan submitted with the application shows 9 off-street parking spaces plus the additional parking and maneuvering area directly east of the site. The site plan complies with the parking requirement. In order to maintain the proposed parking lot configuration, the rental car fenced enclosure will need an ingress / egress on the easterly side.

Blue Lakes Boulevard North is designated as a gateway arterial, as per City Code 10-7-12, which requires additional landscaping along the frontage of a designated gateway arterial street. As per City Code 10-7-12(B); if the property is **not** being remodeled gateway arterial landscaping requirements do not apply. Based upon City Code 10-4-8.3(F) which requires the minimum landscaping to be 10% of the required parking area or 3% of the total site, whichever is greater, the minimum landscaping requirement is 730 sq ft.

She said staff recommends the following conditions be placed on this permit, if granted:

1. Subject to full compliance with engineering, zoning, and building and fire codes.

Discussion followed:

-Washing and detailing of vehicles on premises.

Public Works Director Bates stated that a grid and sand trap would need to be placed in an appropriate location.

-Rental cars on premises at one given time.

Scott Goldstein stated that it would vary and rarely would have a “handful of cars available.”

-Ingress/egress from the back side of the easterly side of property.

Scott Goldstein stated it would be an entrance with a rolling gate.

-Cross use agreement has been provided.

-Signage on the southwest portion of property.

Scott Goldstein stated that he would apply for a sign permit.

The public hearing was opened.

Kevin Mortenson, representing the owners, spoke in favor of the request. He also stated that since 1915 an access easement from Blue Lakes to Ash Street has existed.

Mark Melni, Microchips, asked the applicant if an easement exists from both Ash and Blue Lakes, type of fence, and maximum amount of cars on property at one time.

Scott Goldstein stated that there would be 8 or 9 cars at one time.

The public hearing was closed.

Commissioner Kemp made a motion to approve the permit as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #4

Request of Kim Lee on behalf of Eagle Rock Broadcasting, Inc., for a Special Use Permit to place a 50’ monopole to operate a radio station on property located at 953 Blue Lakes Boulevard North.

Kim Lee, applicant, explained the request using overhead projections.

Discussion followed:

-Replacement of monopole.

Kim Lee stated that the existing 58’ lattice pole would be removed and replaced with a 50’ monopole. The bottom would be 12” and the top would be 5”. The color would be galvanized.

-Possible interference with radio waves.

Kim Lee stated that the monopole would be no different from the existing pole in relation to interfering with radio waves.

The property is zoned C-1. The request is to place a wireless communications tower on site in conjunction with the operation of a radio station. There is currently a lattice tower on site. A lattice tower is not permitted in the C-1 zone. To place a monopole within the C-1 Zone requires a special use permit. The application is for a monopole tower to replace the existing non permitted lattice tower.

Under staff review there are some concerns: As per 10-7-17-(C)4b – "...Towers shall be set back from all residential and residentially zoned property one hundred twenty five percent (125%) of the tower height as measured from ground level."

In review of the site plan a setback of 62.5 is required between the monopole and the west property line, the site plan scales only 50-56'. If approved, the monopole shall be moved to a location that would provide the minimum required setback.

She also stated that City Code Sections 10-7-17-(C)4e will be reviewed as part of the building permit process. The City Code Section 10-7-17(D) performance bond provided to the City to guarantee the facility/monopole will be removed when no longer in use.

The operation of a radio station at this site is a change of use as the previous business on file was a retail business. Due to this being a change of use a certificate of occupancy is required.

She said staff recommends the following conditions be placed on this permit, if granted:

1. Full compliance with City Code 10-7-17-Wireless Communications Facilities.
2. Subject to compliance with all building, engineering, fire, and zoning code requirements.

Discussion followed:

-Kim Lee requested a waiver of an engineering study to co-locate.

City Attorney Wonderlich stated that the engineering study to co-locate in the City Code is law.

Chairman Horsley read a letter dated January 7, 2006, from Marilyn Botkin, 1006 Lincoln Street, to be entered into the record.

The public hearing was opened and closed with no input.

Kim Lee stated that the transmission is not in the frequency range and it is site to site communications microwave system feeds from the locations to Mount Harrison.

Kim Lee stated that the monopole base is 12 inches at the bottom. Landscaping would be placed. The cabling would exist inside the monopole and a concrete footing would be in place.

Deliberations followed:

- History of the existence of the required engineering study.
- Straightforward.

Commissioner Kemp made a motion to approve the permit as presented with staff recommendations. Vice-Chairman Younkin seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #5 Consideration of the preliminary plat of Robbins Avenue PUD Subdivision, 1.49 acres (+/-) located at 273 Robbins Avenue.

Roger Kruger, EHM Engineers, representing the applicant explained the request using overhead projections.

Interim Planning and Zoning Director Caraway reviewed the request using overhead projections. On September 26, 2005, the City Council approved a rezone of this 1.49 acre site from R-4 to R-4 PUD. The request is to develop 6 4-plex buildings for a total of 24 residential units. In order to sell lots within the development a plat subdividing the property is required. A preliminary plat is submitted to the Commission. Later a final plat will be submitted to the City Council.

The plat is generally consistent with the approved PUD, but the Council has not yet approved the PUD agreement.

She said staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to approval of the PUD Agreement.
2. Subject to final technical review by the Engineering Department.

Discussion followed:

-Storm water.

Roger Kruger stated there would be three retention basins.

-RV Parking.

Interim Planning and Zoning Director Carraway stated that the RV parking is deleted and RV storage is not provided in the PUD agreement.

-PUD Agreement.

Interim Planning and Zoning Director Carraway stated that the PUD Agreement is currently under staff review and would be presented to the City Council.

Public comment was opened.

Mike Fraszier, 235 Robbins Street, stated that in a drawing he received from EHM Engineers, the pipe under Robbins would need to be enlarged. It is currently a 12" pipe.

Roger Kruger stated that it has been changed on the drawing showing a 18" CMP.

Interim Planning and Zoning Director Carraway stated that this would be addressed when under technical review by the Engineering Department.

Public input was closed.

Deliberations followed:
-Straightforward.

Commissioner Frank made a motion to approve the plat as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #6 Consideration of the preliminary plat of River Vista South PUD Subdivision, 4.03 acres (+/-) located at northeast corner of Canyon Crest Drive and Pinnacle Place.

Troy Vitek, EHM Engineers, representing the applicant, explained the request using overhead projections.

Frannie Florence, applicant, explained the request.

Discussion followed:

-Trail.

Frannie Florence stated that he is planning to dedicate a public easement to bring connection to the trail.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. The site is currently zoned C-1 PUD. The request is to develop 8 lots for a commercial development. The site is 4.03 acres (+/-). A preliminary plat is presented to the Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. 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 then may the plat be recorded and lots be sold for development. This plat is consistent with other commercial development in the area and is in conformance with the Comprehensive Plan and the PUD Agreement.

There is no minimum lot size in the C-1 zoning district. There is a front building set back and no side or rear building setback. The PUD requires a landscaped buffer along all interior streets. Any construction of the site shall meet minimum development standards for parking, landscaping, storm water retention, etc... Each development will require a separate building permit and review for compliance with all zoning, engineering, building and fire codes.

She said staff recommends that the following conditions be placed upon the preliminary plat, if granted:

1. Subject to final technical review by the City of Twin Falls Engineering Department.
2. Subject to compliance with the PUD Agreement.

Assistant City Engineer Mathis asked the applicant his development plan for retention water.

Tory Vitek stated at Canyon Crest Drive there would be piping into a dry well, sized to accommodate water.

Public Input:

Don Gilster, 284 River Vista, asked about the buffer zone between the proposed heights of the buildings.

Frannie Florence stated that it is addressed in the PUD agreement.

Public input closed.

Deliberations followed:

- Trail connection.
- Parking in front of apartments.

Commissioner Frank made a motion to approve the plat as presented with staff recommendations. Commissioner Munoz seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #7 Findings of Fact and Conclusions of Law:
None

OTHER ITEMS:

Item #8 Approve minutes of December 13, 2005, Planning and Zoning Commission Meeting. Approved.

Item #9 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(*W/S-JANUARY 24, 2006 P/H -JANUARY 31, 2006*)

Item #10 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

A Commission review session will be held on January 24, 2006 in conjunction with the work session.

The meeting adjourned at 8:35 PM.



Leila Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, Alt.
Dusty Tenney

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

JANUARY 31, 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Lezamiz, Muñoz, Richardson, Stroder, Younkin

PLANNING AND ZONING MEMBERS ABSENT: Warren

AREA OF IMPACT MEMBERS PRESENT: Mikesell, Tenney

Kemp in audience.

AREA OF IMPACT MEMBERS ABSENT: None

CITY COUNCIL PRESENT: Glenda Dwight and Don Hall

CITY STAFF PRESENT: Bates, Bravender, Carraway, Fields, Mathis, Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced city staff present.

PUBLIC HEARING ITEMS:

Item #1 Request of Todd Ostrom for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a duplex housing development for 1.9 acres on property located on the west side of the 900 block of Morningside Drive.

Darr Moon, representing the applicant, explained the request, using overhead projections. He stated that at the preliminary presentation the following items were discussed: Fencing, parking, and sidewalks.

He presented a revised drawing of the proposed development (Exhibit G) showing 4' sidewalks and additional parking.

Commissioner Stroder asked if it would be possible to delete one unit to allow for adequate parking and provide three parking spots per household.

Darr Moon stated that it would not pencil out financially, but each unit will have a driveway for parking and a one car garage.

Commissioner Muñoz asked if No Parking Signs on a private road can be enforced by the city.

Assistant City Engineer Mathis stated that the city does not have the authority of enforcing a “No Parking Sign” on a private road. He stated a “No Parking Fire Lane” sign can be enforced.

City Attorney Wonderlich stated that the Engineering Department has not reviewed “Exhibit G” and staff has requested that the item be tabled. He stated that the City Council adopted a resolution prohibiting any change made to a project after it has been submitted.

Commissioner Frank made a motion to table the request. The motion was seconded by Commissioner Muñoz and roll call vote showed all members present voted in favor of the motion. The motion passed.

E. Rick Mikesell stepped down at this time.

Item #2

Request of Falls Investment Partnership c/o Rick Carr for a Comprehensive Plan Land Use Map Amendment from Urban Residential to Professional Office at the southeast corner of Falls Avenue East and Eastland Drive.

Rick Carr, applicant, explained the request.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections.

She stated the following:

The request is to change the Twin Falls City Comprehensive Plan Land Use Map. Idaho State law is specific in how changes are made to a comprehensive plan. A recommendation from the Planning and Zoning Commission is required before the Council can take action on the request.

Chapter V is the Land Use section of the Comprehensive Plan. The introduction states, “The Comprehensive Plan arranges major land uses to preserve the integrity and amenities of residential neighborhoods, as well as the economic vitality of industrial areas and commercial activity centers. The plan expresses land use policies in terms of broad land use categories which indicate desired predominant uses.”

As stated by the applicant, his request is to change the Comprehensive Land Use map to show a professional office designation. It is currently designated under the Comprehensive Land Use map as urban residential. The request is to change the southeast corner of Eastland Drive from urban residential to professional office. The plan designation, if approved by City Council, would require that if the applicant did choose to come back for professional offices the property would need to go through a rezoning process to rezone this corner to a professional office overlay, and would need to come back for a special use permit.

She said staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Deliberations:

Commissioner Frank stated the C Store was thrown out and he doubted that the corner would be viable for housing. He asked staff if this was a similar process that started on Addison done over a period of years, or was there a blanket agreement where the streets were going, or if it was done one lot at a time.

Interim Planning and Zoning Director Carraway stated that it was for the entire corridor. The proposed rezone request is for one lot at a time.

Point of clarification: Commissioner Muñoz asked staff that if a PUD was to be established on this property would it have to be a special consideration for a PUD approval.

Interim Planning and Zoning Director Carraway answered in the affirmative.

Commissioner Frank made a motion to recommend approval of the request as presented. The motion was seconded by Commissioner Muñoz. Roll call vote showed Commissioners Horsley, Lezamiz, Muñoz, and Richardson voted in favor of the motion. Commissioners Frank, Tenney, Stroder, and Younkin voted against the motion. The vote was split.

Item #3

Request of Federation Pointe, LLC, for a Zoning Title Amendment which would allow additional building height through the PUD process within the Canyon Rim Overlay and by adding a definition of cultural activities.

Chairman Horsley reviewed City Code 10-17-4: Procedures for Conduct of Hearings.

Chairman Horsley stated that he will allow Mr. Florence, applicant, to speak an additional five minutes, as requested in writing. He will also allow the opposition spokesperson an additional five minutes, as well.

Fran Florence, applicant, explained the request, using overhead projections.

He stated that Federation Pointe, LLC is a group of residents who include Rich Stivers, Mike McBride, Steve Delucca, Jeff Blick, Gary Koepnik, and Rick Giesler.

He gave a brief history of the Canyon Rim Overlay Ordinance.

On overhead projections he showed the west side of the Canyon Rim Trail and a conceptual drawing of the proposed development. He also submitted a petition of 230 signatures in favor of the request.

He stated that the Blue Lakes Country Club Board was presented a perspective of the development and did not take a position for or against the project.

He stated that Jeff Rolig, attorney for the applicant, met with City Attorney Wonderlich and staff to discuss the proposed modifications in the language of Twin Falls City Code; Title 10: Chapter 4; Section 19 and City Code Section 10-2-1; Zoning Definitions.

Discussion followed:

-Definition of the ten acres.

Fran Florence stated the proposed project would encompass approximately 3 acres.

-PUD and design review process.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections.

She stated the following:

This is a request for a Zoning Title Amendment to amend the Twin Falls City Code. This process requires a public hearing before the Planning and Zoning Commission. After receiving recommendation from the Commission this request will automatically go on to the City Council for a decision.

Request of Federation Pointe, LLC for an ongoing title amendment which would allow the modification of Twin Falls City Code; Title 10; Chapter 4; Section 19 by adding a process whereby additional building height may be allowed through the PUD process on properties located within that portion of the Canyon Rim Overlay District and adjacent to the Snake River Canyon Rim between Rock Creek Canyon and the center line of County Road 3300 East and by adding a definition of cultural activities.

This request is to amend the requirements of the Canyon Rim Overlay (CRO) to allow by the PUD process additional building height beyond fifty feet (50') from the canyon rim in that portion of the Canyon Rim Overlay District located between Rock Creek and the centerline of 3300 East. The CRO applies to an area within 700 feet of the Snake River Canyon and within 200 feet of Rock Creek Canyon. The current height allowance varies from 25' to 35' depending on the distance from the canyon rim.

The second part of this request is to add to City Code Section 10-2-1; Zoning Definitions: Cultural Activities: Activities, programs, displays or performances, presented for the enjoyment, education or other benefit of the general public, involving art, music, literature, live theater, and craft shows history or humanities.

City Code states the purposes of the Canyon Rims Overlay District are as follows:

- (A) To protect the public and private property owners from the natural hazards of rock fall and slope failure along the Snake River Canyon and Rock Creek Canyon.
- (B) To protect views and create a unique visual environment along the canyon rims.
- (C) To preserve and improve the aesthetic appearance of the canyon rims for the enhancement of the quality of life in the community.
- (D) To provide development standards that enhances the value of canyon rim areas to the developer and the community.

She stated that the citizens' design review committee is appointed by the Mayor and shall make recommendations to the Planning and Zoning Commissioner for any building higher than thirty five feet. The process is incorporated and will be a requirement before any final approval.

She said staff makes no recommendation on this request.

Chairman Horsley read the following letters into the record from:
Lance Fish, Project Manager of Settler's Ridge
C. L. Alan Horner
Janet Neel, Neel & Associates, Chtd.
Mark Jones, Idaho Association of Realtors
Jeffrey William, Glanbia Foods

The public hearing was opened:

David Mead, 2045 Hillcrest Drive, representing the Citizens of the Rim, spoke opposing the request.

He passed out a copy of the original study of the canyon rim which included an extensive geological study.

He showed the following on overhead projections: A picture of an existing landslide/rock fall potential from the US Geological Service Report, a sketch showing the mechanics of stress release and collapse, a sketch showing the canyon wall after stability has been reached, a sketch showing a landslide and how reverse drainage indicates displacement, a picture of a December 2005 canyon slide, and a conceptual drawing of the canyon that appeared in the Times News.

He stated the group had concerns of the aesthetics, setbacks, erosion, and the weight the canyon walls can hold.

He stated the topography of the Snake River Canyon is not rectangular in nature. The canyon has no vertical lines that reach from the top to the bottom. The canyon rim has many different elevations, plateaus, recession, and different heights. It has shadows and relief. It has warm natural colors, and hopes that Federation Pointe, LLC meet all standards and has a new geological report for a much heavier, higher building.

Al Frost, 2577 Sunridge Circle, Magic Valley Arts Council, spoke in favor of the request.

Debbie Heatherington, 1877 Pole Line Road East, spoke in favor of the request

Gerald Martens, 621 North College Road, spoke in favor of the request.

Jeff Rolig, 2176 Woodriver Circle, explained the request and the proposed changes in the requirements of the Canyon Rim Overlay.

Miles Daisher, 265 Rea Circle, spoke in favor of the request.

Sonia Black, 513 Smokey Mountain Drive, Jerome, Idaho, spoke in favor of the request.

David Sparks, 1999 Pole Line Road East, spoke in favor of the request.

Trevor Trotter, 3263 Canyon Place, spoke in favor of the request.

The public hearing was closed.

Fran Florence thanked the community for their support.

Deliberations followed:

-Commissioner Frank asked for a point of clarification of the setback of Mr. Nielsen's hotel.

Interim Planning and Zoning Director Carraway stated the setback from the canyon rim is 100'.

-Design committee and procedures protecting the canyon rim.

-Public access to cultural events.

-No height limitation size.

-Consideration of a 100' setback.

-The request is for a depth of six miles.

-Broad language in the ordinance.

Commissioner Tenney made a motion to recommend approval of the request as presented with the following condition: 1. Limited between Blue Lakes Boulevard North to Rock Creek Canyon. The motion was seconded by Commissioner Lezamiz.

Commissioner Frank made a motion to amend the main motion as presented with the additional condition: 2. Minimum 100' building setback. The motion was seconded by Commissioner Muñoz. Roll call voted showed Commissioners Frank, Muñoz, Richardson, Tenney, and Younkin voted in favor of the motion. Commissioners Horsley and Stroder voted against the motion. The motion passed.

Roll call vote on the main motion with the amendment showed that Commissioners Horsley, Lezamiz, Muñoz, Richardson, Stroder, Tenney, and Younkin voted in favor of the motion. Commissioner Frank voted against the motion. The motion passed.

E. Rick Mikesell took his seat.

Other items:

Item #4 Preliminary PUD presentation by Community Christian Church for a rezone from R-4 to R-6 PUD for 0.93 acres (+/-) to develop a shelter home in conjunction with the existing religious facility located at 303 Grandview Drive.

Gerald Martens, 621 North College Road, spoke for the applicant, explaining the request. He stated the church owns eight acres located at 303 Grandview Drive. Jubilee House will lease approximately one acre of land. The property is zoned R-4 and is requesting a R-6 PUD.

Vicky Adams, Jubilee House Chairman of the Board, explained the request. She stated the program will shelter women who are given the choice of returning to jail or prison, or participating in the faith based program. Children up to seven years of age will be allowed to live at the shelter.

A staff director will be present 24 hours a day.

Discussion followed:

- Faith based program.
- The shelter home will house up to 14 women and children.
- Transitional home in the future to shelter up to 30 people.

Planning and Zoning Director Carraway reviewed the request using overhead projections.

She stated the following:

The request is for a proposed rezone to a PUD, and the code requires that the applicants make a preliminary PUD presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process.

Discussion followed:

- City code pavement and improvements.
- Driveway to be hard surfaced and currently exceeds the allowable existence.

A public hearing on the rezone has been scheduled for February 14, 2006.

Item #5

Findings of Fact and Conclusions of Law:

- a. Special Use Permit request of Kathryn Pierce
- b. Special Use Permit request of Enterprise Rent-A-Car c/o Scott Goldstein
- c. Special Use Permit request of Eagle Rock Broadcasting, Inc. c/o Kim Lee
- d. Preliminary Plat request of Robbins PUD Subdivision c/o Dave Randall
- e. Preliminary Plat request of River Vista South PUD Subdivision c/o Francis Florence

Approved at the January 24, 2006, Planning and Zoning Work Session.

Item #6

Approve minutes of January 10, 2006, and January 24, 2006, Planning and Zoning Commission Meeting.

Commissioner Frank made a motion to approve the minutes as presented. The motion was seconded by Commissioner Stroder. The motion was unanimously approved.

Item #7

Date of next Planning & Zoning Commission Work Session and Public Hearing.
(W/S-February 7, 2006 P/H –February 14, 2006)

The meeting adjourned at 9:50 PM.



Leila Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
Chairman	Alt.					Vice-Chair	

Area Of Impact:

David Kemp
E. Rick Mikesell, Alt.
Dusty Tenney

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING
MINUTES

FEBRUARY 14, 2006 * * * 7:00 P.M. * * * CITY COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Muñoz, Richardson, Stroder, Warren, Younkin.

PLANNING AND ZONING MEMBERS ABSENT: None. Bonnie Lezamiz in audience.

AREA OF IMPACT MEMBERS PRESENT: Mikesell, Tenney

AREA OF IMPACT MEMBERS ABSENT: Kemp

CITY COUNCIL PRESENT: None

CITY STAFF PRESENT: Bravender, Carraway, Fields, Mathis, Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS:

Item #1 Request of Community Christian Church for a rezone from R-4 to R-6 PUD to operate a women's shelter home in conjunction with an existing religious facility on property located at 303 Grandview Drive.

Vicky Adams, Jubilee House Chairman of the Board, explained the request using overhead projections. She stated the program is patterned after Boise's City of Lights program. The program will shelter women who are given the choice of returning to jail or prison, or participating in the faith based program. The program allows a resident to acquire a GED and assists residents in obtaining a job. Children up to seven years of age will be allowed to live at the shelter.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the site is currently zoned R-4. The request is to rezone the site to R-6

PUD. The PUD process requires a recommendation from the Commission and additional hearings before the City Council to finalize a PUD. A PUD agreement is required. A PUD requires a development plan to be submitted as part of the rezone process. If the PUD is approved, the property is to be developed as per the approved master development plan.

The driving forces behind this PUD are the shelter home and the driveway length. The driveway from the church's parking lot to the nearest proposed property line for this parcel is 432' (+/-).

Based on the request, the PUD should be specific to this women's shelter home. If the women's shelter home ceases to operate the property will revert back to the R-4 zone.

She said staff has reviewed this request and recommends the following condition be placed on this PUD, if approved:

1. The PUD is limited to this women's shelter home. If the women's shelter home ceases to operate the property reverts back to the R-4 zone.

Discussion followed:

- Commissioner Muñoz stated that in his review of the PUD agreement, it did not state the property would revert back to the R-4 zone if the home ceased.

Interim Planning and Zoning Director Carraway stated that in the initial draft it was not stated. It will be in the finalized PUD agreement.

- Chairman Horsley asked staff if a building permit would be required to move the proposed house.

Interim Planning and Zoning Director Carraway answered in the affirmative.

Vice-Chairman Younkin read the following letters into the record:

- Dwaine Meyers, Congregational Chairman of the Community Christian Church, wrote in favor of the request.
- R. Michael Redman, 1120 Sunburst Street, wrote in favor of the request.
- John Hathaway, Region V Director of the Idaho Dept. of Health and Welfare, wrote in favor of the request.

The public hearing was opened:

Sherri Molina, 142 Highland Avenue East, spoke in favor of the request.

Marlene Yardley, 848 Mountain View East, spoke in favor of the request.

Dexter Ball, 525 Cindy Drive, spoke in favor of the request. He also stated that he donated the house to the organization.

The public hearing was closed.

Vicky Adams stated that she has received support from the community.

Deliberations followed:

- City services are unavailable and would go through South Central Health District.

- 12 – 14 residents maximum.

Commissioner Warren made a motion to recommend for approval the request as presented with staff recommendations. The motion was seconded by Commissioner Richardson and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #2

Request of Lammers Truck Center, c/o Michael T. Lammers, for a Special Use Permit to expand by more than 25% an existing truck service and repair business on property located at 195 Deere Street.

Michael Lammers, applicant, explained the request. He stated that the business was established in April of 2002 and customer base has increased. The hours will not change from Monday – Friday, 8:00 a.m. – 5:00 p.m. and Saturday from 8:00 a.m. – 12:00 p.m. (Closed on Sundays.) He does not anticipate change in traffic and would add one or two employees.

Discussion followed:

- Commissioner Frank asked the applicant for clarification of sales.

Michael Lammers stated that sales are for truck parts.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that the site is located in an M-2 zoning district of the City. The applicant wishes to expand his existing truck service & repair business by adding a 4,875 sq. ft. building on the east side of the existing 6,750 sq. ft. office/shop to operate a truck service & repair business in the M-2 zone. City Code 10-13-2.2(c) states a special use permit is required when there is an expansion of more than twenty five percent (25%) over the original square footage. The major concerns usually associated with a vehicle repair businesses are noise, traffic, and storage of vehicles and accumulation of miscellaneous parts on the site.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Vehicles not being repaired are not to be stored on site.
 2. All parts and miscellaneous equipment to be stored inside of buildings or within a screened area.
 3. Assure compliance with all City building, engineering, fire, and zoning code requirements.
- Commissioner Muñoz asked staff if the driveway is required to be gravel or hard surfaced.

Interim Planning and Zoning Director Carraway stated that in an industrial zone a gravel driveway is acceptable.

The public hearing was opened and closed with no input.

Ike Smith, architect for the applicant, explained the remodeling using overhead projections.

Deliberations followed:

- The Commission agreed that the request was straightforward.

Commissioner Frank made a motion to approve the request as presented with staff recommendations. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #3 Request of Lytle Signs, Inc., on behalf of Kinetico of Magic Valley for a Special Use Permit to operate a message center sign on property located at 201 Nevada Street East.

Rex Lytle of Lytle Signs, Inc., spoke on behalf of the applicant. He explained the request using overhead projections. The new reader board will be more appealing and will display advertising, time and temperature readings. He also stated the owner has been informed of the rules and regulations of running the reader board.

Discussion followed:

- Commissioner Tenney asked the height of the pole and sign.

Rex Lytle stated that the sign would be 2' above the awning and 4-1/2' – 5' above the building. The overall height will be 22'.

- Commissioner Muñoz asked the applicant if the pole would impact the existing parking.

Rex Lytle stated that the pole would be placed next to the building and would not impact existing parking.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the site is located in the CB zoning district and in the City of Twin Falls a special use permit is required for a message center sign. A message center sign for this property cannot exceed 50 sq. ft. The application is for a 17.33 sq. ft. message center sign as part of a total 49.6 sq. ft. sign. The proposed sign size meets the dimensional requirements of the code.

A Message center sign cannot be within 400' of another message center sign or within 200' of another message center sign at intersecting streets. There is no other such sign within 200' of the proposed sign.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Subject to full compliance with all City zoning, engineering, building and fire codes.
2. A complete site plan showing all existing signage shall be submitted as part of any sign permit.

- Commissioner Frank asked staff if the transmission business south of Kinetico has a sign.

Interim Planning and Zoning Director Carraway stated that the business has a reader board.

The public hearing was opened and closed with no input.

Deliberations followed:

- Commissioner Frank stated that the proposed reader board will be less of a site issue.
- Commissioner Muñoz stated that the sidewalk is more accessible.

Commissioner Frank made a motion to approve the request as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #4 Findings of Fact and Conclusions of Law: None

Item #5 Approve minutes of January 31, 2006, and February 7, 2006, Planning and Zoning Commission Meeting.

Commissioner Warren made a motion to approve the minutes as presented. The motion was seconded by Commissioner Frank and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #6 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(*W/S-February 21, 2006 P/H-February 28, 2006*)

Item #7 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

- § Interim Planning and Zoning Director Carraway stated that the Will and Jerry show is lined up for March 11, 2006.
- § Commissioner Frank asked the status of the Twin Falls High School message center sign. Sign Enforcement Officer Bravender stated that he would give the High School an opportunity to comply.
- § Commissioner Frank asked staff the status of the banners displayed on Blue Lakes. Interim Planning and Zoning Director Carraway stated that it would be reviewed.

The meeting adjourned at 7:55 pm.



Leila Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.				Vice-Chair	

Area Of Impact:

David Kemp
E. Rick Mikesell, Alt.
Dusty Tenney

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

FEBRUARY 28, 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

321 Second Avenue East

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Horsley, Lezamiz, Muñoz, Richardson, Stroder, Younkin.

PLANNING AND ZONING MEMBERS ABSENT: Frank, Warren

AREA OF IMPACT MEMBERS PRESENT: Mikesell, Tenney

AREA OF IMPACT MEMBERS ABSENT: Kemp

CITY COUNCIL PRESENT: Vice-Mayor Dwight

CITY STAFF PRESENT: Bates, Bravender, Carraway, Mathis, Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS:

Item #1 Request of Todd Ostrom for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a duplex housing development for 1.9 acres on property located on the west side of the 900 block of Morningside Drive. Rescheduled from the January 31st, 2006, public hearing.

Darr Moon, Moon and Associates, representing the applicant, explained the request using overhead projections. He stated that the proposed development would consist of seven lots with duplex units. The road is 30' face to curb to face to curb, with an additional 4' sidewalk on the north side. JUB Engineers completed a water model distribution system showing feasibility to provide water to the location. The landscaping and streets will be maintained by a Homeowner's Association.

Discussion followed:

Commissioner Tenney asked the applicant the parking widths in front of the houses.

Darr Moon stated that the parking spots will be 20' x 10' and the width of the street is 40'.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the site is currently zoned R-4 and is approximately 1.9 acres. The request is to rezone the site to R-4 PUD. The PUD process requires a recommendation from the Commission and additional hearings before the City Council to finalize a PUD or if a PUD agreement is required. A PUD requires a Master Development Plan be submitted as part of the rezone process. If the PUD is approved, the property is to be developed as per the approved Master Development Plan. Any modifications of the approved PUD require additional public hearings.

The proposal is to develop 7 duplex dwellings, making a total of 14 residential units.

Staff has reviewed this request and stated the following concerns:

1. The existing residence fronting Morningside Drive is not included in this PUD; however, the Master Development Plan shows the south side of the residence as the only access from the PUD to Morningside Drive. There is no access/cross-use easement provided to address this issue.
2. The private street shown on the Master Development Plan states it is a gravel access road. City code requires all parking & maneuvering areas to be hard surfaced.
3. The private street is shown to be at a minimum width of 35', which includes a 1' curb and a 4' sidewalk on the north side only. There are 11 parallel parking spaces shown on the north side of the private lane. No vehicle parking should be permitted on the south side as it is shown as a fire lane. There should be a minimum of four no parking / fire lane signs posted.
4. A storage area and a maintenance building are required as per City Code 10-12-5.3: however, these are not provided and the PUD agreement should be outside storage and be specifically excluded from within the project and PUD agreement. The elevations shown with the application are a classic residential design. A 6' screening fence will be installed surrounding the project.

Staff recommends the following conditions be placed on this PUD, if recommended for approval:

1. Assure compliance with all building, engineering, fire, and zoning codes.
2. Install a minimum of four (4) "NO PARKING – FIRE LANE" signs on the south side of the access road, including at the ingress / egress at Morningside Drive.

The public hearing was opened.

Scott Martin, consultant for the applicant, discussed the necessity of affordable housing in Twin Falls. He passed out a handout to the Commission and showed on overhead projection the scale and the quality of the houses to be developed.

Jon Peckenpaugh, 928 Morningside, spoke opposing the request. His concerns included the increase of traffic and limited access to Morningside Drive.

Faw Schodde, 1888 Spring Lane, spoke opposing the request. She stated that renters lack pride of ownership, and concerns included lack of dust abatement and limited parking.

Robert Howells, 1817 Spring Lane, spoke opposing the request. His concerns included the city sewer system inadequate to provide service to the development, overcrowding of Morningside School, and inadequate acreage of 1.49 for 14 units.

Lonnie Bill Renfro, 1842 Spring Lane, spoke opposing the request. His concerns included light pollution, road width inadequate, overcrowding of Morningside School, landscaping maintenance. He asked if the development would be fenced.

William Brady, 1847 9th Avenue East, spoke opposing the request. His concerns included the increase of traffic on Morningside Drive and 9th Avenue East.

Rene L. Turner, 1815 9th Avenue East, spoke opposing the request. Her concerns included overcrowding of Morningside School, increased traffic, and lack of a play area for neighborhood children.

Wayne Bach, 2015 Wendell Street, spoke in favor of the request. He stated the development units would be affordable to single parents.

Todd Ostrom, applicant, stated that the project would not be sold and he would maintain the landscaping. The development is not low income housing. The units are attractive and in an area where the majority of homes are 60-70 years old and are in need of being repaired.

Jose Orozco, 1805 9th Avenue East, spoke opposing the request. His concern was the increase of low water pressure with the additional development.

Commissioner Munoz stepped down at this time.

Vice-Chairman Younkin read the following letters into the record:

Gerry Renfro, 1842 Spring Lane, spoke opposing the request.
Jon M. Peckenpugh, 928 Morningside Drive, opposing the request.

Scott Martin stated the following in response to the neighbors' concerns:

The units will be single story duplexes.

The streets and sidewalks would be paved/concrete as per code.

Ample off street parking.

The 15" sewer main along Morningside Drive will provide an adequate sewer system drain.

City code guidelines have been met in reference to units per acre.

Todd and Kim Ostrom, developers, will maintain the landscaping,

The 7 units provide affordable housing and duplexes fit into the area.

Rent would be in the \$500 to \$600 range.

The development may increase property value. Fourplexes will decline value.

No parking on south side of street. Maintained open for fire lane.

Discussion followed:

Commissioner Tenney asked the applicant about of the proposed street lighting.

Darr Moon stated that the current layout does not show lighting, but would review with staff.

The public hearing was closed.

Deliberations followed:

Vice-Chairman Horsley read and explained City Code 10-11-4-4(A). He stated the need for affordable housing but was concerned of too many units on the development.

Commissioner Tenney suggested cutting the footprint in half and making fourplexes.

Chairman Horsley asked staff if fourplexes are allowed.

Interim Planning and Zoning Director Carraway stated that triplexes and fourplexes require a special use permit.

Commissioner Tenney made a motion to recommend for approval the zoning district change and zoning map amendment from R-4 to R-4 PUD as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed Commissioners Horsley, Tenney and Younkin voted for the motion. Commissioners Lezamiz, Mikesell, Richardson and Stroder voted against the motion. The motion failed.

Break at 8:00 p.m. and reconvened at 8:10 p.m.

Commissioner Munoz took his seat on the Commission.

Item #2 Request of Amazing Grace Fellowship to amend Special Use Permit #0885, granted on July 13th, 2004, to allow a modification of the specific landscaping requirements attached as a condition of a special use permit on property located at 1061 Eastland Drive North.

Jim Scanlon, applicant, explained the request using overhead projections. He read into the record a letter from Mankers Landscaping explaining the basis of the landscaping placed on the property.

Discussion followed:

Commissioner Stroder asked the applicant the spacing of the trees.

Jim Scanlon stated he did not measure the existing trees.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that on July 13, 2004, the Commission granted Special Use Permit #0885 for the expansion of an existing religious facility located on property at 1061 Eastland Drive North. The request to expand the church was granted with seven (7) conditions.

At the request of the applicant for a partial final inspection of their building permit, the Building Inspector determined the landscaping was not in compliance with condition #7 of the special use permit. Condition #7 states, "Plant 6 foot thuja occidentalis on the entire length of the northern property line at 36' on center."

The applicant is requesting a modification to condition #7 to accept landscaping as is.

The northerly property line is 564', which at 36" on-center would equate to 188 trees.

The site currently has 130 trees ranging from 2.5' to 5' tall and averaging 52" on-center.

As per City Code 10-13-2.3 states, "the conditions placed on the approval of a special use permit must be fully implemented or the special use permit may be revoked....." The applicant is requesting modification of condition #7. In order to modify a condition of a special use permit it

requires a public hearing before the Commission. The Commission shall approve, conditionally approve or disapprove the application as presented.

She said staff makes no recommendation on this request.

The public hearing was opened:

Frances Wright, 2176 Julie Lane, spoke opposing the request. She had the following concerns: She stated that the trees were planted before the special use permit was issued. Construction trailers are close to the property line and have compromised sunlight and the runoff of buildings.

Elaine Claiborne, 2164 Julie Lane, spoke opposing the request. Her concerns include the lack of privacy of her property, trees planted in a gully, light pollution, and parking lot being 5' from her fence.

Stan Mai, 1082 Elkhorn Circle, spoke opposing the request. His concerns included lack of privacy, light pollution, and lack of trees planted on the west side of property.

John Ellis, 2092 White Cloud Circle, spoke opposing the request. His concerns included the existing tower not in accordance to code and had not been removed.

Cindy Gibson, 1070 Elkhorn Circle, spoke opposing the request. Her concerns included light pollution from cars, and the radio tower creating interference with her TV and radio station.

The public hearing was closed.

Lynn Schaal stated the following in response to the neighbors' concerns:

The plants are under warranty and will be dripped watered.

Will agree to plant 55 trees at the west end on the back side.

The radio tower will be removed and replaced with an approved steeple facility.

Parking lot was in place prior to the subdivision.

Vice-Chairman Horsley asked a timeline for the removal of the tower.

Lynn Schaal stated the tower should be removed in two weeks. New lighting would be placed on a timer and would be set to turn off at 10:00 p.m.

Deliberations followed:

Commissioner Horsley suggested tabling the request until the Church and the neighbors could work out issues.

Commissioner Tenney stated that trees could be situated in a place to block light pollution.

Commissioner Munoz stated that condition #7, as stated in the special use permit, was not a recommendation but a condition.

Vice-Chairman Horsley asked staff if all conditions had been met with the exception of the following condition #7: Plant 6 foot Thuja Occidentalis on the entire length of the northern property line at 36 inch on center.

City Attorney Wonderlich answered in the affirmative.

Commissioner Younkin stated the Church has failed to meet their obligation and the applicant waited too long to request a variance. He stated that possibly screening, with a mechanical device, could help maintain the neighbors' privacy.

Commissioner Stroder asked staff if a 6' fence would require a building permit.

Interim Planning and Zoning Director stated a fence up to 6' is outright permitted. A fence over 6' would require a building permit.

Commissioner Tenney made a motion to recommend for approval the request as presented with the condition 55 trees to be planted on the west side of the property. The motion was seconded by Commissioner Stroder. Commissioners Horsley and Mikesell voted in favor of the motion. Commissioners Lezamiz, Munoz, Richardson, Stroder, Tenney, and Younkin voted against the motion. The motion failed.

Item #3

Request of Be Prepared, LLC, for the Commission's recommendation on the annexation of 30 acres (+/-) with a zoning designation of R-1 VAR, currently zoned R-1 VAR, for property located at the southwest corner of Falls Avenue East and Hankins Road (also known as 3200 East Road), excluding the Boy Scout property.

Gary Burkett, EHM Engineers, representing the applicant, explained the request using overhead projections. He stated the applicant's request is to annex 30.4 acres of the property located at Hankins Road and Falls Avenue East to allow for a residential subdivision with city services.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is to annex approximately 30 acres with a zoning designation of R-1 VAR, and that currently it is zoned R-1 VAR. The narrative states the developer intends to develop a residential subdivision. This site is immediately adjacent to city limits on the west and south sides.

Twin Falls City Code Sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed and if so what the zoning designation shall be. Section 10-15-2(a) states, "the hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes." This request is consistent with the comprehensive plan.

She said staff makes no recommendation on this request

The public hearing was opened:

Terry McCurdy, President of the Snake River Council of the Boy Scouts, 692 Mountain View Drive, spoke in favor of the request.

The public hearing was closed.

Deliberation followed:

The Commission agreed that an R-1 VAR zone was reasonable for the surrounding area.

Commissioner Tenney made a motion to recommend for approval for an R-1 VAR zoning designation to the City Council as presented. The motion was seconded by Commissioner Younkin and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #4 Request of Anasazi Construction, LLC, c/o Dallas Page, for the Commission's recommendation on the annexation of 156 acres (+/-) located at the northeast corner of Orchard Drive and Grandview Drive, currently zoned R-4, and 76 acres (+/-) located on the west side of the 300 and 400 blocks of Washington Street South, currently zoned R-4 and M-1, for a total of 232 acres (+/-).

Dallas Page, applicant, reviewed the request using overhead projections.

Discussion followed:

Commissioner Horsley asked what was located in the M-1 designated area.

Dallas Page stated a home and commercial property.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is to annex approximately 232 acres with a zoning designation of R-4 and M-1, which is the current zoning. The narrative states the developer intends to develop a residential subdivision on approximately 156 acres located at the northeast corner of Grandview and Orchard. There are no plans for development of the other 76 acre parcel, which is located at the northwest intersection of Washington Street South and Park Avenue, extended. This site is immediately adjacent to city limits on the east and north.

Twin Falls City Code Sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed and if so what the zoning designation shall be. Section 10-15-2(a) states, "the hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes." This request is consistent with the comprehensive plan.

She said staff makes no recommendation on this request.

The public hearing was opened:

Josh Siegers, 588 Orchard Drive West, stated his property is the adjoining property and asked staff if the request is granted would his property be excluded in the annexation.

Interim Planning and Zoning Director Carraway answered in the affirmative.

Lloyd Stockton, 267 Grandview Drive South, asked for a definition of the R-4 and M-1 zoning designation.

Interim Planning and Zoning Director Carraway stated that an R-4 zoning is for residential single family and M-1 is a light industrial zone.

Pete Johnston, 312 Washington Street South, asked staff if he would be allowed to continue farming the area. He stated that the additional homes would generate increased traffic on Grandview Drive.

Gary Wolverton, spoke in favor of the request. He stated the zoning falls in line with the City Comprehensive plan.

The public hearing was closed.

Deliberations followed:

Commissioner Horsley stated that the request is consistent with the surrounding area.

Commissioner Tenney made a motion to recommend for approval for an R-4 and M-1 zoning designation to the City Council as presented. The motion was seconded by Commissioner Munoz and roll call vote showed all members voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #5 Lystrup / Jensen Architects on behalf of the Church of Jesus Christ of Latter-Day Saints requests consideration for the reactivation of Special Use Permit #889 granted on August 10th, 2004 for the purpose of constructing a religious facility on real property located at 680 Hankins Road North.

Jim Lystrup, applicant, 1133 Call Creek, Pocatello, Idaho, explained the request using overhead projections. He stated a special use permit was granted on August 10, 2004, and has expired, and he is requesting reactivation of the permit. The Church has complied with the ten conditions as stipulated in the special use permit. The meeting house will be constructed within 1-5 years.

Commissioner Munoz asked the applicant if changes have occurred on the property.

Jim Lystrup stated the site looks the same as it did two years ago.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that the applicant has requested the Commission's approval for the reactivation of Special Use Permit #0889 for the purpose of constructing a religious facility granted on August 10, 2004. The applicant has requested to be allowed to proceed with their development.

City Code Section 10-13-2.2(i) states ...” “...special uses which have not been established within one year of the date of issuance of the special use permit, may be reviewed by the Commission to determine if the facts and circumstances have changed; the Commission may call for a new special use permit application. ”

If the Commission determines that the surrounding area and/or facts and circumstances have not changed since the special use permit was approved they may not require a new special use permit but by motion, may reactivate the expired special use permit.

She said staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Deliberations followed:

Straightforward.

Commissioner Tenney made a motion to approve the special use permit as presented. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #6 Consideration of the preliminary plat of South Hampton Subdivision, 3.97 acres (+/-) located approximately 375 feet east of the 1900 block of Washington Street North.

Rex Harding, JUB Engineers, representing the applicant, explained the request using overhead projections. He stated the preliminary plat for South Hampton was a continuation of West and East Hampton Subdivision. The request is for 18 duplex buildings on 36 lots and each one-half of the unit could be sold separately. The garage area would be located on the driveway side and each unit (townhouse) would have an enclosed patio. The runoff retention will be onsite and the irrigation lateral relocated.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is for approval of the South Hampton preliminary plat. The site is located within the Northbridge No. 2 Planned Unit Development Agreement and is zoned C-1 PUD. The request is to develop 36 townhouses lots on 3.97 acres (+/-). This area is shown as multi-family on the Master Development Plan. The development of townhouses is a permitted use within this area of the PUD.

On December 19, 2005, the City Council granted an "in lieu" contribution for the South Hampton Subdivision.

A preliminary plat request is presented to the Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. 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 then may the plat be recorded and lots are sold for development.

This plat is consistent with other development in the area and is in conformance with the comprehensive plan and the PUD agreement.

She said staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to full compliance with the PUD Agreement.
2. Subject to final technical review by the Engineering Department.

The public hearing was opened:

Susan Bergen, 225 Long Island, asked the name of the developer and the contractor. She stated that at East Hampton the garages are in the back of the units and create a tight radius, and she liked the placement of the garages proposed for the development.

The public hearing was closed:

Rex Harding stated that the developer is Manookian Developers, Inc. and Mitch Bausman is the contractor.

Deliberations followed:

Straightforward.

Commissioner Tenney made a motion to approve the preliminary plat as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #7 Consideration of the preliminary plat of Benno's Point Subdivision, 45.86 acres (+/-) located on the northeast corner of Harrison Street South and Park Avenue.

Gary Burkett, EHM Engineers, representing the applicant, reviewed the request using overhead projections. The development is for 193 residential lots and will be on city services. The stormwater will run into a pond area and a regional pressure irrigation pond would be used for irrigating lots and other areas in the subdivision. The parks in lieu contribution had been approved and would help develop the canyon rim trail.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the property is zoned R-4 and consists of approximately 46 acres. The request is to subdivide into 195 residential lots. The northerly portion of this preliminary plat is currently a portion of the Nobel Subdivision. This will require vacation prior to recording of the final plat of Benno's Point Subdivision.

The R-4 zone allows a minimum of 4,000 sq. ft. lot for single-family dwellings and 7,000 for a duplex. A triplex or fourplex may be allowed by approval of a special use permit. The lot sizes meet or exceed the requirements of the R-4 zoning district. This plat is consistent with other residential development in the area. The subdivision is in conformance with the comprehensive plan. On January 23, 2006, the City Council granted a "in lieu" contribution for the Benno's Point Subdivision.

She said staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to vacation of that portion of Nobel Subdivision included in the Benno's Point Subdivision.
2. Subject to final technical review by the Engineering Department.

The public hearing was opened and closed with no input

Deliberations followed:

Commissioners Stroder and Horsley stated the parks in lieu contribution would benefit the canyon rim trail system.

Commissioner Tenney made a motion to approve the preliminary plat as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #8 Consideration of the preliminary plat of Laurelwood Subdivision No. 2, for approximately 12 acres (+/-) with 9 residential lots, located on the north side of the 3200-3400 blocks of Falls Avenue East.

Scott Allen, EHM Engineers, representing the applicant, reviewed the request using overhead projections. He stated the request was for approval of a nine lot subdivision on 12 plus acres, located

in a SUI zone. The development would be on wells and septic. The parks in lieu contribution funds would be deferred to the trail system.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the property is zoned SUI and is within the city's area of impact. The total site consists of approximately 31 acres. The request is for preliminary plat approval for phase 1, which has a total of 12 acres and 9 residential lots. The SUI zone allows a minimum of one acre lot. The SUI zone may allow wells and septic systems with approval from the South Central District Health Department and Department of Water Resources. A building permit will not be permitted without those approvals. The lot sizes meet or exceed the requirements of the SUI zone. On October 11, 2005, the City Council granted an "in lieu" contribution for the Laurelwood Subdivision, No. 2. This plat is consistent with other residential development in the area and is in conformance with the comprehensive plan.

She said staff recommends the following conditions be placed on this preliminary plat, if granted:
1. Subject to final technical review by the Engineering Department.

The public hearing was opened:

Tom Warr, Canyon Place, stated the following concerns: The Twin Falls Canal Co. settling ponds run through the property and drainage can be a challenge, the roads are narrow at Canyon Place and currently there are no restrictions on parking. He suggested abandoning the easement with a turnaround at the cul-de-sac.

The public hearing was closed:

Scott Allen stated that a 24" drain pipe runs under Falls Avenue and does have a low spot and the developer will maintain any swell that may occur. The road is being redesigned and will go through in the next phase.

The public hearing was closed:

Deliberations followed:

Vice-Chairman Horsley stated the drainage issue appeared to be addressed.

Commissioner Tenney made a motion to approve the preliminary plat as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Erick Mikesell stepped down.

Item #9 Consideration of the preliminary plat of Hometowne Subdivision, 38.04 acres (+/-) located at the southeast corner of Grandview Drive North and Canyon Rim Road.

Brad Wills, Wills, Inc., applicant, explained the request using overhead projections. He stated that the Northwest Development Group has designated a 4 acre park and will share a retention area. The development will be built over a four year period.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the property is zoned R-2 and consists of approximately 38 acres. The request is to subdivide into 136 residential lots. The R-2 zone allows a minimum 6,000 sq. ft. lot for single-

family dwellings and 10,000 for a duplex. The lot sizes meet or exceed the requirements of the R-2 zoning district. A triplex or a fourplex is not allowed in the R-2 zone. This plat is consistent with other residential development in the area. The subdivision is in conformance with the comprehensive plan.

On September 27, 2004 the City Council approved a letter of commitment from the Northwest Development Group. This group has committed to the development of a 4 acre park. This agreement preceded the current park ordinance.

She said staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to final technical review by the Engineering Department.
2. Subject to the development of a minimum 4-acre park as per attached Letter of Commitment.

The public hearing was opened:

John Wiersma, 768 Canyon Road, asked the applicant to consider revising the plat to make a transitional zone. His concerns included the narrowness of the road and if the wastewater treatment plant could handle the additional waste.

The public hearing was closed.

Vice-Chairman Horsley asked staff to address the effect of the additional waste to the plant.

Public Works Director Bates stated there is a major concern of H2S odor in the Grandview trunk system. The city will put out to bid a contract to address the problem.

Brad Wills stated that the sewer would be hooking up into two spots on Canyon Rim Road. He stated that the fence would be similar to the fence at Fieldstone Subdivision. The development will be for single family homes. The road will be an 80' arterial.

Deliberations followed:

Vice-Chairman Horlsey stated the development is consistent within the surrounding area.

Commissioner Tenney made a motion to approve the preliminary plat as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #10 Findings of Fact and Conclusions of Law:

- a. Rezone request of Community Christian Church.
- b. Special Use Permit request of Lammers Truck Center., c/o Michael T. Lammers.
- c. Special Use Permit request of Lytle Signs, Inc., on behalf of Kineticco of Magic Valley.

Approved at the February 21, 2006 Planning and Zoning Work Session.

Commissioner Mikesell took his place on the Commission.

Item #11 Approve minutes of February 14, 2006, and February 21, 2006, Planning and Zoning Commission Meeting. Unanimously approved.

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING
MINUTES

MARCH 14, 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

*Any person(s) needing special accommodations to participate in the above noticed meeting should contact
Jody Hall, 735-7287, two working days before the meeting*

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Lezamiz, Muñoz,
Richardson, Warren, Younkin,

PLANNING AND ZONING MEMBERS ABSENT: Stroder

AREA OF IMPACT MEMBERS PRESENT: Tenney

AREA OF IMPACT MEMBERS ABSENT: Kemp, Mikesell

CITY COUNCIL PRESENT: None

CITY STAFF PRESENT: Bates, Bravender, Carraway, Fields, Mathis,
Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS:

Item #1 Request of Albert A. Lewis for a Special Use Permit to construct a 3,700 sq. ft. detached accessory building on property located at 252 Hankins Road.

Albert Davis, applicant, explained the request using overhead projections.

Commissioner Frank asked the applicant if he understood that the building is for residential purposes only.

Albert Davis stated it would be for personal items and not for business use.

Commissioner Muñoz asked the applicant if the cars stored in the building are for personal use.

Albert Davis stated that the antique cars are for personal use only and not for sale.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is to construct a 3,700 sq .ft. detached accessory building. The property is zoned R-2 within the City's area of impact. In that zoning district a detached accessory building over 1,000 sq. ft. requires a special use permit. The applicant stated in his narrative this building would be used for personal uses: a motor home, wood shop, and garage, which will be sided to match the existing residence. There are elevations and sketches of the proposed accessory building provided. Setbacks for the proposed building on this parcel are in compliance with the R-2 standards. The front setback will need to be behind the furthest point in the front yard and will be checked during the review process.

There is a towing business located directly to the south of this residential property. Assurance that no part of the towing business will operate from the residential property should be a condition placed on the permit if approved.

This detached accessory building should have minimal impacts on surrounding properties. Also, along Hankins Road there are no curb, gutter, and sidewalk.

She said staff recommends the following conditions be placed on this permit, if granted:

1. The building to be used for residential purposes only.
2. Assure compliance with all City building, engineering, fire, and zoning code requirements.
3. Expansion will require a curb, gutter and sidewalk deferral agreement, as per City Code 10-11-5(b).

Commissioner Frank asked if deferrals are tied to the property.

Planning and Zoning Director Carraway answered in the affirmative.

Deliberations followed:

- o Commissioners Frank and Muñoz agreed that the building would create a nice buffer.
- o Commissioner Warren stated that the vehicles inside the building would improve the appearance of the property.

The public hearing was opened and closed with no input.

Commissioner Frank made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Chairman Horsley stated that Item #4 had been rescheduled for the March 28, 2006, Planning and Zoning Meeting.

Item #2 Request of Tina M. Withers for a Special Use Permit to operate an in-home daycare on property located at 791 Sunrise Boulevard North.

Tina Withers, applicant, explained the request using overhead projections. She stated she is currently running a daycare center out of her house.

Commissioner Frank asked how many children are under her care at this time and the time period of daycare provided.

Tina Withers stated that she has been in her current residence the past 14 months and is providing daycare for six and under.

Commissioner Warren asked the applicant what days of the week she would be open.

Tina Withers stated she would be open five days a week from 8:00 a.m. – 4:15 p.m.

Commissioner Muñoz asked the applicant if she would have employees.

Tina Withers stated she would not have any employees. Occasionally her mother would substitute and help her out but she would not be considered an employee.

Commissioner Frank asked the applicant if she understood that her driveway would remain open for parent parking and he asked if her backyard was fully enclosed and fenced.

Tina Withers stated she currently parks all cars in her garage and the backyard has only one access gate.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is to operate an in-home daycare facility. The property is located in an R-2 zoning district of the City. In that district a special use permit is required to establish an in-home daycare facility for six or more persons including the resident children. She would operate an in-home daycare facility from 8:00 am to 4:00 pm. The days of the week are not specified. The narrative states she plans on getting licensed for a maximum of 12 children and she has no current plans for an employee.

The major impacts usually associated with daycare centers are traffic and noise. The site is located on a skewed corner lot. The paved driveway off of Sunrise Blvd. is adequate to accommodate up to four vehicles at one time.

She said staff recommends the following conditions be placed on this permit, if granted:

1. The driveway is to remain open for parent parking. Residents are to park in the garage during business hours.
2. Comply with all State and Local requirements to establish an in-home daycare facility.

Commissioner Frank asked Planning and Zoning Director Carraway if she had received any complaints in the current operation of the daycare.

Interim Planning and Zoning Director Carraway stated that she has received no complaints.

Chairman Horsley asked staff to explain changes made to City code in regards to daycares.

Interim Planning and Zoning Director Carraway stated the following changes to City code:
“DAYCARE SERVICE : Services offered by persons who are paid to supervise or care for six (6) or more persons including the resident children, but excluding those businesses or religious institutions which provide incidental daycare service for patrons or attendees while parents are on the premises”. The “*for less than fourteen (14) hours per day*” has now been excluded in the definition. The definition of an in home daycare service is as follows: Daycare service in a home in which the provider lives full time is the main on-site caregiver of the service. The “on site caregiver of the service” has been added.

Commissioner Younkin read a letter from David Mead, 2045 Hillcrest Drive, dated March 14, 2006, opposing the request.

The public hearing was opened and closed with no input.

Tina Withers stated that David Mead’s letter regarding traffic to and fro is not an issue.

Deliberations followed:

Commissioner Frank stated that the traffic appears to be the only issue raised by a neighbor and an option would be to place a one-year time limit on the permit.

Commissioner Richardson stated that the permit should be limited to one year because of the number of children, noise and traffic factors.

Commissioner Muñoz stated that daycares are much needed in the community and has no objection to the request.

Chairman Horsley stated that the daycare does not merit a one year limit restriction.

Commissioner Warren made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #3 Preliminary presentation P & L Land Co. LLC on the annexation of 25 acres (+/-) with a zoning designation of C-1 PUD, currently zoned SUI, for property located at the northwest corner of Eastland Drive North and Pole Line Road East.

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained the request using overhead projections. The proposed development is a planned community with residential, neighborhood commercial, professional, and hospitality uses. The proposed uses are compatible with existing commercial, professional, and residential uses on Pole Line Road East and proposed residential and religious development adjacent to Eastland Drive. The City of Twin Falls Comprehensive Plan calls for mixed use as proposed by this project.

He displayed boards showing detailed architectural themes. A PUD draft has been prepared which defines the uses, architectural uses and criteria. He stated that the public may contact him to address with issues they may have.

Commissioner Tenney stated that the drawings showed a limited number of parking around the townhouses and clubhouse.

Gerald Martens stated there appears to be a one car garage and a parking drive wide enough for two vehicles. The clubhouse is designed to serve the residents, and would be addressed at the next meeting.

Commissioner Frank stated that it appeared to be quite a bit of density and limited parking.

Commissioner Tenney asked why the fuel service and convenience store buildings faced Pole Line Road.

No response from applicant.

Commissioner Younkin asked if a study was made in regards to the entrances and exits versus the traffic coming around the corner from Eastland onto Pole Line Road.

Gerald Martens stated that no studies have been made as of yet, but he is currently working with the City to increase the radius of that intersection, which is still 500' to 600' from the entrance to the curb to the first approach, but provides more than the required sight distance. He stated that he is working with City staff on the Preserve project to make improvements to the curb and on an appropriate speed limit.

Landscaping, parking lot, and trees will be maintained by the Homeowner's Association. Water rights are provided and will be on a pressure irrigation system.

Commissioner Frank asked if there would a possibility of the bike trail skirting Todd Blass's property and taking it down to the front of the townhouses.

Gerald Martens pointed out that the gazebo would be a premier viewing spot and the development would include significant public amenities. A trail of some type will be along the rim, as part of the public trail system. (Shown on overheads.)

Commissioner Frank asked the applicant's land planner to consider another alternative.

Chairman Horsley asked what the signage would entail in the residential and commercial mix.

Gerald Martens stated it would be in the PUD agreement and would be restricted to monument type and wall mount signs, which will accommodate users such as the hotel. There would be no Pylon signs or roof mounted signs. Illuminated signs will be permitted but flashing signs will not.

Commissioner Tenney asked the applicant to be clear in regards to the trail when this is presented at the March 28, 2006, Planning and Zoning Commission meeting.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is for a proposed annexation and zoning district change/zoning map amendment from SUI to C-1 PUD. The code requires that the applicants make a preliminary PUD presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process.

A public hearing regarding the annexation and the zoning district change/zoning map amendment will be heard at the regularly scheduled March 28, 2006, Planning & Zoning meeting. Further analysis will be given for the public hearing.

She also explained the annexation and PUD process.

Commissioner Younkin asked staff if Pole Line Road and Eastland are out of the City limits.

Assistant City Engineer Mathis stated that it falls in the area of impact and the City has an agreement with the Twin Falls Highway District to maintain city streets.

Commissioner Horsley asked staff about the proposed plan for Pole Line Road and Eastland.

Assistant City Engineer Mathis stated the City is currently working with the Preserve for alternative designs on Eastland.

Gerald Martens stated that developers have an opportunity to work with the City to improve the intersection and to come up with a plan to make it safe.

Public input was welcomed.

David Sparks, 1999 Pole Line Road East, spoke in favor of the request, although he had concerns about groundwater flowing onto his property and accidents on Pole Line Road.

Gerald Martens stated that surface water would be piped across his property regardless of who owns water rights. Pole Line Road would be widened across the frontage, upfront, and in phase one of the project as part of the construction of the entrances of the property as per City standards.

Commissioner Frank asked City staff about the development plan for Pole Line Road.

Assistant City Engineer Mathis stated there would be a 58' right of way from center and would be developed as Pole Line West, and built similar to Pole Line West.

Item #4 Bill and Barbara Gehrke request the consideration for the reactivation of the Non-conforming Building Expansion Permit #0017 for the purpose of constructing a garage to the existing non-conforming residence on property located at 711 Canyon Springs Road. **RESCHEDULED FOR MARCH 28, 2006.**

Item #5 Findings of Fact and Conclusions of Law:

a. Special Use Permit amendment request of Amazing Grace Fellowship.

- b. Annexation request of Be Prepared, LLC.
- c. Annexation request of Anasazi Construction, LLC, c/o Dallas Page.
- d. Preliminary Plat request for South Hampton Subdivision.
- e. Preliminary Plat request for Benno's Point Subdivision.
- f. Preliminary Plat request for Laurelwood Subdivision, No. 2.
- g. Preliminary Plat request for Hometowne Subdivision.

APPROVED AS PRESENTED.

Item #6 Approve minutes of February 28, 2006, and March 7, 2006, Planning & Zoning Commission Meeting.
APPROVED AS PRESENTED.

Item #7 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(W/S-March 21, 2006 P/H -March 28, 2006)

Item #8 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Interim Planning and Zoning Director Carraway stated that Shawn Bravender, Code Compliance Officer, gave a presentation for the proposal of a Sign Code Compliance Action Plan to the City Council on March 13, 2006, and was well received.

The meeting adjourned at 8:11 p.m.



Leila Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, Alt.
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

MARCH 28, 2006 * * * 7:00 P.M. * * * CITY HALL COUNCIL CHAMBERS
305 THIRD AVENUE EAST

Any person(s) needing special accommodations to participate in the above noticed meeting
should contact
Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Muñoz, Richardson, Stroder,
Warren, Younkin

PLANNING AND ZONING MEMBERS ABSENT: Lezamiz

AREA OF IMPACT MEMBERS PRESENT: Kemp, Tenney, E. Rick Mikesell in audience.

AREA OF IMPACT MEMBERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: Vice-Mayor Dwight

CITY STAFF PRESENT: Bates, Bravender, Carraway, Fields, Mathis,
Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS

Item #1 Bill and Barbara Gehrke request the consideration for the reactivation of the Non-conforming Building Expansion Permit #0017 for the purpose of constructing a garage to the existing non-conforming residence on property located at 711 Canyon Springs Road.

Bill Gehrke, applicant, explained the request.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is to recognize the non-conforming building expansion permit granted January 14, 1997, to expand an existing non-conforming residence to allow an attached garage on property located at 711 Canyon Springs Road.

On August 11, 2003, Mr. & Mrs. Gehrke were granted their request to recognize a non-conforming building expansion permit granted to Joe Sorensen on January 14, 1997. The request was approved subject to the following conditions:

1. Garage not to be less than 50' from the canyon rim.
2. Maintain and keep the storm drain usable on the south side of the building.
3. Garage is to be attached to the house.
4. No second floor on the garage.
5. Contingent on technical review approval by the City Engineering Department.

The addition has not occurred and Mr. Gehrke is asking to again recognize the expired non-conforming building expansion permit. City Code Section 10-3-4(d7) states a non-conforming building expansion which has not been completed within one year of the date of issuance of the nonconforming building expansion permit, may be reviewed by the Commission to determine if the facts and circumstances have changed. The Commission may call for a new nonconforming building expansion permit application.

She said staff has reviewed this request and recommends the conditions placed by the City Council on August 12, 2003, and the conditions of Permit #0017 still apply, if approved.

Discussion followed:

Commissioner Muñoz asked the applicant if the garage was attached.

Bill Gehrke answered in the affirmative.

Commissioner Frank asked staff if anything had changed code wise.

Interim Planning and Zoning Director Carraway answered no.

The public hearing was opened and closed with no input.

Deliberations followed:

-Straightforward.

Commissioner Kemp made a motion to recommend for approval the reactivation of the Non-conforming Building Expansion Permit #0017 to the City Council as presented. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

PUBLIC HEARING ITEMS:

- Item #2 Request of Todd Ostrom for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a duplex housing development for 1.9 acres on property located on the west side of the 900 block of Morningside Drive.

Commissioner Muñoz stepped down.

Scott Martin, representing the applicant, explained the request using overhead projections. He stated that a meeting was held with property owners on March 16, 2006, to address their concerns. He stated the following:

- To reduce the density in the area the applicant reduced the units down from 7 to 6 units.
- The landscaping and private lane will be maintained by Todd and Kim Ostrom.
- Fencing will be placed.
- The applicant is not planning to place four-plexes.

-Placement of speed bumps will be discussed with staff.

Commissioner Stroder asked Scott Martin if fencing will be placed around the storage area.

Scott Martin stated that a 6' chain link fence with slats will be placed.

Commissioner Frank asked the applicant if the owners planned to resell the units.

Scott Martin stated that Todd and Kim Ostrom will retain the units.

Commissioner Warren stated his concern of a nearby irrigation canal.

Scott Martin stated that it will be fenced.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the site consists of 1.9 acres. The development proposed is for 6 duplex dwellings for a total of 12 residential units. The density is in compliance with the R-4 zone. City Code 10-6-1.4(a) states the minimum project size shall be two (2) acres unless the Commission and City Council find that property of less than two (2) acres is suitable as a PUD by virtue of:

- A) Unique character; or
- B) Topography or landscaping features; or
- C) Its qualifying as an isolated problem area, as recommended by the Planning Department and determined by the Planning Commission.

She said staff recommends the following conditions be placed on this PUD, if recommended for approval:

1. Install a minimum of six (6) "NO PARKING – FIRE LANE" signs; four (4) on the south side of the access road and two (2) on the north side- one (1) at the entrance and one (1) 140' west of the entrance.
2. Assure compliance with all building, engineering, fire, and zoning codes.
3. Subject to maintenance shed being built on Lot 6. No outside storage allowed.

Commissioner Tenney asked staff if a PUD will allow lots to be sold individually.

Interim Planning and Zoning Director Carraway stated it could be sold individually if platted.

Commissioner Kemp asked staff if speed bumps could be placed on the private lane.

Interim Planning and Zoning Director Carraway stated the developer could place speed bumps.

Scott Martin stated that speed bumps along the private drive will be placed.

Vice-Commissioner Younkin read a letter into the record from Andy and Mary Cooper dated March 24, 2006, opposing the request.

The public hearing was opened:

Andrew Cooper, 1857 9th Avenue East, spoke opposing the request. His concerns included the following:

- The private lane will be similar to a dead-end alley.
- Existing sewer system problems.
- The development will be next to his fence.

-Easement held by a telephone utility company.

Lonnie Bill Renfro, 1842 Spring Lane, spoke opposing the request. His concerns included the following:

- Density - 10 additional families in the area.
- Existing sewer system problems.
- Existing low water pressure.
- Type of fencing around the storage area.

Betty Westerhoven, 1867 9th Avenue East, spoke opposing the request. Her concerns included the following:

- Drugs in the development
- Low income housing units.
- Existing low water pressure.
- Lack of play area for children.
- Traffic safety.

Rene Turner, 1815 9th Avenue East, spoke opposing the request. Her concerns included the following:

- Too many houses in a small area.
- Traffic safety.
- Existing low water pressure.

Wayne Brady, 1847 9th Ave. E., spoke opposing the request.

Fernando Salinas, 3222 E. 3700 N., owner of property in the surrounding neighborhood, spoke in favor of the request.

The public hearing was closed.

Scott Martin stated the following:

- The property will not be developed as an R-4.
- The applicant has reduced to two unit properties.
- Water retention has been discussed with the Twin Falls Canal Co.
- “No Parking” signs will be installed.
- The lane is 500’.
- A 6’ cedar fence will be placed where development is located.
- Sewer system will not be impacted.

Assistant City Engineer Mathis stated the sewer on Spring Lane flows west and runs into the main line into the coulee. The flow should not back up into Spring Lane.

Deliberations followed:

Commissioner Frank stated that the Commission is considering the impact and safety of the proposed lane.

Commissioner Stroder stated that speed bumps will be a nice concession.

Commissioner Warren asked if the maintenance of Hunter Lane will be clarified in the PUD.

Commissioner Kemp stated the Homeowner's Association will maintain the road and Todd and Kim Ostrom planned to maintain ownership.

Vice-Chairman Younkin stated the owner plans to retain ownership and will protect and maintain his property.

Commissioner Kemp made a motion to recommend for approval the zoning district change and zoning map amendment from R-4 to an R-4 PUD designation to the City Council as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Commissioner Muñoz took his seat.

Item #3 Request of P & L Land Co. LLC for the Commission's recommendation on the annexation of 25 acres (+/-) with a zoning designation of C-1 PUD, currently zoned SUI, for property located at the northwest corner of Eastland Drive North and Pole Line Road East.

Gerald Martens, EHM Engineers Inc., representing the applicant, explained the request using overheard projections. He stated that after a zoning designation is obtained; a preliminary plat for a total of 25 acres will be submitted consisting of residential, commercial, and professional components, leading to three development projects. The comprehensive plan calls for mixed use, commercial, and residential. On overheads he showed the Pillar Falls development. The townhouses and condominiums will have 70 units. The office component is adjacent to the rim and residential area. The commercial and hospitality uses will include small retail space, hotels, and food service. A geological study will be completed for any setback less than 100'. The architectural theme will be written into the PUD agreement. The project will incorporate a cross use agreement. He stated that he would like to work with staff to discuss the preliminary platting process to develop the canyon rim and pedestrian trail.

Commissioner Frank stated that he would like to see details of the project. He asked the applicant about fencing proposed on the development.

Gerald Martens stated it will be addressed in the PUD agreement and agreed the project will need a screening fence. He envisioned the fence will be on the westerly boundary. He stated the easterly boundary is an open area and not adjacent to residential.

Commissioner Muñoz stated his concern of the density of the development.

Gerald Martens stated an analysis will be provided and will conform to the PUD agreement. He discussed interior landscaping, park space. A gazebo area will be placed along the trail system. He also discussed building setback, heights, and sewer water.

City Engineer Fields asked for a clarification of a lack of a property line shown on overhead projections.

Gerald Martens stated that the property line will be on the engineering drawing.

Commissioner Frank asked if the landscaping will be placed in phase one of the development and along Pole Line Road.

Gerald Martens answered in the affirmative.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is to annex approximately 25 acres with a zoning designation of C-1 PUD (currently zoned SUI). The site is located north and west of the intersection of Eastland Drive North and Pole Line Road East. The narrative states the developer intends to develop a planned community of mixed uses consisting of neighborhood commercial, professional, residential and hospitality uses.

Twin Falls City Code Sections 10-15-1 and 10-15-2 requires a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation the City Council holds additional public hearings to determine whether the designated area should be annexed and if so what the zoning designation shall be.

Section 10-15-2(a) states that during the Commission hearing they shall not consider comments on annexation; comments shall be limited to the proposed plan and zoning changes. This process is greatly simplified by the area of impact agreement between the County of Twin Falls and the City of Twin Falls. The City already has zoning designations for the areas under consideration for annexation.

The request to change the zoning designation to a mixed use consisting of neighborhood commercial, professional, residential and hospitality uses is consistent with the comprehensive plan.

The site is located within the canyon rim overlay (CRO). This project is well designed with heavy landscaping shown on the development plan and with landscaping throughout parking areas. Staff has concerns the canyon rim trail system is not shown all along the rim.

Land uses and development standards stated in the draft PUD agreement refer to the allowed uses/development standards from the R-6 zone, C-1, NCO zone and a business park. The land uses and development standards within the CRO are more restrictive and should be adhered to. Buildings are proposed with a 50' setback from the canyon rim. A geologic study is required if buildings are proposed to be placed within 100' of the rim. No current geologic study has been submitted for review. The proposed development is adjacent to approximately 1,250 linear feet of canyon rim. The development plan shows a pedestrian/bicycle trail throughout the site; however, only an approximate 490 linear feet of the proposed trail is on the canyon rim. The comprehensive plan encourages a connection along the canyon rim and integrated pedestrian/bicycle pathways.

She said staff recommends the following conditions be placed on the PUD if recommended for the C-1 PUD:

1. The Canyon Rim Trail System be extended along the rim to the westerly border of the project.
2. The pedestrian/bike path be extended through the project.
3. Subject to availability of water / sewer capacity.
4. Subject to approval of access points (driveways) along Pole Line Road.
5. Assure compliance with the setbacks requirements of City Code and with all requirements of the CRO.

Commissioner Tenney asked staff if building size will be addressed in the PUD agreement.

Interim Planning and Zoning Director Carraway stated that in the Canyon Rim Overlay building size limitations are in place.

Commissioner Horsley asked if fencing will be along the north border of the development.

Gerald Martens stated that to be consistent within the development, he will expect it to be fenced, but he will expect the developer and Mr. Todd Blass to discuss.

Chairman Horsley asked the applicant of the location of the access point for the trail system.

Gerald Martens explained the trail system and access point on overhead projections.

Vice-Mayor Younkin asked what future plans are expected at the Eastland and Pole Line Road curve and tangent.

Gerald Martens stated that the Preserve project is obligated to build a portion of the Eastland/Pole Line Road curve, and will be coordinating the design of Pole Line Road with the Preserve project.

The public hearing was opened:

Larry Watson, 2654 Pole Line Road East, spoke opposing the request. He stated the development will increase traffic creating a human safety issue.

Vice-Chairman Younkin read a letter into the record from Larry Watson and residents of Pole Line Road East dated March 22, 2006, opposing the request.

Warren Shillington, 2315 Pole Line Road East, spoke opposing the request. He stated the development will increase traffic and the lack of policing done on Pole Line Road.

Scott Albright, 251 Walnut, spoke opposing the request. He stated he would like to see limited development on the canyon rim.

Naomi Brown, 2572 Pole Line Road East, spoke opposing the request. She stated the dangers of traveling on Pole Line Road.

Homeowner, 2568 Pole Line Road East, spoke opposing the request.

Dave Duffy, 2736 Pole Line Road East, stated that he did not oppose the development but the density of the project.

David Sparks, 1999 Pole Line Road East, stated that he would like to see a four lane on Pole Line Road with a center lane, with an addition of an oncoming lane, similar to Blue lakes and Cheney.

Sherry Leavitt, 2042 Sherry Drive, spoke opposing the request. She stated that traffic and water issues should be addressed.

Ray Burr, resident in Kimberly, and previous property owner of 2055 Pole Line Road East, stated that he was the previous property owner. He spoke in favor of the request. He stated that there is currently no access to the rim and the gazebo will benefit the public. He did agree that traffic problems do exist.

Karen Wiedenmann, 2620 Pole Line Road East, spoke against the request. She stated that traffic issues should be addressed.

Vaughan Casdorff, 1943 Pole Line, stated that he would like to see the speed limit change from 45 mph to 35 mph.

Gary Storrer, 1042 Wildwood Way, the Preserve developer, stated that in phase one, Pole Line Road issues will be addressed.

Todd Blass, 2007 Pole Line Road East, spoke in favor of the request.

Sue Green, 2805 Pole Line Road East, stated that Eastland Drive is the City's beltway and would hope to see long range planning.

David Sullivan, 2272 Pole Line Road East, spoke opposing the request.

Ruth Manwaring, 2397 Bowlin Lane, spoke opposing the request.

The public hearing was closed at 9:15 p.m.

Assistant City Engineer Mathis stated that the City is currently working with several developers to come up with a design for Pole Line Road and Eastland Drive.

Gerald Martens stated that for the record, that as a condition, improvements on Pole Line Road, will be done in phase one.

Deliberations followed:

Commissioners Muñoz, Warren, Stroder and Tenney stated that they would like to see the density of the development be addressed, along with the location of the canyon rim trail.

Commissioner Kemp stated that he would like to see the details of the PUD and suggested tabling the request.

Commissioner Horsley agreed with tabling the request. He stated that if the request is tabled that the developers work with City staff to address issues presented by property owners.

Commissioner Frank stated that Pole Line Road is a truck route and the density of the area needs to be addressed. He also stated that the public has few opportunities for gaining public access to the rim.

Commissioner Frank made a motion to table the request. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Break at 9:31p.m. and reconvene at 9:46 p.m.

Item #4 Request of Combs Car Corral for a Special Use Permit to operate an automobile and truck sales and/or rental business on property located at 309 and 317 Addison Avenue West.

Scott Wagner, applicant, explained the request.

Commissioner Frank stated that the arterial approaches had not been addressed and asked the applicant if he had a chance to review staff's recommendations.

Scott Wagner stated that he had not reviewed staff's recommendations.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the property is located in a C-1 zoning district of the City. In that district an automobile sales business requires a Special Use Permit. A Special Use Permit was granted in March 2004 for one-

year. The applicant is requesting another Special Use Permit be granted to operate the auto sales business at this site.

She said staff recommends the following conditions be placed on this permit, if granted:

1. Property used in business is to comply with all building and zoning requirements to include paved parking areas, arterial landscaping, storm water retention, no vehicles displayed on landscaped areas, etc.
2. Provide an acceptable revised site plan by June 1, 2006, showing where customer parking is located.
3. Special Use Permit expires in one year.
4. Construction of arterial approaches.

Commissioner Kemp asked staff if the applicant complied with conditions placed on his 2004 Special Use Permit.

Interim Planning and Zoning Director Carraway stated the following items have not been addressed by the applicant: Parking on landscaping, signs with no permits, storm water retention issues, and construction of arterial approaches.

The public hearing was opened:

Church Sharp, J.C. Motorsports, stated that customers parking on his property have created problems.

The public hearing was closed.

Deliberations followed:

Commissioner Kemp asked why Planning and Zoning Commission continue to approve a Special Use Permit when little effort is made by the applicant to comply with City Code.

Commissioner Frank made a motion to approve the permit as presented with staff recommendations. Vice-Chairman Younkin seconded the motion.

Commissioner Frank made a motion to amend the main motion as presented to include the location of 309 and 317 Addison Avenue West. The motion was seconded by Commissioner Kemp.

Roll call vote on the main motion with the amendment showed Commissioner Tenney voted in favor of the motion. Commissioners Horsley, Kemp, Munoz, Richardson, Stroder, Warren, Younkin and Frank voted against the motion. The motion failed.

Item #5 Request of Marky's Supertow, LLC, c/o Mark Gardoski, for a Special Use Permit to operate an automobile service and repair business on property located at 1406 Kimberly Road.

Mark Gardoski, applicant, explained the request. Vehicles will not be towed to the property. The storage yard is located at 347 Locust. No painting will be done on the premises.

Commissioner Munoz asked if mechanical or auto body repair will be done on the premises.

Mark Gardosky stated only auto body repair.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is to operate an auto body service and repair business in conjunction with the office of a towing business. The site is located in a C-1 zoning district of the City.

To operate an automobile service and/or repair business in the C-1 zone takes a Special Use Permit. The office for the towing business is a permitted use; however, the storage of vehicles within an impound yard is not an allowed use within the C-1 zone.

Impacts from automobile repair shops are usually the result of non-operating vehicles being parked for extended periods of time on the site and the accumulation of miscellaneous parts stored outside of an enclosed area.

Hours of operation will be Monday through Friday from 8:00 am to 5:00 pm and by appointment only on Saturdays. Both owners will operate the business with additional full time employee and tow truck drivers who will be in and out. The applicant states that at the present time no painting will be done. Another Special Use Permit will be required to operate a paint booth.

She said staff recommends the following conditions be placed on this permit, if granted:

1. The permit is for auto repair only, excluding automobile painting.
2. No vehicles awaiting work or miscellaneous parts to be stored outside of an enclosed building or a sight obscuring screened area.
3. No storage of impound vehicles from the towing business.
4. The tow trucks to be parked within an enclosed building or stored within a sight obscuring screened area.
5. Subject to compliance to all building, engineering, fire, and zoning codes.
6. Install a sand/grease trap that meets current standards.
7. Storm water retention to be addressed as part of the building permit review.

Mark Gardoski asked for clarification of conditions 6 and 7.

Interim Planning and Zoning Director Carraway stated that both are standard requirements.

Assistant City Engineer Mathis stated that a change of use is requested and storm water will be required to be stored on site. He also stated that Eddy's Bakery stored vehicles on the premises.

The public hearing was opened and closed with no input.

Deliberations followed:

The Commissioner agreed the request was straightforward.

Commissioner Kemp made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #6 Request of New Providence Grove, LLC, c/o Elizabeth Hodge, for the Commission's recommendation on the annexation of 62 acres (+/-) with a zoning designation of R-4, currently zoned R-4, for property located at the southeast corner of Orchard Drive and Harrison Street South.

Gary Burkett, EHM Engineers. Inc., representing the applicant, explained the request using overhead projections. He stated the request is for annexation.

Interim Planning and Zoning Director Caraway reviewed the request using overhead projections. The request is to annex approximately 62 acres with a zoning designation of R-4 (currently zoned R-4.) e narrative states the developer intends to develop a residential subdivision.

Twin Falls City Code Sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation the City Council holds additional public hearings to determine whether the designated area should be annexed, and if so what the zoning designation shall be.

Section 10-15-2(a) states that during the Commission hearing they shall not consider comments on annexation. Comments shall be limited to the proposed plan and zoning changes. This process is greatly simplified by the area of impact agreement between the County of Twin Falls and the City of Twin Falls. The City already has zoning designations for the areas under consideration for annexation.

The attached map shows the current zoning of R-4 for this property. This request is consistent with the comprehensive plan.

She said staff makes no recommendation on this request.

Commissioner Frank asked staff the status of sewer capacity and other city services.

City Engineer Fields stated that currently a sewer system model is being developed and will have information on capacity and trunk lines complete by the end of summer.

Commissioner Muñoz stated that annexation did not guarantee City services.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioner Muñoz stated that the request fits in the comprehensive plan.

Commissioner Kemp made a motion to recommend for approval for an R-4 zoning designation to the City Council as presented. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #7 Request of Gary's Westland, LLC, for the Commission's recommendation on the annexation of 22 acres (+/-) with a zoning designation of R-2 PUD, currently zoned SUI, for property located at the southeast corner of Eastland Drive North and Pole Line Road East.

Gary Burkett, EHM Engineers Inc., representing the applicant, explained the request using overheard projections. He stated that the request is to obtain necessary zoning to allow the development of a planned residential project. The R-2 PUD designation will be identical and compatible to the adjoining property.

Interim Planning and Zoning Director Caraway reviewed the request using overhead projections. She said the request is to annex approximately 22 acres with a zoning designation of R-2 PUD, (currently zoned R-1 VAR.) The narrative states the developer intends to develop a residential subdivision which will include appropriately designated neighborhood commercial uses. The master development plan submitted with this request shows 16.7 acres as residential, medium

density, and 3 acres as a neighborhood park. Development of any other use will require a PUD modification.

Twin Falls City Code Sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation the City Council holds additional public hearings to determine whether the designated area should be annexed, and if so, what the zoning designation shall be.

Section 10-15-2(a) states that during the Commission hearing they shall not consider comments on annexation, comments shall be limited to the proposed plan and zoning changes. This process is greatly simplified by the area of impact agreement between the county of Twin Falls and the city of Twin Falls. The city already has zoning designations for the areas under consideration for annexation.

She said staff recommends the development of this property be consistent with the Preserve PUD project.

Commissioner Kemp stated that the request originally came through with commercial designations.

Gary Burkett stated the development will be a medium designation in an R-2 PUD. A trail system and three acre park have been designated, and a sewage lift station will be in place. He stated that improvements will be made to Eastland Drive.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioners Frank and Horsley commended the developer on the proposed project.

Commissioner Kemp made a motion to recommend an R-2 PUD zoning designation to the City Council as presented. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the request. The motion passed.

Item #8 Request of Kelly L. Gates for a Zoning Title Amendment to allow by Special Use Permit manufactured/mobile home sales and/or rentals limited to an area between Martin Street and 2750 East Road within the Canyon Rim Overlay.

Tim Stover, representing the applicant, reviewed the request using overhead projections. He stated the request is for a zoning title amendment to allow a portion of the Canyon Rim Overlay Zone along Addison from 2750 East Road to Martin West. This will allow the sale and service of manufactured homes. The landscaping on the property will be tripled, there will be three accesses, a gated off access, parking lot will be graveled, and the building will be a permanent fixture.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is for a zoning title amendment, which, if approved, will amend Twin Falls City Code 10-4-19.3(b) by permitting by Special Use Permit manufactured/mobile home sales and/or rentals, limited to an area between Martin Street and 2750 East Road within the Canyon Rim Overlay.

The process to change the code within Title 10 of the Twin Falls City Code requires a recommendation from the Planning and Zoning Commission to the City Council through the

public hearing process. After the Council has received the Commission's recommendation the City Council holds additional public hearings prior to a decision on the ordinance.

In December of 2005, Mr. Gates purchased property located along the Rock Creek Canyon on Addison Avenue West with the intention of re-establishing a manufactured home retail sales business. It was later discovered this use is not permitted within the Canyon Rim Overlay Zone. The zoning title amendment will allow manufactured home retail sales through the Special Use Permit process within an area located between Martin Street and 2750 East Road and within the Canyon Rim Overlay along Rock Creek Canyon.

She said staff makes no recommendation on this request.

Commissioner Kemp asked staff why the previous business was allowed on the property.

Interim Planning and Zoning Director Carraway stated that the Canyon Rim Overlay came into effect in 1995. If the property remains empty it reverts back to the Canyon Rim Overlay.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioner Kemp stated that the property is an eyesore.

Commissioner Frank and Stroder stated the request seemed appropriate.

Commissioner Kemp made a motion to recommend for approval a Zoning Title Amendment to the City Council as presented. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #9 Request of Lytle Signs on behalf of Brent White for the Magic Valley Mall for a PUD Agreement Modification to allow a modification to free-standing sign restrictions at the Magic Valley Mall.

Rex Lytle, Lytle Signs, representing the applicant, explained the request using overhead projections. He stated that the enhancements will be placed at the three main entries into the Festival Marketplace and to remove the existing monument signs and replace with creative monument signs, and to incorporate a new monument with flagpoles at Bridgeview and Blue Lakes Boulevard near the main entrance to the mall. The request is to modify the existing PUD agreement, increasing the size of a sign by 18" at Bridgeview and Blue Lakes Boulevard.

Vice-Chairman Younkin asked Rex Lytle if the Festival Marketplace will be a short term promotional or if the banners are to be permanent and change according to season.

Rex Lytle stated there will be no advertising other than Magic Valley Mall placed on banners. The intent of the signs is to be inviting and appealing. He showed on overheads signage found on Main Street advertising "Welcome to Historic Downtowne."

Discussion followed on non internal illumination.

Interim Planning and Zoning Director Carraway explained the request using overhead projections. She said the request is to change a PUD agreement. Such amendments go through the same public hearing process that a PUD goes through, specifically a hearing before the Planning and Zoning Commission for a recommendation and additional public hearings before the Council.

The current PUD agreement states there are specific limitations for free-standing signs constructed at the Magic Valley Mall. The mall is proposing a major renovation which includes new signage.

The request is to change the sign limitations within the PUD:

- 1) To allow the height of the monument sign proposed on Bridgeview Boulevard and Blue Lakes Boulevard north from 7' to 8'6",
- 2) To increase the height for pennants to 17'0", and
- 3) To allow a total of 30 locations for 32.6 sf as approved on a master sign plan.

She said staff recommends the following condition be placed on this request, if recommended for approval:

1. Full compliance with all zoning, building and engineering regulations.

City Engineer Fields stated the sign to be located at Blue Lakes Boulevard North and Bridgeview Boulevard could be in the vicinity of a sewer line. She recommended the sign be placed 7' – 10' away from the location of the pipe.

Commissioner Frank asked the applicant if there will be any removal of trees.

Rex Lytle stated they will be adding trees, not removing them.

Commissioner Stroder stated her concern not seeing Welcome to Twin Falls signage, but seeing Welcome to the Magic Valley Mall signs.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioner Kemp and Horsley stated the signs will bring create a sense of place to the mall.

Commissioner Stroder stated her concern of the size of signage.

Commissioner Richardson made a motion to recommend for approval a PUD Agreement Modification to the City Council as presented with staff recommendations and in addition to: 2. Subject to the sign design elevations, Master Sign Plan, specific design and locations as presented, which permits specific design and locations for the free standing pennant signs and the specific monument sign exceeding 84', and 3. Subject to new monument sign shown as new sign #6 on Master Sign Plan being placed a minimum of 7' – 10' as determined by the City Engineer, from locate of pipe. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item # 10 Findings of Fact and Conclusions of Law:

- a. Special Use Permit request of Tina Withers
- b. Special Use Permit request of Albert A. Lewis

Unanimously approved.

Item # 11 Approve minutes of March 14, 2006, & March 21, 2006, P&Z Commission Meeting.

Unanimously approved.

Item # 12 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(W/S-April 4, 2006 P/H –April 11, 2006)

Item # 13 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Interim Planning and Zoning Director Carraway stated that at the April 4, 2006, Planning and Zoning Commission Work Session, Jerome Map, on behalf of Twin Falls County, will update the Commission on the progress of the Twin Falls Comprehensive Planning Advisory Committee.

The meeting adjourned at 11:21 p.m.

Leila Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, Alt.
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

APRIL 11 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Jody Hall, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Muñoz, Richardson, Stroder, Warren, Younkin. Lezamiz in audience.

PLANNING AND ZONING MEMBERS ABSENT: None

AREA OF IMPACT MEMBERS PRESENT: Tenney, Mikesell

AREA OF IMPACT MEMBERS ABSENT: Kemp

CITY COUNCIL MEMBERS PRESENT: Vice-Mayor Dwight

CITY STAFF PRESENT: Bates, Carraway, Fields, Mathis, Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS:

Item #1 Les Schwab, c/o Dave Husk, requests a Special Use Permit to expand by more than 25% an approved tire shop on property located at the northeast corner of Pole Line Road and Canyon Crest Drive.

Gerald Martens, EHM Engineers Inc., representing the applicant, explained the request using overhead projections. The developers added approximately one acre to the site and the building has increased in size by 1,000 sq. ft. The basic change consists of an exit route out on Canyon Crest Road. He concurs with staff recommended conditions.

Discussion followed:

Commission Muñoz asked the applicant where the access to the trail would be located.

Gerald Martens stated the access would not change.

Commissioner Warren asked the applicant what will be placed in the vacant part of the property.

Gerald Martens stated there are no current plans for the vacant lot, but the weeds will be kept down.

Commissioner Stroder asked the applicant where the canyon trail parking spaces will be placed.

Gerald Martens showed on overhead projections the location of the parking spaces. He stated that in order to avoid conflict between pedestrians and traffic the parking spaces would be located out in the "front corner" of the building.

Commissioner Frank stated that the parking spaces appeared to be placed near the trash receptacles. He asked the applicant if it would be possible to move the trash receptacle to the opposite side of the property.

Gerald Martens stated he would pass the suggestion on to the designers.

Commissioner Muñoz stated that in the original drawing, in place was a fence on the east side of property, including trees and shrubs.

Gerald Martens stated that the retaining wall with a fence would not be changed nor would the landscaping plan.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that on August 30, 2005, the Planning and Zoning Commission approved Special Use Permit #0936 to operate a tire shop. The applicant/developer wishes to add 1 acre of land to the development of the Les Schwab tire project.

The narrative submitted by the applicant states in order to better facilitate movement of large vehicles they are adding a 40' access point from Canyon Crest Drive at the north end of the new parcel that will connect to the approved site. The improved access will move "large vehicles" away from the typical retail customer and improve on-site safety as well.

City Code 10-13-2.2(C) states a Special Use Permit is required when there is a request for an expansion of more than twenty five percent (25%) over the original square footage approved through the Special Use Permit process. If the Commission approves the request the applicant's narrative should be included as part of the commitments of development.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Assure compliance with all building, engineering, fire, and zoning codes and the Northbridge PUD agreement.
2. Provide for maintenance of area north of parking lot.
3. Conditions of SUP #0936 to be included as part of this amended Special Use Permit.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioners Muñoz and Frank stated the project basically stayed the same.

Commissioner Warren made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #2 J&J Enterprises requests a Special Use Permit to allow the sales of sporting vehicles on property located at 1704 Addison Avenue East.

Richard Jones, applicant, explained the request using overhead projections. He stated that J&J Enterprises will be offering a family oriented ATV line, which would eliminate employee layoffs in the winter. There would be no changes in traffic flow. The hours of operation would be 8:00 a.m. to 6:00 pm. Monday through Friday, 10:00 a.m. to 2:00 p.m. on Saturday, and closed on Sundays.

Commissioner Frank asked the applicant if he reviewed the staff report and referred to staff recommendation 1. No display of ATV's. He also referred to the picture in the agenda packet showing lawnmowers on the property

Richard Jones stated that the lawnmowers are used as a barricade and are waiting to be repaired.

Commissioner Stroder asked the applicant where the inventory would be stored.

Richard Jones stated that the inventory will be inside the building and will not be stored outside.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the request is to operate a retail sporting vehicle business in conjunction with an existing small engine/equipment sales & service/repair business. The property is located within the C-1 zone. In order to operate a retail sporting vehicle business in the C-1 zone Twin Falls City Code requires a Special Use Permit. The applicant has stated in the narrative that they have operated a small equipment sales and service business at this location for over 25 years and are now wishing to expand. There is a concern with this type of business over the outside storage and display of vehicles and merchandise. This is not a change of use; therefore, property improvements are not required at this time. The request should have very little impact on surrounding properties.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. No display of sporting vehicles or any other merchandise outside of an enclosed building, sight obscuring screened area or within the landscaped areas or parking area.

Discussion followed:

Commissioner Muñoz asked staff if merchandise is allowed to be displayed.

Interim Planning and Zoning Director Carraway stated that merchandise will need to be placed in an enclosed building.

Commissioner Stroder asked staff if a screened fenced area would be sufficient.

Interim Planning and Zoning Director Carraway stated yes.

The public hearing was opened:

James Gorham, 900 Maurice Street, spoke in favor of the request.

Anna Jones, owner of J & J Enterprises, stated there is currently no parking in front of the main door.

The public hearing was closed.

Deliberations followed:

Commissioners Frank and Muñoz stated that they did not foresee issues as long as the applicant complied with staff recommendations and City Code.

Commissioner Stroder made a motion to approve the permit as presented with staff recommendations and with the addition of: 2. Fence to be 6' chain link. The motion was seconded by Commissioner Warren.

Commission Muñoz made a motion to amend the main motion as presented and to include sight obscuring slats. The motion was seconded by Commissioner Warren.

Roll call vote on the main motion with the amendment showed all members voted in favor of the motion. The motion passed.

Item #3 V, S, & N, LLC, Developers, requests the Commission's recommendation for the annexation of 70 acres (+/-) with an R-4 zoning designation, currently zoned R-4, for property located at the southwest corner of Pheasant Road and Harrison Street South.

Commissioner Mikesell stepped down at this time.

John J. Straubhar, Consulting Engineer and owner, explained the request. He stated that the development and surrounding property is zoned R-4. The request is for an annexation of 264 single family dwellings on the property.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that the request is to annex approximately 70 acres with a zoning designation of R-4, currently the property is zoned R-4. The site is located at the southwest corner of Pheasant Road and Harrison Street South extended.

Twin Falls City Code Sections 10-15-1 and 10-15-2 state an annexation request requires a hearing and recommendations from the Commission on the zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed and if so what the zoning designation shall be.

This request is to retain the current zoning designation of R-4. The applicant's narrative states the applicant wishes to develop this site into a residential subdivision conforming to the R-4 zone development standards if the site is annexed. The residential use is consistent with the comprehensive plan.

She said staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Deliberations followed:

The Commissioners agreed that the request was straightforward.

Commissioner Muñoz made a motion to recommend for approval for an R-4 zoning designation to the City Council as presented. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. The motion passed.

Commissioner Mikesell took his seat.

Item #4 Twin Falls High School, c/o Nathan Fuller for Lytle Signs, requests a Special Use Permit to install and operate a message center sign on property located at 1615 Filer Avenue East.

Nathan Fuller, Lytle Signs, representing the applicant, explained the request using overhead projections. He stated the request is to change the location of the existing sign and to replace it with a message center sign. The updated technology will help conform to the City of Twin Falls lighting requirements. No other message center signs are located within the 400'. The request is to also change the time and to allow the sign to run later in the evening.

Commissioner Frank asked the applicant the reason for moving the location of the sign.

Nathan Fuller stated that the sign would be removed off of the landscaping and inside a fenced area.

Commissioner Muñoz asked the applicant if this request would impact surrounding property owners.

Nathan Fuller stated that the sign would be 39'6" from the road and moved to the inside of the fence line.

Commissioner Stroder asked the applicant how tall the sign is in relation to the old sign.

Nathan Fuller stated that new sign would stand 2' taller.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated this request is to remove and replace an existing message center sign with a new free-standing message center sign at the Twin Falls High School in a different location.

City Code 10-9-2(R) religious and educational facility signs states, "A message center sign may be included as part of a free-standing sign by Special Use Permit for a public educational facility for grades 7 and higher." The Commission, as part of the SUP process, may allow a maximum of 50 sq. ft. for the message center sign in addition to the maximum 32 sq. ft. allowable free-standing signage, for a total allowable signage of 82 sq.ft. The request is for a 33 sq. ft. free standing sign with a 31 sq. ft. message center sign for a total 63 sq. ft. sign. The proposed sign size meets the dimensional requirements of the code.

On August 30, 1988, a SUP was granted for a free-standing message center sign at the Twin Falls High School site with one condition, "Message center shall be operated only from 7:00

a.m. to 10:00 p.m. Sunday through Thursday and from 7:00 a.m. to 11:00 p.m. Friday and Saturday.” The applicant’s narrative specifies the intended hours of operation of the proposed message center sign to be 6:00 a.m. to 12:00 a.m.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. A complete site plan showing all existing buildings and signage shall be submitted as part of any sign permit.
2. Subject to full compliance with all building, engineering, fire, and zoning codes.

Commissioner Frank asked staff if the First Federal sign appearing in the artist renderings is an off premise sign.

Interim Planning and Zoning Director Carraway stated that the First Federal sign would be considered an off premise sign.

Commissioner Horsley asked the applicant the days of the week and hours they are proposing to run the message center sign.

Nathan Fuller stated that the sign would run Monday through Friday and would like to run the sign past 10:00 p.m. because of school activities.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioner Frank stated that the First Federal sign was his main concern. He felt that running the sign seven days a week did not appear to be a problem.

Commissioner Tenney made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion.

Commission Muñoz made a motion to amend the main motion as presented and to include 3. The hours of operation of the proposed message center sign to be 6:00 a.m. to 12:00 a.m. The motion was seconded by Commissioner Stroder.

Roll call vote on the main motion with the amendment showed all members voted in favor of the motion. The motion passed.

Item #5 Joe Russell requests the Commission’s recommendation for the annexation of 80 acres (+/-) with an R-2 zoning designation, currently zoned R-2, for property located at the northeast corner of Grandview Drive North and Falls Avenue West.

Brad Wills, Wills Inc., representing the applicant and Harper-Leavitt Engineering, Inc., explained the request using overhead projections. He stated the request is for the annexation with the current R-2 zoning to the proposed 80 acres located on the northeast corner of Grandview Avenue and Falls Avenue. The property will be developed as residential lots.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is to annex approximately 80 acres with a zoning designation of R-2, currently the property is zoned R-2. The site is located at the northeast corner of Grandview Drive North and Falls Avenue West.

Twin Falls City Code Sections 10-15-1 and 10-15-2 state an annexation request requires a hearing and recommendations from the Commission on the zoning designation for areas proposed to be annexed. After the Council has received the Commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed and if so what the zoning designation shall be.

The attached map shows the current zoning of R-2 for this property. This request is to retain the current zoning designation of R-2. The applicant's narrative states the applicant wishes to develop this site into a residential subdivision conforming to the R-2 zone development standards if the site is annexed. The residential use is consistent with the comprehensive plan.

She said staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Deliberations followed:

Commissioners Frank stated that the request is for a substantial size of property but he does not see any issues.

Commissioner Muñoz and Stroder stated that the request is a natural expansion of the area.

Vice-Chairman Younkin made a motion to recommend an R-2 zoning designation to the City Council as presented. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the request. The motion passed.

Item #6 Mankers, LLC, c/o William Manker, Jr., requests a Special Use Permit to operate a commercial greenhouse on property located at the northeast corner of Addison Avenue and Adams Street.

Bill Manker, applicant, explained the request using overhead projections. He said the request is to build a commercial greenhouse. He has contacted and spoken with property owners and businesses. The business will make available the highest quality nursery plants and service. The hours of the business will be Monday - Saturday, from 9:00 a.m. to 6:00 p.m. and closed on Sundays. Parking spaces will be provided. The storm water retention will be on the property. A 6' tall chain link fence would be in place. Trees will be incorporated into the landscaping and the landscaping used would be a "pot in pot" technique and would showcase plants according to the season. The owners of the property are working on having curb and gutter placed along Adams Street. The plan is to work with the City staff to address the alleyway. A 5' buffer would be put in place on Adams Street

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the property is located in a CB zone. The applicant wishes to operate a commercial greenhouse business from this site. To operate a commercial greenhouse within the CB zone, a Special Use Permit is required.

This site is currently undeveloped. In order to establish a commercial greenhouse the site will require that the property conform to specific development standards as per City Code, such as hard surfacing all parking and maneuvering areas, curb, gutter and sidewalk, storm water retention and landscaping.

Code City Code 10-7-12 defines Addison Avenue as a gateway arterial. A cleared parcel requires a minimum of 30' landscaping measured from behind the sidewalk or future sidewalk. The site plan shows the gateway landscaping with the 30' measured behind the curb.

The applicant has stated in their narrative their intent to install a "modular" landscaping system using "pot in pot" techniques. As per City Code 10-7-14, no outside storage or display of merchandise is allowed except for such seasonal display of living plants and materials such as Christmas trees, pumpkins, bedding plants, etc.

Signage approval is not a part of this Special Use Permit.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Develop the arterial access and ensure all parking and maneuvering areas, including the alley, shall be paved to City standards.
2. Install and maintain gateway arterial landscaping to meet minimum standards.
3. Install curb, gutter, and sidewalk in accordance to City standards.
4. Install screening for all outside storage and display areas as per City Code.
5. Assure compliance with all building, engineering, fire, and zoning codes.

Commissioner Stroder asked the applicant when he planned to rotate the showcased trees and what plan he had if the showcased tree is sold.

Bill Manker stated that he is planning to have trees available from April to mid-October.

Commission Frank asked the applicant if he was planning to have the business on the premises 12 months out of the year.

Bill Manker stated that he is planning to always have plants on site.

Chairman Horsley asked the applicant how he was planning to prevent theft and vandalism on the property.

Bill Manker stated that the property will have a fence, gate, and footings in place.

Commissioner Stroder asked the applicant if the bark would be screened in.

Bill Manker stated the bark would be screened in. Also, the trucks would not be parked at the property but a different location.

The public hearing was opened:

James Gorham, 900 Maurice Street, stated his concern of traffic exiting through the alley.

The public hearing was closed.

Bill Manker stated the business will have between 12-15 customers during the day, and he does not foresee a traffic congestion problem in the alley.

Deliberations followed:

Commissioner Frank, Muñoz and Stroder stated that the landscaping business would create a massive improvement.

Commissioner Warren stated that he would like to see dying plants immediately replaced.

Commissioner Richardson made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #7 College of Southern Idaho, c/o Mike Mason, requests a Special Use Permit to operate an early childhood learning center/pre-school on property located at 246 Falls Avenue.

Mike Mason, representing the applicant, explained the request using overhead projections. He stated the facility would be staffed by students. There would be two handicap parking spaces and 22 parking spaces in front.

Commissioner Frank asked the applicant if a child care facility already existed.

Mike Mason stated the request is to operate an educational center.

Commissioner Mikesell asked the applicant if the property would have a fence and gate.

Mike Mason stated that a 6' high chain link fence would be in place with a gate on the north side of the building.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that the request is to operate an early childhood education preschool lab at this site.

The property is located in an R-4 and R-4 PRO zoning district of the City. At this location a Special Use Permit is required to establish an early childhood education preschool lab facility. The facility is currently operating on CSI campus. Current hours of operation, as stated in the applicant's narrative, are 7:30 a.m. to 5:00 p.m., Monday – Friday, 9 months of the year. The applicant wishes to expand the hours of operation from 5:00 a.m to 7:00 p.m. on weekdays on a year-round basis.

The major impacts associated with this request are traffic and noise. The site is located on a major arterial (Falls Avenue) and the applicant has stated they anticipate as many as 25 vehicles per session to drop off and pick up children.

Signage approval is not a part of this Special Use Permit.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Assure compliance with all building, engineering, fire, and zoning requirements.

Commissioner Frank asked staff if the landscaping requirement is in conjunction with the CSI campus.

Interim Planning and Zoning Director Carraway stated the landscaping would be required to comply with the CSI landscaping requirements.

Commissioner Stroder asked staff if "No Parking" signs are posted on Falls Avenue.

Interim Planning and Zoning Director Carraway stated a "No Parking" sign is posted.

Commissioner Warren asked the applicant how many employees and children will be at the center.

Mike Mason stated they would have 2 staffers, 7 students and 20 children.

The public hearing was opened.

Susan Kelley, 245 University, asked if the access gate would be left open.

The public hearing was closed.

Mike Mason stated that the gate would be closed off.

Deliberations followed:

Commissioners Muñoz, Horsley and Frank stated that the center would be a positive improvement to the property.

Commissioner Mikesell made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #8 Consideration of the preliminary plat of South View Estates Subdivision, 39.78 acres (+/-) located on the north side of the 500 and 600 blocks of Orchard Drive East.

Darr Moon, Moon and Associates, representing the applicant, explained the request using overhead projections. He stated that there would be 147 residential lots built in an R-4 zoning designation. The applicant has reviewed staff comments in regards to the cul-de-sac and will submit a proposal to staff for their review. He stated that he is currently working with the School District to obtain 7.4 acres in order to comply with the requirement for park dedication and the possibility of an irrigation facility.

Commissioner Richardson asked the applicant what changes he is proposing to the cul-de-sac.

Darr Moon stated that at the cul-de-sac, closest to Orchard on the south boundary, the plan is to move up the cul-de-sac 50' to 75' and bring the existing lots to the top of the cul-de-sac. This would create a little more buffer between Orchard Street right of way and Bridget Lane.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated that on October 24, 2005, the City Council approved the annexation of this site with an R-4 zoning designation. The request is for Commission approval of a preliminary plat to develop 150 lots on 40 acres for a residential subdivision.

The R-4 zone allows a minimum 4,000 sq. ft. single family lot, 7,000 sq. ft. minimum lots size for a duplex and may allow a tri-plex or a 4-plex by Special Use Permit. The plat meets or exceeds these lot sizes.

A preliminary plat is presented to the Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. 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 then may the plat be recorded and lots are sold for development.

As per City Code 10-12-3.11, the developer may request an "in lieu" cash contribution for a minimum 3 acre neighborhood park. On December 5, 2005, the City Council approved an "in-lieu" for a cash contribution.

As stated by the applicant, the Engineering staff has reviewed this plat and has a concern that the Bridget Lane cul-de-sac right of way abuts the Orchard Drive right-of-way. Staff recommends modifying the configuration to place a lot between the rights of-way. This plat is consistent with other development in the area and is in conformance with the comprehensive plan.

She said staff has reviewed this request and recommends the following conditions be placed on this request, if granted:

1. Modify the configuration of Bridget Lane cul-de-sac by placing a lot between the rights-of-way along Orchard Drive and the cul-de-sac.
2. Subject to City Engineering Department final technical review.

She closed in stating that the City would like to see a park on the north side of the property.

Commissioner Stroder asked staff if the addition of a park would require him to bring a new preliminary plat.

Interim Planning and Zoning Director Carraway stated a new plat would not be submitted to the Commission for their review.

Commissioner Warren asked staff to explain the email enclosed in the Commission's packet from Rod Mathis dated February 2, 2006, in regards to the sewer easement.

Assistant City Engineer Mathis stated that that developer and engineering firm are working on obtaining a sewer easement from the school district. The Engineering Department, upon final technical review of the plat, would make sure all easements are correctly submitted.

Public input was opened and closed.

Darr Moon stated that an existing sewer easement was recorded from the school district to TKO.

Deliberations followed:

Commissioner Frank stated the request follows adjacent development in the area.

Commissioner Warren made a motion to approve the request as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

Break at 9:27 pm. – 9:35 p.m.

Item #9 Consideration of the preliminary plat of Canyon Falls Subdivision #2, 9.63 acres (+/-) located on the west side of the 1800 and 1900 blocks of Harrison Street

Gary Burkett, EHM Engineers Inc., representing the applicant, explained the request using overhead projections. He stated that the original plat was platted as Canyon Falls Subdivision in 1995. This request is to allow the partners to divide the property in order to dissolve their partnership. The development is under the Northbridge PUD and the owner will comply with the agreement as far as uses and zones are involved. He stated that the request is not a zone change. He stated that Harrison Street was not placed with curb gutter and sidewalk. They are proposing to construct a full width street, cul-de-sac, and storm water retention, but would like to request a deferment at this time. They will agree to loop the water mains through and back around. He stated that a 50' canyon rim walk path has been dedicated to the City, as required in the 1993 C-1 PUD.

Commission Warren asked for a clarification of deferment requested by the applicant.

Gary Burkett stated that he would extend the main line but would request to defer until one of the lots is in place.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the site is zoned C-1 PUD. In 1997 Canyon Falls Subdivision was recorded with 3 lots. The request is to split lot 3 into 2 lots. As lot 3 was previously split, to split it again requires the platting process. The site consists of 9.63 acres. This plat is consistent with other development in the area and is in conformance with the comprehensive plan.

She said staff has reviewed this request and recommends the following conditions be placed on this plat, if granted:

1. Provide a looped water line system approvable by the City Engineering Department.
2. A storm water retention system to be submitted and approved by the City Engineering Department.
3. Install curb, gutter, and sidewalk adjacent to all street frontages.
4. Maintain easements for public utilities and storm water.
5. Subject to final technical review by the City Engineering Department.
6. Subject to compliance with the PUD agreement

Commissioner Frank stated that he does not have an issue with the applicant's deferral request.

Assistant City Engineer Mathis requested a multi-year deferral agreement to be completed by the applicant.

Public input was opened.

David Sparks, 1999 Pole Line Road East, asked the applicant what plans he had for the extension of the trail system.

Public input was closed.

Gary Burkett stated they do have the parcel the City owns, but currently there is no proposal for any trail extension. The only proposal is the one dedicated under the C-1 PUD.

Commissioner Horsley asked staff if the City has any current plans for the property.

Assistant City Engineer Mathis stated that the City does not own the property.

Gary Burkett stated that when there is access to Harrison Street the sidewalk will be developed.

Deliberations followed:

Commissioners Frank and Horsley stated they were glad to see the extension of the trail system and see no issues at this stage of the development.

Commissioner Stroder made a motion to approve the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members voted in favor of the motion the motion passed.

Commissioner Mikesell stepped down at this time.

Item #10 Consideration of the preliminary plat of Grandview Estates Subdivision, 40.28 acres (+/-) located on the southeast corner of Grandview Drive North and Federation Road.

Troy Vitek, EHM Engineers Inc., representing the applicant, explained the request using overhead projections. He stated that the development is on 40.3 acres, with 133 residential lots and two tracts. The northwest corner of the development is proposed for a 3 acre park. Parking will be provided at 5 spaces per acre, off the interior residential street. The northeast tract meets the mini park requirement for storm water. The current zoning is R-2 and the average lot size will be 18,400 sq. ft. The plan is to install a 6' wide path and a 10' path that will lead up to the canyon trail system. The development will be done in two phases. Farming operation will be continuing until that time.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the request is for Commission approval of a preliminary plat to develop 133 lots on 40 acres for a residential subdivision.

The site is zoned R-2. The R-2 zone allows a minimum 6,000 sq. ft. single family lot and 10,000 sq. ft. minimum lots size for a duplex. A tri-plex or a 4-plex are not allowed in the R-2 zone. The plat meets or exceeds these lot sizes. This plat is consistent with other development in the area and is in conformance with the comprehensive plan.

Staff has reviewed this request and recommends the following condition(s) be placed on this plat, if granted:

1. Subject to final technical review by the Engineering Department.

2. Proposed park area to comply with new park ordinance. Provide adequate off-street parking, as per city standards.

Commissioner Frank asked staff the status of the collector road standards.

Assistant City Engineer Mathis stated that the proposed new standards have not been approved at this time.

Commissioner Horsley asked staff if a traffic light would be placed at the corner of Pole Line Road and Grandview.

Assistant City Engineer Mathis stated that when a signal is warranted, one will be placed there.

Public input was opened and closed.

Deliberations followed:

Commissioner Frank and Horsley stated that the development and bike path are similar to the surrounding area.

Commissioner Muñoz made a motion to approve the request as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members voted in favor of the motion. The motion passed.

- Item #11 Consideration of the revised preliminary plat of North Haven PUD Subdivision, 80.0 acres (+/-) located on the southeast corner of Pole Line Road and Washington Street North.

Gerald Martens, EHM Engineers Inc., representing the applicant, explained the request using overhead projections. He gave a brief review of the project. He reviewed the "Conditions of Approval North Haven Subdivision."

He stated the following:

- Common development and common maintenance of the project.
- All asphalt paved areas be broken up to landscape area.
- Homeowner's association maintained.
- Additional landscaping and screening limited to areas.
- North Pointe Subdivision and active buffering and screening.
- Active in assuring traffic will be directed away from subdivision.
- Cheney will drive traffic out of subdivision and onto Wendell Street
- If traffic light is warranted, it will be constructed with the first phase of the project.
- Architectural standards in place.
- Screening is in place.
- All outside areas visually screened.
- Lighting will be unchanged.
- Pedestrian and bike pathways to connect to pathway on Pole Line and Washington Street.
- Walkways to be within the project.

The request is to accommodate the following main changes:

- Additional right of way on Cheney Street and Billiar Street.
- Lot 6 changed from 1 lot to 5 lots.

-Modify plan to change the public road to a private drive.

Discussion followed:

Commissioner Warren stated his concerns of traffic congestion on Washington Street North and the allowing of left turns onto Washington.

Gerald Martens stated that Washington Street North is planned for five lanes.

Commissioner Frank stated that when a “real” business park was proposed, it was proposed having a campus environment; therefore there were limitations of the building size and the meandering paths first proposed weren’t close to the proposed project.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She stated the site is zoned C-1 PUD. The request is to revise the approved North Haven PUD subdivision plat. The changes incorporate the actual rights-of-way on Cheney, Billiar and Sparks. It removes the public access previously shown through the middle of lot 6 and adds 4 more lots: 7, 8, 9 & 10.

The final plat was approved on January 17, 2006. The request is to modify the approved plat which requires it be brought back through the platting process. The Council approved the final plat subject to several conditions. If the Commission votes to approve this plat those conditions should be included as a condition of approval and a separate building permit and review for compliance with all building, engineering, fire, and zoning codes.

She said staff has reviewed this request and recommends the following conditions be placed on this plat, if granted:

1. Subject to the previous conditions of approval, attached.
2. Subject to final technical review by the Engineering Department.

Commissioner Tenney asked if the removal of the public right of way and lot changes, change the number of buildings placed on the property.

Interim Planning and Zoning director Carraway stated multiple buildings on one lot are allowed with a C-1 zone.

Commissioner Horsley stated that when the Commission initially saw the development, the development showed a Wal- Mart gas station at the northeast corner of properties. He then asked the applicant if the access to lots 1 – 5 would be off of Wendell.

Gerald Martens stated five lots are accessed from North Haven, Billiar, and Sparks to Cheney. There would be no access to the lots facing Pole Line Road.

Commissioner Frank stated that if a gas station is proposed the owner would have to apply for a Special Use Permit.

Public input was opened.

Vice-Mayor Glenda Dwight, 2058 Hillcrest Drive, speaking as a resident, stated her concern of major traffic congestion issues at the proposed project.

Public input was closed.

Commissioner Warren stated his concern of traffic congestion on Washington Street North and proposed having the applicant address the traffic issues in more detail.

Troy Harold, CLC Associates Inc., representing Wal-Mart, stated that the corner lot for the gas station is on the drawing board, and there are potential buyers who are proposing a restaurant at the location. The access directly out to Washington Street would allow a left turn in. He stated that prohibiting a left turn onto Washington Street North from Cheney will become difficult to police. He suggested to the commission to leave traffic movement to the traffic study experts.

Gerald Martens stated that the corner lot is a couple of acres and the development plan shows landscaping in traffic lanes and aisles.

Commissioner Stroder stated she would like to see the gas station placed at a different location.

Interim Planning and Zoning Director Carraway stated that until the plat is recorded, the developer is not in a position to market the property.

Deliberations followed:

Commissioners Muñoz and Frank stated that they would like to see the developers put more time and effort in designing the private lane right turn in and right turn out.

Troy Harold stated for clarification that the request is to make improvements on Cheney, according to a traffic study the City requested.

Commissioners Warren, Frank, and Muñoz agreed that the owner would generate increased traffic and would like to have the owner address issues now rather than then down the road, when it's too difficult to change.

Commissioner Richardson stated that the Commission is facing a preliminary plat and should be relying on the experts to do the street.

Commissioners Frank, Younkin, and Horsley suggested tabling the request until the traffic is addressed.

Vice-Chairman Younkin stated that the traffic plan and traffic studies are on a street that is not complete and having two consecutive signal lights on Blue Lakes does not address or change traffic pattern.

Troy Harold asked the Commission to make recommendations and the details then would be worked out with City staff.

Commissioner Frank made a motion to table the request. The motion was seconded by Commissioner Warren and roll call voted showed Commissioners Horsley, Muñoz, Stroder, Warren Younkin and Frank voted in favor the motion. Commissioners Richardson and Tenney voted against the motion. The motion passed.

Commissioner Mikesell took his seat.

Item #12 Findings of Fact and Conclusions of Law. None

Item #13 Approve minutes of Planning and Zoning Commission Meeting. Unavailable at this time.

Item #14 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(*W/S-APRIL 18, 2006* *P/H-APRIL 25, 2006*)

Item #15 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Interim Planning and Zoning Director Carraway showed pictures of Shoshone Falls on overhead projections taken by Parks & Recreation Director Dennis Bowyer.

The meeting adjourned at 9:54 p.m.

Leila A. Sanchez
Public Works Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

APRIL 25, 2006 * * * 7:00 P.M. * * * COUNCIL CHAMBERS

NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez, 735-7287, two working days before the meeting

PLANNING AND ZONING MEMBERS PRESENT: Horsley, Lezamiz, Muñoz, Richardson, Stroder, Warren, Younkin

PLANNING AND ZONING MEMBERS ABSENT: Frank

AREA OF IMPACT MEMBERS PRESENT: Mikesell, Tenney

AREA OF IMPACT MEMBERS ABSENT: Kemp

CITY COUNCIL MEMBERS PRESENT: Vice-Mayor Dwight

CITY STAFF PRESENT: Bates, Carraway, Fields, Humble, Sanchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS:

- Item #1 P&L Land Company, LLC, requests the Commission's recommendation on the annexation of 25 acres (+/-) with a zoning designation of C-1 PUD, currently zoned SUI, to allow a planned development consisting of a combination of commercial and residential uses on property located north and west of the intersection of Eastland Drive North and Pole Line Road East. **RESCHEDULED FOR MAY 30th, 2006**
- Item #2 Scott Reeves and Dave Easter request a Special Use Permit to operate an auto body and repair business on property located at 510 2nd Avenue South.

David Easter, applicant, explained the request, using overhead projections. The request is to operate the following: Automotive, service, wash bay and detail departments. The hours of operation are 7:30 a.m. to 5:00 p.m., Monday through Friday, and closed on Saturday and Sunday.

Discussion followed:
-Location of shop? DT
-Paint booth? GM

- Mechanical or auto body shop? GM
- Hours of operation? CW
- Car Sales? EM

David Easter explained the location of the shop using overhead projections. He stated that in the future Latham Motors plans to utilize areas on the property to store, excluding the auto body service and vehicle repair business proposed. He does not plan to sell vehicles.

There would be 4 bays for automobile repair, 2 bays for the lube center, and 2 bays for the service center. There would be two paint booths which will be maintained according to City and State codes.

Vehicles to be repaired will be worked on inside the building, and occasionally a trailer will be parked in a gated driveway. Wrecked vehicles will not be visible, but wrecked cars may be parked on the property not more than 30 days.

The hours of operation for the sales parts would close between the hours of 7:00 a.m. – 8:00 p.m. The service department would close at 6:00 p.m., Monday through Friday.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. The request is to operate an auto body service and vehicle repair business. The site is located in a CB zoning district of the City. To operate an automobile service and/or repair business in the CB zone requires a Special Use Permit. This site has operated as an automobile dealership which provided service to their customers. The service department was not operated independently. To convert the use from a retail business – *auto dealership* - to a service business – *auto service/repair business* - requires a Special Use Permit.

Impacts from automobile repair shops are usually the result of non-operating vehicles being parked for extended periods of time on the site and the accumulation of miscellaneous parts stored outside of an enclosed area. The hours of operation and number of employees are not stated.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Subject to full compliance with building, engineering, fire and zoning codes.

The public hearing was opened and closed with no input.

Deliberations followed:

- No major impacts or changes requested. GM
- No change in landscaping proposed. RH

Commissioner Tenney made a motion to approve the request as presented with staff recommendations. The vote was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #3 David and Marilyn Kramer request a Special Use Permit to operate a vehicle repair business on property located at 213 5th Avenue West.

Gary Nelson, Nelson Realty, representing the applicant, explained the request. He stated the request is for 205 and 213 5th Avenue West to operate an auto service and repair business.

Discussion followed:

-Auto body painting or repair business proposed? KS

-Referred to Agenda photo titled, "213 5th Avenue West SUP auto service Kramer #2" showing non-working vehicle parts on the property. DT

Gary Nelson stated there would be no auto painting on the property. Currently there are cars and parts on the property. He stated that the building is not in the WHO district.

Interim Planning and Zoning Director Carraway confirmed this property is not located within the WHO District.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. The request is to operate a vehicle repair business. The site is located in an M-2 zoning district of the City. To operate a vehicle repair business in the M-2 zone takes a Special Use Permit.

Impacts from vehicle repair businesses are usually the result of non-operating vehicles being parked for extended periods of time on the site and the accumulation of miscellaneous parts stored outside of an enclosed area. The hours of operation and number of employees are not stated.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. No vehicles awaiting work or miscellaneous parts to be stored outside of an enclosed building or a sight obscuring screened area.
2. Subject to full compliance to all building, engineering, fire, and zoning codes.
3. Install a sand/grease trap that meets current standards.
4. Storm water retention to be addressed as part of the building permit review.
5. Paint booth shall be subject to compliance to all building, engineering, fire, and zoning codes.
6. Curb, gutter, and sidewalk deferral agreement required.

Discussion followed:

-Point of clarification: The request is for one or two lots? GM

City Attorney Wonderich stated that the applicant advertised for a public hearing for the building located at 213 5th Avenue West, and advised the Commission to address questions pertaining to that location.

Interim Planning and Zoning Director Carraway stated the Commission may table the request and request the applicant to make application for the entire site.

The public hearing was opened and closed with no input.

Deliberations followed:

-Does the applicant understand the request for a Special Use Permit is for property located at 213 5th Avenue East and must meet all City requirements? RH, GM

-Fencing requirements? KS

Gary Nelson stated that he would make application to include 205 5th Avenue East.

Commissioner Warren made a motion to table the request. The motion was seconded by Commissioner Muñoz and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #4 Andrew Stephens requests a Special Use Permit to operate a used vehicle sales business on property located at 405 Main Avenue East.

Andrew Stephens, applicant, explained the request using overhead projections. There would be three main entrances to the business and would be renting 1,400 square feet of the building. The main entrance for traffic flow is 30' wide. The business would be open from Monday through Saturday, 9 a.m. to 5 p.m, with no employees or partners. There is expected to be 15 customers per day. Noise would be minimal or non-existent with no negative impact on surrounding businesses. This request, if approved, should create minimal impacts.

Discussion followed:

How many cars on the property?

Andrew Stephens stated there would be a minimum of five cars and five stalls. The balance of the building is to be leased.

Interim Planning and Zoning Director Carraway stated the applicant would need to amend the permit if increased to more than five vehicles. She stated the property is located in a CB zoning district of the City. In that district to establish an automobile sales business requires a Special Use Permit. The most recent use of the property was for a professional office, Three of Hearts Events Planning Service. To change from a service business to a retail business is considered a change of use and full compliance with minimum code development standards are required. There is currently no landscaping shown on site. This property is located within the P-1 parking overlay. City Code 10-10-4(A) states there is no off-street parking required for outright permitted uses, but may be required through the Special Use Permit process. There is also no curb, gutter or sidewalk along Jerome Street East. A deferral agreement should be required as part of this process.

In the narrative the applicant is leasing 1,400 sq. ft .of a total 6,600 sq. ft. building. There is no other information on the remaining tenants. The narrative also states there will be no employees. The access on Main Avenue East is shown as blocked.

She said staff recommends the following conditions be placed on this permit, if granted:

1. Property used in business is to comply with all building, engineering, fire, and zoning requirements.
2. Block the access to Main Avenue East.

Discussion followed on the deferral agreement of curb gutter and sidewalk.

The public hearing was opened and closed with no input.

Andrew Stephens stated that the owner of the lot would not allow the reconstruction of the lot.

Interim Planning and Zoning Director stated that the owner would be required to comply if approved with the condition. She stated that an alternative landscape plan could be considered.

Deliberations followed:

Alternative landscape plan such as potted or permanent plants and future curb, gutter, and sidewalk would improve the appearance of the area.

Request of considering a one year limitation on the conditions. GT

Requirements placed on a small project would create an expense to the applicant who is renting. CY

Commissioner Tenney made a motion to approve the request as presented with staff recommendations with the addition of: 3. The approval of an alternative landscaping plan as presented. The motion was seconded by Commissioner Muñoz and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #5 Edward Joliff requests a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 967 Eastland Drive. **WITHDRAWN BY APPLICANT**

Item #6 Rivercrest Apartments Community Phase III, c/o Benjamin Clegg, requests a Variance to allow a greater than 35' building height on property located at 2005 Rivercrest Drive.

Benjamin Clegg, Bach Builders and Developers, explained the request using overhead projections. The request is for a height variance. The intent is to build apartments with 9' ceilings. The proposed structures will have apartment structures of similar size to the north and a future road has been planned to the south. The properties directly east and west of Phase III are currently undeveloped. The proposed buildings directly north will be within approximately 5' of the height variance.

In closing, he stated the enforcement of this provision will create an unnecessary hardship for Twin Falls residents desiring this type of living space as well as Rivercrest Apartments.

He explained the market study and market presence and Class "A" apartments.

Interim Planning and Zoning Director explained the request using overhead projections. The site is located within the Northbridge PUD and is zoned C-1 PUD. The applicants wish to construct a new residential apartment building with a building height of 40'. This area within the PUD is designated to be developed to comply with R-6 development standards. Within the R-6 Zone the maximum building height is 35'.

City Code Section 10-13-2.1(C)4 sets forth five criteria, which must be met in order for a variance to be granted. They are:

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
- b. That a literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
- c. That special conditions and circumstances do not result from the actions of the applicant.
- d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Title to other lands, structures or buildings in the same district.

- e. That a literal enforcement of the provisions of this Title would result in unnecessary hardship. For purposes of this Section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

The last paragraph of that section states, "A variance shall not be granted unless the Commission makes specific Findings of Fact based directly on the particular evidence presented to it which support conclusions that the above mentioned standards and conditions have been met by the applicant."

Discussion followed:

Would this comply with the PUD agreement? CY.

What is the reasoning behind the 35' limitation? BL

Interim Planning and Zoning Director said that this request is specific to the two buildings.

The public hearing was opened:

Fran Florence, 4129 Hidden Lakes Drive, Kimberly, Idaho, spoke in favor of the request. He requested the Commission to review the height restriction of 35'. He also requested the consideration of eliminating parking on River Crest Drive.

Randy Schrauder, Bach Builders, stated that he supported restricting parking on River Crest.

The public hearing was closed.

Ben Clegg explained the wet pipe system sprinkler system.

Deliberations followed:

The issue of the height limitation has been raised various times. Staff was asked to consider forming a sub-committee to look at the building height restriction and compare to other cities. RH

Does this request meet the criteria of a variance? KS & RH

Appears to be a good development and would hesitate to hold up until code is changed. CW

Commissioner Lezamiz made a motion to approve the request as presented. The motion was seconded by Commissioner Warren. Commissioners Horsley, Lezamiz, Muñoz, Richardson, Mikesell, Warren, and Younkin voted in favor of the motion. Commissioners Stroder and Tenney voted against the motion. The motion passed.

- Item #7 City of Twin Falls requests a Zoning Title Amendment that would amend Twin Falls City Code Title 10, Section 17, and Chapter 3, to reduce the time period of filing an appeal from all decisions of the Commission on issues not requiring the passing of an ordinance.

Interim Planning and Zoning Director I reviewed the request of the City of Twin Falls for a zoning title amendment which would amend Twin Falls City Code Title 10 Section 17 Chapter 3.

The ordinance would make changes in the zoning code found in Title 10 of the City code. Changes in that Title require a recommendation from the Planning and Zoning Commission to the City

Council through the public hearing process. Additional public hearings are required by the Council prior to a decision on the ordinance.

In all but one instance, the City Code - Title 10 sanctions a 15 day appeal period. This amendment is to bring the exception into conformance with all of the other sections in the Code.

She said staff recommends approval of the request.

The public hearing was opened and closed with no input.

Deliberations followed:

-Straightforward.

Commissioner Muñoz made a motion to recommend for approval a zoning title amendment as presented. The motion was seconded by Commissioner Stroder and roll call vote showed all members in favor of the request. The motion passed.

Commissioner Mikesell stepped down at 8: 45 pm.

OTHER ITEMS:

Item #8 Consideration of the revised preliminary plat of North Haven PUD Subdivision, 80.0 acres (+/-) located on the southeast corner of Pole Line Road and Washington Street North.

Troy Herold, CLC Associates, representing the applicant, reviewed the request using overhead projections. He stated that the plat is in compliance with the recommendations approved as part of the traffic study completed for the project. The following changes are as follows: 1. Include road widening along Cheney, right turn pull outs and road widening, additional dedication along Washington Street, upgrades to the signals along Cheney.

A traffic study, completed by Peak Hour Engineering, was reviewed by Mr. Herold.

Paul Smith, attorney for the applicant, stated that Wal-Mart is a productive and contributing member of the community. He attended the last two Planning and Zoning Work Sessions and listed the following concerns:

1. Staff will not discuss the traffic study until a land division or until the matter is presented to the City Council when under appeal.
2. At no time has there has been any complaint on the plat not being in conformity.
3. Believes the plat has a valid land division and would like a decision.
4. People are inquiring when Wal-Mart will be hiring.
5. Wal-Mart full time and part time employees will have opportunity for health insurance.

Discussion followed:

Intersection traffic safety is a main concern. DT

What traffic counts are projected for truck exiting Wal-Mart 10 years out? CW

Projected growth rate of the City. GM

Speed limit on Washington and Cheney. KS

Collection of traffic data research reports. CY

Troy Herold stated the following:

-The traffic study is projected out to 2016.

-The traffic study is the best sound judgment of qualified professionals.

-The number of vehicles at every store is different. It appears the study shows 11,000 vehicles in a day, peak hour shows 805.

-Twin Falls shows a yearly growth rate of 5% per year.

-All four accesses are proposed full movement access.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. The site is zoned C-1 PUD. The request is to revise the approved North Haven PUD subdivision plat. The changes incorporate the actual rights-of-way on Cheney, Billiar and Sparks. It removes the public access previously shown through the middle of lot 6 and adds 4 more lots; 7, 8, 9 & 10.

The final plat was approved by City Council on January 17, 2006 with conditions. The request is to modify the approved plat which requires it be brought back through the platting process.

The Council approved the final plat subject to several conditions. If the Commission votes to approve this plat those conditions should be included as a condition of approval. Each development will require

a separate building permit and review for compliance with all building, engineering, fire, and zoning codes.

Staff has reviewed this request and recommends the following conditions be placed on this plat, if granted:

1. Subject to the previous conditions of approval, attached.
2. Subject to final technical review by the Engineering Department.

Vice-Chairman Younkin read a letter dated April 25, 2006, into the record from Sherry Olson-Frank, opposing the request, and requesting eliminating left turns in and out.

The public hearing was opened:

David Sparks, 1999 Pole Line Road East, spoke in favor of the request.

Troy Herold stated that the configuration proposed along Washington is two lanes in each direction with right turn lanes where the access points are needed and a center left turning lane at the proper access points.

The public hearing was closed.

Deliberations followed:

Safety concern at the intersection with semi-trucks exiting the intersection. GM

Learn from past experience and correct. Consider prohibiting left turns. RH

Private drive situation is not the desire of the store to enhance for customers but trucks coming in and out of Wal-Mart. Suggested a guarded locked gate. Hazardous intersection with left turns. CY

Commissioner Stroder made a motion to approve the request as presented with staff recommendations and in addition to: 3. The private entrance shown as "Washington Street Access #1" on traffic study, as discussed at this meeting, to be limited to right in and right out only with a median divider on Washington Street North. The motion was seconded by Commissioner Warren.

Discussion followed:

Suggested on voting on the left hand turn portion. DT

Commissioner Muñoz made a motion to amend the main motion as presented and to remove: proposed condition #3. The motion was seconded by Commissioner Warren. Commissioners Lezamiz, Muñoz, Richardson, and Tenney voted in favor of the motion. Commissioners Horsley, Stroder, Warren and Younkin voted against the motion. The motion failed.

Roll call vote on the main motion including condition #3 showed Commissioners Horsley, Muñoz, Richardson, Stroder, Warren, and Youkin voted in favor of the motion. Commissioners Lezamiz and Tenney voted against the motion. The motion passed.

Break at 8:35 p.m. and reconvened at 8:45 p.m.

E. Rick Mikesell took his seat on the Commission.

Item #9 Preliminary presentation of Jeff Blick for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD for 3.0 acres (+/-) located at on the south side of the 1800 block of Elizabeth Boulevard. Scheduled for public hearing on May 9, 2006.

Marty Gergen, Riedesel & Associates, explained the request using overhead projections.

Discussion followed:

-Straight in parking proposed? DT

-Location of driveway access. KS

-Coulee to be fenced? DT

Marty Gergen stated the following:

-There would be straight in parking.

- Access into driveways will be off of Elizabeth Blvd.

Interim Planning and Zoning Director Carraway reviewed the request using overhead projections. She said the site is currently zoned R-4. The request is to rezone the site to R-4 PUD (Planned Unit Development).

The code requires that the applicants make a preliminary PUD presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. A public hearing on the rezone has been scheduled to be heard by the Commission for May 09, 2006. Further analysis will be given for the public hearing.

The development proposed is for 8 4-plex dwellings for a total of 34 residential units and one duplex. The site is 3.08 acres.

The elevations shown with the application are a classic residential design. A 6' screening fence will be installed surrounding the project.

Public input was opened.

Phyllis Mascarrì, 572 Madrona Street, stated the following concerns: Lack of fencing around the coulee and inadequate drainage system.

Jeff Peck, 1872 Elizabeth Blvd., requested canal water access for irrigation water.

Marty Gergen stated the following:

-Has no control over the irrigation water.

-The developer has transferred water shares to the City.

-The storm water would be kept on site as per code requirements.

-Would discuss fencing with the developer.

The public hearing will be heard on May 9, 2006.

Item #10 Consideration of the preliminary plat of Sto-N-Go Park Subdivision, 3.6 acres (+/-) located on the East side of 1800 block of Washington Street North. **RESCHEDULED FOR MAY 9TH, 2006**

Item #11 Findings of Fact and Conclusions of Law. None.

Planning and Zoning Commission Meeting Minutes

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Item #12 Approve minutes of the March 28th , April 3rd , April 11th and April 18th , 2006 Planning and Zoning Commission Meeting. Unanimously approved.

Item #13 Date of next Planning & Zoning Commission Work Session and Public Hearing.
(W/S-MAY 2, 2006 P/H -MAY 9, 2006)

Item #14 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

The maximum building height requirement will be discussed at the May 2, 2006, Work Session.

The meeting was adjourned at 10:03 p.m.

Leila Sanchez
Public Works

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING
MINUTES
MAY 9, 2006 * * * 7:00 P.M. * * * CHAMBERS
NEW COUNCIL CHAMBERS, 305 THIRD AVENUE EAST.

*Any person(s) needing special accommodations to participate in the above noticed meeting should contact
Leila Sanchez, 735-7287, two working days before the meeting*

- PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Lezamiz, Richardson, Stroder, Warren, Younkin
- PLANNING AND ZONING MEMBERS ABSENT: Muñoz
- AREA OF IMPACT MEMBERS PRESENT: Mikesell and Tenney
- AREA OF IMPACT MEMBERS ABSENT: Kemp
- CITY COUNCIL PRESENT: None
- CITY STAFF PRESENT: Carraway, Fields, Humble, Sánchez

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures and introduced City staff.

PUBLIC HEARING ITEMS:

- Item #1 Request of Jeff Blick for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a residential multi-family housing project on approximately 3 acres of property located on the south side of the 1800 block of Elizabeth Boulevard.
RESCHEDULED FOR MAY 30TH, 2006
- Item #2 Request of Jay and Claudia Mickelsen for a Special Use Permit to operate a professional office on property located at 2013 Addison Avenue East.

Russ Lively, Russ Lively Architect, Chartered, representing the applicant, explained the request using overhead projections. The reason for the request is that this property requires a Special Use Permit in order to comply with the Professional Office Overlay District. The Special Use Permit will allow the new owner to make improvements and occupy this property as an office building.

This unusual piece of property acts as a buffer from the traffic on Addison Avenue East. It is bordered on the west by Sunrise Boulevard, on the east by Blair Drive, and the south by Addison Avenue East. On Blair Drive the fence and gravel driveway will be removed and replaced with landscaping.

Zoning and Development Manager Carraway reviewed the request using overhead projections.

The request is to establish a professional office at this site. This property was rezoned from R-2 to R-2 PRO on April 16, 2001, and a Special Use Permit was granted on July 9, 2001, to operate a professional office. A professional office has not been established. It has been over a year and the proposal is substantially different from what was approved. A Special Use Permit is required.

The request is consistent with other professional offices in the area that have been granted a Special Use Permit. The narrative states there will be a 6' tall vinyl fence with a lattice top along the northerly property line. The business hours are stated to be 8:00 a.m. to 5:00 p.m., Monday through Friday. There is no curb, gutter or sidewalk along Sunrise Blvd. Within the R-2 zone development, curb, gutter and sidewalk are required for a change of use.

The building is 2,175 square feet in size which by City Code 10-10-3(A) requires a minimum of 8 parking stalls. The site plan shows 8 stalls.

The impacts of this business should be minimal to the surrounding properties.

She said staff has reviewed this request and recommends the following conditions be placed on this permit, if approved:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. **Subject to installation of curb, gutter, and sidewalk in compliance with City standards.**

Discussion followed:

- Special Use Permit was issued in 2001 for a beauty shop but was never established.
- The permit is for zoning purposes only and signage is not part of the permit.
- Requirements of a curb, gutter and sidewalk.

The public hearing was opened and closed with no input.

Deliberations followed:

- Closing off the access off of Addison will improve the look of the property.

Commissioner Warren made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. **THE MOTION PASSED.**

Item #3 Request of MVRMC and Twin Falls County for a Special Use Permit to allow an expansion by more than 25% of an existing ambulance service on property located at 285 Martin Street.

Paul Louton, representing the applicant, explained the request using overhead projections. In December 2004, a Special Use Permit was granted for an ambulance center. A curb,

gutter, sidewalk, and landscaping have been placed. There have been no issues with sirens or lights by the surrounding neighbors.

The request is to build a paramedic garage to park ambulances and supervisors' vehicles. Ambulances are currently parking 1 ½ blocks away from the location.

Discussion followed:

Paul Louton stated that a revision on the plans now shows nine parking spaces.

Zoning and Development Manager Carraway explained the request using overhead projections. The request is to expand an existing ambulance service by more than 25%. The applicants wish to build a 3,000 sq. ft. garage to house the ambulances stored on site.

The site is located in an R-6 PRO zoning district. A Special Use Permit was granted on December 28, 2004, to operate an ambulance service at this site. City Code 10-13-2.2 (C) states an expansion of 25% or more over the original sq. ft. requires a Special Use Permit.

The site currently houses a 2,640 sq. ft. converted residence. The narrative states that there could be a total of 12 vehicles on the site except when staff meetings are held once a month, which could bring in more vehicles. Special Use Permit #0908 was granted on a site plan that showed 17 parking spaces. The current application shows 7 parking stalls. City Code requires a minimum of 9 stalls.

One of the concerns often mentioned relative to ambulance services is the noise generated by sirens. The narrative states that sirens are not turned on in residential areas unless absolutely necessary. The City has not received complaints on noise from the ambulances in their current location at 395 Shoup Avenue West.

Staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to adding two (2) additional parking spaces in order to comply with minimum City Code requirements for (9) spaces.

The public hearing was opened:

J. D. May, representing Helen Kolouch, the owner of adjacent property, spoke against the request. Ms. Kolouch owns an easement that runs 25' east of the property, and another 25' easement on the north part of the property. Mrs. Kolouch requests that the applicant not be allowed to place the building along the northerly part of her property. The applicant placed a curb along her property and asked that a curb cut be placed.

Robert Leovy, 441 Martin Street, spoke against the request. His concerns include the following:

- The applicant's tree and sidewalk run along Ms. Kolouch's easement.
- Ambulances are not permitted at the location.
- Request of a traffic count to be done.

The public hearing was closed.

Paul Louton stated that in 2004 the curb, gutter, and sidewalk were placed. A 6' chain link fence surrounds the property and the tree in question is inside the fence.

Deliberations followed:

- City Engineer Fields stated the 25' easement will be reviewed by engineering staff.
- Complaints have not been received by staff in regards to siren and flashing lights.

Vice Chairman Younkin made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members voted in favor of the motion. **THE MOTION PASSED.**

Item #4 Request of Lake City Trucks, Inc./ESP Future, LTD, for a Zoning Title Amendment to allow by Special Use Permit agricultural equipment sales and service within the CB zone.

Robert Lund, representing the applicant, explained the request using overhead projections. The request is for a zoning title amendment for the purpose of putting up a new building for the Ag Department to do sales and service of farm equipment. Operating hours will be 8:00 a.m. to 5:00 p.m., Monday through Friday. Curb, gutter and landscaping will be placed.

The proposed Ag building should be compatible with surrounding property. West of the property are two residences and one vacant commercial building to the south of the property.

Zoning and Development Manager Carraway reviewed the request using overhead projections. The request is to amend the City Code to allow agricultural equipment sales and service in the CB zone. This is not a site specific request. If approved this change would apply to any CB zoned property. City Code 10-4-7.1 states the purpose of the CB, commercial central business district is "...intended to provide for commercial activities of various sizes from large retail stores to small specialty shops with residential opportunities for persons wishing to work and live in a unified environment." Approval of this request would compromise the intent of the CB zone.

The change being requested is an industrial use which is not an appropriate use in the CB zone.

Staff recommends there be no change to City Code Section 10-4-7.2(b).

Discussion followed:

- The property is located in a heavy industrial area.

The public hearing was opened:

Verl Bench, 408 East Avenue K, Jerome, employee at Lake City Trucks, spoke in favor of the request.

Tasha Fleetwood, 485 Sunridge Drive, spoke in favor of the request.

The public hearing was closed.

Deliberations followed:

Wide range of industrial uses in the surrounding area.

Artist's renderings showing great improvement to the property.

Commissioner Stroder made a motion to recommend approval for a Zoning Title Amendment as presented to the City Council. The motion was seconded by Commissioner Frank. Commissioners Frank, Stroder and Younkin voted in favor of the motion. Commissioners Horsley, Lezamiz, Mikesell, Richardson and Warren voted against the motion. **THE MOTION FAILED.**

Item #5 Request of Bosero Development, LLC, for the Commission's recommendation on the annexation with a zoning designation of R-4, currently zoned R-4, for approximately 50 acres of property located east of the intersection of Harrison Street South and Pheasant Road.

Don Acheson, Riedesel and Associates, representing the applicant reviewed the request using overhead projections. The request is for the annexation of the developer's property. The current land use is agricultural. The current zoning of the parcel and zoning of the land adjacent to the property is R-4 Residential Medium Density District. The developer is requesting to maintain the current zoning designation.

Zoning and Development Manager Carraway reviewed the request. The request is to annex approximately 50 acres with a zoning designation of R-4, currently zoned R-4. The site is located east of the intersection between Harrison Street South and Pheasant Road. The narrative states the developer intends to develop a single family residential subdivision. City limits are contiguous to the west.

Twin Falls City Code Sections 10-15-1 and 10-15-2, require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the council has received the commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed, and if so, what the zoning designation shall be.

Staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Commissioner Richardson made a motion to recommend a zoning designation of R-4, currently zoned R-4 to the City Council. The motion was seconded by Commissioner Lezamiz and roll call vote showed all members present voted in favor of the motion. **THE MOTION PASSED.**

Commissioner Mikesell stepped down from the Commission at 7:54 P.M.

Item #6 Request of R.G. Messersmith for the Commission's recommendation on the annexation with a zoning designation of R-2, currently zoned R-2 and SUI, for approximately 80 acres located at the southwest corner of Falls Avenue West and Grandview Drive North.

Don Acheson, Riedesel and Associates, representing the applicant, reviewed the request using overhead projections. The current zoning of the east portion of the parcel is R-2 Residential Single Household or Duplex District. The west portion is Suburban Urban Interface. Adjacent properties include R-2 Residential Single Household or Duplex District. R-2 zoning will also be consistent with the Sun Terra and Fieldstone Subdivisions to the north.

Zoning and Development Manager reviewed the request using overhead projections. The request is to annex approximately 80 acres with a zoning designation of R-2; currently it is zoned R-2 and SUI. The site is located on the southwest corner of Falls Avenue West and Grandview Drive North. The narrative states the developer intends to develop a single family residential subdivision. The site is contiguous with City limits on all 4 sides.

Twin Falls City Code Sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. After the Council has received the Commission's recommendation an additional public hearing will be held by the Council to determine whether the designated area should be annexed, and if so, what the zoning designation shall be.

Staff makes no recommendation on this request.

The public hearing was opened and closed with no input.

Deliberations followed:

- The R-2 zoning designation is a natural extension.
- The platting process will be looking at larger lots.

Commissioner Stroder made a motion to recommend a zoning designation of R-2, currently zoned R-2 and SUI, to the City Council. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. **THE MOTION PASSED.**

8:08 p.m. Commissioner Mikesell took his seat on the Commission.
Commissioner Frank stepped down from the Commission.

Item #7 Request of Gregg Middlekauff or a Special Use Permit to expand by more than 25% existing automobile sales and service business on property located at 1237 Blue Lakes Boulevard North.

Barrett Craig, Balteus Design Group, representing the applicant, explained the request using overhead projections. Middlekauff Auto Group is requesting a revised Special Use Permit to construct a new Honda dealership facility on their existing Mitsubishi building and the construction of a completely new building. The project will consist of a new 12,062 sq. ft. showroom, offices, and service facility. The building would be constructed out of painted

split faced concrete block, steel, and synthetic stucco. Landscaping will be placed. Currently the existing building has water leakage and the utility location has been a continual problem. A sign in the site triangle has been removed.

Discussion followed:

-Reported ongoing sign code violations.

Barrett Craig stated that he did not understand signage regulations and would work with staff to comply. He stated that Rex Lytle, Lytle Signs, does all signage for Honda.

Zoning and Development Manager Carraway reviewed the request using overhead projections. The property is located in a C-1 zoning district of the City. In that district, to establish automobile sales and service business and any expansion greater than 25% of such, a business requires a Special Use Permit. The proposed building constitutes an expansion greater than 25%.

Non-permitted signage and parking vehicles on the landscaping and in vision site triangles on the landscaping have been consistent concerns for this property. There were thirty (30) sign code violations noted during a site inspection on May 1, 2006. There is no guarantee if these violations are brought into compliance they will remain in compliance. On May 9, 2006, an on-site inspection showed there is only one remaining violation, which is the construction sign. Due to the history of violations occurring at this site, if the Commission approves this permit this evening, it may be appropriate to place a time limit on the permit.

Staff recommends the following conditions be placed on this permit, if granted:

1. Subject to plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Compliance with the City of Twin Falls sign code.
3. Compliance with the City of Twin Falls code requirements for parking on the landscaping.
4. Approval subject to 1-year.

Discussion followed:

Commissioner Stroder requested Mr. Middlekauff state for the record that he would work with staff to comply with signage regulations.

Greg Middlekauff, owner, explained that he did not understand signage regulations but that he would comply.

Commissioner Stroder suggested that Mr. Middlekauff become proactive and contact the City before placing signs.

The public hearing was opened and closed with no input.

Barrett Craig stated that the signage regulations were difficult to understand. He also commended the owner for hiring businesses in state.

Deliberations followed:

- Limiting the permit to one year.
- Revocation of a Special Use Permit.

Commissioner Warren made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. **THE MOTION PASSED.**

Item #8 Request of David L. Kemp for a Special Use Permit to construct an 1840 sq. ft. detached accessory building on property located at 2521 Stadium Boulevard. **WITHDRAWN**

8:23 p.m. Commissioner Frank took his seat on the Commission.

Item #9 Request of the Center for Independent Living for a Special Use Permit to operate a private school on property located at 2140 Elizabeth Boulevard, Apartment #29B.

Rene' Stephens, representing the applicant, explained the request using overhead projections. The center has been in business since 1997, and is located at 2158 Blake Street North. Clients are physically and mentally challenged individuals. They are taught life skills such as cooking, laundering, cleaning, and managing money.

The apartment is at ground level, handicap accessible, and ideal for small groups. Twelve clients would be the maximum at the apartment, and there would be 2 to 3 staff at the site.

She stated the following:

- The Department of Health and Welfare and Fire Department have been contacted.
- The landlord is in favor of the plan.
- An exit sign and fire extinguisher would be placed.
- Fire drills will take place.
- A maximum of two vehicles would be at the premises.
- Operating hours would be between 9:00 A.M. and 3:00 P.M., Monday through Friday.

Discussion followed:

- Group settings of six clients to one staff.
- The maximum of 15 clients at one time.
- Commercial building versus a four-plex.
- Fire drills disturbing surrounding neighbors.
- The center is a corporation.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the request is to operate a private learning facility for adults. The property is located in an R-4 PUD zoning district of the City. In that district a Special Use Permit is required to establish a private learning facility. The proposed hours of operation, as stated in the applicant's narrative, are 9:00 a.m. to 3:00 p.m., Monday through Friday. The apartment will not be used in the evenings or on the weekends. The narrative states there will be approximately 12 clients in the apartment with 2 to 3 staff members.

The facility will operate with one van available for use. The applicant has stated that there will be no employee vehicles at the site. The only vehicle will be a van.

There was a concern brought up about occupancy. In reviewing this request with the Fire Marshall, there does not seem to be an issue at this time. As this is a change of use there will be a Certificate of Occupancy required and the Fire Marshal will officially review the permit at this time.

If granted, the Special Use Permit should be issued only to the specific applicant at the requested location to ensure the nature of the use and operations remain unchanged from the above request.

Staff recommends the following conditions be placed on this permit, if granted:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Not to occupy more than the 2 parking spaces associated with the residential unit.
3. Hours of operation shall be limited to 8:00 am to 5:00 pm, Monday through Friday.
4. This Special Use Permit is issued specific to the Center for Independent living at 2140 Elizabeth Boulevard, Apt #29B.

Discussion followed:

- No retail sales permitted.
- Signage
- Limitation of hours of operation.

The public hearing was opened.

Jody Walker, Center for Independent Living client, spoke in favor of the request.

Shoshona Jovan, Center for Independent Living client, spoke in favor of the request.

Bari Fedaire, 2140 Elizabeth Building #30 D, landlord, spoke in favor of the request. He requested that the applicant provide a certificate of assurance.

The public hearing was closed.

Deliberations followed:

- Commercial business in a residential area.
- Limiting the number of clients.
- Consideration of allowing a Special Use Permit for one year.

Vice Chairman Younkin made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Mikesell.

Commissioner Frank made a motion to amend the main motion as presented and to include the additional condition: 5. No exterior signage. The motion was seconded by Commissioner Stroder. Roll call vote showed Commissioners Frank, Horsley, Lezamiz, Richardson, Stroder, Warren and Younkin voted in favor of the motion. Commissioner Mikesell voted against the motion. THE MOTION PASSED.

Roll call vote on the main motion with the amendment showed Commissioners Frank and Younkin voted in favor of the motion. Commissioners Horsley, Lezamiz, Richardson, Mikesell, Stroder, and Warren voted against the motion. **THE MOTION FAILED.**

9:00 P.M. (break)

9:05 P.M. (back in session)

OTHER ITEMS:

Item #10 Consideration of the preliminary plat of Sto-N-Go Park Subdivision, 3.6 acres (+/-) located on the east side of 1800 block of Washington Street North.

Marty Gergen, Riedesel and Associates, representing the applicant, explained the request. He stated that the request is for one lot to develop a storage unit subdivision. Issues involving the plats were reviewed and discussed with Assistant City Engineer Rod Mathis prior to the meeting and have been addressed.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the site is zoned C-1 PUD. On August 22, 2005, the City Council approved a PUD modification to allow the development of a storage unit facility at this site. To do this required the property be platted as the one-time split has occurred.

The process to subdivide property requires a preliminary plat be presented to the Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. 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 then may the plat be recorded and lots are sold for development.

Assistant City Engineer Mathis had concerns as stated in an email dated March 30, 2006,

This plat is consistent with other development in the area and is in conformance with the comprehensive plan.

Staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to plat amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department including, but not limited to, the concerns detailed in the attached e-mail from Rod Mathis.
2. Subject to full compliance with the PUD agreement

The public hearing was opened and closed with no input.

Deliberations followed:

Residents of the Los Lagos Subdivision worked with the developer on the PUD agreement.

Commissioner Warren made a motion to approve the plat as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the request. **THE MOTION PASSED.**

Commissioner Mikesell stepped down at 9:14 p.m.

Item #11 Consideration of the preliminary plat of Canyon Trails #6, #7, #8 & #9 Subdivision, 46.91 acres (+/-), located south of Federation Road and west of Wendell Street North.

Tim Vawser, EHM Engineers, Inc., representing the applicant explained the request using overhead projections. He stated the following issues have been addressed:

-A mini park for the drainage.

-Plat #9 has a tract which has a 10' residential path and will connect commercial to residential.

-The developer will develop Wendell Street with landscape medians.

Discussion followed:

-Construction on Pole Line Road.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the site is zoned C-1 PUD. The Master Development Plan designates this area to be developed to R-4 development standards.

This plat is consistent with other development within this PUD in the area and is in conformance with the Comprehensive Plan.

Staff recommends the following conditions be placed on this preliminary plat, if granted:

1. Subject to plat amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department.
2. Subject to full compliance with the PUD agreement

The public hearing was opened and closed with no input.

Deliberations followed:

The Commission commended the developer and engineers on the project.

Commissioner Lezamiz made a motion to approve the plat as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. **THE MOTION PASSED.**

Commissioner Mikesell took his seat on the Commissioner at 9:24 pm

Item #12 Findings of Fact and Conclusions of Law

- a. Request for North Haven PUD Subdivision, Revised Preliminary Plat.

UNANIMOUSLY APPROVED.

PLANNING AND ZONING COMMISSION MINUTES

MAY 9, 2006

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Item #13 Approval of the **April 25th, 2006**, minutes of Planning and Zoning Commission Public Meeting.

UNANIMOUSLY APPROVED.

Item #14 Date of next Planning & Zoning Commission Work Session and Public Hearing.

(W/S-MAY 23, 2006

P/H -MAY 30, 2006)

Item #15 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission. None.

The meeting adjourned at 9:28 p.m.

Leila Sanchez

Executive Assistant

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION PUBLIC MEETING
MINUTES

MAY 30, 2006 * * * 7:00 P.M. * * * CITY COUNCIL CHAMBERS

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Munoz, Richardson, Stroder, Warren. Younkin

PLANNING AND ZONING MEMBERS ABSENT: Lezamiz in the audience.

AREA OF IMPACT MEMBERS PRESENT: E. Rick Mikesell

AREA OF IMPACT MEMBERS ABSENT: Kemp and Tenney

CITY COUNCIL PRESENT: Vice Mayor Dwight

CITY STAFF PRESENT: Carraway, Fields, Sánchez

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures and introduced City staff.

PUBLIC HEARING ITEMS:

Item #1 P&L Land Company, LLC, requests the Commission's recommendation on the annexation of 25 acres (+/-) with a zoning designation of C-1 PUD, currently zoned SUI, to allow a planned development consisting of a combination of neighborhood commercial and residential uses on property located north and west of the intersection of Eastland Drive North and Pole Line Road East.

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained the request using overhead projections. He stated the request is for a C-1 PUD. He reported on the following:

- Mixed use project.
- Off street parking to include two per unit and a garage per unit.
- Showed architectural rendering of residential units on overheads.
- Canyon rim trail would be placed along the north boundary.
- Explained the point of access and traffic circle.
- Office buildings would be a mixture of stone, glass and brick and would meet the height restrictions of the PUD agreement.
- Working on the PUD agreement with staff.
- Fronts on Pole Line Road East and would be developed for commercial and would follow code for neighborhood commercial, with the exception of two specific uses, a hotel and neighborhood facility type convenience store that would require a special use permit.
- Gazebo/visitor's center along the rim.
- Homeowner's/Property Owner's Association would be in place.
- Landscaping and public trails would be within the project.

He stated that he has reviewed staff's recommendations and has issues relative to the trail. The conditions suggest that either this developer acquire access to the property or acquire a connection along the eastern boundary. The property owner stated that this would be unacceptable.

Discussion followed:

- Parking in the residential area.
- Width of the street prohibiting internal curb parking.

Gerald Martens stated there would be parking in the garage and one in the driveway for each living unit and community type parking within the residential properties. There would be two off street parking opportunities for residential areas. The sight plan (conceptual drawing) shows residential units as rectangular. The architect will incorporate and add some internal parking spaces. A 30' road could provide curb parking, excluding the area where the trail is located. . A great deal of commercial and office parking vacant during evening and non-business hours would be available to the residents.

In the first phase the following will be addressed:

- PUD agreement.
- Improvements made on Pole Line Road
- Landscaping.
- Canyon rim trail.
- First phase will be the residential before neighborhood commercial.
- Roundabout and roadway.
- Coordinating with surrounding property owners to improve Pole Line Road.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the site is located within the Canyon Rim Overlay (CRO). This project is well designed with heavy landscaping shown on the development plan and with landscaping throughout parking areas. Staff has concerns the canyon rim trail system is not shown all along the rim.

Land uses and development standards stated in the draft PUD agreement refer to the allowed uses/development standards from the R-6 Zone, C-1, NCO Zone and a Business Park. The land uses and development standards within the CRO are more restrictive and should be adhered to. Buildings are proposed to be within the 50' building setback from the canyon rim. A geologic study is required if buildings are proposed to be placed within 100' of the rim. No current geologic study has been submitted for review. The proposed development is adjacent to approximately 1,250 linear feet of canyon rim. The development plan shows a pedestrian/bicycle trail throughout the site, however, only an approximate 490 linear feet of the proposed trail is on the canyon rim. The Comprehensive Plan encourages a connection along the canyon rim and integrated pedestrian/bicycle pathways.

She stated staff's following concerns:

- Ø Limited parking. Under Title 10; Section 12; Chapter 5, it states that the Commission may add one (1) parking space for every three (3) residential units. This should be a condition of approval.
- Ø The Master Development Plan shows a hotel pad site along the western boundary of the project. The PUD Agreement has been modified to reflect a hotel may be developed on the pad site specified on the Master Development Plan and may be allowed only through the SUP process.

- Ø The Master Development Plan also shows a C-store/gas station along the Pole Line frontage. The PUD Agreement has been modified to reflect a C-store/gas station may be developed on the pad site specified on the Master Development Plan and may be allowed only through the SUP process.
- Ø Full development on Pole Line Road within Phase 1. D
- Ø Does not have phase lines on this project. Language in PUD agreement refers to phases, landscaping, and timing.
- Ø A private trail system is shown and should be public. Ensure connection to trail system to the west. No dead-end. Provide a public connection along the north west corner of the project to the adjacent residential property owner.
- Ø Unclear of the definition of "temporary trail" located at the easterly property line of the project.

Staff recommends the following conditions be placed, and to include addressing all issues mentioned above, on the request if recommended for approval:

1. Subject to Master Development Plan amendments as required by building, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to adding a trail connection at the northwest end of proposed canyon rim trail thereby eliminating the dead-end.
3. Subject to either securing an off-site trail easement from the property owner to the east or relocating the trail along the west property line so that it is entirely located on the subject property.

The public hearing was opened:

Todd Blass, 2007 Pole Line Road East, stated the following concerns:

- An easement in front portion of his house.
- Adjacent 1,250 ft. of linear frontage be part of the trail system to allow uninterrupted path along the rim.

In May 2003, a meeting was held with the City of Twin Falls staff. A Memo of Understanding was agreed upon by the City of Twin Falls and Todd Blass. The discussed issues involved the following:

- Bike pathways,
- 14' of his building lot and a 26' strip on the southerly boundary lot would be for the construction of pedestrian and bike pathway.
- Deed restrictions.

David Sparks, 1999 Pole Line Road East, spoke in favor of the request.

The public hearing was closed.

Gerald Martens stated that the definition of a "temporary trail" is as follows: Along the easterly boundary from the canyon rim to Pole Line Road the trail will be up to canyon rim trail standards, and if and when the City will continue the trail along the rim, it would then revert back to the property owner. It would impact uses of the land and avoid a dead end.

Deliberations followed:

- Trail location.
- Avoid placing trail on Mr. Blass's property.

-Buffering Mr. Blass's property by landscaping or screening.

Commissioner Warren made a motion to recommend a zoning designation of C-1 PUD, currently zoned SUI, as presented with staff recommendations and including addressing all of staff concerns, and specifically to include the addition of - Provide one additional parking space for each residential unit. The motion was seconded by Commissioner Warren and roll call vote showed Commissioners Frank, Horsley, Munoz, Richardson, Mikesell and Warren voted in favor of the request. Commissioners Stroder and Younkin voted against the motion. The motion passed.

Item #2 Request of Jeff Blick for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD to develop a residential multi-family housing project on approximately 3 acres of property located on the south side of the 1800 block of Elizabeth Boulevard.

Marty Gergen, Riedesel and Associates, explained the request using overhead projections. The request is to construct eight (8) four (4)- plexes. The following issues have been resolved with City staff:

- The sewer would be located in the roadway.
- Additional parking spaces.
- Development would be fenced. The intent is to add slats to the existing chain link fence.

Discussion followed:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the site is currently zoned R-4. The request is to rezone the site to R-4 PUD (Planned Unit Development).

The PUD process requires a recommendation from the Commission and additional hearings before the City Council. To finalize a PUD a PUD Agreement is required. A PUD requires a development plan to be submitted as part of the rezone process. If the PUD is approved, the property is to be developed as per the approved development plan. Any modifications of the approved PUD require additional public hearings.

The Engineering Department has reviewed the request and has some concerns as noted in the attachment. They include, but are not limited to: storm water retention, parking layout, flood considerations, and the sewer alignment. The resolution to any or all of these issues may substantially alter the layout and concept, thus requiring the request to come back through the process.

The development proposed is for 8 4-plex dwellings for a total of 32 residential units. The site is 3.08 acres. The elevations shown with the application are a classic residential design. A 6' screening fence shall be installed surrounding the project.

The requested zoning complies with the Comprehensive and Master Street Plans. Staff believes that the requested zoning is compatible with that of the surrounding properties. Staff does have a concern with the access and interior parking not meeting the City's standards. Therefore, staff recommends approval of the request, subject to conditions requiring compliance with City Codes and standards.

Staff recommends the following conditions be placed on this request if recommended for approval to the City Council:

1. Subject to plan amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department including, but not limited to, the concerns detailed in this staff report.
2. Subject to plan amendments as required by building, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards;
 - a. Including, but not limited to, a 6' screening fence surrounding the entire project.
 - b. One additional parking space for every 3 residential units.

Discussion followed:

- Fencing would be placed along the portion of the coulee and up to the roadway.
- Bus storage area for CSI.

Jim Lee, 510 Madrona, stated the following concerns:

- Children playing around open coulee.
- Coulee flooding onto Madrona and into the Harmon Park area.
- Noise from the residents of the development.
- Density in a small area.

Jon Thomsen, 550 Madrona, stated the following concerns:

- Coulee flooding.
- Vandalism.
- Light pollution from vehicles.
- Lack of privacy.

Jeff Peck, 1872 Elizabeth Blvd., stated the following concerns:

- Request to continue piping water to irrigate lawn.
- Curb and gutter requirement.

The public hearing was closed.

Marty Gergen addressed the neighbor's concerns:

- Water shares would be given to the City of Twin Falls. He suggested that Mr. Peck use surface water and not ground water for irrigating his lawn.
- A breakaway fence would be installed around coulee.
- A fence would create a boundary to discourage vandalism.
- Shielded direction lighting would be placed.
- The flood channel could not be changed.
- Density. Zoning is consistent with the surrounding area.

Deliberations followed:

- Parking.
- External lights.

Vice Chairman Younkin made a motion to recommend approval for the zoning district change and zoning map amendment from R-4 to R-4 PUD as presented with staff recommendations with the addition of: 3. Parking: Two per unit plus one per three units (a minimum of 75 parking spaces) 4. Exterior and interior lighting to be shielded. The motion was seconded by Commissioner Stroder

and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #3 David and Marilyn Kramer request a Special Use Permit to operate a vehicle repair business on property located at 205 & 213 5th Avenue West.

Gary Nelson, Nelson Realty, representing the applicant, explained the request using overhead projections. He stated that the cars that had been parked on the cement pad had been removed with the exception of one vehicle frame, which would be removed within the next few days. He stated the property owner would install a 6' cedar fence surrounding the property, excluding the parking area adjacent to the alley and along 5th Avenue West.

Zoning and Development Manager Carraway reviewed the request using overhead projections. The request is to allow the operation of an automobile repair and body shop at 205 & 213 5th avenue west. The property is located in an M-2 zoning district of the city. To operate a vehicle repair business in the M-2 zone takes a special use permit.

The lot area consists of 12,500 sq ft (100' x 125') with an existing building, 2375 sq ft. The site plan shows the building surrounded with a 6' chain link fence with two (2) 6' gates. The access is proposed to be off the alley to the south.

To change a use in the M-2 zone the following development requirements include-- but are not limited to:

- 1-A minimum of 8 parking spaces (1 parking space for every 300 sq ft)
- 2- Landscaping equal to 2 sq ft per lineal foot of frontage – 225 Lineal Feet For A Total Of 450 Sq Ft – 1 Tree And 5 Bushes,
- 3- On-site storm water retention; and
- 4- Curb & Gutter.

Impacts from vehicle repair business are usually the result of non-operating vehicles being parked for extended periods of time on the site and the accumulation of miscellaneous parts stored outside of an enclosed area. The hours of operation and number of employees have not been specified.

The operation of a paint booth is not part of this request... If a paint booth is intended to be a part of this business a SUP will be required.

Staff has reviewed this request and recommends the following conditions be placed on this permit, if granted:

1. No vehicles awaiting work or miscellaneous parts to be stored outside of an enclosed building or a sight obscuring screened area.
2. Subject to plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards and to include:
 - a. Install a sand/grease trap that meets City and State standards.
 - b. Storm water retention to be addressed as part of the building permit review.
 - c. Curb and gutter, and sidewalk deferral agreement required.
3. Minimum of 8 parking spaces.

Discussion followed:

- Improvements would not be made on the burned out lots.
- Landscaping would be required.

- Mechanical repair only.
- Owner rents a paint booth at another location.
- Parking.

The public hearing was opened and closed with no input.

Deliberations followed:

- One year condition.
- Clarification of the property owners.
- Renters would run a car restoration business.

Commissioner Warren made a motion to approve the permit as presented with staff recommendations and with the additional condition: **4. Limiting the permit to one year.** The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

8:40 p.m. – 8:45 p.m. Break

Item #4 Request of Twin Falls School District #411 for a Special Use Permit to operate a public school on property located at 2217 Elizabeth Boulevard.

Dale Thornsberry, Interim Director of Human Relations, representing the applicant, explained the request using overhead projections. The former KMVT building was donated to the School District. The intent is to create an alternate Jr. High School near the O'Leary Jr. High School for grades 6, 7, and 8. The alternative school would have easy access to and from the main campus at O'Leary. The school would operate from 7:00 a.m. to 3:30 p.m. Monday through Friday. The approximate number of students would be no more than 50. It would be a four classroom complex with three employees. There should be no adverse affects on surrounding property. The parking lot is shown to have 25 parking spaces. Shrubs and trees would be placed as required by code and the Special Use Permit.

Zoning and Development Manager Carraway reviewed the request using overhead projections to operate an alternate Junior High School. The site is located in an R-4 PRO Zoning District of the City

Impacts from an alternate Junior High School are usually traffic and noise. This is across the street from O'Leary Jr. High with these impacts already present. The school would operate 7:00 a.m. to 3:00 p.m. Monday through Friday. The narrative states the approximate number of students would be 50 to 100.

The requested zoning complies with the Comprehensive and Master Street Plans. Staff believes that the requested zoning is compatible with that of the surrounding properties.

Staff recommends the following conditions be placed upon the request, if granted:

1. Ensure setbacks as required by City Code requirements.
2. Dedication of any additional right of way: 80' on Eastland and 60' on Elizabeth.
3. Subject to plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standard

Discussion followed:

- Increased traffic on Elizabeth Blvd. during peak hours.
- Request to staff to review a right turn only to reduce traffic that becomes backed up to the development to the east.

The public hearing was opened.

Dan Larsen, 573 Eastland Drive, spoke in favor of the request. He suggested that the City and School District come to an agreement on Eastland South at the traffic light, to place curb and gutter and a turn lane into O'Leary School.

The public hearing was closed:

Deliberations followed:

- Speed zones on Elizabeth.
- Children walking on street because of lack of sidewalk.
- LID possibility.

Commissioner Munoz made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

- Item #5 Request of Joe Monsour c/o Keith Moller for a Special Use Permit to operate a drive-through window in conjunction with a restaurant on property located at the southeast corner of Shoshone Street and Third Avenue East. **WITHDRAWN – RESCHEDULED FOR JUNE 27, 2006**
- Item #6 Request of Christy N. Pyles for a Special Use Permit to operate a cottage business on property located at 851 Blue Lakes Boulevard. **WITHDRAWN – RESCHEDULED FOR JUNE 27, 2006**
- Item #7 Request of Westwind Homes, Inc., c/o Kelly L. Gates, for a Special Use Permit to operate a manufactured home sales business on property located at 900 Addison Avenue West.

Tim Stover, representing the applicant, explained the request using overhead projections.

Kelly Gates, owner, explained the project plans using overhead projections. He stated the following:

- Property had been used as manufactured home sales.
- Paved parking area.
- Permanent gate or small fence would be placed.
- Four entrances on the property and would have one gated service entrance, not for public use.
- Does not anticipate traffic congestion.
- Hours of operation: Monday through Friday, 8:00 a.m. to 6:00 p.m. and on Saturday from 9:00 a.m. to 6 p.m.
- Ingress and egress to the property would be clearly marked.
- 14 parking spaces (13 standard and 1 handicap)
- 20' for the parking spaces and 26' for backing out.
- Gravel area would be asphalted.

Discussion followed:

- For a six month period seven homes (temporary structures) would be displayed and sold and moved off the lots.

-Gateway arterial standards.

Zoning and Development Manager Carraway reviewed the request using overhead projections to operate a manufactured home sales business. The site is located in a C-1 CRO Zoning District of the City. To operate a manufactured home sales business in the C-1 CRO Zone takes a Special Use Permit.

As stated in the narrative, the facility would operate from 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday. The store employs 4 individuals including the owner/operator. On weekdays, 1 to 4 families are anticipated with as many as 8 families on Saturday.

Proximity of temporary show structures to the Canyon Rim. The manufactured homes are set up as temporary units for sale. Under City Code Section 10-2-1 "temporary" is defined as 6 months or less. The units for sale shall be limited to placement on site of less than 6 months.

The requested zoning complies with the Comprehensive and Master Street Plans. Staff believes that the requested zoning is compatible with that of the surrounding properties.

Staff recommends the following conditions be placed upon the request, if granted:

1. Subject to approaches conforming to ITD/State policy.
2. The temporary units are limited to placement of 6 months or less on site.
3. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Discussion followed:

-City Engineer suggested extending the curb and closing the access.

-Placement of permanent steel posts with two to three laterals across fixed and not open for access.

The public hearing was opened and closed with no input.

Tim Stover stated his client would comply with suggestions made by city staff.

Deliberations followed:

-Commended the applicant on the proposed layout of the development.

Commissioner Stroder made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Vice Chairman Younkin and roll call vote showed all members voted in favor of the motion. The motion passed.

Item #8 Request of Edge Wireless, LLC, c/o Frank O'Leary, for a Special Use Permit to place a 100' wireless communication facility on property located at 2043 Kimberly Road.

Frank O'Leary, representing the applicant, explained the request using overhead projections. He stated that Edge Wireless provides wireless cellular communication through the Twin Falls area. The new technology would enhance wireless phone service and will provide a wireless internet at DSL speed. The new technology will provide better service enhanced capabilities to the public and emergency services alike.

The site is being constructed in a commercial/industrial area and should not create any noise, glare, odor, fumes and vibration to the adjoining property.

Discussion followed:

- Landscaping would be placed.
- Screening fence.
- Monopole to look like a tree.
- Power pole change outs.
- Frequency problems.

Zoning and Development Manager Carraway reviewed the request to place a 100' wireless communications facility. The site is located in a C-1 Zoning District of the City. To place a 100' wireless communications facility in the C-1 Zone takes a Special Use Permit.

The proposed pole is 100' in height. It is designed to accommodate collocation of additional companies' equipment. The proposed location is outside of the Canyon Rim Overlay. (That overlay is located from the Snake River Canyon rim to 700' south of the canyon rim.)

The primary impact of the proposed monopole will be visual. The applicant has provided photographs (attached) with the tower added which help to show impacts.

The requirement for landscaping as stated in City Code section 10-7-17(C) 4e has not been addressed in the application. This will have to be addressed prior to issuance of any permits, as will the bonding requirements addressed in section 10-7-17(C) 4f.

There is M-1 zoned property directly to the north and C-1 zoned property on both the east and west. Impacts to surrounding neighbors will be minimal.

The requested zoning complies with the Comprehensive and Master Street Plan. Staff believes that the requested zoning is compatible with that of the surrounding properties

Staff recommends the following conditions be placed upon the request, if granted:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Full compliance with City Code Section 10-7-17; Wireless Communications Facilities.

Deliberations followed:

- Complying with FCC regulations.
- Exhaust every other alternative prior to installing a monopole.

The public hearing was opened and closed with no input.

Commissioner Richardson made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call voted showed all members present voted in favor of the motion. The motion passed.

Item #9 Request of Industrial Development, LLC, for a Special Use Permit to operate a professional office on property located at 450 Falls Avenue.

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained the request using overhead projections. He said the request is to construct a professional office building. He stated the following:

- The building setback would be 93' from centerline of Falls Avenue.
- Enhanced landscaping would be placed.
- Consistent with the Comprehensive Plan.
- Signage change would require a permit.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the request is to operate a Professional Office. The site is located in an R-4 PRO Zoning District of the City. To operate a Professional Office in the R-4 PRO zone takes a Special Use Permit. The requested zoning complies with the Comprehensive and Master Street Plans. Staff believes that the requested zoning is compatible with that of the surrounding properties

The narrative indicates the office would employ 35 people with hours of operation from 7:00 a.m. to 6:00 p.m. There would be one parking space per 300 sq. ft., onsite storm water, and curb, gutter and sidewalk.

Staff recommends the following conditions be placed upon the request, if granted:

1. Subject to plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to a cross use agreement addressing access and the parking lot.

Discussion followed:

- Single story building.

The public hearing was opened and closed with no input

Deliberations followed:

Commissioner Frank made a motion to approve the permit as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion. The motion passed.

OTHER ITEMS:

- Item #10 Consideration of the preliminary plat of Eagle Park Subdivision, 30.47 acres (+/-) with 76 residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road (also known as 3200 East), excluding the Boy Scout property.

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained the request using overhead projections. The property was annexed in March 2006 with the current zoning of R-1 Var. The plat conforms to the development of that zone and the trail system runs along Falls Avenue East, runs the back of the Boy Scout office and connecting to Hankins Road. He stated that the road continuation to develop the west side of Hankins Road has been discussed with three property owners. An agreement by property owners has been made to extend the trail onto the corner and along Hankins Road on both sides.

He emphasized that amenities had been lost due to the roadway standards. Currently there are six cul de sacs and five landscape centers had been lost through the process and curbs taken out of the road.

Discussion followed:

-Berming to continue and will be consistent with Morning Sun.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. 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 then may the plat be recorded and lots are sold for development.

On October 24, 2005 a request for a park in-lieu of contribution was approved by the City Council for this subdivision. Any construction of the site shall meet minimum development standards for parking, landscaping, and storm water retention.

The requested zoning complies with the Comprehensive and Master Street Plans. Staff believes that the requested zoning is compatible with that of the surrounding properties.

Staff recommends the following conditions be placed upon the request, if granted:

1. Subject to plat amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department

Discussion followed:

-Design of interior roads conflicting with technical standards.
-Curves are restrictive to have tangent sections.

The public hearing was opened:

Barry Knoblich, 1174 Skyline Drive, spoke in favor of the request.

Kent Taylor, 2571 Falls Avenue East, owner, encouraged the Planning and Zoning Commission to urge City staff to review engineering technical requirements and perhaps provide flexibility when discussing road design.

Steve Nelson, 2276 Forest Vale Drive, Boy Scout Executive, spoke in favor of the request.

The public hearing was closed:

Deliberations followed:

-Landscape medians.
-New ideas and enhancements to be presented to City staff.
-Winding roads appear to be attractive and slow down speeders.

Commissioner Warren made a motion to approve the request as presented with staff recommendation. The motion was seconded by Commissioner Stroder and roll call vote showed all members present voted in favor of the motion. The motion passed.

OTHER ITEMS:

Item #11 Findings of Fact and Conclusions of Law: None

Item #12 Approve minutes of Planning and Zoning Commission meetings:
May 9, 2006, Minutes and May 23, 2006, Work Session Minutes.
Unanimously approved.

Item #13 Date of next Planning & Zoning Commission Public Hearing and Work Session
(W/S-JUNE 6, 2006 P/H-JUNE 13, 2006)

Item #14 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.
Commissioner Frank suggested having a public hearing officer to address Planning and Zoning “non-issue” requests.

Chairman Horsley suggested changing the Planning and Zoning Commission meetings to start at 6:00 p.m. and to discuss the issue at the June 6, 2006, Work Session Meeting.

The meeting was adjourned at 10:41 p.m.

Leila Sánchez
Executive Assistant

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION PUBLIC MEETING

MINUTES

JUNE 13, 2006 * * * 7:00 P.M. * * * CITY COUNCIL CHAMBERS

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Lezamiz, Muñoz , Richardson, Stroder, Younkin

PLANNING AND ZONING MEMBERS ABSENT: Richardson, Stroder, Warren

AREA OF IMPACT MEMBERS PRESENT: Kemp, Mikesell

AREA OF IMPACT MEMBERS ABSENT: Tenney

CITY COUNCIL PRESENT: None

CITY STAFF PRESENT: Bowyer, Carraway, Humble, Jones, Mitton, Sánchez, Wonderlich

Chairman Horsley called the meeting to order at 7:00 p.m. He then reviewed the hearing procedures with the audience and introduced City staff present.

PUBLIC HEARING ITEMS: NONE.

OTHER ITEMS:

Item #1 Request of the City of Twin Falls, c/o Dennis Bowyer, for the Commission’s approval of a special sign on property located at North Five Points.

Parks and Recreation Director Bowyer explained that the Parks and Recreation Department built the existing berm with the “Twin Falls” sign at North 5 Points about 30 years ago. Karla Williams with Historic Downtown suggested locating a sign welcoming people to Historic Downtown.

The project would be a partnership venture with Historic Downtown, the Blue Lakes Rotary Club, and Boy Scout Anthony Barnes. He introduced Anthony Barnes.

Anthony Barnes, Boy Scout Troop 139, stated that he is working to earn his badge to become an Eagle Scout. He explained that the sign, landscaping, and berm would be removed and replaced.

He stated that the Parks and Recreation Department has the retaining wall bricks on hand and the Blue Lakes Rotary Club donated funds for the project. The cost to the City for this project would be approximately \$1,000, cost sharing the sign with Historic Downtown.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the request is to replace an existing sign at North 5 Points with a new free-standing sign that states, "Welcome to Historic Downtown." The existing sign has been in place for more than 30 years, first with flowers spelling out "Twin Falls" and now with concrete lettering spelling out "Twin Falls."

Within the sign ordinance, this type of sign is considered a Special Sign: By definition a Special Sign is a sign which may be allowed by special approval of the Commission and which designates emergency facilities or which designates separate buildings and building offices in multiple building complexes, or provides historical or other special information of public interest. The number of signs, the size, projection and height are specifics determined by the Commission to be the minimum required to adequately serve the basic purpose.

Zoning and Development Manager Carraway reviewed the request and said staff makes no recommendation on this request.

Discussion followed:

-One sign to be replaced.

Commissioner Kemp made a motion to approve the request as presented. The motion was seconded by Commissioner Muñoz and roll call vote showed all members present voted in favor of the motion. The motion passed.

Item #2 Findings of Fact and Conclusions of Law: None

Item #3 Approve minutes of Planning and Zoning Commission meeting(s). None

Item #4 Date of next Planning & Zoning Commission Public Hearing and Work Session
(W/S-JUNE 20, 2006 P/H -JUNE 27, 2006)

Item #5 Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Zoning and Development Manager Carraway introduced Lisa Jones, Administrative Assistant, for the Community Development Department.

She also stated that the Planning and Zoning Commission Year 2006 Schedule of Work Sessions and Public Hearing has been revised to reflect the 6:00 p.m. meeting change beginning with the July 11, 2006, meeting.

The meeting adjourned at 7:12 p.m.

Leila Sanchez
Deputy City Clerk

CITY COMMISSION MEMBERS:

City Limits:

Tom	Ryan	Bonnie	Gerardo	Bernice	Karen	Cyrus	Carl
Frank	Horsley	Lezamiz	Muñoz	Richardson	Stroder	Warren	Younkin
	Chairman	Alt.					Vice-Chair

Area Of Impact:

David Kemp
E. Rick Mikesell, **Alt.**
Dusty Tenney,

CITY OF TWIN FALLS
PLANNING AND ZONING COMMISSION MEETING & PUBLIC HEARING

MINUTES

June 27, 2006 * * * 7:00 P.M. * * * City Council Chambers

PLANNING AND ZONING MEMBERS PRESENT: Frank, Horsley, Lezamiz, Richardson, Stroder, Warren, Younkin

PLANNING AND ZONING MEMBERS ABSENT: Muñoz

AREA OF IMPACT MEMBERS PRESENT: Mikesell, Tenney

AREA OF IMPACT MEMBERS ABSENT: Kemp

CITY COUNCIL PRESENT: Johnson

CITY STAFF PRESENT: Carraway, Fields, Humble, Jones, Wonderlich

Chairman Horsley called the meeting to order at 7:00 PM. He then reviewed the public hearing procedures with the audience and introduced the City Staff present.

PUBLIC HEARING ITEMS:

Item #1 Request for Christy N. Pyles for a Special Use Permit to operate a cottage business on property located at 851 Blue Lakes Boulevard. (App. # 2018)

Christy Pyles, applicant, presented her request to relocate her yarn shop, currently located on Main Avenue, to 851 Blue Lakes Blvd. She stated that the clientele for the business would mostly be women; the hours of operation are generally 11am-6pm. She would be offering knitting classes once or twice a week and knitting gild once in a while. She plans to redo the landscaping and update the property to bring it into compliance with the current City Code and Standards.

Discussion followed:

- Number of people present at classes

Christy Pyles stated that usually there are 3-5 people at the classes she offers and occasionally when they have a knitting gild there may be up to 8 people present.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She explained the request is to operate a yarn/craft shop and that the property is zoned R4-PRO, requiring a special use permit. The landscaping requirements for this property are 25% of site which equates to 3 trees and 14 bushes. The parking ratio is 1 parking space per 250 sq. ft. which equates to 5 parking spaces. The site plan appears to meet minimum requirements. This request is a change of use and as such a certificate of occupancy from the Building Inspection Department will be required. Compliance with minimum development standards will be reviewed as part of the building permit process.

She stated staff has reviewed this request and recommends the following condition be placed on the permit, if approved:

1. Subject to site plan amendments a required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Discussion followed:

- Is the request for a cottage business or a craft store?
- If Blue Lakes Blvd. is built to its full width will it alter the proposed parking plan?
- How difficult will the parking be for the customers at this business?

Zoning and Development Manger Carraway stated the request is submitted as a craft shop.

City Engineer Fields stated that if Blue Lakes Blvd. was to be widened later that it would not alter the proposed parking plan submitted. As for the difficulty of parking in the area shown on the site plan there may be some difficulty maneuvering for the person parked closest to the building however it shouldn't be real difficult to park in any of the spots shown.

The public hearing was opened and closed with no input.

Closing statements:

Christy Pyles stated that the location of the parking that is shown at an angle on the property is where she would locate her car during the business hours. As for the plan to relocate and operate her business at this site she is eager for it to occur and hopes the Commission will approve the special use permit.

Deliberation followed:

- Parking seems to meet minimum requirements -TF

Commissioner Frank made a motion to recommend approval of the request as presented with staff recommendations. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion.

THE MOTION PASSED

Item #2

Request of Joe Monsour, c/o Keith Moller, for a Special Use Permit to operate a drive through facility in conjunction with a restaurant on property located at the southeast corner of Shoshone Street and 3rd Avenue East. (App. # 2017)

Keith Moller, representative for Joe Monsour, presented the plan to build a restaurant with coffee, fast food, and a drive through facility. The building will be 1090 sq. ft. and placed on the corner of Shoshone St. and 3rd Avenue East.

Discussion followed:

- Is the site plan to scale?
- Does the turning radius meet code?

Keith Moller stated the site plan is not to scale but that the turning radius does meet the code requirements.

Discussion followed:

- Are 4 off-street parking spaces required or does 3 off-street parking spaces meet code?

Zoning and Development Manager Carraway stated the site is located in a P-1 Parking Overlay, which means that no off-street parking or landscaping is required by Code. However, both of these requirements may be considered by the Commission thru the special use permit process.

Discussion followed:

- How much space is between the adjacent building and the proposed building?
- How much space is between the wall of the proposed building and the trash disposal area?
- Is the majority of business to be drive-thru?

Keith Moller stated that the space between the two buildings would be 12 feet and the space between the proposed building and the trash disposal area would be 10 feet. The business will be set up to allow for drive through business, however there are also 7 tables with 4 seats at each inside, and the business will also be providing delivery to the local downtown area.

Zoning and Development Manager Carraway stated that the request is to construct and operate a restaurant with a drive through facility. The property is located within the CB P-1 Zone. A restaurant is an outright permitted use, however, to operate a drive through facility within the CB Zone requires a special use permit.

The intersection of Shoshone St. and 3rd Avenue East and the portion of 3rd Avenue East fronting the property will require additional development as part of the required improvements. As stated in the narrative, the restaurant plans to operate 6am-7pm. Signage is not part of this permitting process.

She stated staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

1. Subject to plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Minimum of 3 off-street parking spaces, as shown on the submitted site plan.
3. Landscaping plan to be completed as shown on the submitted site plan.

Discussion followed:

- Drive through traffic using alley

Joe Monsour, owner of the property, stated that the hours of operation will be 6am-7pm however in the future he would like to extend that to 24 hours. The restaurant will offer burgers and other types of food to the downtown area. The plan is for the building to be a nice addition to the area and provide a much needed service for the downtown customers that need a place to have lunch quick and close.

The public hearing was opened.

Gary Babble, 228 Shoshone St. E , owner of the property adjacent to the proposed site. Stated has a few concerns:

- Access to the alley and the drive-thru preventing access for trucks to deliver supplies to his business.
- He stated he wanted the applicant to be aware that a dry cleaning business uses chemicals that can have a strong odor and that may concern the restaurant owner.
- He stated he is also concerned that the odors from the restaurant could also be an issue for his business.

Closing statements:

Joe Monsour stated that the odors from either business should not be a concern and that this project will be a great asset to the downtown area. As for the alley, it is a public access right-of- way and access should not be a problem.

Keith Moller stated that the plan for this project meets code requirements and that the service the business will be providing is much needed in the downtown area.

The public hearing was closed.

Deliberation followed:

- 24-hour service is not within the parameters of this special use permit request, if in the future if the owner would like to be open 24-hours then he would have to submit another special use permit specific to that issue.-RH
- The special use permit is only for the request of a drive-thru facility and the zone already allows for a restaurant.-CW
- What are the requirements related to alley accessibility?.-CY
- The site plan presented meets code and that the special use permit would be fine, the Commission does have the ability to review the special use permit in the future if the drive-thru facility were to become an issue.-TF
- The Commission must also realize that the site plan is subject to development standards as required by the Engineering Department before it can be built.-CW
- The applicant still needs to be aware that if there were an issue in the future related to the special use permit, the Commission does have the ability to revoke the permit.-DT
- The landscaping will be a nice feature added to the site and it will offer a nice addition to the downtown area.-RH

Fitz Wonderlich City Attorney stated an alley is defined as a public access right-of- way and that no person shall park, or leave a vehicle unattended in this area. In this situation the alley does provide a way to navigate and exit the drive through facility.-FW

Commissioner Warren made a motion to recommend a special use permit as presented with staff recommendations. The motion was seconded by Commission Stroder and roll call vote showed all members present voted in favor of the motion.

THE MOTION PASSED

Item #3

Request of Gary's Westland, LLC, c/o Gary Storrer, for the Vacation of Lots 1 through 14 – Block 2, and Lots 1 through 28- Block 4, of the Noble Subdivision, located south and west of Rock Creek Canyon, east of Noble Avenue and north of Highland Avenue. (App. # 2023)

Tim Vawser, representing Gary Westland, LLC, presented the request. He handed to staff letters from utility companies.

Staff stated they would review the letters.

Discussion followed:

- Benno Point-preliminary plat approved
- Public access walking trail

Tim Vawser stated that on the illustration the line shown on the north end of the property is along the Canyon Rim and is in fact a public access walking trail.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She explained the request is to vacate Lots 1 through 14 Block 2 and Lots 1 through 28 Block 4, of the Noble Subdivision. She stated staff has reviewed this request and recommends the following conditions be placed on this permit, if approved:

1. Approval is subject to approval of vacation from the applicable utility companies prior to publication of the ordinance.

The public hearing was opened.

Felix Castell, 474 Highland Avenue, expressed concern about development of Harrison St. South.

Discussion followed:

- The only area up for vacation at this time is the highlighted area on the illustration submitted. If Mr. Castell has further concerns regarding the property south of the highlighted area or the plans for the area he should contact the Zoning and Development Manager Carraway.
- Concerns of Mr. Castell can also be shared at the City Council public hearing related to this project and development of Harrison St. South.

Closing Statements:

Tim Vawser asked staff is there a plan to extend Harrison St. South in the future?

City Engineer Fields stated there is a plan to extend Harrison St. South.

Tim Vawser stated that by extending Harrison St. South this should address Mr. Castell's concerns.

The public hearing was closed.

Deliberations followed:

- Vacation request makes sense.-TF

Commissioner Stroder made a motion to approve the request as presented with the staff recommendation. The motion was seconded by Commissioner Warren and roll call vote showed all members present voted in favor of the motion.

THE MOTION PASSED

Item #4 Request of Glenn and Sandra Fischer for a Special Use Permit to construct an 1188 sq. ft. detached accessory building on property located at 2987 Anderson Lane. (App. # 2024)

Glen Fischer, applicant, presented his request to build an accessory building off of Anderson Lane adjacent to the low line canal. The building will be used for personal storage.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She explained the request is for a special use permit to build a detached accessory building on the applicant’s property. She stated staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

1. Subject to plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. The building is used for residential purposes only.

Discussion followed:

- Where is the location of the low line canal?
- Area was highlighted on the overhead illustration the location of the canal.

The public hearing was open and closed with no input.

Closing statement:

Glen Fischer stated the only reason this is up for a special use permit is because the building will be larger than 1000 sq. ft. He reassured the Commission that the building will only be used for personal storage –no commercial use.

Deliberation followed:

- The building is similar to other buildings in the area not and should not be an issue-TF
- The building will clean up the property.-KS

Commission Younkin made a motion to approve the request as presented with staff recommendations. The motion was seconded by Commissioner Stroder and roll call voted showed all members voted in favor of the motion.

THE MOTION PASSED

Item #5 Request of Ameritel Inn, Inc., c/o Russell Coburn, for a special use permit to construct a hotel on property located at 539 Pole Line Road. (App. # 2025)

WITHDRAWN

Item # 6 Request of Pat Fenderson for the Commission’s recommendation on the annexation with a zoning designation of R2, R2-CRO, and R2-PRO, currently zoned R2, R2-CRO, for 29.5 (+/-) of property located South of Federation Rd, West of Washington St. North, and North of the Villa Del Rio Subdivision. (App. # 2026)

Tim Vawser, EHM Engineers, representing Pat Fenderson, presented the request. He stated that the additional zoning request of R2-PRO is within the Comprehensive Plan and is compatible with the current development occurring in this area of the City.

Discussion followed:

- 11 acres excluded
- Small corner section at the south east corner of the illustration is also excluded

Tim Vawser stated that the 11 acres is not part of the request because it will remain farm land and the small section located at the south east corner is the owner's house and it will remain in this area and is excluded from this request.

Discussion followed:

- Canyon Rim Overlay location
- Sidewalks

Zoning and Development Manager Carraway reviewed the request using overhead projections. She explained the request is for annexation with a zoning designation of R2, R2-CRO, and R2-PRO. The presentation showed that a portion of the property falls within the Canyon Rim Overlay and the R2 zoning district does require the project to include sidewalks. She stated staff has reviewed this request and has no recommendations.

Discussion followed:

- Access to homes located on Shady Tree Trail
- Increased traffic on Shady Tree Trail

The public hearing was opened.

Jack Kruse, 331 Shady Tree Trail, stated this property is located to the east of his property, and the development is going to impede access to his home he is concerned if an accident were to occur in this area it could cause him to be landlocked, another concern is development would cause the traffic to increase along Shady Tree Trail due to people trying to avoid Federation Road and Pole Line Road.

Commission Horsley stated the commission is here to make a decision on the zoning designation if the annexation is approved.

K. Vaughn, 310 Canyon Crest Dr, asked if the zoning is restricted to single-household dwellings.

Zoning and Development Manager Carraway stated that the R2 zone allows for single family dwellings and duplex's.

The public hearing was closed.

Deliberation followed:

- Commission can only make a recommendation on the zoning of the property , it can not make a decision related to the annexation of the property.-TF
- Commission is to make a recommendation on zoning designation with regards to this request.-DT
- R2 zoning seems to fit this location.-RH

The property where the project would be located is currently zoned R-2, allows about 400 lots in the 80 acres. They developers are proposing to make the project a little more than half the size of what is allowable, proposing it be 265 lots making the density 135 lots less than what is allowed for this zone.

Slide 2: Mr. Freeman stated this slide illustrates the proposed entire area as a PUD specifically single family on west and neighborhood commercial and town homes on east. Commercial beginning at Falls Avenue and Expanding along Grandview, the neighborhood would be buffered by a wide landscape and boarding walk-ways and trails.

This PUD is to be broken into mixed used with commercial. Mr. Freeman states he has had experience building several neighborhoods like this in Montana and they have been very successful. The neighborhood would be a mixed income project with single-family dwellings and town homes. The neighborhood Commercial is intended to target back to the days where you can walk to the store, visit your neighbors, sit on your porch and have a service area that is available to the community in the surrounding area. It is not intended to be heavy commercial to lure people from across town to come to the development; it is intended to provide service to the development that is within walking distance from home.

Slide 3: Mr. Freeman stated this slide is an illustration of the phases of the project.

Definition of town homes they would be on the upscale income at 1200-1500 sq. ft. with garages located on the back providing an area for trash cans to be in back, and utility components in the rear so that the front of the property is inviting and attractive.

The PUD is meets the intent of the neighborhood commercial standard with pitched roofs, stone work and interesting architecture for a nice neighborhood feel.

Slide 4: Mr. Freeman presented sketches of the architectural style within the development.

Discussion followed with no input.

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated this is a request for a zoning district change and zoning map amendment from R-2 to R-2, R-6 and NCO PUD. The code requires that the applicants make a preliminary PUD presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. A public hearing regarding this request will be heard at the regularly scheduled Planning & Zoning Commission meeting on July 25, 2006. Further staff analysis will be given at that time.

Commissioner Horsley stated that this is not a public hearing however if anyone would like to make a statement or ask question they may do so at this time.

Lamar Orton, 867 Filer Avenue West, has property located near this proposed neighborhood, and wishes it was going in closer to where he lives. He stated that it is a really good project and we have not yet seen the NCO happen in this town. He also stated that he would like to make sure however that there will be integrating sidewalks so people will not have to walk through parking lots. He has not heard any negative or positive comments from neighbors and knows that notices have been sent out. He is very excited to see this project and hopes that it will happen.

Closing Statements:

Mr. Freeman states that this is to be a walk-able community and the answer to the gentleman's concern would be an affirmative to the integrating sidewalks. This is to be a community oriented neighborhood and walk-ways and trails will allow this to happen with the citizen's safety in mind.

Discussion followed:

Commissioner Frank stated he liked this project and it is something we have wanted to see, it came close other times but did not succeed. He likes the sense of community the neighborhood would create. By having the garages to the back with a porch on the front would allow people to have a position that would strongly encourage community.

Commissioner Kemp has always liked the garage in back idea and feels it adds to the architecture of the home and allows a more neighborly environment he would like for this to go through, it is a great idea.

Commissioner Muñoz has seen this type of development in other communities and they have been great for those communities and the developers. This project would be nice to see completed.

Commissioner Horsley stated he hopes this project will go through, neighbors have fears when they hear neighborhood commercial and is sure this is why the last project did not succeed. He stated he feels if a project such as this could be built more people would see what a nice community it provides.

Commissioner Frank stated that having services provided within walking distance of the community would also alleviate some traffic issues that we continuously have to consider. People would be able to take care of because things easily because they are conveniently located. He also stated this design encourages people to walk.

Commissioner Horsley stated July 25, 2005 is the public hearing and we will see what the public has to say.

2. Findings of Fact and Conclusions of Law:
 - a. Special Use Permit request of Christy N Pyles
 - b. Special Use Permit request of Joe Monsour c/o Keith Moller
 - c. Vacation request of Gary's Westland, LLC c/o Gary Storrer
 - d. Special Use Permit request of Glenn and Sandra Fischer
 - e. Annexation request of Pat Fenderson
 - f. Special Use Permit request of Edge Wireless, LLC c/o Frank O'Leary
 - g. Special Use Permit request of Dave Easter and Scott Reeves
 - h. Special Use Permit request of Westwind Homes, LLC
 - i. Special Use Permit request of Les Schwab, LLC

Unanimously Approved

3. Approve minutes of Planning and Zoning Commission meeting(s):
 - June 20, 2006 (W/S) June 27, 2006

Unanimously Approved

4. Date of next Planning & Zoning Commission Public Hearing and Work Session
(W/S- July 18, 2006 P/H -July 25, 2006)

5. Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Zoning and Development Manager Carraway reviewed the request presented by Les Schwab using overhead projections. She stated that previously moving the parking on the North, to allow for better access to the trail was discussed with the developer.

The developer after review decided this would be a better design and would be more conducive to providing access to the trail and easier parking. She stated that she wanted the Commission to be aware that their suggestion was taken and that the layout of the project has changed slightly from what was originally approved under the Special Use Permit

Zoning and Development Manager Carraway reviewed with the Commissioners their ability to access the agenda and packet for this meeting via email. She stated she would like feedback related to this process.

Discussion followed:

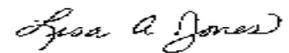
Commissioner Frank stated that by sending the packet via email it does eliminate the amount of paper being used however it requires a large feed to be able to access it quickly, which his computer is not able to support sufficiently. Commissioner Stroder stated this did not work for her, the email is too large and it takes too much paper to print from home. She stated she understood what was trying to be accomplished but that receiving a hardcopy of the packet works better for her.

Zoning and Development Manager Carraway stated that the packets would continue to be sent hardcopy however the packet will be scanned and posted on the City website to allow better public access to the information and a more manageable file when requests come in regarding the agenda items listed.

Discussion followed:

Commissioner Frank agreed this would be a good way to provide better public access and that emailing the packet at this time will have to be considered at a later date due to the file size and ability to access the files efficiently.

Chairman Horsley adjourned the meeting at 6:25 p.m.



Lisa Jones
Administrative Assistant
Community Development Department



Minutes
 City of Twin Falls
 Planning & Zoning Commission
 Public Hearing
 305 3rd Avenue East, Twin Falls, Idaho
 City Council Chambers
 Tuesday: July 25, 2006 at 6:00 p.m.

MINUTES
 JULY 25, 2006

PLANNING & ZONING COMMISSION MEMBERS:

City Limits:

Tom Frank	Ryan Horsley Chairman	Bonnie Lezamiz Alternate	Gerardo Muñoz	Bernice Richardson	Karen Stroder	Cyrus Warren	Carl Younkin Vice-Chairman
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Area of Impact:

David Kemp	E. Rick Mikesell Alternate	Dusty Tenney
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PLANNING AND ZONING MEMBERS:

<u>Present</u>	<u>Absent</u>
Frank	Stroder
Horsley	
Lezamiz	
Muñoz	
Richardson	
Warren	
Younkin	

AREA OF IMPACT MEMBERS:

<u>Present</u>	<u>Absent</u>
Mikesell	Kemp
Tenney	

CITY COUNCIL MEMBERS PRESENT:

None

CITY STAFF PRESENT:

Fields, Humble, Jones, Reed, Westenskow, Wonderlich

Chairman Horsley called the meeting to order at 6:00 p.m.

PUBLIC HEARING ITEMS:

- Request for Ameritel Inn, Inc., c/o Russell Coburn for a Special Use Permit to construct a hotel at 539 Pole Line Road. (#2025)

Applicant's presentation:

Chris Sauve, representative of Ameritel Inn, Inc. presented the request for a Special Use Permit to build a hotel on 3.4 acres with meeting rooms, board rooms, exercise room, and a pool room the building would be 3 stories open 24 hours a day 7 days a week. Check in time is between 5 p.m. and 9 p.m. and check out time 10 a.m.-12 p.m. He stated that the hours of operation will not impact the local areas because guests arrive and leave at different times, so traffic and noise in and out would be minimal. He also stated that Ameritel tries to exceed standards and maintain the appearance of its buildings and properties. Ameritel has been located in Twin Falls, Idaho for 14 years and he states it should be positive for the area economically.

Discussion followed:

- location of the restaurant entrance is located to the right of the property
- shared driveway access is constructed on the front and there is a building constructed there
- additional Ameritel for Twin Falls
- additional height request was because of roof line design
- signage will be pedestal sign

Chris Sauve stated that the location shown on the illustration is just a preliminary site for the restaurant location at this time. As for this being an additional Ameritel for Twin, this would be the only one located here because the Ameritel originally located at Blue Lakes was sold. Additional height request was related to the roof line and the signage for the hotel will most likely be a 12 foot high pedestal sign.

Staffs Review:

Community Development Director Humble stated that on April 24, 2006 the City Council heard a request to allow greater than the standard building height, as per City Code 10-7-3. Submitted for approval was a site plan with a rendering showing a fifty-eight (58) foot high hotel. The City Council approved the additional height, as presented, subject to approval of the Special Use Permit.

Community Development Director Humble reviewed the request using overhead projections. He explained the request is for a Special Use Permit to construct a hotel at 539 Pole Line Road. The property is zoned C-1 in that district a Special Use Permit is required. The construction will include a (3) story hotel containing 103 guest rooms. The property fronts a major arterial, Pole Line Road to the south. Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to sit plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Open public hearing:

Katie Breckenridge, P.O. Box 685 Picabo, ID owner of adjacent property and a 60 ft. driveway zoned commercial to the proposed hotel site and had many concerns related to the request. She stated her concerns are as follows:

- 6 foot screening fence what would that look like
- What is the landscaping plan for the property
- Location of the dumpster at the right upper corner of the property next to the bike trail
- Lighting of the property
- Enforcement of the landscaping code, who does that and how can she follow-up on enforcing the landscaping requirements

Rex Lytle, P.O. Box 305 Twin Falls, ID, spoke in favor of the proposal, and stated that he has worked with Ameritel for many years and they are a family corporation and are only interested in building stellar buildings.

Closing Statements:

Chris Sauve, stated that the dumpster near the bike path is a trash compactor and will be kept in a screened area. As for the wall it will be at least 6 feet high with landscaping. The lighting for the parking lot will be more for safety and kept confined to the Ameritel property and the illustration shows only the anticipated location of a restaurant and is not included in this request. As for the colors of the building they are usually a tan color with copper metal roof on the front. The landscaping of the property will exceed the requirements.

Deliberation followed:

- Fence required by Code because of adjacent property-TF

Community Development Director Humble stated the adjacent property is zoned residential, however code does allow for the resident to say that the wall is not needed.

Deliberation followed:

- Fencing is to provide privacy and reduce headlights shining into the adjacent property-TM
- The Concern is that a solid wall will invite unwanted graffiti and will be difficult to maintain and a non-solid wall would be preferred-TF
- Landscaping enforcement can be initiated by a citizen filing for a Special Use Permit revocation-TF
- Downward shielded lighting to shield adjacent properties would also be preferred-DT

Motion:

Commissioner Frank made a motion to recommend approval of the request as presented with staff recommendations in addition to the following conditions: All exterior lighting is to be downward facing preventing spillage into other adjacent properties, and the applicant must commit to working with the property owner to the north to agree to an alternate screening plan. Commissioner Younkin seconded the motion. Upon roll call the motion passed 8-1; Commissioner Frank-yes, Commissioner Horsley-yes, Commissioner Lezamiz-yes, Commissioner Muñoz-yes, Commissioner Richardson-yes, Commissioner Warren-yes, Commissioner Younkin-yes, Commissioner Mikesell-yes, Commissioner Tenney-no.

2. Request for Greenridge Development, LLC c/o Jack Bauer for a Zoning District Change and Zoning Map Amendment from R-2 to R-2, R-6, NCO PUD for the development of a neighborhood commercial center, multi family residential and single family residential for 80 acres (+/-) located at the northwest corner of Falls Avenue West and Grandview Drive North. (#2027)

Applicant's presentation:

Wayne Freeman, representative for Greenridge Development c/o Jack Bauer, presented the proposal for a Zoning District Change and Zoning Map amendment from R2 to R2, R6, NCO PUD. He stated that the representatives for this project have been working diligently to meet the comprehensive plan and the proposal is within the comprehensive guidelines. The red area on the overhead is for Neighborhood Commercial on the northwest corner of Grandview and Falls Avenue. The property is currently zoned R2 for this area which would allow for around 400 houses, the applicant is applying for R2, R6 NCO PUD with 235 residential structures. The land use plan that is proposed is a mixed used development with single family on the west half and eastern half would be town homes. The neighborhood commercial is intended to be within walking distance and provide services for the neighborhood. There would be landscaping to buffer the neighborhood from the commercial area.

Staffs review:

Community Development Director Humble reviewed the request using overhead projection. He explained the request is for a Zoning District Change and Zoning Map Amendment from R-2, to R-2, R-6, NCO PUD. The requested zoning does comply with the Comprehensive and Master Street Plans. Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to sit plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to the adjacent arterials and collector streets being rebuilt to current city standards upon development of the property.

Discussion followed:

- Location of entrances to the commercial and residential areas, will there be landscaping along Falls Avenue-EM

Wayne Freeman stated that there are 2 entrances to commercial and 2 entrances to the residential. One off of Grandview Drive and one off of Falls Avenue provides access to the commercial area, and one entrance at the west end and one entrance at the east end provides entrance to the residential area. As for landscaping the PUD zoning requires landscaping and is part of the plan to provide a buffer from commercial to residential and along the walking trail.

Public hearing was opened:

Carl Stones, 868 Rimview Lane West, stated his concerns are that the owners in his neighborhood are building on one acre lots and that with 265 home being built all on the west side of the 80 acres the density is going to be terrible. He stated he would like to know if all of the housing is to the west.

Ed Muller, 884 Rimview Lane East, stated his concern that 265 houses on that small of a space is asking way to much, and are the other 200 lots going to be commercial, there is going to be a problem with traffic, and how is this project going to affect this area that currently is not designed to handle the traffic the soccer fields have created.

Darren Belin, 797 Addison Ave West stated he would like clarification as to what this meeting is in regards to the PUD or the zoning. He stated his other concern is the density; the developers of this project could achieve the same goal by asking for R-4 designation, and does the proposal stated exactly what is going to be placed on the property.

Lamar Orton, 867 Filer Ave West, stated that the residential development is growing, and the residential density is increasing as well which is to be expected however he does have some concerns related to the PUD agreement. The commercial area will provide a service to the neighborhood however this PUD includes a large commercial area and he feels the park should be the center of this project. He also would like the park to be accessible to the entire development .His other concern is the wording of the PUD agreement as it relates to the PI station and the R-6 and R-2 zoning. Someone needs to also look at the building heights elevations, as well as the set back requirements. He stated he supports the idea, likes the commercial idea and especially likes the mixed housing but there still needs to be a more comprehensive review of the PUD agreement prior to continuing on with the project.

Mike Becerra, 433 Crestview Drive, stated the thoughts on the park Lamar presented are great, however his concern is about the infer structure of the area. This area is not adequate to handle this type of traffic flow and growth of a neighborhood. This will benefit the developers but he doesn't see how it will benefit the local neighborhood. He asks that the Commission reconsider the request because of the infer structure, and aquifer. He stated this development will exceed the capability of the aquifer and the roadways.

Vice-Chairman Younkin read into the record an email submitted by Joe Russell in lieu of his being able to be present for the meeting. It read as follows:

Mitch Humble - Planning and Zoning Meeting Tonight

From: "Joe Russell" <jrussell@pmt.org>
To: <mhumble@tfd.org>
Date: 7/25/2006 3:20:21 pm
Subject: Planning and Zoning Meeting Tonight

Dear Planning and Zoning Commission Members:

I just became aware today, by e-mail, of Jack Bauer's zoning change request for the property owned by his California Investment Group located on the North West corner of the Falls Avenue and Grandview intersection. I am out of town today and I am sending this letter in opposition to Mr. Bauer's request.

Plenty of opportunity currently exists within our city, where large commercial projects can be built without the negative impact to nice residential projects nearby, which would clearly occur here. While a narrowly defined C-1 PUD project, on a much smaller scale, may be appropriate at this intersection, Mr. Bauer's request is not appropriate here.

In addition to the NCO PUD, I oppose the increase in density for this residential area by considering the change from R-2 to R-6.

I respectfully request that you deny Mr. Bauer's current request.

Sincerely,
Joe Russell

Vice-Chairman Younkin read into the record an email submitted by Brad Wills in lieu of his being able to be present for the meeting. It read as follows:



222 Shoshone St W. Office 208-734-4411
Box 0346 Fax 208-734-0410
Twin Falls, Idaho 83303 Cell 208-420-0314
www.willsinc.com

July 24, 2006

Reference: Item # 2 July 25, 2006 Meeting of the Planning and Zoning
Proposed Zoning Change for Greenridge Development LLC (#2027)

To: City of Twin Falls Planning and Zoning Commission,

- We are the owner and developer for the Fieldstone Subdivision located 1/4 mile north of the proposed Development located at the northwest corner of Falls Ave. W and Grandview Dr. N. I am also the project manager for the Broadmoor Estates Subdivision for Joe Russell which is the proposed 80 acre subdivision adjacent to the east across Grandview Drive North.
- I would oppose any Zoning District Change and Zoning Map Amendment that would allow a change from the designation of R-2 agreed to at annexation. The 80 areas are adjacent to SUI and R1-Var zoning to the south and west and R-2 zoning to the north and east.
- A change from R-2 to R-6 is not appropriate for this residential area. All new development to date has been within the R-2 zoning and it would be unfair to change the zoning for this area. People have chosen this area and invested in their new homes based on the density the zoning has provided them. To increase the density in this area at this time would cause them concern and possible decrease in property value.
- A very limited use of the NCO PUD would serve this area but it would need to be restricted to the intersection areas and in scope.

Sincerely Yours,
Brad Wills Wills, Inc.

Closing Statements:

Wayne Freeman stated it would have been easy to meet the R-2 zoning however he doesn't think this is the way the city planned for when the comprehensive plan was developed. Communities are demanding more developments such as this mixed use, mixed income and this design meets the comprehensive plan as it was designed. Comments about the water and high density concern are addressed by enabling a small area to have large open space with only 265 total housing units. As for the traffic, the utilization of the walkways will reduce the traffic because people are able to walk to do their shopping rather than drive, that's one of the reasons for the neighborhood commercial zoning. The PI station is going to happen in this area regardless of what gets developed we are just proposing landscaping and meeting the code. As for the PUD agreement a preliminary plat review will require that all of the areas of concern be reviewed comprehensively and the project can not go through without this stamp of approval process taking place. With regards to the water and drainage areas the water will be stored under ground. The park is considered a mini-park and the developers are willing to do what ever it takes, to see this project through.

Community Development Director Humble stated that the City can go in and mow a mini-park and that the City of Twin Falls also has plans to develop another park in another area of the development.

Deliberation followed:

- R-6 density within the development, is located at the east of the development, higher density in some area is good because of the economics, mixing it up within the community for people of different incomes creates a nicer neighborhood, traffic will be reduced because neighborhood commercial it is to service the neighborhood, it is not to draw the outside in, the bulk is within the development, I don't foresee a major problem with this now, I would however like to see the park location become more of a focus to create a nice recreational area.-TF
- If the City is planning to build a park in this development then it can be more substantial.-DT
- It seems as though this is going to be a mini-mall surrounded by houses, there will already be 1000 of people going to the hospital, wal-mart and the high-school is going to be located there as well. I don't think it should be approved because we are going to end up being reactive instead of proactive.-EM
- Are all the businesses that come in to this commercial area required to have a Special Use Permit.-TF
- We currently do not have an NCO development in Twin Falls and we are having to make some judgment calls blindly, however I am in favor of the proposal because a PUD is more restrictive.-RH
- This project is still in the planning stages, and it is something that we need in this area. We don't have an example in this area to compare it to but I am sure the developers are willing to work hard with the community to make this a successful project. As for the R-2 issue, the R-2 area of the project will be adjacent to the R-2 zoned area that is already there however I would also recommend an R-4 instead R-6 zone.-TF
- We can not promote community without promoting Neighborhood Commercial to facilitate locally owned business and reduce the need for people to travel the arterial roots that we have now to pick up a few things from the store.-TM
- To address the water concern from earlier, there is no guarantee there will be utilities available to this area-CW
- Neighborhood commercial is scary, however I am concerned with the wording in the PUD agreement to protect the current interest, I know this is not the final and the Commission can only make a recommendation to the City Council with regards to this proposal.-DT
- Just as a reminder this meeting tonight is only for the Commission to make a recommendation on zoning, the preliminary plan and public hearing for that part of the process will be coming in the future are recommendation on zoning does not indicate that this proposal will be approved.-TF

Motion:

Commissioner Warren made a motion to recommend approve of the request as presented with staff recommendations. Commissioner Frank seconded the motion. Upon roll call the motion passed 7-2; Commissioner Fank-yes, Commissioner

Horsley-yes , Commissioner Lezamiz-yes, Commissioner Muñoz-yes, Commissioner Richardson-yes, Commissioner Warren-yes, Commissioner Younkin-yes, Commissioner Mikesell-no, Commissioner Tenney-no.

Break for 10 minutes.

3. Request of Jayco, Inc. an Indiana Corporation for the Commission's recommendation on the annexation with a zoning designation of M-2, currently zoned M-2, for 177 acres (+/-) of land located east of Hankins Road aka 3200 East Road, south of Eldridge Avenue and Oregon Short Line Railroad, and west of 3300 East Road. (#2028)

Applicant's presentation:

Marti Gergen, representative for Jayco, Inc., presented the request for a Zoning Designation of M-2, currently zoned M-2 for (+/-) 177 acres of land. The request is in compliance with the Comprehensive Plan, and the intended use would be for future development. Jayco, Inc. is looking to expand their facility to this property creating and industrial park.

Discussion followed:

What is the existing land use and zone for this property and what is south of the property. What are the plans for the portion of property Jayco, Inc. does not build on.

Mr. Gergen stated currently the land in question is vacant and the land to the south is farm land and it is zoned M-2 all the way around the property. He also stated that Jayco, Inc. does intend to sell off the portion of land they do not build a facility on but currently do not have any prospective buyers.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and feels the existing zoning designation of M-2 heavy industrial, is appropriate and consistent with the Comprehensive Plan.

Public hearing was opened and closed with no input.

Deliberation followed:

The request is for the same M-2 zoning.-TF

Motion:

Commissioner Frank made a motion to approve the request as presented. Commissioner Muñoz seconded the motion and roll call vote showed all members present voted in favor of the motion.

4. Request of David Jacobsen for a Special Use Permit to establish a professional office on property located at 727 Shoshone Street North. (#2029)

Applicant's presentation:

Mr. Jacobsen presented his request for a Special Use Permit to establish a professional office. He stated he thought this property was a diamond in the rough, and it is currently surrounded by other professional offices.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to sit plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Discussion followed:

- What kind of business will occupy the building
- Does the request meet the requirements to be a professional office

Mr. Jacobsen stated he currently does not have anyone interested in the property however he would like it to be used by an attorney or a small business with only a couple of employees.

Public hearing was opened and closed with no input.

Deliberation followed:

The limited amount of parking is always a concern however if it meets code I think it should be approved.-DT
Personally I am in favor of this proposal Professional Office fits this area nicely and will help the value of the property. -TF
The hours of operation in a Profession Office setting is normally 8am-5pm, normally the noise level is minimal, and developing and a Profession Office in this part of town is essential for it to thrive, it fits in with the area nicely. -TM
The best way to maintain the area is to encourage Profession Offices.

Motion:

Commissioner Younkin made a motion to recommend the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

5. Request of Mark Gardoski for a Special Use Permit to operate a paint booth in conjunction with an automobile service and repair business on property located at 1406 Kimberly Road. (#2030)

Commissioner Tenney stepped down at this time.

Applicants' presentation:

Mark Gardoski presented his request for a Special Use Permit to operate a paint booth in conjunction with an automobile service and repair business. He stated that had he understood the Special Use Permit process he would have pursued this request along with his initial request to operate the automobile service and repair business.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated that Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Paint booth to meet or exceed all city zoning, building and fire requirements.
- 2) No vehicles awaiting work or miscellaneous parts to be stored outside of an enclosed building or a sight obscuring screened area.
- 3) No storage of impound vehicles from the towing business.
- 4) The tow trucks are to be parked within an enclosed building or stored within a sight obscuring screened area at all times.
- 5) Subject to compliance to all buildings, engineering, fire, and zoning codes.
- 6) Install a sand/grease trap that meets current standards.
- 7) Storm water retention to be addressed as part of the building permit review.
- 8) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Discussion followed:

- Have the requirements for the original Special Use Permit have been met.

Mr. Gardoski stated he has not begun to follow through on the original Special Use Permit but that he plans to meet all the requirements of the original SUP at the same time he builds the paint booth, completing the project all at one time.

Public hearing was opened and closed with no input.

Deliberation followed:

This seems like a natural addition to a paint and body shop.-TM

Motion:

Commissioner Warren made a motion to approve the request as presented with staff recommendations. Commissioner Frank seconded the motion and roll call vote showed all members present voted in favor of the motion.

Commissioner Tenney returned to his seat.

6. Request of Arthur B and Mary Nolan Hoag for a Special Use Permit to operate a handcrafted woodworking business on property located at 436 Main Avenue North. (#2031)

Applicant's presentation:

Author Hoag presented his request for a Special Use Permit to operate a woodworking business. He stated the project will take a few years to complete.

Discussion followed:

The woodworking will it include finish painting

Mr. Hoag stated yes there will be finish painting involved with this business.

Staffs review:

Community Development Director Humble reviewed the request using overhead projections. He stated that parking and landscaping is not a requirement for this zone. The site plan will be reviewed and some amendments will be needed but nothing major and it can be worked out with the applicant. He stated that Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Parking and landscaping to be completed as per the submitted site plan.
- 2) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public hearing was opened:

Colleen McLellan, stated she lives across the alley from this property and from what she has seen with the applicant is that it is going to be an asset to the area, however I am concerned about fumes and sawdust, the assured me that this would be addressed with the ventilation system for the building.

Deliberation followed:

- I think this is a good idea for this area.-TF
- The building code and fire inspection will address the fumes and ventilation.-EM
- I like to see locally owned businesses in the community and think it is a great proposal.
- I agree this is a good business, and encourage the applicant to speak to the Urban Renewal agency to see if there is any assistance.-RH

Motion:

Commissioner Tenney made a motion to approve the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

7. Request of Oregon Trail c/o Denie and Lisa Mason for a Special Use Permit to expand by more than 25% an existing RV and camping park on property located at 2733 Kimberly Road. (#2032)

Staffs review:

Community Development Director Humble stated that the staff has reviewed the request and would like to recommend that the request be tabled. The applicant would like the opportunity to provide some additional information to the Commission before the request is presented and has been working with staff to prepare the information.

Motion:

Commissioner Frank made a motion to table the request until the August 29, 2006 hearing. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

8. Request of James Anderson, Jr. and Ella Mae Hamman for a Special Use Permit to construct a 2500 sq. ft. detached accessory building on property located at 2406 Bowlin Lane. (#2033)

Applicant's presentation:

James Anderson, Jr. presented his request for a Special Use Permit to construct a 2500 sq. ft. detached accessory building. He stated there may be one neighbor to the south that will object to this request stating that it will obstruct his view. However, when other development takes place in this area his view will be obstructed anyway.

Staffs review

Community Development Director Humble reviewed the request using overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) The building is to be used for residential purposes only.
- 2) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards

Public hearing was opened:

Greg Edson, Julie lane, stated he lives south of the property and this building would obstruct his view. He requests that the Commission table this request, because Mr. Anderson has requested a vacation of the easement and which would allow him to move the building further west and further south on his property. By moving the building to the other location this would avoid obstructing the view.

Closing Statements:

Mr. Anderson, Jr. stated he is in the process of requesting the vacation of the easement, and if it comes through he will move the location of the building further west and south on the property which would also allow him to build a circle driveway to maneuver his RV and park it easier.

Deliberation followed:

- I would make the recommendation that the Special Use Permit be contingent upon the vacation approval. If for some reason the vacation does not get approved the applicant will have to return with another request for the structure to be built in the same location as illustrated currently.-TF

Motion:

Commissioner Frank made a motion to recommend the request subject to the vacation of the utility easements and relocation of the accessory building further west and further south on the property in addition to staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

9. Request of Corene H. Buhler for a Special Use Permit to operate an in-home daycare facility on property located at 204 7th Avenue North. (app.#2034)

Applicant's presentation:

Corene Buhler presented her request to for a Special Use Permit to operate an in-home daycare facility. She stated that she has been watching children at this location for 30 years and has decided that she would like to be a licensed daycare. She will not be changing the number of children she takes care of and in order to be licensed she needed to request a Special Use Permit.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Driveway to remain open for parent parking only during hours of operation.
- 2) Comply with all State and Local requirements to establish a day are facility.

Public hearing was opened without any input.

Deliberation followed:

- I would recommend approval, if there were any problems with the business currently there would have been a public response.-TM
- I would recommend approval as well. -TF

Motion:

Commissioner Younkin recommended approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

10. Request of Espresso-A-Go-Go c/o Mary Murray for a Special Use Permit to operate a drive-through facility in conjunction with an existing coffee shop on property located at 114 Locust Street North. (app.#2035)

Commissioner Mikesell stepped down at this time.

Applicant's presentation:

Kenneth Price, representing Espresso-A-Go-Go, presented the request for a Special Use Permit to operate a drive-thru. He stated all the traffic will be entering by way of Juniper, this access point at locust will be marked as do not enter/one-way to avoid traffic issues.

Staff Review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public hearing was opened without any input.

Deliberation followed:

- It seems there is not anyone hear to voice a concern and seems to be plenty of room for a drive-thru.-TF

Motion:

Commissioner Warren made a motion to approve the request as presented with staff recommendations. Commissioner Muñoz seconded the motion and roll call vote showed all members present voted in favor of the motion.

Commissioner Mikesell returned to his seat.

11. Request of Lake City International Trucks, Inc. / ESP Future, LTD for a Special Use Permit to operate a retail farm equipment sales and service business on property located at the southwest corner of 4th Avenue West and Fairfield Street West. (app.#2036)

Applicant's presentation:

Bob Lund, representative for Lake City International Trucks, Inc. presented the request for a Special Use Permit to operate a retail farm equipment sales and service business. On June 5th it was approved by the City Council the Zoning Title Amendment allowing by Special Use Permit agricultural equipment sales and service in this district. The structure for the property will be a 6,000 sq. ft service facility with 3 bays on the front and it will be used to service equipment and repair parts. The equipment to be sold are of the mixed feed body style and a small line of tractors. It will not be a full service large agricultural business; there would be a need for a bigger space to run that type of business. The lot across the alley will be used for parking storage and unloading 8am-5pm and noise level will be at a minimum.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Discussion followed:

- The lot that will be used for unloading and parking is required to be paved, including the alley.

Mr. Lund stated that it is Lake City International Trucks, Inc. intent to pave the empty lot.

Public hearing was opened:

Steve Swope of Lake City International, Inc. stated that he has been a life long resident and former property owner in that area of town and at one time the company reached a critical juncture to decide whether or not to keep their business in the old town area or to move it out toward the freeway. The company decided to keep the business in the downtown area and to give the area a facelift because customers were use to the location, and old town needs business to thrive.

Deliberation followed:

- I voted for the change in the Zoning Title because I think it is appropriate for the area.-TF
- I voted against the change in the code however I do believe this is a great addition to this area, I just didn't want the code to change.-RH
- I didn't want the code to change either however I do like the business proposal and feel it is appropriate.-TM
- What are the other types of businesses around that area.-DT
- There has been industrial use and truck businesses around that area for a long period of time, and have not seen a change in use for this area.
- I think this proposal if approved will be a catalyst for change, however it is not technically in the old town zone, and this area has been neglected for a long period of time. We have tried to improve the north, south, and east part and this is a good commercial use which could possibly trigger other industries to consider this are for business.-RH
- There is not a lot of financial growth in this area.-TF
- Hopefully this will have people taking another look at this area.-RH

Motion:

Commissioner Mikesell made a motion to approve the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

12. Request of Craig J. Manning for a Special Use Permit to operate a doctor's office on property located at 333 8th Avenue East. (app.#2037)

Chairman Horsley stated the Commission would hear both item 12 and 13 together, however there would be two votes one for the Special Use Permit and one for the Variance.

Applicant's presentation:

Craig J. Manning presented his request for a Special Use Permit to operate a doctor's office. He also stated that at the same time he is requesting a variance to the parking and landscaping requirements for this piece of property. The code requires 5 off-street parking spaces and 25% of the site to be landscaped. However, the lot is completely paved making the landscaping requirement difficult to meet and there are only 4 off-street parking spaces. The building occupies 1150 sq. ft of the 1500 sq. ft piece of property, 800 sq. ft is the main floor and 350 sq. ft. is the basement.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. The He stated that Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public hearing was opened:

Nathan Fuller, 315 8th Ave E, I support the business in the neighborhood, no concern other than parking, maybe two or three clients have parked in the driveway of his home, however they have all been kind enough to move when asked. PSI however has a problem with picking up his trash if someone's car is parked in front of the trash cans. They have made an improvement to the area by being in this location.

Deliberation followed:

- The Special Use Permit is consistent for this property-TF
- What kind of traffic is the business going to generate and how many employees are there-DT
- Are there any alternatives that Mr. Fuller could offer for the parking situation-DT
- Maybe the applicant could be proactive and work with the neighbor on the parking issue especially on trash day.-TF
- I think this business meets the need of this property and would be an improvement to the area.

Motion:

Commissioner Frank made a motion to approve the request as presented with staff recommendations. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

13. Request of Craig J. Manning for a Variance to allow less than the required parking and less than the required landscaping on property located at 333 8th Avenue East. (app.#2038)

Applicant's presentation:

Craig J. Manning presented his request for parking and landscaping variance. There is not another option for the parking unless they are moved closer to the building leaving no walkway in front of the spaces. As for landscaping the property is completely paved and the request is to place (5) 50 gallon containers with plants along the sidewalk to enhance the property with a variance from the landscaping requirements.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and has no recommendation with regards to the variance request.

Public hearing was opened:

Nathan Fuller, 315 8th Ave E made the statement that if the business could be open after 10am on Monday "Trash Day" this might be a solution to the PSI issue of not picking up the can if a car is parked in front of his trash can.

Closing Statements:

Craig J. Manning stated that he is willing to work with the neighbor on the parking issues that may come up and feels like this can be resolved easily.

Deliberation followed:

- The (5) 50 gallon containers with flowers sound like a reasonable solution to a difficult problem.
- This property is very difficult and the option is to grant the variance or have it sit vacant.-RH
- We don't want the vacant property the container sound fine to me.-TM

Motion:

Commissioner Tenney made a motion to approve the request as presented. Commissioner Warren seconded the motion and roll call vote showed all members present voted in favor of the motion.

14. Request of Tim Coiner to amend Special Use Permit #0619 to allow a second doctor on property located at 777 Addison Avenue. (app.#2039)

Applicant's presentation:

Tim Coiner presented his request for an amendment to Special Use Permit #0619 to allow a second doctor on his property.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated the Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Compliance with all requirements of the 1987 Jeff Stoker Agreement.

Public hearing was opened with no input.

Deliberation followed:

- Didn't understand why there was only one doctor unless it was for parking issue-TF
- No problem with it more than ample parking, better used as professional office and not residential.-RH

Motion:

Commissioner Lezamiz made a motion to approve the request as presented with staff recommendations. Commissioner Tenney seconded the motion and roll call vote showed all members present voted in favor of the motion.

15. Request of Idaho Power Company, c/o Perry Van Patten, Southern Regional Manager for the Vacation of public rights-of-way located between Lots 1-3 and 7-9 of Block 1, Means Subdivision, and including the portion of Gardner Street and Ash Street adjacent to Lots 1-3 and 7-9 of Block 1, Means Subdivision, for a total of 24, 750 sq. ft. (app.#2040)

Applicant's presentation:

Margaret Johnson land management planner for Idaho Power and the regional manager Perry Van Patten is here as well, the request has risen out of the substantial need to expand, the zoning is M-2 heavy manufacturing we currently own the land that his high-lighted in red on the overhead the vacation portion of the streets are shown in the cross hatch and the alley also crossed out existing residential lots and purchased and removed the homes, lot 4 home, lot 5 reupholster shop and other lots are residential and face the gem avenue, we have no problem with a turn around area, can we remove at the end of ash street from the conditions, with flexibility we may find another place for this turnaround area. Our plan is to pave the property immediately for employees to park.

Staffs review:

Community Development Director Humble reviewed the request with overhead projections. He stated Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- 1) Subject to the retention of the utility easements
- 2) City accepted turn-around at the end of Ash Street.

Public hearing was opened with no input.

Deliberation followed:

- Are there any future intentions on the other pieces of property not currently owned by Idaho Power (i.e. Means Subdivision)
- Is there a reason for the end of Ash Street being identified as the specific location of the turn around.

Ms. Johnson stated eventually Idaho Power would like to purchase the other the entire block.

Community Development Director Humble stated that the issue of the turn around is the traffic concern on Ash Street.

Motion:

Commissioner Frank made a motion to recommend the approval of the request for Vacation with the following conditions.

The vacation is subject to the retention of utility easements and a City accepted turn-around on Ash Street South.

Commissioner Tenney seconded the motion and roll call vote showed all members present voted in favor of the motion.

OTHER ITEMS:

16. Findings of Fact and Conclusions of Law:

- | | |
|---|---|
| a) Special Use Permit request of Tina M. Withers | f) Special Use Permit David and Marilyn Krammer |
| b) Special Use Permit Industrial Development, LLC | g) Special Use Permit Twin Falls School District #411 |
| c) Special Use Permit Albert A. Lewis | h) Annexation request P&L Land Company, LLC |
| d) Special Use Permit J& J Enterprises | i) Preliminary Plan Eagle Park Subdivision |
| e) Special Use Permit Mark Gardoski | j) Annexation request Jeff Blick |

UNANIMOUSLY APPROVED AT WORKSESSION ON JULY 18, 2006

17. Approve minutes of Planning and Zoning Commission meeting(s).

July 11, 2006 public hearing minutes

UNANIMOUSLY APPROVED AT WORKSESSION ON JULY 18, 2006

18. Date of next Planning & Zoning Commission Public Hearing and Work Session

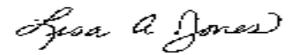
(WS-Tuesday, August 1, 2006

PH -August 8, 2006)

19. Public input and/or items from the Planning & Zoning Director and Planning & Zoning Commission.

Community Development Director Humble introduced the two new staff members present at the meeting. Tracy Reed the executive administrative assistant for the engineering department, and Amber Westenskow the new Planner I for the Planning and Zoning Department.

Chairman Horsley adjourned the meeting at 9:45 p.m.



Lisa Jones
Administrative Assistant
Community Development Department



City of Twin Falls
Planning & Zoning Commission
305 3RD Avenue East Twin Falls, Idaho
Public Hearing: **AUGUST 8, 2006 6:00 P.M.**

PUBLIC HEARING MINUTES
AUGUST 8, 2006
COUNCIL CHAMBERS

PLANNING & ZONING COMMISSION MEMBERS:

City Limits:

Tom Frank Ryan Horsley Bonnie Lezamiz Gerardo Muñoz Bernice Richardson Karen Stroder Cyrus Warren Carl Younkin
Chairman Alternate Vice-Chairman

Area of Impact:

David Kemp E. Rick Mikesell Dusty Tenney
Alternate

ATTENDANCE

PLANNING AND ZONING MEMBERS:

<u>Present</u>	<u>Absent</u>
Frank	Lezamiz
Horsley	
Munoz	
Stroder	
Richardson	
Younkin	
Warren	

AREA OF IMPACT MEMBERS:

<u>Present</u>	<u>Absent</u>
Kemp	Tenney
Mikesell	

CITY COUNCIL MEMBERS PRESENT:

Johnson

CITY STAFF PRESENT:

Bates, Carraway, Fields, Humble, Jones, Mathis, Mitton, Westenskow

AGENDA ITEMS

A. CALL MEETING TO ORDER:

B. PUBLIC HEARING ITEMS:

C. ITEMS FOR CONSIDERATION:

1. Request of Twin Falls County Parks and Waterways Department to install a new sign for Rock Creek R.V. Park on property located at 1000 Addison Avenue West.
2. Preliminary PUD presentation by Caswell Place, LLC, c/o Donald W. George, for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD for the development of a multi family residential subdivision for (+/-) 1.1 acres of property located at 210 Caswell Avenue West.

D. DATES OF UPCOMING PLANNING & ZONING COMMISSION MEETINGS:

Work Session: August 22, 2006-12:00 P.M. Public Hearing: August 29, 2006 – 6:00 P.M.

E. APPROVE MINUTES OF PLANNING AND ZONING COMMISSION MEETING(S):

F. FINDINGS OF FACT AND CONCLUSIONS OF LAW:



- G. ITEMS FROM THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING & ZONING COMMISSION:
- H. ADJOURN MEETING:

MINUTES

A. CALL MEETING TO ORDER:

Chairman Horsley called the meeting to order at 6:00 p.m.

B. PUBLIC HEARING ITEMS: NONE

C. ITEMS FOR CONSIDERATION:

- 1) Request of Twin Falls County Parks and Waterways Department c/o James Gose-Eells for Commission approval to place a Special Sign on property located at 1000 Addison Avenue West.

Applicant Presentation:

James Gos-Eells from the Twin Falls County Parks and Waterways stated a temporary sign has been in place at the entrance to the Rock Creek RV Park. The sign has been designed with a small arch at the top of the two spokes and the spokes will be sandblasted and treated with a varnish. This will be a dual sided sign facing east and west.

Staff Review:

Planning and Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed the request and recommends the following condition be placed on the permit, if approved:

- 1) Assure that the sign is not placed in right-of-way and does not create a sight hazard.

The only type of sign that is provided for within the City's Sign Code for public parks is a Special Sign; (10-9-2(O)). There are no standards for a "Special Sign". Such issues as sign size, projection, height, etc. are to be determined by the Commission and are "to be the minimum required to adequately serve the basic purpose."

Discussion followed:

How far will the sign be back off the road-KS

The applicant stated the sign is already built

Should the design of the sign be reviewed and approved first before the special sign is approved-TF

Planning and Zoning and Development Manager Carraway stated that the sign will be 68 feet back from the right-of-way which adequately meets the set-back requirements. As for the sign design - in this case the sign was built prior to the request.

What are the dimensions of the sign-TF

James Gos-Eells stated the full height of the sign is 6 ½ feet tall and 10' wide, there will be solar lights at the base of the sign and the additional arch will not increase the height of the sign.

Public hearing opened and closed with no input.

Closing Statements:

James Gos-Eells stated any other details may be sent to the commission digitally and modifications can be made if necessary.



Discussion followed:

Procedure is my concern and we are approving this after the sign has been built and is ready to install. It is hard to ok without having input ahead of time on the sign. Visualizing the size of the sign is somewhat difficult. I don't see a problem with having a sign I didn't realize there was an RV park in that area until this request.-TF

The end product is hard for me to visualize as well.-KS

I have no problem in particular; the procedure is my concern as well. -DK

Motion:

Commissioner Frank made a motion to approve the request as presented with staff recommendation. Commissioner Kemp seconded the motion and roll call vote showed 8 for and 1 against. Commissioner Frank-yes, Commissioner Horsley-yes, Commissioner Mikesell-yes, Commissioner Muñoz-yes, Commissioner Kemp-yes, Commissioner Richardson-yes, Commissioner Stroder-no, Commissioner Warren-yes, and Commissioner Younkin-yes. **The motion was approved.**

- 2) Preliminary PUD presentation by Caswell Place, LLC, c/o Donald W. George, for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PUD for the development of a multi family residential subdivision for (+/-) 1.1 acres of property located at 210 Caswell Avenue West.

Applicant Presentation:

Don George presented the request for a zoning designation of R-4 PUD for the purpose of building a multi-family residential subdivision.

Discussion followed:

Why is the request for a PUD and are there plans to subdivide the property or will it be a single ownership.-TF

How many bedrooms per unit-TF

How many parking spaces-TF

What type of access is there to the units and are there any plans to restrict the parking-CY

Don George explained the request for PUD was a recommendation by City staff and the property will be under one owner and there are no plans for subdividing. There are 2 parking spaces per living unit with one handicap parking per unit and it is all off street parking.

The Planning and Zoning and Development Manager Carraway stated a R-4 PUD requires a preliminary presentation and allows for a review to address concerns related to the project. As for signs the access to the property is a private road, which does not allow for the signs; however one side of the road may have signs placed there for safety reasons. The code requires a 2 acre minimum however we have had several other properties that have done this in an infill area. This will be one of the issues the Planning and Zoning Commission will need to consider when make their recommendation to the Council. Jackie Fields the City Engineering director has reviewed this project as well and stated that the conditions she recommends are that a hammerhead easement and utility easements be retained.

Jane George applicant, stated that the area at the end of the street is not a cul-de-sac it was originally planned for one but it never was finished by the previous developer. There would be a hammerhead easement and the utility easement would be retained. The property to the north of the project is owned by another individual who is not willing to sell a portion of his land in order to develop a cul-de-sac. She stated that as the applicant she is willing to work with the City to resolve these issues. However because of the property location and the portion they own they have developed a fire truck accessible path on the property they own.

Discussion followed:

Until now we all understood that Bolton has a cul-de-sac at the end of the street. After this presentation we now see that a different solution has been offered because a cul-de-sac does not exist. I would however like to see a better lay out of the project design at the hearing on August 29, 2006.



From the discussion of the preliminary plan it was recommended that in preparation for the public hearing on August 29, 2006 the applicant be ready to address the concerns discussed tonight; specifically adequate parking, fire access, number of units, and show the off street parking areas.

D. DATE OF NEXT PLANNING & ZONING COMMISSION PUBLIC HEARING AND WORK SESSION

Work Session- August 22, 2006
Public Hearing –August 29, 2006

E. APPROVE MINUTES OF PLANNING AND ZONING COMMISSION MEETING(S).

NONE

F. Findings of Fact and Conclusions of Law:

1. Special Use Permit request of the College of Southern Idaho
2. Special Use Permit request for Manker's LLC c/o William Manker Jr.
3. Annexation request for New Providence Group, LLC c/o Elizabeth Hodge
4. Rezone request for Todd Ostrom/Hunter's Estates PUD
5. PUD Agreement Modification request for Magic Valley Mall c/o Lytle Signs
6. Special Use Permit request for Combs Car Coral
7. Preliminary Plat request for South View Estates Subdivision c/o Todd Ostrom
8. Preliminary Plat request for Grandview Estates Subdivision c/o Paul Bedortha
9. Special Use Permit request for Magic Valley Regional Medical Center and Twin Falls County
10. Special Use Permit request for Andrew Stephens
11. Special Use Permit request for Gregg Middlekauf
12. Special Use Permit request for Jay and Claudia Mickelsen
13. Annexation request for R. G. Messersmith
14. Annexation request for Bosero Development
15. Special Use Permit request for Corene Buhler

Unanimously Approved

G. PUBLIC INPUT AND/OR ITEMS FROM THE PLANNING & ZONING DIRECTOR AND PLANNING & ZONING COMMISSION.

The request submitted to move the October 31st meeting to October 24th was unanimously approved.

H. ADJOURN MEETING:

Chairman Horsley Adjourned the meeting at 7:11 p.m.

A handwritten signature in cursive script that reads "Lisa A. Jones".

Lisa Jones
Administrative Assistant
Community Development Department



- 6) Request of R.G. & Dean Messersmith and The Earl and Barbara Williamson Family Trust DTD 12/6/93 for the Vacation of a public access easement located on Lot 16, Block 1, Villa Vista Subdivision, #4, for a total area of 4400 sq ft. (app. 2046)
- 7) Request of Martin Lewis for a Special Use Permit to operate an outdoor car wash & detail business on property located at 1390 Blue Lakes Boulevard North. (app. 2047)
- 8) Requests of Church of Jesus Christ of Latter Day Saints c/o Hal W. Jensen for the Commission's recommendation on the annexation of 9.78 acres (+/-) of land, with a zoning designation of R-1 VAR, currently zoned R-1 VAR, located north and south on the west side of the intersection of Hankins Road and Stadium Boulevard, extended. (app. 2048)
- 9) Request of Wilson Grove Subdivision (Settlers Ridge, LLC- Jeff Blick-Partner) for the Commission's recommendation on the annexation of 74 acres (+/-) of land, with a zoning designation of R-4, currently zoned R-4, located southwest of the intersection of Pheasant Road West, extended and Kenyon Road South, extended. (app. 2049) **Rescheduled For SEPTEMBER 12, 2006**
- 10) Request of Twin Falls Urban Renewal Agency for an amendment of Special Use Permit #0898, granted November 9, 2004, to allow the operation of a recreational vehicle manufacturing plant on property located at 621 Washington Street South. (app. 2050)
- 11) Request of the City of Twin Falls for a Zoning Title Amendment which would amend Twin Falls City Code Title 10; Section 12; Chapter 4.2(L) regarding standards for mailboxes. (app. 2051)

CONSIDERATION ITEMS:

- 12) Consideration Of The Request Of Mitch Bausman For An Extension Of The Approval Of The Preliminary Plat Of Stone Ridge Estates Subdivision.
- 13) Consideration Of The Preliminary Plat Of Calistoga Springs Subdivision, 62 Acres (+/-) With 236 Single-Family Residential Lots On Property Located At The Southeast Corner Of Orchard Drive And Harrison Street South. (Annexed 04-2006/Ord 2857).

PUBLIC HEARING MINUTES

A. CALL MEETING TO ORDER:

Chairman Horsley called the meeting to order at 6:00 p.m. He then reviewed the public hearing procedures with the audience and introduced City Staff present.

B. PUBLIC HEARING ITEMS:

- 1) Request of Oregon Trail c/o Denie and Lisa Mason for a Special Use Permit to expand by more than 25% an existing RV and camping park on property located at 2733 Kimberly Road. (app. 2032)

Applicants Presentation:

Lisa Mason, applicant, stated she and her husband have added 20 camp spots to their existing campground on Kimberly Road. They were unaware they needed a special use permit to do this as the state electrical inspector had signed off on the electrical permit. She said there is a need to provide space for bigger trailers.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. The property is zoned C-1. A special use permit was granted at this site to allow an outdoor go-cart facility which included 40 overnight campsites. To expand by more than 25% an approved use previously allowed by special use permit requires a new special use permit. This item was tabled last hearing due to some issues that needed to be



answered. She reviewed some of the issues that have been resolved and some that have not. City Engineer Fields did go out in the field and meet with the applicants on August 18, 2006. Some of the results are as follows:

- a. It was determined that the arterial approach and interior paving of the site has been completed
- b. The water and sewer hook ups to the city, is completed those utilities are provided on site
- c. The fire department has approved the interior road surface
- d. The state plumbing and electrical have approved the additional 20 new hook-ups

The items not completely resolved are as follows:

- a. The curb gutter and sidewalk along the eastern portion of the property has not been completed
- b. The hard surfacing for the required off street parking area has not been confirmed
- c. The gateway arterial landscaping has not been completed
- d. The storm water retention site needs engineering approval and sign off
- e. There is a major canal lateral Kimberly Road on the south side has major problems with that lateral currently the gateway arterial landscaping requirements in staffs opinion would be difficult to complete without this area being repaired by the canal company

Staff feels there should be some time limits placed on this request. If a time limit is placed on the approval of the special use permit these items should not be included in the time limit; 1) the gateway arterial landscaping and 2) curb, gutter and sidewalk along the Kimberly Road frontage based on the completion of the leaking canal to be repaired by the canal company.

Staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- a. Subject to site plan, amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- b. Completion of all site improvements within one-year of the date of approval excluding the landscaping and curb, gutter and sidewalk paving until the repair of the canal has been completed.

Questions/Comments:

TF-For staff, there is a leaking canal on the property, has anyone contacted the canal company to get a time frame for when they plan to repair the leak.

GM-For staff, Since we are considering a timeframe of one year how would it be handled if the canal company takes long than a year to repair the leak.

Zoning and Development Manager Carraway stated that the canal company and the applicants are aware of the leak however she does not have a timeframe from the canal company for the repair. As for the timeframe you can put a time frame on the remaining items and the remaining items can be subject to completion of the canal companies repair work with a follow-up every year.

KS- For applicant, as to what the canal has expressed to them regarding the repair.

Denie Mason, applicant, stated what has happened is that a car wreck damaged the head gates and they fixed it but it is leaking under the road but they can't fix it until the watering season is over.

Public Hearing Open:

The public hearing was open with no input from the audience; however a letter has been submitted by Virginia Becker 254 Trotter Drive in opposition of the expansion, read into the minutes by Commissioner Younkin. **See attached.**



Closing Statements:

Denie Mason, applicant, stated the fences are all in good repair, the weeds are coming from the outlying properties around the campground. The neighbors when they dispose of their Christmas trees they are thrown onto our property and when they clean their yards of dog excrement it comes over the fence onto our property.

Deliberation followed:

CW- If the canal company does their part in October, November could the rest of the requirements be met within one year's time.

TF- I think anything is possible however we would like for the applicant to provide feedback is the work is not completed in reasonable timeframe. We are willing to work with the applicants however when we don't get feedback that it provides a problem. I am concerned that things were not completed under the previous Special Use Permit so I am for the time limit but if the applicant is unable to meet the requirements within a year I would like for the applicant to keep us informed.

KS- The one limit does place constraints on making sure some of the issues are resolved.

TF-The canal company issue is outside of the applicant's control, but I hope that is will be fixed after the season.

GM-If the applicant takes care of the issues within a year there is not problem at all, it would have some recourse.

BR-Should the park owner have some control over the way animals are kept in the park, the neighbor I am sure didn't fabricated her concerns.

TF-The problem is the letter is not specific as to the owners dogs or whether it is the tenants doors that she is concerned with, if this is a concern they could call animal control.

RH-I think the one year is self explanatory and if it does come back with the canal company being an issue we can revisit the request at this time.

Motion:

Commissioner Frank made a motion to approve the request for Special Use Permit as presented with staff recommendations adding any issues not completed within one-year the applicant shall inform the commission of that issue. Commissioner Stroder seconded the motion and roll call vote showed all members present voted in favor of the motion.

The motion was approved.

- 2) Request of Caswell Place, LLC c/o Donald W. George for a Zoning District Change and a Zoning Map Amendment from R-4 to R-4 PUD for 1 acre (+/-) located at 210 Caswell Avenue West. (app. 2042) Withdrawn by applicant
- 3) Request of Joe Russell for the Vacation of public rights-of-way located on the perimeter of an 80 acre (+/-) parcel, which includes portions of Lots 40, 41, 42, 61, 62, 63, 64 and 65, Twin Falls Orcharala Subdivision, aka portions of Falls Avenue West, Grandview Drive North, North College Road and Wendell Street. (app. 2043)-Withdrawn
- 4) Request of Gary Wolverton for the Commission's recommendation on annexation of 117.42 acres (+/-) of land, with a zoning designation of R-4, currently zoned R-1 VAR, located south of the intersection of Harrison Street South and 3600 North Road and north of the Low Line Canal. (app. 2044)- Rescheduled for September 12, 2006
- 5) Request of AIM Sign Company c/o Dean Bickford for a Special Use Permit to operate a message center sign on property located at 215 Blue Lakes Boulevard North. (app. 2045)

Commissioner Muñoz stepped down for this item.

Applicants Presentation:

Dean Bickford, applicant representative, for D.L. Evans, explained the bank is requesting a message center sign be added to an existing cabinet/existing free-standing sign. The plaque with the name would be new, square footage would not change. There is a new column for the lower portion of the sign but the size does not change.



Questions/Comments:

TF- For applicant, have you seen the staff recommendations including a complete signing showing all the existing signage.

Dean Bickford, applicant representative, stated he did receive the staff report and concurs with the staff recommendations.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

1. **Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.**
2. **A complete site plan showing all existing signage shall be submitted as part of any sign permit.**

Public Hearing: Opened and closed without any public input.

Deliberation followed:

TF-Traditionally the difficulties we have with a message center sign is the brightness and frequency of the message changing. However we do have codes that address these issues and I see this as a benign sign without any impact.

Motion:

Commissioner Warren made a motion to approve the request for a Special Use Permit as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

Commissioner Muñoz returned to his seat.

- 6) Request of R.G. & Dean Messersmith and The Earl and Barbara Williamson Family Trust DTD 12/6/93 for the Vacation of a public access easement located on Lot 16, Block 1, Villa Vista Subdivision, #4, for a total area of 4400 sq ft. (app. 2046)

Applicants Presentation:

Gary Slette, applicant representative, reviewed the request using overhead projections. He explained the site is just east of Washington Street South and showing that it is entirely encumbered by an easement. The property zoning has changed multiple times, the City and the Commission both felt that if there was to be commercial development on the property lying to the west that there should be some kind of access for the residents in the area to get to the commercial property with the thought of it being Neighborhood Commercial Center. What was suggested and what was agreed to as I have indicated in the application there was going to be a 5 foot pedestrian easement lying to the west, unfortunately when the plat was presented the entire lot which was intended for residential use was shown as being encumbered with an access easement. The face page of the plat for Villa Vista Subdivision, reads notes Lot 16, Villa Vista Subdivision No. 4 is to reserved for access to the remainder of Lot ,1 Block 1 of Villa Vista Subdivision No. 2. I am quite certain because I was there at the time with what the City and the Owners had intended that there was to be a 5 foot pedestrian easement. Having the property revert back to R-4 zoning I felt the application was going to be easy this evening and was surprised was recommending a denial of the application. I think perhaps what I have read in the staff report and letters indicates the request is for a vacation of a public access easement. It should be noted that on the face of the plat that there is no reference being made to the fact that this was or is a public access easement. The owners certificate on the second page of the plat. The easements depicted on the plat are not dedicated to the public but the right is reserved for public utilities or is designated hear on. My clients are no longer the owners of the property to the west they were when this plat was accomplished they are now owners of this lot which I believe is shown as



being entirely encumbered by an easement and they are asking in light of the verbiage on the plat certificate that the Planning and Zoning Commission make a favorable recommendation to the City Council for vacation. I don't think it is dependent on how the property to the west is to be developed it was never intended to be a public access easement for vehicular access, and I don't find anything on the plat that indicates that it is a public access easement for pedestrians as well, therefore I am asking for a favorable recommendation to the City Council for the vacation of this easement.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated this is a request to vacate an access easement for residential development. In 1997 Lot 16 of Villa Vista Subdivision No. 4 was reserved for access to the remainder of Lot 1, Block 1 of Villa Vista Subdivision No. 2. The plat does not state that it is a public access however the plat does state that the lot is reserved for access to Lot 1, Block 1 of Villa Vista Subdivision No. 2. Staff recommends denial of the request until such time a development plan for the remaining portion of Lot 1 Block 1 Villa Vista Subdivision 2 has been presented and approved by City staff. It is a very narrow remainder of this lot that fronts a major arterial, and staff would like to ensure that it is going to develop properly with adequate access.

Questions/Comments:

CW-For staff, on the street to the north side could a drive way be placed into that narrow lot or was it to close to the intersection already.

City Engineer Fields stated it is too close to the intersection already it would need to be a minimum of 175 feet.

TF-For staff, do we have the records of the meeting for that night.

Zoning and Development Manager Carraway stated when this property was previously platted as all one lot, measuring 250' x 1194'. In 1997 the site was all zoned R-4 at the time this development came in to be platted as a row of single-family residential lots. The minutes reflect there was concern about making sure there was some provision for access to the remainder of Lot 1, Block 1 of Villa Vista Subdivision. It was also unsure at the time how the property was going to be developed. Since 1997 the remainder of Lot 1 Block 1 has been rezoned to NCO PUD and has since been reverted back to R-4 which is the current zoning designation. The concern still remains as to how the property to the west, the remainder of Lot 1 Block 1 Villa Vista Subdivision No 2 is to be accessed if this easement is vacated.

TF-For City Attorney, can you define the easement as it is stated on the plat.

City Attorney Wonderlich clarified the plat states two things:

- a) It is not a public easements
- b) It is only for utility easements or as designated hereon.

As hereon in this case is specifically an access easement, I don't think you can think of it as a public easement but it is an easement that is owned by the property owner to the west for access to his property, this clearly not a utility easement. There are access easements on lots of properties that are private for the purpose of providing access to property owners.

TF-For City Attorney, stated, "The property owner to the west has the right to legal access to his property."

City Attorney Wonderlich replied, "yes that is correct."

RH-For applicant, are the applicants still owners of the land to the west of the easement.

Gary Slette, applicant representative, stated no they are not the owners of the property to the west.

CW-If that is blocked that make a weed patch to that piece of land because there will be not access to the property.



Public Hearing Open:

Brian Newberry, 3930 N 3400 E, Twin Falls stated he represents the gentleman that currently owns the property to the west, although he is not quite sure of the development plans for the property to the west at this time he does know that it will be residential. He is asking that you deny the request for vacation, so that he does not lose access to the property and his options for development are left available.

Jack Newbry, 146 Coronado, stated he lives in the neighborhood and trying to turn into that subdivision can be difficult at times, and I would like to know if there is a plan to put a turn lane into the subdivision. If they do make improvements can that be done. If there is no way to access that property they are going to have to create an entrance from Washington Street.

RH- Stated development of a turn lane depends on the States plans for Washington Street.

City Engineer Fields stated that if the City asked the State to do an analysis of the area they would ask the City to participate in the cost of the analysis.

Closing Statement:

Gary Slette, applicant representative, stated there is no question that it is not a public easement secondly there is no question that the property lying to the west of Lot 16 was a previously platted subdivision by the City of Twin Falls. Any suggestion that access to this property would be denied by the City from El Comino Ave by virtue of the 175 Foot distance required I would suspect would lead to a taking piece of litigation as a pre-existing approved platted subdivision, I don't think the City is going to be in the business of denying the individual who is representing the owners access to the property. Neither this body, nor the City Council nor the owners of Lot 16 ever contemplated vehicular access to this property, I would like to think if it had been intended for vehicular access that extending the streets such as Coronado, Cordova, or the other sub-street to the south would have been developed so there would be vehicular alignments. All I know is that when the commercial was in place the suggestion was to provide a way for residents to access the commercial center via bicycle or by walkway, I think it was a misnomer to suggest that this was a public easement that would give rights to the public or the property owner to the west to have vehicular access to the property. I am simply asking that the request be approved on that basis.

Deliberation followed:

TF-This looks like a mistake from the beginning. I understand that it was probably meant for a walking path and I do believe it was meant to probably spread over a property line with both lots giving a little to the walkway. The thing we have to consider is if we grant the request are we harming the property to the west. It is probably a decision for attorneys, currently I am leaning to grant Mr. Slette's requests.

RH- I don't visualize this as being a street, it was suppose to be NCO and now it is going to be developed as residential, it would only provide access into someone else's residential development. My other concern in the mean time is this will remain a weed patch that doesn't get developed if vacation is allowed.

CW-I agree that this should probably be developed, but until the time a development plan is presented for the property to the west is presented if we close the access off then what are they going to do with the property. They can't put a drive way at the end.

EM-What we have here is a property owner that currently owns the access to his property and he is requesting that we do not take the access away. If we approve the vacation we are taking away his property.

GM-I tend to agree, we can't make decisions based on intent, and we have to make a decision based on what is written down. Staff is not recommending denial forever, but only until the parcel to the west is defined. With that twist I am leaning toward denying vacation. Access is one of the most important things, having a property without access is like not having property. It will impact the owner to the west tremendously.

TF-Have we heard testimony that there is no access from Washington Street, El Camino is not available because of the 175 foot restriction, is there or will there ever be access from Washington Street.

GM-There has been public input that it is already a dangerous area to enter into the Villa Vista Subdivision from Washington.



TF-There probably would not be access without developing two entrances on a commercial site.

GM-The reason for it probably not having access is because the traffic issues on Washington Street.

CY- I would be in favor of denying the request without seeing the development plan for the property to the West of Lot 16.

GM-If we allow for the vacation then we can't go back at least if we put a limitation in place now until the property development plan is presented for the property to the west there is still access provided for the property owner to the west.

RH- I would like to get clarification from the City Attorney, who owns the easement.

City Attorney Wonderlich stated that the owner of Lot 1 is the owner of the easement, because that access serves that lot. Only the person permitted would be able to use it, it is definitely an access easement.

CW-Is access going to be allowed off of Washington Street if we vacate the easement.

City Engineer Fields stated she is not clear as to what the States policy is for access from Washington Street, however, she is certain when there is no access from a non-state highway then the State will grant access to the parcel regardless of what their access policy is for a state road.

GM-For clarification, this is only a recommendation to Council not an approval or denial decision.

Motion:

Commissioner Younkin made a motion to recommend approval of the Vacation request as presented.

Commissioner Muñoz seconded the motion. Roll call vote showed the following members in favor of approval: Commissioner Stroder, Commissioner Frank, and Commissioner Horsley. Roll called showed the following members against approval: Commissioner Muñoz, Commissioner Richardson, Commissioner Warren, Commissioner Younkin, and Commissioner Mikesell. The recommendation for approval of the Vacation request was denied with a vote of 5-3.

The motion failed.

- 7) Request of Martin Lewis for a Special Use Permit to operate an outdoor car wash & detail business on property located at 1390 Blue Lakes Boulevard North. (app. 2047)

Applicants Presentation:

Martin Lewis, applicant, presented his request to operate an outdoor car-wash and detail business. He stated the only issue he can see is the delivery trucks and greyhound bus system. As to these two issues the deliver drivers only stop a couple times a week in this area, and the bus is only in this area for a few minutes long enough to load and unload passengers.

Questions/Comments:

TF- Do you have any plans in place to handle the waste water issue coming from the cars.

Martin Lewis, applicant, answered he would refer vehicles that were extremely dirty to a pump and wash facility that is built to handle this type of dirt and waste water. He only intends to take cars that just need a minimal amount of detailing. The drain he will be using would benefit from the water going down the drain, according to City staff.

RH-Did you have a chance to review the staff recommendations.

Martin Lewis, applicant, stated he did not have a chance to review the recommendations before tonight however he is willing to comply with the conditions proposed.

CY-"In the packet we have agreements between you and the owners of the Stop N Go, the agreement appears to expire on October 31, 2006. Are you going to use a power washer?"



Martin Lewis, applicant, stated that the business will be weather dependent and will only be done seasonally. As for a pressure washer this would be something I may purchase to wash under wheel wells however, I would still refer that owner of a truly dirty vehicle to a car-wash built to handle such issues as waste water.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the applicant has approval from the owners of the property to put up a 12' x 10' temporary canopy over two parking spaces on the north side of the convenience store. Services provided will be washing, waxing and some light polishing. The owner of the property has also agreed to allow the applicant to discharge waste water from the outdoor car wash onto the property. If the business needs additional parking Lowe's has agreed to allow the use of the northwestern portion of their parking lot.

Zoning and Development Manager Carraway stated staff has reviewed this request and recommends the following conditions be placed on the permit, if approved:

- a) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards
- b) The Special Use Permit expires in one year
- c) The hours of operation shall be Tuesday through Saturday, 10:00 a.m. to 6:00 p.m.
- d) Up to two employees may be hired

Zoning and Development Manager Carraway stated the reason for the time-limit is that in this case this is a very unusual land-use request, therefore leading us to put a recommendation for a time limitation.

Questions/Comments:

TF-For staff, Do we have specific requirements for handling water.

GM-For clarification, the one-year limitation does not mean that the applicant can't submit a request for a Special Use Permit in a year.

Zoning and Development Manager Carraway stated that there are engineering requirements for the handling of water on all commercial property. A request for a special use permit can be submitted for after one year.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

CW- My concern was the waste water, however, if this is going to be covered under the first condition I have no problem with the request.

TF-Handling of the waste water is going to be regulated by the City

RH- I do see this as a low maintenance car-wash and a unique request and don't foresee any problem

Motion:

Commissioner Warren made a motion to approve the Special Use Permit request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved

- 8) Requests of Church of Jesus Christ of Latter Day Saints c/o Hal W. Jensen for the Commission's recommendation on the annexation of 9.78 acres (+/-) of land, with a zoning designation of R-1 VAR, currently zoned R-1 VAR, located north and south on the west side of the intersection of Hankins Road and Stadium Boulevard, extended. (app. 2048)



Applicants Presentation:

Jim Lystrup, applicant representative, presented the request for annexation and zoning. A Special Use Permit was granted to construct a religious facility at this site in August 2004. Development has not occurred as of today. At the applicant's request, the commission re-activated that Special Use Permit in February of 2006/ One of the conditions for the Special Use Permit was annexation of the property. We are here tonight to request the commission's recommendation be R-1 VAR as the zoning designation of the 9.78 acres under discussion.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said staff recommends the following condition be placed on the request:

1. Subject to adjacent arterials and collector streets being rebuilt to current City standards upon development of the property.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

TF- Seems there is no change in the request of zoning just a proposal for annexation. Then Stadium Blvd will be completed by the applicant because it bi-sects the property. I think it will be positive for the community.

Motion:

Commissioner Muñoz made a motion to recommend an R-1 VAR zoning designation with the staff recommendation. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

- 9) Request of Wilson Grove Subdivision (Settlers Ridge, LLC- Jeff Blick-Partner) for the Commission's recommendation on the annexation of 74 acres (+/-) of land, with a zoning designation of R-4, currently zoned R-4, located southwest of the intersection of Pheasant Road West, extended and Kenyon Road South, extended. (app. 2049) Rescheduled for SEPTEMBER 12, 2006
- 10) Request of Twin Falls Urban Renewal Agency for an amendment of Special Use Permit #0898, granted November 9, 2004, to allow the operation of a recreational vehicle manufacturing plant on property located at 621 Washington Street South.(app. 2050)

Commissioner Frank stepped down for this item.

Applicants Presentation:

Zoning and Development Manager Carraway stated that on November 9th 2004, a Special Use Permit #0898 was granted to the Urban Renewal Agency to allow Jayco to operate a recreational vehicle production plant located a 621 Washington Street. The SUP was granted with the following conditions:

- 1) Assure full compliance with City building, zoning, and fire codes.
- 2) Dedicate 12' for additional right-of-way on Washington St. S. Prior to occupancy.
- 3) Construct curb, gutter, arterial approaches, and street widening to 37' from centerline on Washington St. S. By September 30, 2006.
- 4) Slat fence along east side of the property.

One of the conditions associated with the special use permit for JAYCO Manufacturing is that the Urban Renewal Agency will construct curb, gutter, arterial approaches and street widening to 37' from centerline on Washington Street South by September 30, 2006. As of today's date this condition has not been completed.



City Engineer Fields became aware of this condition in June of 2006. She has 3 concerns regarding this condition:

- a) The project has not been designed as of today.
- b) The permitting process with ITD has not begun
- c) At this time it does appear to be highly unlikely that construction will be completed within the time-frame.

Zoning and Development Manager Carraway stated staff is requesting that a one-year time extension be granted in order to allow for this project to be completed.

Public Hearing: Opened and closed without any public input..

Deliberation followed:

RH-I am glad to see that staff has identified this issue and is working toward getting the project completed.

Motion:

Commissioner Stroder made a motion to approve the amendment of Special Use Permit #0898 as presented. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

Commissioner Frank returned.

- 11) Request of the City of Twin Falls for a Zoning Title Amendment which would amend Twin Falls City Code Title 10; Section 12; Chapter 4.2(L) regarding standards for mailboxes. (app 2051)

Applicants Presentation:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the request is to amend the placement of mailboxes. This request was submitted by the U.S. Postal service. They are asking that all new subdivisions, within the city or the area of impact comply with their regulations. The change is that in the R-1 VAR, R-4 and R-6 zone be changed to residential designation. In the R-4 and R-6 zone for tri-plexes and larger multi-plexes on public streets be changed to cluster boxes and shall no encroach over the sidewalk or be placed in site-triangle for intersections. Location shall be approved by the U.S. Postal service. Staff recommends approval.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

CW-I think this is a good plan, and cluster boxes provide more security.

TF- I think the postal service is trying to consolidate their effort to deliver mail more efficiently.

Motion:

Commissioner Warren made a motion to recommend approval of the request for a Zoning Title Amendment as presented. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved

CONSIDERATION ITEMS:

- 12) Consideration Of The Request Of Mitch Bausman For An Extension Of The Approval Of The Preliminary Plat Of Stone Ridge Estates Subdivision.

Applicants Presentation:

Mitch Bausman, applicant, presented his request for an extension on his preliminary plat. The work on the Final Plat is in process and is unable to be completed and therefore submitted within the allotted time frame because the developer is considering the sale of the property.



TF-For applicant, A presentation to City Council has not been made.

Mitch Bausman, applicant, stated a presentation has not been made to the City Council.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the commission approved the preliminary plat on August 30, 2005. This property is located at Pole Line Road with Rock Creek Canyon along the west side. The preliminary plat was approved for 83 single family residential lots. The developer is requesting a one-year extension due to an impending sale of the property. Staff has reviewed this request and recommends approval.

Questions/Comments:

GM-For staff, The letter submitted by the applicant stated 30 days.

Zoning and Development Manager Carraway stated code allows for a one-year time extension if you feel a year is appropriate.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

TF-Nothing with the plat has changed, they are just asking for a time extension. I think a shorter time frame should be considered.

GM-I was considering a 90 day extension, because that gives them enough time to decide whether or not to sell.

TF-The applicant will know fairly quickly if the property is going to be sold or if development is going to proceed.

Motion:

Commissioner Younkin made a motion to approve the request for an extension of a Preliminary Plat with the extension to be limited to 90 days. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

- 13) Consideration Of The Preliminary Plat of Calistoga Springs Subdivision, 62 Acres (+/-) With 235 Single-Family Residential Lots On Property Located At The Southeast Corner Of Orchard Drive And Harrison Street South. (Annexed 04-2006/Ord 2857).

Applicants Presentation:

Gary Burkett, applicant representative, stated he was here to present a preliminary plat located at the southeast corner of Orchard Drive and Harrison Street South. The City Council approved annexation on April 24, 2006 with a zoning designation of R-4. There are 6, 000 square foot minimum for the lots, along the water way at the south end of the property are proposed for zero lot lines so that they can abut garages on the lot lines for those homes. The rest would all be standard single family residential homes. The site has a few unique conditions. The proposed pedestrian/walk path has a Chevron and Williams's gas line and pipe line through the property at that location. They are proposing a 3 acre park witch is sized for a soccer field. They have been working with the City in regards to parking access and bathrooms. They will be piping the water way and bringing all the roads up to current standards, including some of the roads along Orchard and Harrison. We intend to comply with the staff concerns and ask that you approve the preliminary plat.

TF- For applicant, you have stated that the developer intends to widen Orchard along the property in question however my concern is the northwest corner of the property that is excluded from the project, because the development of this



area is going to add a lot of traffic to this corner, and has the developer thought of improving that area of that corner. Would the applicant be amenable to making improvements to that intersection?

Gary Burkett, applicant representative, stated that there are currently no plans to improve the intersection in question. I am sure we would be amenable to widening the intersection as long as we don't have to absorb all the cost for the improvement.

CY-For applicant, Do you have ownership of the property at the northwest corner or are there plans for it to be part of the development at any time.

TF- For applicant, Is there a house there now.

Gary Burkett ,applicant representative, stated that this property is owned by someone else and excluded from the development. There is currently a house on this property and that is why there is exclusion.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She said the preliminary plat shows 235 residential lots again with single family development excluding the lots at the south end of the property, 26 lots that will have proposed town-home lots.

Zoning and Development Manager Carraway said staff has reviewed this request and recommends the following conditions be placed on the preliminary plat, if approved:

1. Subject to final Engineering technical review by the City Engineering Department

TF- For staff, Has the applicant submitted their studies of the economic impact on the community showing tax, school impacts and things related to economics.

Zoning and Development Manager Carraway stated that is part of the process has been traditionally reviewed by the engineering department and applies to a subdivision which consists of sixty (60) or more lots or dwelling units or which contains forty (40) acres or more.

CY- For staff, The piece of property locate to the northwest is it part of the City Limits.

Zoning and Development Manager Carraway stated this property is not within the City Limits.

Closing Statement:

Gary Burkett, applicant representative, stated the applicant requests that working with Parks and Recreation be included in the approval to insure the parking and bathroom access are placed properly because it does affect the lay out of the lots adjacent to the park.

Deliberation followed:

TF-I am extremely concerned about the corner with an undetermined time frame to be developed. I am also concerned with the economic impact. These are all major roadways and no development takes place. I think we need to investigate the option for that corner and the impact of not developing that corner. We could possibly table.

Motion:

Commissioner Stroder made a motion to table the requests for the approval of the preliminary plat until we get further information on the development of the intersection at Harrison and Orchard. Commissioner Younkin seconded the motion.



Discussion on the motion:

City Attorney Wonderlich stated this may require a motion within a certain time frame. City Code Section 10- 12- 2.3 (H) 3 states regarding Action on a Plat, the commission may approve, conditionally approve, disapprove or table for additional information when acting on a Preliminary Plat. If tabled approval or disapproval shall occur at the regular meeting following the meeting at which the Preliminary Plat is first considered. The action and reason for such action shall be stated by the administrator and forwarded to the applicant. The administrator shall also forward the action taken and reason for such action together with a copy of the Preliminary Plat to the City Council for its information and record.

KS-The time limit will not be enough to gain the information necessary so I withdraw my motion. Commissioner Younkin seconds the withdrawal.

Motion:

Commissioner Frank made a motion for approval of the Preliminary Plat as presented with staff recommendations and the applicant's testimony that they will work with Parks and Recreation to address the parking and bathroom access. Commissioner Warren seconded the motion.

Discussion on the motion:

RH-This is a difficult issue and there is not enough time to get more information and am pleased to hear that the applicant is willing to work with the neighbors and other developers to resolve the issue of the street corner in question. TF- I will be voting this down because not resolving this issue is bad planning and will create problems for years. KS-It would be nice to see how some of these issues are going to be addressed prior to being presented to the commission.

Roll call vote showed the following members voted in favor: Commissioner Horsley, Commissioner Richardson, Commissioner Stroder, Commissioner Warren, and Commissioner Younkin. Roll call vote showed the following members against approval: Commissioner Mikesell, Commissioner Frank, and Commissioner Muñoz. The recommendation for approval of the Preliminary Plat was passed with a vote of 5-3.

The motion was approved.

C. DATES OF UPCOMING PLANNING & ZONING COMMISSION MEETINGS:

Work Session: September 5, 2006-12:00 P.M. **Public Hearing:** September 12, 2006 – 6:00 P.M.

D. APPROVE MINUTES OF PLANNING AND ZONING COMMISSION MEETING(S): NONE

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW: NONE

F. ITEMS FROM THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING & ZONING COMMISSION:

G. ADJOURN MEETING:

Chairman Horsley adjourned the meeting at 9:32 p.m.



MINUTES

I. CALL MEETING TO ORDER:

Chairman Horsley called the meeting to order at 6:02 p.m. He then reviewed the public hearing procedures with the audience and introduced the City Staff present.

A. PUBLIC HEARING ITEMS:

1. Request of Gary Wolverton for the Commission's recommendation on the annexation of 117 (+/-) acres with a zoning designation of R-4, currently zoned R1-VAR, for property located south of the intersection of Harrison Street South and 3600 North Road and north of the Low Line Canal. (app. 2044)

Applicants Presentation:

Don Acheson, representative for applicant, the property is adjacent to the city limits and is a logical extension and logical outgrowth to annex this piece of property. The property is adjacent to an R-4 zone and is currently zone R-1 VAR. This area on the comprehensive plan is rural residential until such time city services are available to the area. Therefore we feel an R-4 is consistent with what is happening and what has happened previously in this area. Development around the area: Villa Vista Subdivision 7, 8, Magic Valley Estates, City Pumping Stations, Calistoga Subdivision, all of which are R-4 zoned.

Impacts: There will be a 3 acres park in this development, the developer is working with the LDS church to build on about 10 acres of the property. There will be minimal impact. You will hear from the neighbors about encroachment and buffering.

Review of letters. I have reviewed 14 letters and additional letters have been submitted. There is no opposition to the annexation from any of the letters that have been read. The opposition is based on the suspected density of the development. The market for the homes in this area is that people are looking for larger homes and less yard. R-4 allows the developer to make better use of the land and it is a tool to allow for the market desires. The R-4 gives the developer a better use of land, and we welcome the neighbors to participate in the plat process and give input. We are willing to work with them.

3600 N is a major arterial it is a truck route, the City staff has been astute in planning and monitoring the infrastructure and this annexation require a traffic impact study addressing the needs to account for the additional traffic.

Questions/Comments:

Can you tell me about how many home sites R-4 would allow? -Commissioner Stroder

What is the northwest portion on the illustration not included in the property for annexation? -Commissioner Warren

You stated it is a natural progression to continue the R-4 zone, is that because R-4 borders the top or corner? -

Commissioner Tenney

Don Acheson stated that the number of home sites in an R-4 is highly variable. The other subdivisions in the area are R-4 looking at the gross area vs. the number of platted plots in these subdivisions; the density comes out to be around 4 lots per acre. Some of the park and storm water requirements do impact the space per lot but for the most part it amounts to about 4 lots per acre. He also stated the corner that is not included in the property is a developed residence, the home of the former owner of this property. As for the question about the zone, R-4 has been the progression of what has happened eastward from Washington Street, therefore we feel this is a reasonable request.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections.

The zone requested for the 117 (+/-) acres is R-4 and the property is currently zone R-1 VAR. As stated in Code Section 10-4-3.3 current development standards for R-1 VAR, the current zone requires:

Lot area: Minimum per household dwelling shall be 8000 sq. ft area for lots fronting on arterial streets

The arterial for this property is 3600 North.



All other lots within a proposed subdivision shall have a minimum lot area of at least 85% of platted or developed lots within 150 feet of said lots. No lot shall be required to be larger than 18500 sq. ft except for those adjacent to an AG of SUI district in which case no property shall be required to be larger than 20000 sq. ft. the property to the south is AG.

In no case shall a lot be less than 8000 sq. ft and no larger than the largest adjacent lot.

R-4 is a higher density that allows single dwelling, duplexes a triplex/four-plex may be allowed with a Special Use Permit.

Lot area: Minimum for a single family dwelling is 4000 sq. ft. and 7000 sq. ft. for a duplex lot.

She said staff recommends the following condition be placed on the request:

1. Subject to adjacent arterials and collector streets being rebuilt to current City standards upon development of the property.

Public Hearing:

For the record Commissioner Younkin will read the names of the persons who submitted letters for the hearing. In summary the letters were all opposed to the request of the applicant to change the zoning from R-1 VAR to R-4. Earington, Earington, Ferrin, Wills, Nevel, Bobier, Fischer, Rice, Hansen, Yamen, Hudlston, Smitherman, Dutrey, Vester, Fischer, Ward, Pohonka, Sligger, Moore, Hogan, and Williams.

Kelly Hudlston, of Anderson Lane stated he is opposed to the zone change. The concerns he has are property value, the density of the development, and the impact on the school district . I am also concerned because R-4 does not seem consistent with the R-1 VAR it is not compatible with the R-1 VAR.

Max Levitt, of Briarwood Lane stated he is opposed to the zone change. The concerns he has are the traffic, property value, and water sources.. We would hope that you would consider not changing the zone, we purchased the property knowing that it was zoned R-1 VAR and then you bring water and sewer to the area and charge each of us 20, 000 dollars to hook up and take the water we are pumping out of the ground and connect it to the city system. That is not the reason we purchased our property and have been good citizens.

Glen Fishcer, of Anderson Lane, requested the zone change be denied, stating it is not consistent with the City's comprehensive plan that quality the goal of the plan is to maintain quality, orderly growth necessary to maintain the existing life style, recommending the zone change be permitted would be detrimental to the quality of the residents in this area and would not be consistent with the comprehensive plan. I would urge the commission not to recommend the zone change.

Don Vester, of Anderson Lane, stated we are opposed to the zone change due to the density allowed with the R-4 zone.

Karen Yamen, of Anderson Lane, stated we are opposed to the zone change due to the density allowed within the R-4 zone, the comment that the R-4 zoning is a natural progression for this area is not accurate. There is only one side of the property that is adjacent to the R-4 zone and the other 3 sides are R-1 VAR or AG zone. This change would reduce the property values of the homes in this area that are already established and would not be conducive to the life style of the family living in this area currently. The request for R-4 zoning is not necessary for the growth of Twin Falls. The change in zone will continue the stigma of the south side being for lower income housing with the R-4 zoning. The school for this area cannot support the development in the area at this time and a zone change of R-1 VAR to R-4 will only increase the population at the schools and create a bigger determent to the school district. The statement that the R-4 zone still maintains the quality of life for this area is questionable and we request that you do not recommend the R-4 zone change.



Jessica Tailor, of 3600 North, stated we are against the zone change for several reasons, but the main reason is for the schooling. We have children that go to Oregon Trail with 632 students and is at maximum occupancy, the school was initially set up to have 4 classrooms per grade currently they have had to add a 5th classroom to accommodate another kindergarten class. The impact this development is going to cause on the school in the area currently will be a detriment.

Dan Earington, of April Drive stated this change allows the property to have single family or duplex. If the zone is changed and the property is sold off there is no guarantee that there won't be duplexes built on the property. The R-4 zone change would allow such a development and we would like for the commission to consider this as well when making a zoning recommendation.

Bob Fischer, of Anderson Lane stated he is reconfirming the request of the public to deny the zone change do to the concerns everyone else has stated. There are quite a few other places on the city map that allow for R-4 zone that have not been developed and he doesn't feel that this much expansion is necessary this far south at this time. Water is an issue that concerns me, traffic and schools. The options for R-4 make it more open for the developers to do what they want with the property without any recourse from the public, we ask that you not recommend the zone change.

Jame Bier, of Briarwood Lane, stated the density of the property closer to the airport should be low not high and changing the zone would not be conducive to the area surrounding the airport.

Eilen Levitt, of Briarwood Lane, stated the concern is that we are going to have a terrible traffic issue, there is no access to get traffic in an out of the area. The schools busing children to and from school creates even more problems with the traffic.

Closing Statements:

Don Acheson, representative for the applicant, stated that the Twin Falls extension of improvements is done by development and no cost to the surrounding tax payers, but it doesn't negate the cost of connecting to the city utilities. The City recognizes there are impacts when a subdivision is developed and we are required by the City to review the impacts on schools, traffic, and other issues. We are willing to work with the surrounding neighbors during the platting process. My experience for development of plats in the R-4 zone that I have put into the record is less than 4 lots per acre.

Deliberation followed:

This is a recommendation only on zoning if the property is annexed. This is a massive potential change even if only one house is built; the studies are required to answer the school questions, the road questions. Zoning is the issue for this evening, and platting issues will be addressed latter. -Commissioner Frank

On the other hand we are make a recommendation to change the current zoning, people buy and build based on some kind of order and future planning. It was zoned R-1 VAR when they purchased their property. I have a difficult time changing the zoning of a piece of property that already has a designated zone that is why we do long term planning. R-1 VAR is a buffer for the other areas and it seems as though it is a fairly rural area. -Commissioner Tenney

I realize the platting is separate and the density of the homes is discussed during that portion of the process, however by changing the zone from R-1 VAR to R-4 it allows the developer to build far more homes per acres in the R-4 zone. I think we would be in voicing the same concerns if we were in the R-1 VAR area. -Commissioner Stroder

The problem I see is that there is not a buffer between the R-1 VAR and the R-4. -Commissioner Horsley



Once it is zoned R-4 we have no control over what goes in the area, we can only make recommendations. We need to look at the planning portion of the commission. The zone is important later, we can't object to density or platting if the guidelines are met. Bigger homes and smaller yards is what the applicant stated the market will support however in the surrounding areas this is not the geography of the land. There looks to be large yards as well as large homes. I do have a problem with changing the designation that would allow the plotting for so many houses regardless of the studies. I do believe a line needs to be drawn somewhere for zoning map changes. -Commissioner Munoz

It has been set up as R-1 VAR and we are now taking the time to recommend a change in zoning. This means we would be making a change to the zoning map that has been previously planned. -Commissioner Tenney

I can see both sides of the argument and the lines are arbitrary, the most important thing we do is planning and not zoning we need to take this opportunity to plan the way Twin Falls develops. The property is not surrounded by R-4 which would make the decision easier; on the other hand this is the way a city gets developed. Zoning needs to be changed occasionally, which is what makes this a difficult recommendation, especially considering it is very rural around this area. -Commissioner Kemp

The developer purchased the land knowing it was zone R-1 VAR, which is no guarantee that it can be anything else but R-1 VAR and we don't have to make a recommendation to change the zone. -Commissioner Warren

City Attorney Wonderlich stated this request is for annexation the applicant has made it clear they would like it to be an R-4 zone. The commission is only making a recommendation on what the zone should be if the land is annexed. This is not a rezone, you can recommend the zone stay the same if annexed, you can make a recommendation the zone be changed to R-4. You do have to make a motion to send a recommendation to the City Council.

Motion:

Commissioner Stroder made a motion to recommend an R-1 VAR zoning designation to the City Council if annexation occurs with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed a count of 6-3 with Commissioners Muñoz, Richardson, Stroder, Warren, Tenney and Kemp in favor of the motion and Commissioner Frank, Horsley, and Younkin not in favor of the motion.

Motion Passed 6-3

2. Request of Settler's Ridge, LLC c/o Jeff Blick-Partner for the Commission's recommendation on the annexation of 107 (+/-) acres with a zoning designation of R-4, currently zoned R-4, for property located southwest of the intersection of Pheasant Road West extended and Kenyon Road extended, and north of the 400-600 blocks of 3600 North Road. (app. 2049)

Withdrawn to be rescheduled

3. Request of Magic Valley Auto Body for a Special Use Permit to operate an automobile sales business in conjunction with an auto body shop on property located at 423 Castleford Street West. (app. 2052)

Applicants Presentation:

Dave Hovey, applicant, the intent is to get a special use permit to get a dealers license to be able to purchase vehicles and be able to display cars for sale, the applicant stated he would only have 3 cars on display at the most.

Questions/Comments:

Commissioner Frank-for applicant, the zoning department received a complaint that the employees from the body shop are parking across the street at the park, what response do you have to this complaint? The reason for the question is because previously a Special Use Permit was issued to this property and you are required to provide on-site parking for the employees.



Dave Hovey, applicant stated that this should not be a huge concern because he has two part-time employees which would mean that possibly one car is parked across the street at the park. I don't park damaged vehicles across the street and I can provide parking for the employees on the property. There is enough space for the employees to park on-site.

Have you had a chance to review the recommendations on the staff report and do you have any concerns regarding the staff recommendations? - Commissioner Kemp

Dave Hovey, the applicant, stated he reviewed the recommendations and concurs, he has no concerns.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. A special use permit is required for this use. There were five conditions 7 off street parking spaces, the condition has been met. Provide landscaping and we are willing to work with the applicant on these requirements. No parking damages vehicles on the street. Screening of the area where cars are repaired. The requirement is for the parts and damage cars be kept behind the screened area.

She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
- 2) Display of automobiles to be sold be limited to no more than three at one time.
- 3) All vehicles for sale must be kept within the screened fenced-in area.
- 4) Landscaping areas must be kept free of weeds and debris.
- 5) No outside storage or auto parts or equipment.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

Commissioner Frank- I have not problems with this request it seems like a reasonable request.

Commissioner Kemp- I think that some of the requirements from the previous Special Use Permit were not made clear to the applicant that now owns the property, but I have no problem with the request.

Commissioner Stroder- I agree the applicant has now had an opportunity to become knowledgeable of the previous Special Use Permit requirements and the applicant stated he has no problem with meeting these requirements.

Motion:

Commissioner Kemp made a motion to approve the request as presented with staff recommendations.

Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

4. Request of Elite Motors, Inc for a Special Use Permit to operate a sporting vehicle and motorcycle sales and service in conjunction with an automobile sales and service business on property located at 701 Main Avenue East (app. 2053)

Applicants Presentation:

Homer James, applicant, stated currently the dealership has a franchise to sale trailers for Hal-mark trailers. After purchase of the land it was made clear that cars and trucks were the only items allowed to be sold from this property. Elite Motors is requesting the Special Use Permit to enable them to sell and trade the trailers and other sporting vehicles and sell them from the lot located at 701 Main Avenue East. The only other concern that was brought to our attention regarding this property was a concern of shutting the public address system off after hours to reduce the



noise from incoming calls after hours once Elite Motors has complete control of the property this issue will be addressed.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) All outdoor public address systems be turned off between 9:00 pm and 7:00 am daily and all day Sunday.
- 2) An alternate landscaping plan be proposed to Planning staff and implemented by applicant by May 1, 2007.
- 3) Employee and customer parking areas are to be designated on-site.
- 4) All vehicles to be serviced are to be parked on-site.
- 5) Subject to amendments as required by buildings, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing: Opened and closed without any public input.

Deliberation followed:

I don't have any issue with this request, the staff recommendations cover my concerns, and with the change of use bringing the property up to code should be part of the condition. - Commissioner Frank

I think the staff recommendations are important and address the concerns of current landscaping requirements and parking issues. - Commissioner Stroder

Motion:

Commissioner Frank made a motion to approve the request as presented with staff recommendations. Commissioner Younkin seconded the motion. Roll call vote showed all members present voted in favor of the motion.

The motion was approved.

5. Request of Falls Investment Partnership, c/o Rick Carr for a Zoning District Change and Zoning Map Amendment for approximately one acre of land from R-2 to R-2 PRO for property located at 884 Eastland Drive North. (app. 2055)

Applicants Presentation:

Gerald Martins, representing the applicant, the applicant is requesting that approximately 1 acres located at 884 Eastland Drive North be rezoned from R-2 to R-2 PRO to bring the current property use into compliance. Currently the property is being used as an office which would require the rezoning, the applicant has no other plans for this property and if a change were necessary the applicant would have to proceed through the Special Use Permit process.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to the adjacent arterials and collector streets being rebuilt to current City Standard upon development of the property.

Public Hearing Open:

Randy Rodgers, I own a piece of property east of this site about 7 acres. My concern is what the Commission foresees this areas primary use for the land along this corner. What can be done with the property once it is zoned R-2 PRO.



Questions/Comments:

Essentially the request for this property is to add a professional office overlay to this acre of land. - Commissioner Horsley

Zoning and Development Manager Carraway stated the development standards within a professional office overlay allow for 35 foot maximum height, parking ratios, and would be restricted to a service based business. It would also require a Special Use Permit for the property to be developed.

Closing Statements:

Gerald Martens, this area would be appropriate for professional use and if there were any further expansion on this property it would require a Special Use Permit and public hearing process.

Deliberation followed:

Commissioner Frank- I don't think this property offers a viable residential property, due to the busy intersection and I think this use is appropriate for this area.

Commissioner Munoz-I think the other plus with the professional office overlay is it is not a huge jump from residential to Commercial and the professional overlay sets the tone for this corner property and the surround properties in the area.

Commissioner Kemp-As Eastland is being developed this area is becoming more professionally based area.

Commissioner Stroder- I think this is an appropriate zone for this property and doesn't offer a viable residential use.

Motion:

Commissioner Kemp made a motion to recommend approval of the request to the City Council.

Commissioner Muñoz seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Approved

6. Request of Harris Automotive and Repair for a Special Use Permit to allow the sales and service of automobile and sporting vehicles, including motorcycles, and also to include three display sites along Addison Avenue East. (app 2056)

Applicants Presentation:

Sam Harris, automotive this request is for a Special Use Permit to acquire a dealer's license and to be able to display vehicles for sale with the addition of ATV and motorcycle sale. We have no intention of making our property a car lot, this is our home as well as a business. We would like to be able to display ATV 's and motorcycles and have not intention of displaying cars on the front of the property. The neighbors have not had any issues with this request and there should not be any substantial impact on the surrounding neighbors.

Discussion followed:

The display areas would only be for ATV's and motorcycles not the automobiles.- Commissioner Frank

This request is not only for the sale of ATV's and motorcycles it is for the sale of vehicles as well.- Commissioner Warren

Sam Harris-stated the display pads would not be use for the display of automobiles. The major goal is to sell ATV's and motorcycles, however because we do automotive repair we end up with automobiles the owners don't want or don't pay for their repairs which in turn requires us to take ownership of the titles and sell to get our money back. The state only allows the sale of 5 vehicles a year without having a dealer's license. Having a dealer's license would give us the opportunity to sell the automobiles at auction or from the shop, but I have no intent of displaying cars on the pads in front of the property.



Questions/Comments:

In essence he needs the Special Use Permit in order to be able to get a dealer's license to sell cars. Commissioner Frank

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing: Opened without any public input.

Deliberation followed:

Commissioner Frank- Does the condition recommended by staff cover the location and requirements for the display pad on the property.

Zoning and Development Manager Carraway stated the recommendation does cover the requirements for the vehicle display pads.

Motion:

Commissioner Warren made a motion to approve the request as presented with staff recommendations.

Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Approved

7. Request of City of Twin Falls for a Zoning Title Amendment to amend Twin Falls City Code Section 10-17-13 containing the bylaws of the Planning and Zoning Commission. (app 2054)

Applicants Presentation:

Zoning and Development Manager Carraway reviewed the request using overhead projections. The following show the changes recommended to the code, blue underlined text is an addition to the code and red text with a strike through is a deletion to the current code.

CITY CODE TEXT DELETIONS AND CHANGES

Article II - Membership and Term

The Commission shall consist of nine (9) members and two (2) alternates, including the area of impact alternate. Seven (7) members shall be appointed by the Mayor and confirmed by a majority vote of the full Council as shall be the regular alternate. ~~The Mayor shall ask and receive recommendations from the Commission, and names of persons to serve on the Commission.~~ Area of impact members and the area of impact alternate shall be chosen as provided in Section 10-8-4 of this Code.

Members shall serve a term of three (3) years beginning regularly ~~in January~~ on March 1st of each year with a maximum of two (2) consecutive terms or six (6) years provided, however, that the term of office for at least one third (1/3) of the regular membership shall be appointed as of the first class and their term of office shall **expire one year** from the date of their appointment; one third (1/3) of the regular membership shall be appointed as of the second class and their term of office shall expire two (2) years after the date of their appointment; and one third (1/3) of the regular membership shall be of the third class and their term of office shall expire three (3) years from the date of their appointment. Thereafter, regular members shall be appointed for a term of three (3) years as provided. ~~Current Members with an unexpired term shall be allowed to serve through February, beyond their original term, to accommodate the change in terms adopted by this changes.~~ The two (2) alternates shall be of the third class and upon organization shall be appointed to an initial three (3) year term.



Article III - Organization and Meetings

Upon organization, and thereafter at the first regular meeting in ~~January~~ March of each year, the Commission shall elect, by a majority of the full membership, a chairman and shall create and fill in a similar manner any other office that it may deem necessary.

The Chairman may establish subcommittees, advisory committees or neighborhood groups to advise and assist in carrying out the responsibilities of the Commission. ~~The Chairman may appoint such nonvoting ex officio advisors as may be deemed necessary.~~

The Chairman shall preside at all regular meetings of the Commission which may be scheduled on the second and last Tuesday of each month for no less than nine (9) months in a year. All meetings and records shall be open to the public and a record of all meetings, hearings, resolutions, studies, findings, permits, recommendations and actions shall be maintained by the Commission.

Article V - Order of Business

All regular and special meetings of the Commission shall be conducted by the Chairman in an orderly fashion pursuant to the procedures for conduct of meetings in section 10-17-4.

Article VII - Vacancies and Removal of Commission Members

Vacancies occurring otherwise than through the expiration of appointed terms shall be filled in the same manner as the original appointments. A member appointed to fill an unexpired term shall serve the remainder of the unexpired term and may be appointed to ~~one additional full term~~ no more than two full consecutive terms.

Members may be removed for cause only by a majority vote of the full Council.

Article X - Duties of Alternate Members

The City appointed alternate member shall have full voting privileges whenever a City appointed member is absent, unable to act due to a conflict of interest, and whenever a vacancy occurs for any reason among the City appointed members. The City appointed alternate member shall so act, with full voting privileges, until the disability of the City appointed Commission member has been removed.

The area of impact alternate shall perform duties as provided in Section 10-8-4 of this Code.

(Ord. 2550, 6-2-1997)

Article XI - Public Hearings

The Chairman shall preside over and conduct all public hearings on all matters presented to the Commission. No public hearings shall be held except and until notice has been provided the public in conformance with the statutes of the State of Idaho made and provided in such case. ~~At such public hearings the Chairman shall present the matter for discussion and may, before the hearing commences, impose a time limit upon each individual who desires to comment. At the close of all public hearings, the Commission shall discuss and decide as here in after provided, the matter at issue and shall commit its decision or recommendation to the Council to writing and the reasons therefore. If the application is denied, a roll call vote shall be taken on all issues and recorded in the minutes.~~

Questions/Comments:

What is the reason for the change and what are the advantages to the community. Commissioner Frank

City Attorney Wonderlich stated this is a change recommended by the City Council to clean up the procedures, 10-17-4 was recently amended on the procedures and it is meant to clean up the procedures and standardize meetings of City Council and Planning and Zoning.



Why is there a perceived need to take the Board out of the selection of the new commissioners? Commissioner Frank

City Attorney Wonderlich stated the Council has the responsibility to assign Commission members and in the past it has been perceived that the Boards have been the driving force in the selection of members, when it should be the Council that selects the members.

So on what basis would the Council then use to make their selection and on what basis are they making their selection decision. Commissioner Stroder

City Attorney Wonderlich stated in the past a list has been given of who the Board wants on the Commission, with this change a list of recommendations of several qualifying candidates would be submitted to Council and the Council would make the final decision. There won't be a change in Planning and Zoning advertising and being involved in the interviews, but they will not accept a list of two people to replace two people. The commission wants a list of all of the applicants that are qualified to fill the position rather than just a specific replacement for a specific position. As for their decision process for selection of a member, I can't speak to that issue.

Will the Commissioner's still have input on the recommendations or will they not have any input at all. Commissioner Kemp

City Attorney Wonderlich stated that the Council will most likely expect interviews to be done by the Commission but a list of the applicants and which applicants are qualified will be submitted rather than a specific selection. In the past it has been that if you have two openings you have submitted two names.

Community Development Director Humble stated that the Mayor's objective with the change is to make the selection process uniform with all the Boards, and what they have done on some of the other Boards is an interview committee rather than the actual Board or Committee and this is the one Commission that says by ordinance some other way of making a selection. The mayor would like to make this Commission consistent with the other Boards and Commissions, an interview Committee would then make the recommendations to the Council. On other interview committee's the Chairman would be the one to set in on the interviews.

With the change in term, everyone will need to add 3 months to their term. So currently for example Commissioner Franks term ends in January but with this change it will end in March. Commissioner Horsley

City Attorney Wonderlich stated the end of Commissioner Frank's term would be moved to March, the Council is trying to move all the start dates for the Boards and Commissions to March so that there is a bit of an overlap. Currently the Council and all the Board members all occur on January 1st with this change the new Council would be in office a couple of months before having to pick Board/Commission members.

Public Hearing: Opened and closed with no public input.

Deliberation followed:

I thought that this process has worked well, and so this change is difficult to support. I have always understood that Planning and Zoning Commission was different from the other boards because it provides a checks and balance to the system including the selection of Commissioners. I would like more input, but looking at it from the public perspective, I think the public would be better served with what we have now, because I have not heard evidence to the contrary. I want to know how the public benefits from this change. Commissioner Frank

I share a lot of the comments that have been made and have the same questions, I appreciate wanting to streamline the process, I think the public has a general distrust of the political system, and my fear is that if we are perceived to bring politics into the way that the commission is chosen I see that as a problem, I agree with the checks and balance system. I think it poses a difficult situation when you take the people who are most involved in the commission



proceedings out of the loop, and how much of the loop we are being taken out of is not clear. I would hope that we could have more discussion on what serves the public the best and am opposed to this change in terms of the process for choosing new commissioners. Commissioner Kemp

One of the issues that I am concerned with, that it seems the current process works and the difficulty I have with this change is that no matter what the recommendation is the Council has the option to choose someone different. This is difficult because I agree with the checks and balances, and the questions that were asked of me during my interview process were based on experience. The experience that Council has compared to the experience the Commission has is different and from different perspectives, and each group has a different mission. I think we should all be involved in the interview process because each of us brings different experience to the table. Commissioner Munoz I do understand what the goal of the Mayor is with regards to streamlining the decision process. I agree with the other changes in the code; however I don't agree with the Article II changes and would like to have more input in determining who the replacements for the Commission will be. There is some confusion on whether or not we will be interviewing the candidates or not which makes this a difficult decision. It would be helpful to have some discussion between the Council and Commission to discuss the changes to Article II. Commissioner Horsley

I would like a discussion of this change before making a recommendation to change the code. The unique thing about a Commission is that they are not elected officials, the Commission can take the position of doing what we think is best for the public and not feel beholden to voters. I am unsure that elected officials can do that to the same degree. Commissioner Kemp

These changes would make this an extremely political process and I don't think it should be allowed to become political. Commissioner Stroder

Motion:

Commissioner Stroder made a motion to recommend approval of the Zoning Title Amendments with the exception of changes made in Article II paragraph 1, to the City Council. Commissioner Warren seconded the motion. Roll call vote showed a count of 8-1 with Commissioners Frank, Horsley, Muñoz, Richardson, Stroder, Warren, Younkin, and Kemp in favor of the motion and Commissioner Tenney not in favor of the motion.

Motion Passed 8-1

B. ITEMS OF CONSIDERATION:

8. Preliminary Presentation of St. Luke's / Magic Valley Regional Medical Center on the annexation of 40 (+/-) acres with a zoning designation of C-1 PUD Business Park, currently zoned R-2, for property located at the southeast corner of Pole Line Road and Grandview North. Scheduled for public hearing on September 26, 2006.

Commissioner Kemp stepped down at this time.

Applicants Presentation:

Kent Loosley, representative of the applicant, stated our plan is to be able to build a new facility that will provide better facilities for the community introduces St. Luke's Director of Facilities for St. Luke's Healthsystem.

Jeff Hull, applicant stated he plans to preview the site plan for the Commission in preparation for the public hearing scheduled for September 26, 2006. Due to Pole Line being a state road we understand that access is not going to occur from Pole Line to the facility. We would expect access to occur from Grandview and Cheney. We expect to do the proportionate improvements of these two roadways. As we have continued to work with the neighboring property we have tried to present these properties to a hearing at the same time. The two properties have separate owners however; the properties affect both Grandview and Cheney traffic. There would be a 5 story inpatient bed tower, an attached 3 story medical office building and outpatient/diagnostics building. We have organized the campus so that the busier and noisier areas of the hospital services to be located on the north end of the property along the highway allowing the building to buffer the noise from the adjacent residential areas. Patient visitor parking would occur to the



south and to the east allowing parking lot lights to be deemed during evening hours. The primary public access will be from the east via Wendell extended. Service vehicles will come in from Grandview on the west.

Questions/Comments:

One of the consideration we have to look at with such a large change to this area is the impact it has on the traffic and other issues. Traffic is the issue I would like to discuss, the projections for what was going to occur in this area have changed many times over the years and currently I am significantly concerned with how people are going to travel to and from the hospital and the development from the east and the potential increase in traffic coming from the proposed high school heading north. In essence all of these properties are going to contribute to the additional traffic and what I would like to know is have all three of these properties considered the impact together in a traffic study. We have for years looked at a Wendell as becoming a major roadway for traffic traveling north and south and with this plan presented it seems as though that has been blunted by several parking areas. Looking at the big picture it potential provides a major concern for how people will travel north and south in this area. Commissioner Frank

Jeff Hull stated the hospital has had a traffic engineer look at this area and include the neighboring developments in the study to include the Wal-mart, the Business Park, and the High School and the study has been submitted to the City Engineering department. We have told the residents along Cheney that there will be minimum traffic through the residential areas and we will be trying to direct traffic in a fashion that forces them to use the larger roadways to access the hospital. As for Wendell it has been a topic with staff and neighbors, historically the arterials have been at the one mile sections and in between the mile sections the 1/3 mile would be a collector street would be developed. However with Pole Line being declared a state road allows for only a 1/2 mile access point, which makes Wendell and Sparks at the 1/3 mile come together at the 1/2 mile point on Pole Line or they need to be directed to the arterials before the highway. Our proposal is to have Wendell come south to Cheney and move traffic to the one mile arterials putting a traffic light at the 1/2 mile intersection of Wendell and Pole Line. The other option presented would have Wendell traveling south and curving over to connect to Wendell at the 1/3 mile intersection. The concern with this plan is that it carves off a substantial amount of our property and has traffic using Wendell as an arterial which would require a traffic signal, if Wendell stops at Cheney that would only require a stop sign.

I am very concerned about all of the traffic coming together in a risky manner. Has there been any consideration in lessening the curves and has a straight path from Wendell south to North College Road. Commissioner Frank
My concern is also the traffic and having the traffic on the 1/2 mile come to a stop sign at the south end, which creates a bottleneck and it reduces the flow. It would discourage the traffic from this area but most people are not going to take the larger roads. Commissioner Munoz

Jeff Hull- The residents are concerned that if we have Wendell stop at Cheney it will keep the majority of the traffic out of the neighborhoods.

So why have we not considered a straight path from Wendell south to North College Road. I would recommend that between now and the public hearing this option be reviewed to see what the positive and negative points would be for this option. Commissioner Frank

Where will the traffic lights be placed on Pole Line? Commissioner Warren

Jeff Hull-stated that the current plan is for a light to be at Washington/Pole Line and Grandview/Pole Line intersections, however once traffic warrant the need for an additional light the additional light would be placed at the 1/2 mile intersection of Wendell and Pole Line.

Zoning and Development Manager Carraway stated that this preliminary presentation and staff does not present an analysis of this request on September 26, 2006.

Public Comment:



Gary Slette, representing the owners to the east stated their goal is to be in harmony with the hospital development along with 80% of the electorate our intention is to make a complementary and harmonious design. We understand access on Wendell is going to be a big concern and we are willing to work with the developers of hospital.

9. Preliminary Presentation of North Pointe Park c/o Gerald Martens on the annexation of (+/-) 15.4 acres with a zoning designation of C-1 PUD Business Park, currently zoned R-2 on property located west of Wendell Street and North of Cheney Drive West. Scheduled for public hearing on September 26, 2006.

Applicants Presentation:

Gary Slette, representing the applicant presented the plans for developing a Business Park we are seeking participation with the surrounding properties to make this a smooth transition for this area. We have been working with the developers for the hospital to put together a plan that is complimentary to the hospitals development. Our development is intended to provide support be it through business offices or hospitality to the hospital.

Zoning and Development Manager Carraway stated that this preliminary presentation and staff will present an analysis of this request on September 26, 2006.

Public Comment: None

- C. FINDINGS OF FACT AND CONCLUSIONS OF LAW: NONE
- D. APPROVAL OF PLANNING AND ZONING COMMISSION MINUTES FOR: NONE

II. DATES OF UPCOMING PLANNING AND ZONING COMMISSION MEETINGS:

- A. Work Session: September 19, 2006- 12:00 p.m.
- B. Public Hearing: September 26, 2006- 6:00 p.m.

III. PUBLIC INPUT AND/OR ITEMS FOR THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING AND ZONING COMMISSION: NONE

IV. ADJOURN MEETING: 9:24 P.M.



City of Twin Falls
Planning & Zoning Commission
305 3RD Avenue East Twin Falls, Idaho
Public Hearing: **SEPTEMBER 26, 2006 6: 00 P.M.**

PUBLIC HEARING MINUTES
SEPTEMBER 26, 2006
CITY COUNCIL CHAMBERS

PLANNING & ZONING COMMISSION MEMBERS:

City Limits:

Tom Frank Ryan Horsley Bonnie Lezamiz Gerardo Muñoz Bernice Richardson Karen Stroder Cyrus Warren Carl Younkin
Chairman Alternate Vice-Chairman

Area of Impact:

David Kemp E. Rick Mikesell Dusty Tenney
Alternate

ATTENDANCE

PLANNING AND ZONING MEMBERS:

<u>Present</u>	<u>Absent</u>
Frank	Richardson
Younkin	
Horsley	
Stroder	
Muñoz	
Warren	

AREA OF IMPACT MEMBERS:

<u>Present</u>	<u>Absent</u>
Micksell	Tenney
	Kemp

CITY COUNCIL MEMBERS PRESENT: Dwight

CITY STAFF PRESENT: Carraway Fields, Humble, Jones, Westenskow, Wonderlich

AGENDA ITEMS FOR PUBLIC HEARING AND CONSIDERATION

A. PUBLIC HEARING ITEMS:

1. North Pointe Park, c/o Gerald Martens requesting annexation with a zoning designation C-1 PUD, for property currently zoned R-2.
2. St. Luke's/Magic Valley Regional Medical Center requesting annexation with a zoning designation C-1 PUD for property currently zoned R-2.
3. Timberlake Village Limited Partnership requesting annexation with zoning designation C-1, for property currently zoned C-1.
4. Canyon Crest Dining, LLC requesting a Special Use Permit.

B. ITEMS OF CONSIDERATION:

5. Preliminary Plat for Northern Sky Subdivision c/o Pat Fenderson.

MINUTES

I. CALL MEETING TO ORDER: 6:00 P.M.

A. PUBLIC HEARING ITEMS:



Chairman Horsley stated that staff has informed him that additional information has been provided regarding the traffic impact study as of Friday September 22, 2006. The traffic study relates to the St. Luke's property as well as the North Point Park property. Chairman Horsley would therefore like the committee to consider tabling the request as the new traffic information has not yet been reviewed by the Commission and staff.

Jason Densmar, representing the St. Luke's applicant, stated at the preliminary presentation an additional north to south traffic route was suggested by the Commission. Between the time of the preliminary hearing and the public hearing this evening this alternate route was studied, analyzed and submitted on Friday September 22, 2006 to the City Staff. This traffic study submitted was submitted as an answer to the questions raised by the Commission at the preliminary presentation on September 12, 2006.

Chairman Horsley stated out of respect to the individuals that came tonight for the public hearing, the Commission will proceed with the presentation and public hearing for the request however a recommendation may be tabled until the additional traffic study information can be reviewed by the staff and the Commission.

Gerald Martens, representing the North Point Park applicant-Item #1 on the agenda, stated that in order to get the information as orderly as possible that we hear the St. Luke's presentation first, because decisions related to their presentation directly affect the North Point Park presentation. North Point Park has not submitted any additional information however, hearing both presentations may assist in the decision process.

Chairman Horsley stated that the Commission will proceed with St. Luke's Magic Valley Regional Medical Center first and have North Point Park follow.

- 2.** Request of St. Luke's/Magic Valley Regional Medical Center for the Commission's recommendation for annexation of 40 (+/-) acres with a zoning designation of C-1 PUD Business Park, currently zoned R-2, for property located at the southeast corner of Pole Line Road and Grandview Drive North. (app. 2058)

Applicants Presentation:

Jeff Hull, representing the applicant, stated the Commission had implored us to make sure that we revisited the roadway planning at the preliminary presentation. He stated that they submitted a request for more than 15 minutes to present the plan for the development.

Chairman Horsley stated he did receive the request and will allow for the extra time to present the development.

Jeff Hull, stated this site provides good access for healthcare to the community and to the region as well. We have had several meeting with the neighbors of the property to discuss the impacts the facility will have on their neighborhood.

The site plan shows that the hospital consists of the ER, Labs, Radiology, Birthing Centers with an attached Medical Office and the Inpatient Bed Tower. We have organized the development in a fashion to consider the commercial business that US 93 is going to bring to the area and taken those elements of the hospital campus that provide 24 hour service, or generate noise and had those areas placed on the northwest side of the facility. This will reduce the noise to the neighboring residences. The traffic to and from the facility have been organized in a similar fashion with access for the ambulance coming off of Grandview Drive, and the primary access for the public will be brought in through the southeast side of the hospital. The medical office building and outpatient portion of the building will be three stories and the bed tower will be five stories in order to accommodate the number of admission to the hospital the facility will be serving. A forty foot landscape buffer will be placed on the south side of the campus and the same will be continued on Grandview. An exercise path will also be provided around the perimeter of the property as an



agreement with the neighbors. The property also provides some room for future growth if necessary to the west and the north.

Jason Densmar, a professional engineer representing St. Luke's Magic Valley Medical Center, working with St. Luke's hospital and city staff it was determined that the traffic throughout this mile block would be important to consider. This situation is unique in that all of the development in this area is occurring at the same time allowing for planning to occur with all the developments that are going to impact this area. The development considered in this traffic study include St. Luke's, North Pointe Park, North Haven Property, Twin Falls High School and some proposed changes the CSI is considering.

Traffic study objectives were to protect the neighborhoods that were in the area before the development, preserve their safety, and devise a circulation network that would help to direct high school traffic and commercial sites appropriately as well as allow the surrounding residences to maintain the quality of life they expect.

From the traffic study we have devised a plan that would discourage external traffic. Traffic should flow from an arterial to a collector and from a collector to an arterial to travel efficiently through the area. If you encourage traffic from local roads to collectors or collectors to local roads expecting the road to perform at a higher level than it was built for you are performing a disservice to the traffic system. It takes people off of the arterials that are designed to handle the traffic. The objective of the traffic study was to avoid this scenario.

There are 3 options that came to play in having the traffic move through the area. A is an analysis of what happens when we try to resolve the situation created by the development of US 93. The 1/3 mile roads at Wendell and Spark will no longer be allowed to access US 93 (Pole Line) at the 1/3 mile. The state road only allows access at the 1/2 mile.

Exhibit A:

In exhibit A the development extends the existing Wendell Street through and then arcs it to the east to intersect Wendell at a traffic signal. This option has revealed that this exhibit puts a tremendous amount of traffic onto Wendell. By having an uninterrupted connection from the existing Wendell to the proposed extension of Wendell it puts an additional 210 vehicles per hour above what is there today, and would require a traffic signal to be installed at the Wendell and Cheney intersection. Sparks would then have an additional 150 vehicle per hour under this plan. In addition having a portion of Wendell cut a section of the St. Luke's property off at the south east corner is not desirable because it isolates a portion of the property from the rest of the development and presents a traffic safety challenge.

Exhibit B:

In exhibit B the most desirable by St. Luke's proposes Wendell Street to have a T intersection at Cheney drive as it exists today and Wendell Street north of Pole Line to T intersect Cheney in between Wendell and Sparks. Having T intersections at Wendell and Cheney headed north, Wendell and Cheney headed south, and at Sparks and Cheney headed north. From a neighborhood perspective a T type intersection has fewer accidents, reduces traffic speed and discourages external traffic from entering the neighborhood. This option reveals that this solution adds 35 vehicles per hour to the Wendell Street heading north and 50 vehicles per hour to Sparks Street.

Exhibit C

In exhibit C traffic study shows Wendell coming from the north side of Pole Line with a straight path through to North College Road at the south end this has Wendell becomes essentially a sub-arterial. Exhibit C solution adds 35 vehicles per hour to Wendell Street heading north and an additional 255 vehicle per hour on Sparks Street requiring a traffic signal at the Sparks and Cheney intersection.

In comparing and contrasting the three alternatives we suggest Exhibit B to maintain the traffic system that is in place and keep traffic from traveling within the neighborhoods to a minimum.



Discussion Followed:

CW-A traffic signal would be proposed at Wendell and Pole Line on all three exhibits.

KS-Were all three of these options provided in the packet that was submitted to City Staff.

Jason Densmark, All three of these exhibits would require a light at the intersection of Wendell and Pole Line. As for the packet submitted in June Exhibit A and B were submitted at that time and the analysis of option C was submitted Friday September 22, 2006 in response to the preliminary presentation to the Commission on September 12, 2006

GM-What is going to happen to those 255 vehicles per hour that are going to have to shift over east and west to access the arterials from Cheney, how is this going to impact the school traffic and the Wal-mart traffic. Is that a more risky environment than having traffic travel straight through to North College along Wendell.

Jason Densmark, by having the T intersection on Cheney from Wendell and Sparks it will reduce the traffic that will take these roads to access the High School and Wal-mart.

TF- The city has an intersection such as the T at Cheney and Fillmore and this intersection terrifies me. I hate it people don't watch for stop signs and the practically and our community defy all statistics that a traffic study supported for that intersection. The practicality of this intersection is the T intersections don't work. I like Exhibit C because it moves traffic; it seems to move the traffic around the development faster, when I consider all the developments in total.

Jason Densmar, The reason we don't like Exhibit C is because it has the greatest impact by adding 255 additional vehicles through the neighborhoods.

GM-I prefer Exhibit C as well without having had the chance to review the study for this option, because it gives people another option to travel without having to drive past the high school and in front of the Wal-mart to head north and south through the development.

CY-Have the School speed zones been considered in the traffic study.

Jason Densmar, the school zoning was not a part of the traffic study.

Jeff Hull stated that from the traffic study's that have been done, it would be more beneficial to choose Exhibit B because it reduces traffic flow through the neighborhoods as an alternative to using arterials. The Exhibit C was not presented to the Commission prior to the 7 day deadline and was created as a response to the Commission's concerns addressed at the preliminary presentation. The Commission must be made aware that Exhibit C shows roads being placed on property not owned by the hospital and would require their input as to what would work for them and their property development.

In addition we mailed letters to approximately 250 neighbors asking them to support Exhibit B over Exhibit A. We have received 78 responses 3 supporting A and 75 supporting B.

TF-In the letter did you present option C in the letters.

Jeff Hull stated option C was not presented to the neighbors and came forth from the preliminary presentation on September 12, 2006 and the concerns from the Commission.

Staff Review:



Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated Staff has reviewed this request and staff recommends tabling this request at this time to allow the Commission and City Staff a chance to review the new information that was submitted on September 22, 2006.

Public Hearing:

Karl Lessey, 1424 North Point Drive, south of the development, we request that traffic not be directed into the neighborhoods. We have Wendell as a collector and that street was designed to take traffic with no driveways facing that street. It seems to me Exhibit C makes the most since.

Dr. Demaggio, 1196 N. Hankins, practicing internist for the hospital, is requesting a timely proceeding of this project. She stated that any proposal that has a lot of through streets to maneuver would be detrimental to her patients. She asks that this be considered when makes a recommendation.

Barbara Judd, 824 Grace Drive West, currently Cheney is our only egress from out cul-de-sac and we have approximately 35 children in our area. I would ask that this be considered when making a recommendation.

Willie Dobbs, 753 Trotter Drive, representing the Twin Falls School District, we have had a chance to review the traffic studies provided by St. Luke's and we are in support of the discontinuing of collector streets as supported here in Exhibit B. We support the concept of getting the traffic out and by connecting them all the way through provides arterial along Wendell and Sparks which is not safe. We have told the public that Sparks would not be continuous or adjacent to the neighbors to the west when we made our presentations regarding the school bond. The plan we presented has always shown sparks dividing our property.

Brad Wills, 222 Shoshone Street W the developers of the properties from Wendell to Sparks and south of North College about 30 years ago. I think there is going to be an additional 25 homes that will access this area via Wendell is an additional concern. The Broadmore Development which is to west of Wendell and south of North College we have about 9 twin lots faces Wendell Street on the plat we are designing and we may need to reconsider our design of this property as well. I think this will make Wendell a sub-standard street.

Liz Niccum, 846 Grace Drive a North Point resident, new to the area, picked this neighborhood for the quiet area and my concern is the choice of location for the hospital. The entire community needs a hospital and that this is not the appropriate location. The children are also a large concern for me and the traffic this development will bring to the area. I do also have a petition of residents who oppose the location of the hospital.

Gerald Martens representing North Pointe Park and have reviewed the studies and concur Exhibit B is the best solution for traffic flow. I think we need to encourage traffic to travel on the arterials and not through the neighborhoods.

Dr. McClusky, 123 Filer Street, a physician for the hospital and I came to speak in favor of the annexation and rezoning of the property. I hope that we come to a timely resolution so that we can proceed with building this facility that is much needed in the community.

Gary Slette, P.O. Box 1906, I represent Pelican Development Limited Liability company their property is just east of what would be Wendell extended to Cheney. That property is a part of the North Haven PUD which was recently approved. We are very supportive of the Exhibit B plan that appropriately recognizes the traffic flow issues for this area. I believe Exhibit C doesn't show a way of making that connection without going through the property of the Pelican Development LLC which is firmly attached to the recently approved final plat.

We support a quality medical facility and the location is appropriately, and there is an expected 3-4000 lots going in this area of town and that the methodology for choosing Exhibit B as a solution is appropriate for the traffic that will be generated in this area.



Joni Barker, 871 Grace Drive, the back of my property is Cheney Drive and I had no idea that this property was going to be developed into a hospital. I don't understand why anyone would consider building a hospital in the middle of a residential development. Please take the traffic into consideration along Cheney because essentially that is my back yard.

Kent Loosle, 3608 E 3908 N Chief Operating Officer of the hospital, we want to provide a quality facility that is safe for the patients to access, having a portion of the property be sectioned off from the hospital is not conducive to the needs of the hospital. The hospital needs all of the land in order to be able to grow and provide sufficient parking. Encouraging traffic from the outside of this area is not desirable to hospital, or the surrounding residential properties. He asked that the Commission give a positive recommendation for the annexation and zoning designation along with Exhibit B which is supported by data and the traffic study.

Closing Statements:

Jeff Hull, the location of the hospital was selected to provide good access to the city of Twin Falls and to the surrounding regions. I appreciate what the residents concerns and we have included the residents during this process. As for volumes of traffic and when they occur all of these numbers are the p.m. peek hour which is generally 4:30-5:30 p.m. when we are generally traveling home from our offices. One of the other issues regarding the Exhibit B the neighbors who live across from Cheney had posed concern about headlights shining into their homes. The asked that there be some landscaping and buffering placed in that area as well and we have committed to assisting in that process as well.

Deliberation followed:

TF-I have two issues, I have had concerns about the location but I do understand the "R" in regional medical center. I would have liked to have seen a location closer to the population the town is going to grow to the south and to the east; however the applicant has chosen this site. The biggest issue for me is the traffic study, and I have not had a chance to review Exhibit C to make and educated recommendation. This decision is going to impact the community forever.

KS-I think this is an important decision and want to review the traffic studies and read through the information.

GM-I do believe the traffic is the biggest issue and we need a better facility, but holding the project back for a couple of weeks it is our responsibility as planning and zoning to consider the information and make an informed recommendation or decision.

CW- I think the issue is the traffic and I would like to give the staff an opportunity to analyze this information and give us some recommendations regarding Exhibits A, B & C. This is the only opportunity we have to address this issue.

RH-The majority voted in favor of the new high school and new hospital. The issue that was not discussed was the location and would like to thank St. Luke's for working with the neighborhoods around the development. The traffic is the biggest concern and it is unfortunate that we have three major developments coming into this area but it is something the Commission is taking in to consideration and taking very seriously. The Commission would like to give the staff a chance to review the data and give their recommendations. We have seen a traffic study recently that the majority of us disagreed with and I don't have much faith in traffic studies, we as a Commission relies on information provided by staff.

Motion:

Commissioner Warren made a motion to table the request until such time as staff has had the opportunity to review the traffic studies and make a recommendation. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

1. Request North Pointe Park, c/o Gerald Martens, for the Commission's recommendation for annexation of 15 acres (+/-) with a zoning designation of C-1 PUD Business Park, currently zoned R-2, for property located west of Wendell Street extended and north of Cheney Drive West. (app. 2057)



Applicant Presentation:

Gerald Martens, representing the North Point Park applicant, stated after the review of item number two the St. Luke's Project and the tabling of the request, Gerald Martens stated our development plan is very connected to the St. Luke's Project and based on all of this we request a tabling of this request as well.

Motion:

Commissioner Frank made a motion to table this request until such time it can be rescheduled. Commissioner Muñoz seconded the motion. Roll call vote showed all members present voted in favor of the motion.

3. Request of Timberlake Village Limited Partnership for the Commission's recommendation on the annexation of 5 (+/-) acres with a zoning designation of C-1, currently zoned C-1, on property located south of Marie Street and east and west of Meadowview Lane extended. (app. 2059)

Applicant Presentation:

James Mayhan, representing the applicant, requesting this property to be annexed into the city limits with the C-1 zone. The parcel is 4.5 acres, and the anticipated number of apartments planned for this is approximately 50. The owner of the property will extend Meadowview Lane to the edge of his property. The individual that owns the remaining property between the extended Meadowview Lane and Kimberly Road will be developing this portion of Meadowview Lane to Kimberly Road.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request:

- 1) Subject to the adjacent arterials and collector streets being rebuilt to current City Standards upon development of the property

Public Hearing: Opened and Closed without public input.

Deliberation followed:

TF-The request seems clear-cut and I don't see any issues with the request.

GM-The request seems to fit the comprehensive plan.

KS-The volume of traffic was my concern but if they are extending access to the apartments from Kimberly Road don't see a problem with the request.

Motion:

Commissioner Frank made a motion to recommend to City Council a zoning designation of C-1 with the staff recommendation. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

4. Request of Canyon Crest Dining, LLC for a Special Use Permit to serve alcohol for consumption on the premises in conjunction with a restaurant on property located in the 300 block of Canyon Crest Drive. (app. 2060)

Applicant Presentation:

Gerald Martens, representing the applicant, stated this request is for a Special Use Permit to serve alcohol in conjunction with a restaurant. To get a license from the state to serve alcohol a Special Use Permit is required. The restaurant will front the Canyon Rim and will be approximately 16,000 sq. ft.

Staff Review:



Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated the Northbridge No 2 PUD Agreement applies to this site. If the request for a special use permit is approved a plat will be required before development can begin. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) The restaurant to be allowed to operate from 10:00 a.m. to 1:00 a.m.

Public Hearing: Opened with no public input.

Deliberation followed:

TF- This seems like a really nice place for a restaurant and the request is appropriate for the situation.

RH- The concept of the restaurant is a great and this is an appropriate request.

Motion:

Commissioner Stroder made a motion to approve the request for a Special Use Permit with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

B. ITEMS OF CONSIDERATION:

5. Consideration of the Preliminary Plat of Northern Sky Subdivision, c/o Pat Fenderson, 29.42 (+/-) acres, located south of Federation Road, west of Washington Street North and north of the Villa Del Rio Subdivision.

Applicant Presentation:

Tim Vawser of EHM Engineers, representing the applicant, stated the 11 acres at the northeast corner of the illustration is not part of this request, this portion of land is under separate ownership. There will be only one phase to this development. The desire of the owner is to make larger lots that are adjacent to the other subdivisions surrounding the property. All of the lots meet or exceed the minimum of 6,000 sq. ft and within the R-2 zoning requirements. There are two professional overlay lots that front Washington Street North. There is also a mini-park in the northwest corner with a minor extension of the 10 ft. Canyon Rim Trail along the north rim boundary which will assist the development in getting to the Canyon Rim Trail system along Federation Point. The major street within the development will be a collector named Canyon Crest Drive.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this preliminary plat, if granted:

- 1) Subject to the perimeter streets being brought up to current City Standards upon development.
- 2) Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Public Hearing:

Jim Higgins, 135 Los Lagos, secretary for the Los Lagos Homeowner's Association, would like to request that a fence be placed between the Los Lagos development and the Northern Sky Subdivision.

Jack Kruse, 331 Shade Tree Trail, stated his concern is the traffic access from these neighborhoods. The traffic is going to come through Shade Tree Trail to avoid Federation and the intersection at Washington and Pole Line to and try to use the Wendell Street to Pole Line creating additional traffic through the residential area in which he lives. He asked that a cul-de-sac be placed at the east end of Shade Tree Trail to prevent this from occurring.



Closing Statements:

Tim Vawser stated that a fence between residential and residential is not typically required and asked that the Commission not place fencing as a condition of approval. Having Canyon Crest Drive as a wider collector street especially across from a four way intersection at Washington traffic is going to choose this route. This development will assist the traffic flow through this area and we are hoping to have Wendell extended to Pole Line before snowfall of this year.

Deliberation followed:

TF- The fencing on the one side of the Los Lagos Subdivision was due to the adjacent property being a commercial PUD. As for fencing required between two residential developments this is not a requirement and I don't feel placing such a condition on this developer would be warranted. The development seems to be a nice development and I don't see any problems with the plat.

CW-The development would have to be built before a fencing system could be considered as from making this a condition for approval this is not warranted.

KS-I think the fencing issues can be addressed in the CCR's for the subdivision.

Motion:

Commissioner Warren made a motion to approve the Preliminary Plat for Northern Sky Subdivision with staff recommendations. Commissioner Munoz seconded the motion. Roll call vote showed all members present voted in favor of the motion.

C. FINDINGS OF FACT AND CONCLUSIONS OF LAW: NONE

D. APPROVAL OF PLANNING AND ZONING COMMISSION MINUTES FOR: NONE

II. DATES OF UPCOMING PLANNING AND ZONING COMMISSION MEETINGS:

- A. Next Scheduled Work Session: October 3, 2006- 12:00 p.m.
- B. Future Scheduled Public Hearing: October 10, 2006- 6:00 p.m.

III. PUBLIC INPUT AND/OR ITEMS FOR THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING AND ZONING COMMISSION: NONE

IV. ADJOURN MEETING: 8:45 P.M.



City of Twin Falls
 Planning & Zoning Commission
 305 3RD Avenue East Twin Falls, Idaho
 Public Hearing: **October 10, 2006 6: 00 P.M.**

PUBLIC HEARING MINUTES

October 10, 2006

CITY COUNCIL CHAMBERS

PLANNING & ZONING COMMISSION MEMBERS:

City Limits:

Tom Frank	Ryan Horsley Chairman	Bonnie Lezamiz Alternate	Gerardo Muñoz	Bernice Richardson	Karen Stroder	Cyrus Warren	Carl Younkin Vice-Chairman
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Area of Impact:

David Kemp	E. Rick Mikesell Alternate	Dusty Tenney
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ATTENDANCE

PLANNING AND ZONING MEMBERS:

<u>Present</u>	<u>Absent</u>
Frank	Lezamiz
Horsley	
Muñoz	
Richardson	
Stroder	
Warren	
Younkin	

AREA OF IMPACT MEMBERS:

<u>Present</u>	<u>Absent</u>
Kemp	
Tenney	
Mikesell (not seated)	

CITY COUNCIL MEMBERS PRESENT: Clow

CITY STAFF PRESENT: Fields, Humble, Jones, Westenskow, Wonderlich

AGENDA ITEMS FOR PUBLIC HEARING AND CONSIDERATION

1. Proclamation from the Mayor

A. PUBLIC HEARING ITEMS:

2. Bosero Development requesting annexation with a zoning designation R-4, for property currently zoned R-4. (app. 2011)
3. Settler's Ridge c/o Jeff Blick requesting annexation with a zoning designation R-4 for property currently zoned R-4. (app. 2049)
4. The Batter's Box requesting a Special Use Permit (app. 2061)
5. Industrial Development requesting a Special Use Permit. (app. 2062)
6. Ken & Rebecca Harper requesting a Zoning District Change C-1, for property currently zoned R-6 PRO (app. 2063)
7. Gary Jeff requesting a Special Use Permit (app. 2064)
8. Douglas Vollmer requesting annexation with a zoning designation R-2, for property currently zone R-2 (app. 2065)
9. Douglas Vollmer requesting Comprehensive Plan Amendment designated Urban Residential, currently designated as Industrial (app. 2066)

B. ITEMS OF CONSIDERATION:

10. Hunter's Estates consideration of the Preliminary Plat
11. Golden Eagle consideration of the Preliminary Plat
12. Consideration of the revocation of Special Use Permit # 0970 for Manker's, LLC



I. CALL MEETING TO ORDER:

1. Proclamation from the Mayor to designate the month of October as Community Planning Month.

Mayor Lance Clow presented the proclamation to designate the month of October as Community Planning Month. He stated the Planning & Zoning Commission is the heart and soul of the development of the Community and thanked them for their hard work. The proclamation publicly recognizes and designates the month of October as Community Planning Month for the City of Twin Falls. The Mayor thanked all of the Commissioners for serving their community and the contributions they make to the City.

A. Public Hearing Items:

2. Request of Bosero Development, LLC for the Commission's Recommendation on the annexation with a zoning designation of R-4, currently zoned R-4, for approximately 50 acres of land located east of the intersection of Harrison Street South and Pheasant Road. (app. 2011)

Applicant Presentation:

Randy Watson, representing the applicant, stated the applicant is requesting the annexation of this property with a designation of R-4. The property has R-1 on the east and R-4 around the other surrounding sides. The purpose of the request is to create a single-family subdivision. The subdivision will connect with the City Utilities and have pump irrigation. The R-4 zoning is compatible with the Comprehensive Plan.

Staff Review:

The request came through earlier and was approved by both the Planning and Zoning and City Council. They have been required to resubmit the application to uphold due process for this request because a portion of the property owners within 300 feet of the subject property were not notified. The property is currently zoned R-4 and is adjacent to the City Limits which allows the request for annexation.

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to the adjacent arterials and collector streets being rebuilt to current City standards upon development of the property.

Public Hearing:

Phil Gose, stated he is representing his mother who lives at the corner of Pheasant and South Harrison, and protest the entire development. They are trying to alter the way of life for my mother. They have worked all around my mother's property and not made any concessions to meet with her or make an offer to purchase her property.

Chairman Horsley read City Code 10-15-2(A) he stated comments on annexation may not be considered during this hearing, the comments presented by the public shall be limited to the zoning portion of the request only. Planning and Zoning makes a recommendation on zoning of land and City Council makes the annexation decision.

Philinda Stagg, 116 E 3400 N, stated she is also representing her mother who lives at the corner of Pheasant and South Harrison. The proper procedures were not followed the first time by this developer and they have told my

mother they would let the City impose eminent domain; is this possible and will that require her mother to hook up to city water and will this increase her property taxes.



Chairman Horsley stated the property in questions is excluded from this request. As for property taxes the commission cannot address that issue. These questions will need to be asked at the City Council hearing when annexation is considered.

James Bobier, Briarwood Lane, stated 30% of agriculture comes from the magic valley. The Comprehensive Plan is from 1993-1994 and I don't understand how decisions can be made on old information. State Title 67-65-2(E) encourages protection of agricultural land and Title 67-65-2 (G) states there should be avoidance of population concentration and over crowding. The City of Twin Falls has admitted there is not enough water to go around on their website and the clean water EPA mandate for arsenic to be lower than 10 parts per milliliter have not been met. It is my belief that the City growth rate should be at 0% until clean water can be provided and can be provided in the quantities necessary to support the growth. State Title 67-65-37 states Canal water should be used a primary source for irrigation not for prime use for new developments, sprinklers, or recharging the aquifer. The other concern is that the County gave custodial rights of county land in the Impact Area and the county residents can't vote for the elected officials of the City which is a violation of the county resident's right under the 9th and 14th amendment of the constitution and the 5th amendment of the Bill of Rights. We are asking the Planning Commission to deny this request to protect the existing county rights and to preserve our way of life.

Chairman Horsley explained that Planning and Zoning will only be making a recommendation on the zoning the City Council determines whether the property should be annexed.

Closing Statements:

Randy Watson stated that the developers have tried to work with the Gose's. The developer has never mentioned eminent domain, they Gose's have been approached several times and I do have a copy of an offer made to the Gose Family for the property, with a tax report and a broker's price opinion. The improper mailing procedure was due to another firm that was handling the request. We have been working with the neighbors.

Chairman Horsley stated that the offer is not significant to the zoning request presented tonight but it may be something that could be looked at by the City Council at the time of the annexation hearing.

Deliberation Followed:

Commissioner Horsley- Stated the misunderstanding of the annexation, is usually an issue. The property is currently zoned R-4 and it is being requested to remain R-4 if annexed by the City Council.

Commissioner Kemp-Stated City Council is the final decision maker for annexation and the R-4 zoning is not a change for this property.

Commissioner Stroder-Stated the annexation is not a part of the decision process for the Planning and Zoning Commission we can only make a recommendation on the zoning designation.

Motion:

Commissioner Frank made a motion to recommend to City Council the approval of the request as presented with staff recommendations. Commissioner Kemp seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

3. Request of Settler's Ridge, LLC c/o Jeff Blick, (Wilson Grove Subdivision), for the Commission's Recommendation on the annexation with a zoning designation of R-4, currently zoned R-4, for property located southwest of the intersection of Pheasant Road West extended and Kenyon Road extended, and north of the 400-600 blocks of 3600 North Road. (app. 2049)

Applicant Presentation:



Randy Watson, representing the applicant, requests annexation of the property that has a zoning of R-2 on the west and R-4 on the remaining sides. This request is in compliance with the Comprehensive Plan and the plan is to develop a single family residential subdivision.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. The property is currently zoned R-4 and is adjacent to the City Limits which allows the request for annexation. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to adjacent arterials and collector streets being rebuilt to current City standards upon development of the property

Chairman Horsley read City Code 10-15-2(A) he stated comments on annexation may not be considered during this hearing, the comments presented by the public shall be limited to the zoning portion of the request only. Planning and Zoning makes a recommendation on zoning of land and City Council make the annexation decision.

Public Hearing:

Brad Asher, stated he lives on the corner to the east and his main concern is the pressurized irrigation. The Pheasant Meadows project that is being developed doesn't have any pressurized irrigation; it was his understanding that they were going to pressurize the irrigation water which has not been done. The city water is run down the sewer at gallons per minute causing an extreme waste of water resources. The water should be considered; his well is being affected because of the development and suspects he is going to have to dig a deeper well sooner or later. Someone should be watching to see that these developments are hooked up to canal water instead of just city water. The pipelines that have been put in to irrigate the acres around the canal have broken 3 times by fencing contractors which affects the people in this area. Someone needs to be watching the waters, and night time irrigation is running into the pond at 11:00 at night. Please watch and consider this issue when making your recommendation.

Janet Row, asked for clarification, does this request have a zone change and if there is not a zone change then why is the matter before the commission?

Commissioner Kemp stated the commission has to make a zoning recommendation to City Council regardless of whether there is a change of zoning included in the request.

Deliberation Followed:

Commissioner Frank- Stated the applicant is not requesting a re-zone, and sees no issues with the request.

Commissioner Muñoz- Stated the request matches the Comprehensive Plan, therefore he sees no problem with the request.

Commissioner Kemp- Stated the requested zone is not a change, from what it is currently zoned, so he has no problem with the request.

Motion:

Commissioner Kemp made a motion to recommend to City Council the approval of the request as presented with staff recommendations. Commissioner Muñoz seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

4. Request of The Batter's Box c/o Tiffany Montoya for a Special Use Permit to operate an indoor recreation facility on property located at 348 4th Avenue South.(app. 2061)

Applicant Presentation:

Rachel Montoya, the applicant, is requesting a Special Use Permit for an indoor recreation facility. The facility would have batting cages, arcade, and televisions for watching sporting events along with refreshments. The business will



be managed by the owners only with no additional employees. As far as impacts to the area there will be an increase in foot traffic as well as some noise, however this noise will not be any more than the noise from the adjacent train tracks located approximately 50 feet away. Parking would be provided in a newly paved area, with approximately 30 spaces. We feel that by adding this facility it would be good for our community.

Staff Review:

This property is in the old town district, P-3 parking overlay and warehouse historical overlay. As an indoor recreation facility it requires a special use permit because of zoning.

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Exterior modification is to be approved by the Twin Falls Historic Preservation Commission.

Public Hearing:

Karla William, Executive Director of Historic Downtown of Twin Falls stated she would like to make a recommendation in favor of this request. She also requested that improvements for the curb gutter, sidewalk, and landscaping be added to the Special Use Permit as a condition of approval.

Closing Statements:

Rachel Montoya stated in regards to the landscaping; we do have plans to put landscaping in and there is already piping installed for landscaping.

Deliberation Followed:

Commissioner Frank- Stated the community needs this type of business and we should solicit this type of business for the area. As for the landscaping and other issues these requirements are covered in the codes and are included in the conditions recommended by staff.

Commissioner Warren- Stated filling an empty building and adding improvements is great

Commissioner Munoz- Stated it is great that people want to improve the property.

Commissioner Stroder- Stated it would be great to have a place for kids to go.

Motion:

Commissioner Warren made a motion to approve the request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

5. Request of Industrial Development, LLC for a Special Use Permit to operate a medical facility on property located at 450 Falls Avenue, Suite 202.(app. 2062)

Applicant Presentation:

Paul Outon, representing the applicant stated the request is for a Special Use Permit to operate a sleep lab. The lab will be providing services for 4 people at the most to provide diagnostic services with a medical office approximately 1500 sq. ft. (suite 202). This use should cause little impact to the area however zoning does require a Special Use Permit.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:



- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing: Opened and closed without public input.

Questions/Comments:

Commissioner Frank- Stated it seems to be valid service and sees no issues.

Commissioner Munoz-Stated it is an appropriate use for the facility, and sees no problem with the request.

Commissioner Horsley-Stated it is a much needed service for the area.

Motion:

Commissioner Stroder made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

Commissioner Tenney stepped down.

6. Request of Ken and Rebecca Harper for Zoning District Change and Zoning Map Amendment from R-6 PRO to C-1 for a 50' x 318' parcel located 235' west and north of the intersection of Eastland Drive and 4th Avenue East. (app. 2063)

Applicant Presentation:

Russ Lively stated this request is necessary because there is a need for enlarging the building. There is a need to add a storage facility on site and a portion of land was purchased for this reason however the portion that has been purchased is zoned differently from the front portion. Only the property on the corner was zoned C-1 previously. The lot behind is vacant and is zoned R-6 PRO and the request is to rezone the subject property to C-1 so that an accessory building can be built.

Questions/Comments:

Commissioner Frank- Asked the purpose of changing zoning to the entire property to the west and north of the current C-1 zoned property.

Russ Lively stated the property is actually shaped this way and we need 50' of the lot. The property was sold as one piece of land and it is a remnant. We need 50 feet to build an accessory building. It is all one piece of land and so we have requested it for the entire piece of property. The idea is that we would possibly lease it or sell it to the property to the north for parking.

Staff Review:

The zoning can be done by legal description and a portion of the property may be changed without changing the entire property zone.

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to adjacent arterials and collector streets being rebuilt to current City standards upon development of the property.

Questions/Comments:

Commissioner Warren-Asked if with the new building more parking will be required.



Planner I Westenskow stated the use is for warehousing and additional parking would not be required.

Public Hearing:

Dusty Tenney, 3200 E 3600 N Kimberly stated Nu Vu glass has been an outstanding neighbor and business, and my only concern is that the portion to the north the half that will remain empty, I am worried about the property being maintained. There have been a couple of fires in this area and the maintenance of the empty property to the north is a concern.

Closing Statements:

Russ Lively stated the applicant's property is on the corner of Eastland and 4th Avenue East and this satellite image of the property shows the trails where the kids are traipsing through on the property, we have been waiting on the city to develop the curbs, gutter and sidewalks, which was part of an agreement made with the City of Twin Falls it is very difficult to maintain without these items in place. However as proven this applicant has been a very good steward of their property and this should not be a huge concern.

Deliberations Followed:

Commissioner Frank- Stated he is concerned about C-1 going further north; however he has no problem with rezoning a portion. Having C-1 next to residential is another worry. He stated once it is re-zoned it is re-zoned and allowing the entire piece of property to become C-1 causes distress especially with it going in across from a school and next to a residential area.

Commissioner Horsley- Stated this area has a number of mixed zones and it is very diverse which makes it difficult to determine what the property should be zoned.

Commissioner Kemp- States we can make a motion that allows us to limit the rezoning of the additional property to only a portion.

Commissioner Horsley- Stated there is protection of the residents with fencing if it is zoned C-1 and I would recommend approval as presented.

Community Development Director Humble stated you can make a recommendation and the City Council will be the final deciding party.

Motion:

Commissioner Frank made a motion to recommend a C-1 zoning designation for the property to the southwest of the Nu Vu building measuring approximately 175' x 50'; leaving the remainder of the property zoned R-6 PRO. Commissioner Kemp seconded the motion. Roll call vote showed a count of 7-1 with Commissioners Frank, Muñoz, Richardson, Stroder, Warren, Younkin, and Kemp in favor of the motion and Commissioner Horsley not in favor of the motion.

Motion Passed 7-1

Commissioner Tenney returned to his seat.

7. Request of Gary Jeff for a Special Use Permit to construct a 1200 sq. ft. accessory building on property located at 974 Lavina Avenue. (app. 2064)

Applicant Presentation:

Billie Jeff, representing the applicant stated the accessory building would be strictly for personal use and should have no impact on the neighbors a Special Use Permit is required because the building is 30 x 40 feet.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to



ensure compliance with all applicable City Code requirements and Standards.

Questions/Comments:

Commissioner Muñoz-Asked will the elevation of the building be the same as the rest of the house that is already on the property.

Planner I Westenskow stated it appears that it would be in the same elevation with a breezeway in between.

Public Hearing:

Sherry Jeff, stated she is in favor of the request. The addition would provide a place for her brother to putter and it would be strictly for personal use only.

Deliberation Followed:

Commissioner Frank-Stated he has no problem with this and there were no objections from the public.

Motion:

Commissioner Kemp made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

8. Request of Douglas Vollmer for the Commission's recommendation on the annexation of 36 (+/-) acres with a zoning designation of R-2, currently zoned R-2, for property located west of Field Stream Way and north of the 1200 and 1300 blocks of North College Road West. (app. 2065)

Applicant Presentation:

Jack Straubhar, representing the applicant, stated the purpose of the request is to develop a residential subdivision. All the property to the north east and to the south has been annexed and the zoning is already R-2. We request that the Planning and Zoning commission make a recommendation to City Council that the annexation with an R-2 zoning to be approved.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing: Opened and closed without any public input.

Deliberation Followed:

Commissioner Frank-Stated it is surrounded on three sides by R-2 and there is no change to the zoning being requested, so it should not be a problem.

Motion:

Commissioner Muñoz made a motion to recommend to City Council the approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

9. Request of Douglas Vollmer for a Comprehensive Plan Land Use Map Amendment from Industrial to Urban Residential for property located north and south of the 500 and 600 blocks of South Park Avenue West. (app. 2066)



Applicant Presentation:

Doug Vollmer, applicant, stated the request is to change the Industrial land use designation to Urban Residential for property north of the South Park Avenue West. In support of the request the portion to the south is zoned R-4 and the golf course is to the north of the property. When the entire area is considered you end up with M-2 in the middle of R-4 zoning. We are asking you to reconsider the staff recommendation for denial of the change, and to create some consistency in the area. The plan would be to develop some multi-family and single family residential homes. It would create a natural separation from industrial to residential.

Questions/Comments:

Commissioner Frank-Asked if there has been any recent interest in this area for industrial use.

Planner I stated there has not been an interest for this industrially zoned property recently, and that to change the R-4 zone to the south of South Park Avenue West to an M-2 zone is not in the City's current plan.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and has made a recommendation not to change the Comprehensive Plan. She explained that the applicant will also need to submit a re-zone request to change this property from M-2 to R-4 if the request for the Comprehensive Plan change is approved by the City Council.

Public Hearing:

Gary Nelson, stated he would be in favor of the request because it makes sense to develop this into a residential property rather than leaving it industrial. This property is adjacent to the Golf Course it would be more complementary to the open space the Golf Course provides. The other thing to consider is that there is a natural barrier to the east of the property along Rose Street which is a more significant barrier than what could be created on the western side of this if industrial development were to occur on this property.

Jack Straubhar, stated he doesn't see a problem with zoning this residential, this property needs to be developed as a large parcel in order to get city services to the property.

Closing Statements:

Doug Vollmer stated that the elevation along the tracks and the spur line track is substantially different. To try to service a small piece of land with any kind of a spur line would be impractical and I ask that the Commission send a favorable recommendation to the City Council for the requested Comprehensive Plan change from industrial to residential.

Deliberation Followed:

Commissioner Frank- Stated this request is reasonable due to the development of the industrial areas out towards Kimberly and I think this area's best use would be residential especially with the Golf Course located to the north.

Commissioner Kemp- Stated he agrees that with the Golf Course to the north a residential area make since and the noise is a concern however he doesn't envision a new industry being developed in this area.

Commissioner Tenney- Stated he didn't know if building a residential subdivision is going to be the best for this area and is not completely convinced that getting rid of this type of land is necessarily a good idea.

Commissioner Horsley- Stated with the Golf Course to the north and Rose Street as buffering area to the east it may be a good place to have a residential development.

CY- Stated he would be in favor of the change and the developer probably has a better chance of building a nice residential area that can take into account the industrial area to the east.



Motion:

Commissioner Kemp made a motion to recommend to City Council the approval of the request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed a count of 6-3 with Commissioners Kemp, Frank, Horsley, Munoz, Richardson, and Younkin favor of the motion and Commissioners Tenney, Stroder and Warren not in favor of the motion.

Motion Passed 6-3

Commissioner Kemp was called away from the meeting at this time.

B. Items Of Consideration:

10. Consideration of the Preliminary Plat of Hunter's Estates PUD Subdivision, c/o TKO Custom Homes, 2 (+/-) acres located west of the 900 block of Morningside Drive.

Applicant Presentation:

Scott Martin, representing the applicant, stated the applicant was asked by the Commission to reduce the density of the development. The density has been reduced and there have been no changes since this alteration was made. We have provided a fire lane as requested and a storage area for tenants that may have a need to store a camper or recreational vehicles which is going to have a privacy fence.

Discussion followed:

Commissioner Stroder-Asked, is the property being kept by the applicant or are they planning to sell the lots.

Scott Martin stated the applicants have no intent of selling off the lots, and this property is intended to be for their own investment. The lots have all been separated so that if someone wanted to purchase one of the units 20 years from now this would be an option but that is not the intent of the applicant at this time.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to approval of the PUD agreement
- 2) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing:

Sandy Flora, stated she wanted to know why her questions were never answered, regarding the water pressure and management of the sewer. She stated the sewer is no sufficient for this area now so how is the addition of this residential development going to make it better.

Engineering Director Fields stated she offers apologies for the lack of communication with the surrounding property owners regarding the studies that have been conducted on the water and sewer. She stated we had the water department go out and check the taps and all of the water taps and service lines are 1 inch lines from the houses to the meter. The water pressure in the neighborhood is reading at 70 PSI. the comments from the surround property owners that pressure is inadequate could be caused by the lines between the meter and their houses. The City has the same service line between the street and the meter and the pressure at the street is measuring 70 PSI. There have been complaints about back flow when sewer is cleaned however there is enough capacity for the sewer. When the sewer is being cleaned it creates a back flow, currently the new subdivisions are required to have a backflow prevention device installed, however when the homes surrounding this property were built this may not have been a requirement. The maintenance personal that clean the sewers believe that vent piping tends to be the problem and



by taking special precautions in this area when maintenance is being done we can minimize the problems for this area. This PUD will not change the pressure as it is planned according to the model we use to study the impact of a development. There was not an unacceptable drop in water pressures in the mains and the rules and standards we go by and this PUD is not modeling to drop pressure.

Jerome Charlton of 1808 Spring Lane stated we are talking about water pressure. The sprinkle lines are set before the lines that run to the house and I have noticed that when people are watering their lawns the pressure drops drastically. I understand if the lines from the house to the meter are affecting the pressure but sprinkler lines are supposed to help keep pressure up. At the end of the cul-de-sac on Spring Lane, they are talking about a privacy fence and that is suppose to be designated as storage, will the privacy fence go all the way around the storage?

Betty Westerhoven of 1867 9th Avenue East stated she has new lines coming into her house from the meter and still has bad water pressure. A few years ago there was supposed to be a nursing home built on this property and the reason it wasn't implemented was because of the sewer and water issues and since then none of these issues have changed. She stated she opposes the request and asked that it be denied.

Engineering Director Fields stated that she will follow-up regarding the pressure on 9th. The water modeling that we use looks at pressure across the entire system and it will show a large water user. Keep in mind also they still have to complete construction plans as well before development can occur.

Lonnie Renfroe of 1842 Spring Lane, stated that Mr. Ostrom does not maintain this property as a field how is he going to maintain a development. He stated Mr. Ostrom has other rental property in the area that he does not maintain and doesn't require the tenants to maintain. I don't want the same thing to happen in this area.

Closing Statements:

Scott Martin stated the privacy fence for the storage area will go all the way around it to block it from all sides. He also stated the mowing of the area was taken care of and he apologized for the delay. As for other property Mr. Ostrom owns not being maintained that is something Mr. Ostrom should be taking care of as a landlord.

Questions/Comments:

Commissioner Frank- Stated these infill projects are always problematic and we have addressed density and safety issues and following-up with the models from engineering is the only system we have to evaluate the situation. None of this will happen without a final engineering review. If they can't provide services, then it won't happen.

Commissioner Warren- Stated Mr. Ostrom has property rights, his plan has met requirements and the project has to be reviewed by Engineering.

Commissioner Tenney- Asked, staff does the final technical review, include addressing the water pressure and sewer?

Engineering Director Fields stated that staff does not test individual pressures from the house to the meter, but they can test the pressure from the main. The final technical review is required before the development can occur and water pressure and sewer are only two of the items studied in the final technical review.

Deliberation Followed:

Commissioner Richardson- Stated this seems to be a major concern for the surrounding neighborhood, and this is going to be an additional burden on the surrounding neighbors.

Commissioner Horsley- Stated the request is consistent; however I do have some concerns.

Commissioner Munoz- Stated there are systemic problems that are already there and we need to make a decision based on the information provided by the staff regarding the potential for additional problems if this development were to occur. I would encourage Engineering to work with the surrounding property owners as needed.

Commissioner Frank- Stated we have heard no quantifiable evidence that this development will negatively impact the area based on the information from staff.



Motion:

Commissioner Warren made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Younkin seconded. Roll call vote showed a count of 7-1 with Commissioners Frank, Horsley, Muñoz, Stroder, Warren, Younkin and Tenney in favor of the motion and Commissioner Richardson not in favor of the motion.

Motion Passed 7-1

11. Consideration of the Preliminary Plat of Golden Eagle Subdivision #3, c/o V, S & N Developers, LLC, 70 (+/-) acres, located at the south west corner of Pheasant Road and Harrison Street South.

Applicant Presentation:

Jack Stroughbar, representing the applicant, stated the property has been zoned R-4 and annexed into the city limits. The property is bounded on the south by 3600 N Road, the east by Harrison Street, the North by Pheasant Road, and by Golden Eagle Subdivisions 1 & 2 on the West. There is approximately 72 acres and we are considering approximately 310 lots for this area, the lot size will be 6-7000 sq. ft. and the development will be phased from North to South, it will be single family housing. The water will be connected at 3600 North Road and Washington per staff requirements. There is an old farm house at the south end of the property that will be removed. The 3600 Road north has been designated as a Cross County connector so we will be leaving the development near there last. He stated they will have detached sidewalks along Harrison Street, Pheasant, and South Wood. The developer has also submitted an in-lieu contribution application for the park area at the request of the City.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Perimeter streets are brought up to current City standards upon development.
- 2) Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Questions/Comments:

Engineering Director Fields stated that final technical review of this plat may result in an adjustment in the neighborhood along 3600 Road North.

Commissioner Frank- Asked about the development impact studies. The comment about road maintenance not being funded by property tax revenue on the sheet submitted. He stated the entire city is funded by property taxes; there is a zero for roadway maintenance. Some of the maintenance could be federally funded however in this neighborhood it is part of the developer's cost and city taxes. The water system and sewer system is funded differently. He also asked if the last census was used to calculate the 2.9 people per unit average?

Jack Straubhar stated that the last census was used to calculate the 2.9 people per unit average.

Deliberation Followed:

Commissioner Stroder-Asked, Why was the park in-leu contribution requested instead of having the development build a park?

Community Development Director Humble stated the goal for the Parks Department is to have 12 acres per square mile. In this square mile this goal has already been met. There is also another development across Harrison Street where the money could be used to develop a more substantial park.



Public Hearing:

Sherry Jeff, 299 Pheasant Road is concerned with traffic and a two-way stop at Orchard and Blue Lakes and Orchard and Washington Street. There have been many terrible traffic accidents at these intersections and she is afraid a child is going to be hit at some point. The density of the developments increases the traffic and the number of children and she asked that this be taken into consideration.

Closing Statements:

Jack Straubhar stated we have taken the traffic into consideration and we are not having residents exit onto Harrison Street and 3600 Road North.

Deliberation Followed:

Commissioner Tenney- Stated the overall concern for Ms. Jeff is accessing an arterial with only a stop sign with additional developments going in this area. These developments are all going to impact traffic tremendously. He also stated his biggest concern is the density of the developments that are going in all over town.

Commissioner Frank- Stated we need to start planning for the roads and lights the community needs however that is a political matter that is beyond our control.

Commissioner Stroder- Stated she agrees we do need to take this into consideration.

Commissioner Horsley- Stated he sees the R-4 growing in this area and the lights are going to go into place when it is necessary.

Commissioner Munoz- States he thinks they have to make decisions on what is presented.

Motion:

Commissioner Frank made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved

12. Consideration of the initiation of the revocation of Special Use Permit #0970, granted April 11, 2006 to Manker's LLC c/o William Manker, Jr. to allow the operation of a commercial greenhouse on property located at the north east corner of Adams Street and Addison Avenue.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. They were given a Special Use Permit to operate a greenhouse business on this property. The alley area has not been paved; the arterial approach for parking was completed. The approval of this Special Use Permit would make an improvement to the area, and in retrospect this has not been the case. She stated staff recommends the Commission initiate application for the revocation of Special Use Permit #0970.

Deliberation Followed:

Commissioner Frank- Stated that we need to follow procedure and support the staff recommendation

Commissioner Horsley- Stated he appreciates staffs prompt attention to these issues and feels the recommendation is valid and should be done.

Motion:

Commissioner Stroder made a motion to recommend approval of the initiation of the revocation of the Special Use Permit #0970. Commissioner Younkin seconded the motion. Roll call vote showed all members present voted in favor.

Unanimously Approved



III. APPROVAL OF PLANNING AND ZONING COMMISSION MINUTES FOR: NONE

IV. DATES OF UPCOMING PLANNING AND ZONING COMMISSION MEETINGS:

Work Session: **MONDAY** October 16, 2006 at 12:00 p.m.

Public Hearing: October 24, 2006 at 6:00 p.m.

V. PUBLIC INPUT AND/OR ITEMS FOR THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING AND ZONING COMMISSION: NONE

Community Development Director Humble stated that the Legislative Forum is scheduled the same day and time as the normally scheduled work session day. The next work session in October will be moved to MONDAY October 16, 2006 at 12:00 P. M in the Council Chambers. He also stated that due to Election Day on November 7th, the work session will be held in the fire station classroom at 12:00 P.M on November 7th, 2006.

On November 14th, 2006, the City Council and Commission will be meeting with a consultant regarding impact fees and it is requested that everyone that is able to, plan to be in the Council Chamber at 5:00 P.M. before the Planning and Zoning Commission's public hearing that is scheduled at 6:00 P.M. Reminders will be sent out regarding all of these changes.

ADJOURN MEETING: Chairman Horsley adjourned the meeting at 9:30 P.M.



1. Request of Tom and Joan Parnell for a Special Use Permit to construct a 1280 sq. ft. detached accessory building on property located at 224 Filer Avenue West. (app. 2067)

Applicant Presentation:

Tom Parnell, applicant, explained his request using exhibits. Mr. Parnell stated he that the plan had a large building located on the north side of the lot and it faced south. He stated the second overhead shows the plan to use a smaller garage with it facing west and a lawn building. In his original presentation in 2003 the lawn building was discussed and he stated that he wanted to have this building considered for the Special Use Permit he is requesting tonight in addition to the garage to avoid having to repeat this procedure again.

It attaches to the driveway of the home; the west part will house motorcycle and camp-trailers. The east half will house a four wheeler, riding lawnmower and a tractor. This building is to store the lawn items I just mentioned. There is a small area between this building and the garage, this area will have a roof over it that is not attached to the shop, this area is to cover a boat, it is hidden by the lawn building, hidden by the garage and a six foot privacy fence to the east.

The actual garage itself will be used for a kit aircraft, a large camper and pick-up and the original building I designed was not big enough for this, the new size would allow for me to maneuver around these items. The design of the area allows for a hobby room, computer repair area, and a workshop. Until the house is built and the four-plexes are complete this building will be used for storage of construction materials. The building has 16' walls and the buildings to the north the four plexes are two story and both the garage and the four-plexes will have matching exteriors. The garage is about half the size of the four-plexes and will not look out of place next to these buildings. Behind the structure is a parking lot there are no view obstructions that he is aware of and I do want you to consider not only this garage but the lawn building as well in this Special Use Permit so he doesn't have to come back and do this again.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. The zoning in this area is R-4 which does require a Special Use Permit for an accessory building larger than 1000 sq. ft. The original plans that were received when the four plexes were presented the garage was at 930 sq. ft. which would not require a Special Use Permit. We apologize for the delays and the misunderstandings, however the garage was different sizes throughout the process, when the permit request was submitted to building it was at that time the size was discovered to be larger than allowed without a Special Use Permit. The building will be used for personal use, it is in compliance with the building code and staff is recommending the following condition(s) be placed on this permit, if granted:

- 1) The building is to be used for residential purposes only.
- 2) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and standards.

Questions/Comments:

Commissioner Frank stated Mr. Parnell has also mentioned the separate unattached lawn building and that he would like to have that building considered as well this evening. Even though the application was submitted with the garage plans does that other structure need a Special Use Permit or is it outright permitted in this area.

Planner I Westenskow stated that the need for a Special Use Permit is determined by square footage. The lawn building was checked in addition to the other buildings the plans that were submitted show the lawn building at 416 sq. ft. as it meets set back requirements it does not require a Special Use Permit.

Public Hearing: Opened



Janet Fisher, 290 Filer Avenue West , my concern is the dead end streets in this area and so many places where you can't get through why can't La Habra be a through street from Filer to Caswell.

Commissioner Frank stated these issues were discussed two years ago, and tonight the issue being presented is a request for a Special Use Permit for a detached accessory building.

Chairman Horsley stated this issue cannot be addressed however Mr. Parnell may address this issue in his closing statement if he would like to at that time.

Closing Statements:

Mr. Parnell stated he will address the concern brought forward, he stated that there is an elevation change with the sewer in this area/. The City did attempt to work out a system to lower the grade of his property substantially however this was not successful and could not be done.

Community Development Director Humble asked the applicant if he stated the lawn building would be attached to the garage.

Mr. Parnell stated that the lawn building would not be attached it simply covers and outdoor area and will be supported by poles.

Deliberation Followed:

Commissioner Frank stated he believes the reason this has been presented is because of some square footage technicalities that were not caught earlier. He stated he has no problem with granting the request.

City Attorney Wonderlich stated he thinks there might still be some confusion concerning the lawn building and I don't want Mr. Parnell to think we have approved the lawn building along with the 1280 sq. ft garage he has presented this evening. There may be building code issues that this body can't address or approve on this building. There is not enough information regarding the lawn building for the Commission to approve.

Commissioner Munoz stated the request was submitted for the 1280 sq. ft detached building. The additional lawn building is not something this body can consider this evening and additional information would have to be submitted for this to be part of the request submitted for this evening.

Motion:

Commissioner Stroder made a motion to recommend approval of the request as presented with staff recommendations for the 1280 sq. ft detached accessory building. Commissioner Munoz seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Approved

Commissioner Mikesell stepped down at this time.

2. Request of Idaho Power Company for a Special Use Permit to construct an electrical distribution substation on 1.4 (+/-) acres on property located 1500' west of 2700 East Road on Pole Line Road. (app. 2068)

Applicant Presentation:

Kristi Purdue, representing the applicant, stated there is a need for a substation in this area to accommodate the record amount of growth in this area and the amount of growth expected for this area. The Twin Falls Highway District did approve access to the substation from Pole Line Road on October 18, 2006. The site plan meets and exceeds the City Code building and landscaping standards and is in fact a smaller substation than the one located at the intersection of Filer and Harrison Street. The plan is to ensure that all persons planning to purchase property in



this area are made aware that this is going to be the site for a substation and the plat for the Stone Ridge Development will document such information. There will be no parking outside of the substation, traffic into and out of the substation area once built will be limited to approximately twice a month. There will be high voltage warning signs placed on the fence and a sign stating the name of the substation. The access into the substation will be paved, the landscaping for the area will meet City standards with the appropriate number of trees and brushes required. The substation will provide up to 80 mega watts of power. The substation will serve west to 3300, north along the river, to the east of Grandview and to the south of 3250 North. Currently this area is serviced by the Twin Falls Substation that is at capacity, without this substation there is not electricity to support anymore development in this area.

Questions/Comments:

Commissioner Frank asked the applicant representative if they are you planning to use barbed wire at the top of the fence and how does Idaho Power plan to take care of the landscaping until the subdivision is developed.

Ms. Purdue stated Idaho Power intend to use a drip loop system that will be provided from the irrigation system but it is not uncommon for them to hand water plants until a permanent water source is made available. The fence will be barbed wire at a 45° angle at the top of the fence to prevent someone from climbing over and entering the substation area.

Commissioner Stroder ask the applicant representative if Idaho Power submitted a full attachment copy of the research article relating to the safety of substation.

Ms. Purdue sated she provided a summarized version of the article to the Planning and Zoning Department for the staff report as well as a full copy of each article.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated Staff has reviewed this request and recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to Twin Falls Highway District approval of Pole Line Road access(es) to the site.
- 2) Subject to providing screening as discussed above and provided on an approved landscape plan.
- 3) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and standards.

Public Hearing: Opened

Scott Straubhar, 2785 Bogus Basin Road, Boise Idaho, representing St. Luke's and the Twin Falls School District, stated that this substation is needed in order to support the new hospital and high school being built in this area. The hospital is over 1.5 million sq. ft and the high school is approximately 200, 000 sq. ft and they will both need power before and after the projects are built. Each of his clients are very much in favor of this substation.

Sherry McCallister stated she owns the property to the east which she and her husband farm. The only concern she and her husband have is if they will be able to continue crop dusting their farm with the new substation going into the area.

Lance Fish, project manager for Settler's Ridge, stated his project has been approved however they are building on their last available lot until more power becomes available. He stated he is in support of this substation and requests that the Commission approve the Special Use Permit.

Brad Wills, 222 Shoshone Street West, also a developer in this area, stated they are at a standstill with their projects as well until a substation can be built. He stated he is also in support of this request.



Don Acheson 629 Magan Court, stated he has been impacted both on a personal and business basis by the lack of power in this quadrant. He stated he is in favor of this substation as well. The demand for utilities is essential for the growth to occur.

Commissioner Younkin read into the minutes a letter from EHM Engineering stating they are also in favor of this substation in order for development to occur. This letter has been placed in the applicants file.

Closing Statements:

Kristi Purdue, representing the applicant, stated the applicant is more than willing to work with the City on the landscaping plan. The utility poles in the area currently are approximately 45' above the ground with the addition of the substation the poles will come from Washington down Pole Line will be increased in height to approximately 65'-75' above the ground. She stated she is not sure how this will affect the planes that are used to dust the crops but she hoped that this answered the question that was asked previously.

Deliberation Followed:

Commissioner Frank stated that he understands the concern of the property owner that uses aerial application for taking care of their crops and unfortunately there is not anyone here that can answer the question. He stated he does however have to support this proposal.

Commissioner Muñoz, stated he does feel for the property owners to the east that farm, however one of the biggest concerns from the community is infrastructure and this will address the power issues for this area of town, therefore he supports the request.

Motion:

Commissioner Frank made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Approved

3. Request of Elwood Lee Wilson for a Special Use Permit to operate a counseling service as a home occupation on property located at 1509 Richmond Drive. (app. 2069)

Applicant Presentation:

Elwood Lee Wilson, applicant stated he is a licensed clinical and professional counselor that would like to provide counseling services to people from his home. He would like to see clients week days from 5pm-9pm and Saturday 9am-9pm. There should be minimal impact to the neighborhood, not much more than someone having a visitor come to their home. He stated he has reviewed the conditions that staff recommended if his request is approved, and has added some additional statements. He submitted a list of signatures of neighbors in support of the request.

The additions made to the conditions are as follows:

- 1) Limit the practice to non SED (seriously emotionally disturbed) clients, with no counseling to be provided to individual that qualify for state programs.
- 2) The hours of operation will be limited to M-F 5pm-9pm and Saturday 9am-9pm.
- 3) Counseling services limited by appointment only no signs on the property and no walk-ins.
- 4) Site plan Amendments as required by Building, Fire, Engineering, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
- 5) Counseling clients to park on driveway only.
- 6) If the applicant ever moves from the property the applicant will request that the Special Use Permit be non-transferable and become null and void.



Questions/Comments:

Commissioner Frank asked the applicant if he has done this type of counseling from his home before and if he had any problems. As a licensed professional is he required to have personal liability insurance?

Mr. Wilson stated that he has provided these types of services outside of Twin Falls, in Carey, Idaho and Iowa and he incurred no problems. As for insurance he stated he is required to carry liability insurance that will cover his in-home practice.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and does not support this request however recommends the following condition(s) be placed on this permit, with the additional changes submitted by Mr. Wilson in his October 18, 2006 letter that was presented this evening.

- 1) The practice is to be limited to family counseling only.
- 2) The hours of operation be limited to 5:00 p.m. - 9:00 p.m. M-F and Saturday 9:00 a.m.-9:00 p.m.
- 3) The Special Use Permit should be reviewed after one year to determine whether the use should be continued.
- 4) Counseling services would be by appointment only.
- 5) Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and standards.

Public Hearing: Opened

Commissioner Younkin read into the minutes three letters requesting denial of the Special Use Permit one letter to which 10 additional signatures supported requesting denial. In addition Commissioner Younkin read another letter that supported the applicant's request. All of these letters have been placed with the applicants file.

Judy Konvig, 1603 Richmond Drive, stated that she is representing several of the neighbors, all of which are against this request being approved. She requests that the application for the Special Use Permit be denied; on the basis that the neighborhood does not want any type of business in the neighborhood and because of their concern with the type of clientele it may bring.

Rocky McClemens, stated he lives across the street from Mr. Wilson. Up until this evening he stated he sat on the fence about whether he was for or against this request. As of tonight he stated he has no issue with the request, his concerns have been addressed by the conditions, he would however like the Special Use Permit if approved to clarify that it is non-transferable should Mr. Wilson move out of the neighborhood.

Closing Statements:

Mr. Wilson stated that he does not have a waiting room that would allow for more than one client to be at the house. He stated he has no intentions of having a waiting room. In addition this is his home and the safety of his family is as important to him as the safety of the neighbors and their families. He stated he has no problem with the Special Use Permit expiring if he were ever to move. The one year date for review is not an issue for him either and he is willing to follow the conditions set forth.

Deliberation Followed:

Commissioner Frank stated that Mr. Wilson answered a lot of the questions and concerns that he had, and it is obvious that Mr. Wilson is not going to jeopardize his job with the state by allowing persons into his private practice that qualify for state services. He stated this seems like a reasonable request and would have even less of an impact than a daycare would have on the neighborhood. He has no problem with the request.

Commissioner Munoz, stated he had concerns as well even some of the same concerns that the neighborhood had, but after hearing Mr. Wilson's presentation he has no problem supporting the request either.



Chairman Horsley stated the one point he wants to make is that a Special Use Permit can be revoked and the one year review does give the neighbors the opportunity to observe the situation and forces the applicant to tow the line and to make sure this is conducive to the neighborhood. With the staff recommendations he stated he has no problem with this request.

Commissioner Younkin stated that with the 10 years of experience Mr. Wilson has counseling he does have an obligation to the State and can not take clients eligible of state services. This make his clientele base very small and the person he will be dealing with don't qualify for state services and some of his work may be on a voluntary basis for persons wanting help to make their lives better. He stated he thinks there is a need for this in the community it is not designed to be a business and he would be in support of the request. These letter have been placed in the applicants file.

Motion:

Commissioner Younkin made a motion to recommend approval of the request as presented with staff recommendations as revised below:

- 1) The practice will be limited to family or individual counseling for non SED (Seriously Emotionally Disturbed) clients. No counseling of clients who can be served in state programs.
- 2) The hours of operation will be limited to Monday - Friday 5:00 p.m. -9:00 p.m. & Saturday 9:00 a.m. – 9:00 p.m.
- 3) The Special Use Permit should be reviewed after 1 year to determine whether or not it should continue.
- 4) Counseling services are to be provided by appointment only with no overlapping appointments.
- 5) Counseling clients are to park in the driveway only.
- 6) The Special Use Permit is restricted to Mr. Wilson at this location.
- 7) Site plan Amendments as required by Building, Fire, Engineering, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Approved

4. Request of Esidoro Nieto, Jr. for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for the wests 122' of Lot 2, W.J. Young Subdivision a.k.a. 449 Washington Street North. (app. 2067)

Applicant Presentation:

Roger Laughlin, representing the applicant, stated the applicant currently owns Mi Pueblo on 4th Avenue East but has grown out of the building. They have purchased the property at 449 Washington Street North with the intent to build a new building and expand his business. After studying the property it became obvious due to the restraints of the property the first 180 ft being zoned C-1 with the 120 ft to the back being zoned R-4. To try to place a building on the front portion as well as meet the parking requirements would not be practical. They are here asking that the commission make a recommendation that the entire property be rezoned to C-1.

Questions/Comments:

Commissioner Frank stated with regards to residents to the back of the property does Mr. Nieto have any plans to put a fence between the properties to protect the surrounding neighbors.

Mr. Laughlin stated that the applicant is willing to work with the neighbors to provide privacy from the commercial activity that will occur at the business.

Mr. Nieto, stated he has operated his current business on 4th Avenue East for almost 6 years and they have not had any complaints from the neighbors regarding smell or business. All of the food handling is also governed by the health department.

Commissioner Munoz asked if there is going to be a seating area in the building for customers.



Mr. Nieto stated that there is going to be a small eating area for customers to enjoy a taco, or coffee and baked goods.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed and recommends approval of the request.

Public Hearing: Opened

Jim Lynch, 146 Dubois Avenue, stated he is the neighbor that lives immediately to the west of the property. He stated he has a 6 foot cedar fence between his property and the property of Mr. Nieto. He stated that the concern he has is that his property has a higher elevation than Mr. Nieto's property. Mr. Lynch stated that due to the higher elevation of his property the fence does not help much with noise reduction and requests that instead of putting another fence on Mr. Nieto's property to separate the commercial area from the residential area greenery would be his landscaping blockade of choice. If big greenery were planted on the west side of Mr. Nieto's property it would provide a better sound barrier and a better buffer between the commercial property and the residential property. Mr. Lynch also stated he has concerns with traffic flow at this intersection as well and asks that this be considered when making decision.

Patricia Baltran, 4211 North 1410 East , stated she supports the request and hopes that the commission will support the request as well.

Commissioner Younkin read into the minutes a letter from Lavern Rudolph, stating she is not in favor of this request. This letter has been placed in the applicants file.

Deliberation Followed:

Commissioner Horsley stated he would like to get a clarification from staff regarding commercial adjacent to residential.

City Attorney Wonderlich stated a 6 foot screening fence, is required however special conditions cannot be put on the rezone.

Commissioner Horsley stated there is a requirement for screening between the two types of properties and stated the clarification was necessary to assure the concerned resident that spoke tonight and the resident that wrote a letter to the commission.

Commissioner Frank stated this is a change of use for splitting the property, he stated he is supportive of this especially considering that the lot would never be developed as a residential property. This request also supports growing young businesses in the area. He stated he would encourage the applicant to work closely with the neighbors and to try and put a buffer between the business and the homes around the property.

Commissioner Stroder stated she is in support of the requests and also recommends the applicant work with the surrounding neighbors to provide a buffer between the homes and the business.

Commissioner Muñoz stated he is in favor of the request and this is an appropriate plan for this property.

Community Development Director Humble stated that the code does require a 6 foot screening fence but that the screening can be landscaping rather than a wood or vinyl fence. With the commissions encouragement the applicant may be willing to request some form of a living screen rather than a wood or vinyl fence.

Motion:

Commissioner Frank made a motion to recommend to the City Council the approval of this request as presented with staff recommendations with the Commission encouraging the applicant to work with the neighbors regarding a



landscaped screening between the residential and commercial properties as well as other issues that such as lighting that may impact the surrounding residential properties. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

Unanimously Recommended

PUBLIC HEARING SCHEDULED FOR CITY COUNCIL NOVEMBER 27, 2006

5. Request of Todd and Kim Ostrom fro a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for the westerly 50' of property located at 585 and 591 Washington Street North (app. 2071)

Applicant Presentation:

Kim Ostrom, stated she and her husband own Java Jungle located on Addison. The request tonight is to extend the C-1 zoning of the property at 585 and 591 Washington Street be extended 50 feet in order to build a coffee and bagel shop with a drive-thru on the property.

Questions/Comments:

Commissioner Frank asked if the customers would access the drive-thru from Wirshing or from Washington Street.

Kim Ostrom stated that depending on the entrance and exit placement they would either enter from Wirshing or exit onto Wirshing.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed and recommends approval of the request.

Public Hearing: Opened and closed without public input.

Deliberation Followed:

Commissioner Frank stated as the road widened this area lost its appeal for residential. The plan for the property makes since and he has no issues with the request.

Commissioner Horsley stated it seems the applicant has a good history of having a business next to residential and has proven to be a good neighbor. He stated he has no problem with recommending approval of this request.

Motion:

Commissioner Frank made a motion recommend to the City Council the approval of this request as presented with staff recommendations. Commissioner Muñoz seconded the motion. Roll call vote showed all members present voted in favor or the motion.

Unanimously Recommended

PUBLIC HEARING TENTATIVELY SCHEDULED FOR CITY COUNCIL DECEMBER 12, 2006

B. ITEMS OF CONSIDERATION: NONE

C. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

- a. **Corrected** Special Use Permit -----Oregon Trail Campground c/o Lisa & Denie Mason (SUP 0996)
- b. Special Use Permit -----Urban Renewal #0898 Amendment (SUP 0898)
- c. Special Use Permit -----The Batter's Box (SUP 1003)
- d. Special Use Permit -----Gary Jeff (SUP 1005)
- e. Special Use Permit Industrial Development, LLC (SUP 1004)
- f. Preliminary Plat -----Hunter's Estates Subdivision c/o Todd Ostrom



- g. Preliminary Plat -----Golden Eagle Subdivision No. 3
- h. Special Use Permit-----Canyon Crest Dining (SUP 1002)

UNANIMOUSLY APPROVED

D. APPROVE MINUTES:

October 10, 2006 PH Minutes
October 3, 2006 WS Minutes

September 26, 2006 PH Minutes
September 19, 2006 WS Minutes

September 12, 2006 PH Minutes
September 5, 2006 WS Minutes

August 29, 2006 PH Minutes
August 22, 2006 WS Minutes

August 8, 2006 PH Minutes
August 1, 2006 WS Minutes

Motion:

Commissioner Frank made a motion to recommend approval of the minutes. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

UNANIMOUSLY APPROVED

E. DATES OF UPCOMING PLANNING & ZONING COMMISSION MEETINGS:

- Work Session: **November 7, 2006** – 12:00 P.M.
- Regularly Scheduled Public Hearing: **November 14, 2006** – 6:00 P.M.

F. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING & ZONING COMMISSION.

II. ADJOURN MEETING:

Chairman Horsley adjourned the meeting at 8:32 p.m.



3400 East and south of the Snake River Canyon Rim in the Area of Impact. [Public Hearing Scheduled for November 28, 2006.](#)

PUBLIC HEARING MINUTES

I. CALL MEETING TO ORDER:

Chairman Horsley called the meeting to order at 6:15 P.M. He then reviewed the public hearing procedures with the audience and introduced the City Staff present.

A. PUBLIC HEARING ITEMS:

1. Request of Don M. and Georgina Wolverton for a Special Use Permit for trailer sales on property located at 409 2nd Avenue South. (app. 2072)

The applicant was not present. The Commission tabled for the time being.

2. Request of Kim and Todd Ostrom for a Zoning District Change and Zoning Map Amendment from R-4 & C-1 to C-1 for property located at 565 Washington Street North. (app. 2073)

Applicant Presentation:

Kim Ostrom applicant stated she owns the property to the north that also has two zoning designations and was here last month to request that it be rezoned to C-1. This evening her request is regarding 565 Washington Street North, this property currently has two zoning designations, the back portion is zoned R-4 and the front portion is zoned C-1. The applicant stated the request is to have the entire piece zoned C-1 to allow her to construct a bagel and coffee shop with a drive-through.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated if the rezone is approved a special use permit will be required to operate a drive-through window at this site. She stated staff has reviewed this request and staff recommends approval.

Questions/Comments:

- Commissioner Warren asked staff if the Washington Street right-of-way has been established in the area where the expansion of the road will occur.
- City Engineer Fields stated that the right-of-way has been established.

Public Hearing: Opened and closed without any public input.

Deliberation Followed:

- Commissioner Frank stated that Washington Street is going through a transition and this will be a better situation for this property. When the Comprehensive Plan is reviewed this is one of the areas that really needs to be considered because of issues like this, and the need for other commercial areas.
- Commissioner Muñoz stated that this fits the area and he has no problem with this request, in fact this is one of several requests that have been considered for property in this area.

Motion:

Commissioner Frank made a motion to recommend approval of the request as presented with staff recommendations to the City Council. Commissioner Kemp seconded the motion. Roll call vote showed all members present voted in favor of the motion.



Unanimously Approved

PUBLIC HEARING SCHEDULED FOR THE CITY COUNCIL DECEMBER 11, 2006

3. Request of the City of Twin Falls for consideration of the revocation of a Special Use Permit # 0970 granted to Manker's, LLC, c/o William Manker, Jr., on April 11, 2006, to operate a commercial greenhouse on property located at the northeast corner of Addison Avenue and Adams Street. (app. 2074) **Withdrawn**

B. ITEMS OF CONSIDERATION:

4. Consideration of the Preliminary Plat of Sunrise Point Subdivision, c/o Ronald and Sherri Kirtland, for 2.256(+/-) acres located in Meander Point Estates Parcel #1. **Withdrawn**
5. Consideration of the Preliminary Plat of Eldridge Commercial Subdivision, c/o The Edmunds Group, LLC, for 4.85 (+/-) acres, located north of Eldridge Avenue in Lot 30, Block 1, of Highland View Tract.

The developer was not present. The Commission tabled the item for the time being.

6. Preliminary PUD Presentation by Property Acquisition, Inc., c/o Gary R. Perron, for a rezone from SUI CRO to SUI CRO PUD of 70.67 (+/-) acres to develop a 41 lot residential subdivision (Quail Ridge) on property located west of 3400 East and south of the Snake River Canyon Rim in the Area of Impact. **Public Hearing Scheduled for November 28, 2006.**

Applicant Presentation:

Gary Perron, the applicant stated that his intent for this property is to develop a 41 lot subdivision above Derkes Lake Park on the canyon rim with the lots averaging 1 ½ - 2 acres in size. The property is surrounded by Hidden Lakes Subdivision and Blue Mountain Ridge the rest of the surrounding area is not platted at this time.

Questions/Comments:

- Commissioner Frank asked should this development go through will any of these homes be seen from below. The second question was with regards to the septic tank and contamination of the water which was a concern of other neighbors in a subdivision not to far from this location.
- Mr. Perron stated lots 4, 5 will have homes that will be seen from Hidden Lakes but none of the homes will be seen from Derkes Lake. They currently have a water quality test done that exceeds South Central Health requirements. There will be a series of engineered mounds and most likely some evaporator systems on the rim.
- Commissioner Warren asked if each individual lot will have a well or will there be a community well. He also asked how lawns will be irrigated.
- Mr. Perron stated each lot will have its own well are they are restricted to ½ acre of landscaping, to keep the natural look of the area and limit the size of the lawn. The lawns will be irrigated with well water, the property has never been farmed or irrigated, and therefore there are not any water shares with the property.
- Commissioner Tenney asked if the road will be private.
- Mr. Perron stated that is will be a private road and it will be a gated community with conveniences that are more restrictive that the conveniences of Hidden Lakes.
- Chairman Horsley stated the public hearing for this item is scheduled for November 28, 2006.

C. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Signed & Approved at the November 7 Work Session



- a. Special Use Permit----- Ameritel Inn
- b. Special Use Permit----- James Anderson
- c. Special Use Permit----- Espresso A Go Go/Mary Murray
- d. Special Use Permit----- Mark Gardoski
- e. Special Use Permit----- Arthur Hoag
- f. Special Use Permit---- David Jacobsen
- g. Special Use Permit---- Lake City Trucking
- h. Special Use Permit---- Craig Manning
- i. Variance Permit---- Craig Manning

D. APPROVAL OF PLANNING AND ZONING COMMISSION MINUTES FOR: NONE

F. PUBLIC INPUT AND/OR ITEMS FOR THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING AND ZONING COMMISSION:

Chairman Horsley asked if there were any items of public input from the Zoning and Development Manager or the Planning and Zoning Commission:

- Commissioner Frank inquired about the withdrawal of item number 3 on the agenda this evening and asked for clarification.
- Zoning and Development Manager Carraway stated that a letter was received earlier today from Mr. Mankers, Jr. stating that he has decided to close his business and was voluntarily returning his Special Use Permit, thereby terminating the Special Use Permit that was granted to him April 11, 2006.
- Cancellation of December 19th, 2006, Work Session and December 26th, 2006, Public Hearing or the Planning and Zoning Commission
- Public Hearing schedule for 2007 Approved
- Community Development Director queried the Commission for feedback regarding the Impact Fee Study Meeting scheduled prior to the Planning and Zoning Public Hearing this evening.
- Commissioner Frank stated that the presentation was excellent, and that problems we currently have will require a community effort to fix. The upcoming changes caused by new growth can be addressed with the impact fees and that we should proceed with the study.
- Commissioner Tenney stated that in the next three year you may fix everything and bring it up to today's standards, then your still behind three more years.
- Commissioner Frank stated that the idea would be to attempt to bring things up to the standard you want them to be at further down the road at today's prices.
- Community Development Director Humble stated the debate is do we implement impact fees now or do you do it later once the levels of service are up. It seems like a worthy investment to see where our current level of service is at how we want to approach the idea of implementing impact fees.
- Commissioner Frank stated that the first phase of the study is priceless and it will help identify the level of service that we are at currently as a City and it seems obvious that we should at least have Phase I of the study completed.
- The Planning and Zoning Commission stated that Phase I would be worth while and they would recommend that it be completed.

PUBLIC HEARING ITEMS: - - - - - CONTINUED - - - - -



1. Request of Don M. and Georgina Wolverton for a Special Use Permit for trailer sales on property located at 409 2nd Avenue South. (app. 2072)

Applicant Presentation:

Don Anderson, representing the applicant, stated the applicant wants to sell trailers from the property located at 409 2nd Ave South.

Questions/Comments:

- Commissioner Horsley asked if the applicant was familiar with the staff recommendations contained in the staff report.
- Mr. Anderson stated that he had a chance to review the staff report and has no issues with the recommendations.
- Commissioner Frank stated the lot is already full of trailers.
- Mr. Anderson stated the trailers were moved onto the lot before the applicant realized that he needed a Special Use Permit to sell trailers from this property.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and staff recommends the following condition(s) be placed on this permit, if granted:

- 1) An acceptable site plan to be submitted that shows an off-street parking plan indicating used vehicle/trailer display areas, customer and employee parking and required landscaping.
- 2) Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Questions/Comments:

- Commissioner Munoz does alternative landscaping have to be reviewed by the commission.
- Zoning and Development Manager Carraway stated the Commission can place a condition on the Special Use Permit that requires a landscaping plan to be reviewed by the Commission or by staff before the Special Use Permit is issued.

Public Hearing: Opened and closed without any public input.

Deliberation Followed:

- Commissioner Frank stated the landscaping is his concern; the first Special Use Permit application showed and alternative landscaping plan with planters, the idea was to have them along the sidewalk and be visible to the public. He stated he would like to have the landscaping plan reviewed again before approval of this Special Use Permit.
- Commissioner Munoz stated the alternative landscaping plan allowed for planters which become mobile and he too would like to see a landscaping plan first.
- Commissioner Horsley stated that he voted in favor of the landscaping alternative previously, however for this request he would like to see a landscaping plan prior to granting the Special Use Permit

Motion:

Commissioner Warren made a motion to recommend approval of the request as presented with staff recommendations and two additional conditions.

- 1) A landscaping plan must be reviewed and approved prior to granting the Special Use Permit
- 2) The Special Use Permit will expire in 1 year.



Commissioner Frank seconded the motion and roll call vote showed all members present voted in favor of the motion.

B. ITEMS OF CONSIDERATION: - - - - -CONTINUED - - - - -

5. Consideration of the Preliminary Plat of Eldridge Commercial Subdivision, c/o The Edmunds Group, LLC, for 4.85 (+/-) acres, located north of Eldridge Avenue in Lot 30, Block 1, of Highland View Tract.

Applicant Presentation:

Ken Edmunds, the applicant reviewed his request on overhead. He presented the vicinity map showing the location of the property that is zoned M-2. He stated the area to the north is residential along Madrin Street. Madrin Street is currently a dead end and because of concerns with fire-truck access engineering decided the best approach to enabling fire-truck access to the adjacent neighborhood would be to extend Madrin Street through to Eldridge. The applicant stated that he has committed to the neighbors that there would be a barricade at the south end of Madrin Street while construction is occurring. He stated he will be extending the sewer and providing the water line connection to the property. In addition there will be some proposed landscaping and a request for wider drive-ways because of delivery truck; target customer will be sub-contractors, small businesses that may need a small office and storage area. A typical building size would be between 2,000-5,000 sq. ft. Our goal is to make it attractive with a full width street, curb and gutter, and other things necessary when planning a subdivision.

Questions/Comments:

- Commissioner Younkin asked if the plan is to have one building per lot.
- Mr. Edmunds stated the request is to subdivide the property however there are no specific lot size restrictions established currently and someone could perhaps purchase several lots and build over the lots.
- Commissioner Kemp asked if only a few of the people in the residential area are attached to the sewer what do the other neighbors use.
- Mr. Edmunds stated that the rest of the properties use drain fields and 10 home owners are on a common well. The concerns for the neighbors were whether or not they would be required as a neighborhood to bring their street up to standard and if they would be required to hook up to city services. He stated in his experience the City has not required this of a neighborhood in this situation.
- Commissioner Frank asked the applicant to review on the overhead what the area looks like for land use in the area.
- Mr. Edmunds explained that a few homes to the northeast have been converted to business offices, there are storage units along the east, along the south is commercial, and to the west is a field. The neighbors have mentioned truck deliveries by shipping and trucking company in the area at all hours the Eldridge property hours of operation have not been established for businesses that may want to operate in this area.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and staff recommends the following condition(s) be placed on this permit, if granted:

- 1) Perimeter streets are brought up to current City standards upon development
- 2) Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Questions/Comments:

- Commissioner Frank asked staff if they knew when this area was designated M-2.



- Zoning and Development Manager Carraway stated the residential subdivision was platted in 1946. The residential neighborhood has been in the area since 1946. The area has been zoned M-2 for at least 25 years.
- Commissioner Horsley asked if there was someone that wanted to build a large manufacturing building in the 4.85 acres currently M-2 Zone would they be required to obtain a Special Use Permit.
- Zoning and Development Manager Carraway stated most manufacturing uses are outright permitted in the M-2 zone and that a Special Use Permit would more than likely not be required for a large manufacturing company to build in the M-2 zone.

Public Hearing: Opened

- Lee Clayburn, owner of 5 acres directly south of this property, stated he is in favor of the development but he would like to know if the sewer could be extended past Eldridge. He asked if there are any plans to improve the streets.
- Beverly Buckston, 393 Madrin, wanted to know where more about the possibility of speed bumps and the water drainage. She also stated she was in favor of the development.
- Jason Cook, 394 Madrin, asked if the city will require the street to be widened for the additional traffic that may go through the neighborhood.
- City Engineer Fields stated if the road needs to be improved or widened this will not go beyond the existing right-of-way. City policy has been that the adjacent roads will be brought up to standard and it is possible that it will be brought up to city standards, but it will not encroach onto current property owner's land. She stated she did not know if improvements are required in this area but if improvements are required the upgrades will not be at the homeowner's expense. Property owners on a community well and septic systems are required to hook up to city services if something happens to their wells or septic systems.
- City Attorney Wonderlich stated that he works with people all the time that think they own property that is in the right-of-way. In this area the right of way is probably 50' because the right of way is not where the edge of the street is located currently; when streets are built some accommodations are made to allow for expansions.

Closing Statements:

Mr. Edmunds reviewed the overhead of the property and showed the location of the existing street and the right of way he stated the street is not built all the way to the existing right of way. Mr. Edmunds stated that if someone is interested in extending the sewer line past Eldridge he would be willing to cooperate with anyone interested in the extension. He stated that Eldridge will be improved as developers come along and improve properties they own. Mr. Edmunds explained that a valley gutter is a dip in the road and it has been placed at the north end of his property where Madrin Street currently ends in hopes that this will slow traffic that may choose to exit through the neighborhood.

Deliberation Followed:

- Commissioner Frank stated this could be potentially a good idea for this area, concerns about traffic water and sewer will be addressed by engineering. Currently a large manufacturer could potentially build on the property without going through any public process, with the subdivision there is a little more control.
- Commissioner Horsley stated heavy industrial could just build, by having a commercial subdivision plat it creates a buffering area, it is unfortunate that there are houses in an M-2.



Motion:

Commissioner Kemp made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all present voted in favor of the motion.

THE MOTION PASSED.

E. DATES OF UPCOMING PLANNING AND ZONING COMMISSION MEETINGS:

- A. Next Scheduled Work Session: **November 21, 2006 - 12:00 p.m.**
- B. Future Scheduled Public Hearing: **November 28, 2006 - 6:00 p.m.**

II. ADJOURN MEETING: 7:34 P.M.



City of Twin Falls
 Planning & Zoning Commission
 305 3RD Avenue East Twin Falls, Idaho
 Work Session: **NOVEMBER 21, 2006 12:00 P.M.**
 Public Hearing: **NOVEMBER 28, 2006 6: 00 P.M.**

PUBLIC HEARING MINUTES
COUNCIL CHAMBERS

PLANNING & ZONING COMMISSION MEMBERS:

City Limits:

Tom Frank	Ryan Horsley Chairman	Bonnie Lezamiz Alternate	Gerardo Muñoz	Bernice Richardson	Karen Stroder	Cyrus Warren	Carl Younkin Vice-Chairman
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Area of Impact:

David Kemp	E. Rick Mikesell Alternate	Dusty Tenney
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ATTENDANCE

PLANNING AND ZONING MEMBERS:

<u>Present</u>	<u>Absent</u>
Frank	Stroder
Horsley	
Lezamiz	
Muñoz	
Richardson	
Warren	
Younkin	

AREA OF IMPACT MEMBERS:

<u>Present</u>	<u>Absent</u>
Kemp	Tenney
Mikesell	

CITY COUNCIL MEMBERS PRESENT: Dwight

CITY STAFF PRESENT: Carraway, Fields, Humble, Jones, Westenskow, Wonderlich

AGENDA ITEMS FOR PUBLIC HEARING AND CONSIDERATION

A. PUBLIC HEARING ITEMS:

1. Request of Property Acquisition, Inc., c/o Gary R. Perron, for a Zoning District Change and Zoning Map Amendment from SUI CRO to SUI CRO PUD for 70.67 (+/-) acres to develop a 41 lot residential subdivision (Quail Ridge) on property located west of 3400 East and south of the Snake River Canyon Rim in the Area of Impact. (app. 2075)
2. Request of KIDA/TV, c/o Lytle Signs, for a Special Use Permit to operate a message center sign for property located at 1440 Blue Lakes Boulevard North. (app. 2076)
3. Request of Hot Rocks, c/o Larry D Muegerl, for a Special Use Permit to operate a teen dance club as an indoor recreational facility on property located at 170 South Park Ave. (app. 2077)

B. ITEMS OF CONSIDERATION:

4. Request of the City of Twin Falls for Commission approval of a special sign to be located at Sunrise Park, 350 Madrona Street North. (app. 2082)
5. Preliminary PUD Presentation of Twin Falls School District No. 411, c/o Scott Straubhar/Hummel Architects, for the annexation of 80 acres (+/-) with a zoning designation of R-2 & C-1 PUD, currently zoned R-2 & R-4 on property located northwest of North College Road and Washington Street North. (app. 2078)

SCHEDULED FOR PUBLIC HEARING ON DECEMBER 12, 2006.



MINUTES

I. CALL MEETING TO ORDER: 12:00 P.M.

Chairman Horsley called the meeting to order at 6:00 P.M. He then reviewed the public hearing procedures with the audience and introduced the City Staff present.

A. PUBLIC HEARING ITEMS:

1. Request of Property Acquisition, Inc., c/o Gary R. Perron, for a Zoning District Change and Zoning Map Amendment from SUI CRO to SUI CRO PUD for 70.67 (+/-) acres to develop a 41 lot residential subdivision (Quail Ridge) on property located west of 3400 East and south of the Snake River Canyon Rim in the Area of Impact. (app. 2075)

Applicant Presentation:

Gary Perron, stated that the development consists of 41 single family residential lots and will be a high end gated community. He stated his plan is to develop a private community trail system on private property only. He stated they are not interested in building a public path and a public path is not financially feasible to provide.

Questions/Comments:

- Commissioner Horsley asked applicant if he was familiar with the staff recommendations.
- The applicant stated he has reviewed the staff recommendations however there is no agreement to develop a path for public access included in his development plans.
- Commissioner Frank asked why there are no plans for a public access trail.
- The applicant stated he has no interest in developing a public trail along the front of his private property and it is not financially feasible.

Staff Review:

The subdivision is in the area of impact and the code requires a PUD with all development in the Canyon Rim Overlay. On May 15th a Parks-in-lieu was approved by the City Council with conditions including a stairway to Derke's Lake, a parking area for the public along 3400 East with a pedestrian pathway to Snake River canyon trail from 3400 East. Staff is recommending that the conditions approved as part of the in-lieu be required with the PUD approval.

Planner I Westenskow reviewed the request using overhead projections. She stated staff has reviewed this request and staff recommends the following condition(s) be placed on this permit, if granted:

- 1) Development of the canyon rim trail along the north face of the developer's property, which includes the developer building the path with stairs from the rim to Hidden Lakes.
- 2) The developer to provide parking along or near 3400 East for trail access and a path to the Hidden Lakes stairway.
- 3) Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Closing Statements:

Mr. Perron stated the trail system was an option he looked at in May and the improvements exceeded his cost and it was not financially feasible. He also stated that he does not want public access allowed into the gated community. As for the adjacent property owner to the west Mr. Perron stated he is against developing a trail system through his property as well.

Public Hearing: Opened and closed without any public input.

Deliberation Followed:



- Commissioner Kemp asked staff for clarification, he stated that the applicant presented his development plan without a trail system, parking area, and stairway to Derke's Lake however there was a City Council approved agreement requiring these items in-lieu of a Park.
- Community Development Director Humble stated after the in-lieu request was approved the applicant submitted a second in-lieu application. The conditions for the trail system, parking area and stairway can be required in the PUD and if forwarded to the Council with a recommendation for approval the staff recommends the conditions listed in the original in-lieu request be required. The parking area along 3400 Road East would accommodate approximately 8 -9 vehicles. In most cases the developer is required to develop the trail and dedicate the property to the city. In this case the developer does not have to dedicate the property because it belongs to the city already, however they would still be required to develop the trail system. Currently it is accurate to say that there is nothing to connect to however as development occurs each developer will be required to finish their portion of the trail. The Canyon Rim Overlay zone requires the trail and staff recommends keeping the originally approve Park In-lieu agreement in tact.
- Commissioner Frank asked if the trail was not developed by the applicant would the city property become land locked and keep the city from being able to finish the trail.
- Community Development Director Humble stated that if the agreement is not upheld the city could possibly work with an adjacent property owner to get the trail developed however if one developer is excused from the obligation to develop the trail there will be nothing to stop the next developer from proceeding with the same intent.
- Commissioner Frank stated that by not having this done the commission would be taking public access away from the community. The path may not be completed for 15 or 20 years however if we give up on the concept now we will loose the ability to fix it later.
- Commissioner Kemp agreed and stated that the trail system is a planning issue, the canyon rim is there for the public and is should not be closed off to the public.
- Commissioner Munoz stated this is a requirement of all developers along the canyon rim. There should not be an exception made for this developer or any other, the trail system is a long range plan for the city and if we block the area off the public will no longer have access to something that belongs to them and not just a few people.
- Commissioner Richardson stated if this is going to be a gated community the applicant implied that the only access the public would have is through the neighborhood, and this may be why he is opposed to the idea.
- Community Development Director Humble stated the parking area would be within the gated community, however the trail would also be accessible from Derke's Lake by way of the stairway.
- Commissioner Kemp stated that if the applicant does not want the public entering the gated community then the plat of the property could be arranged differently.
- Commissioner Frank stated the requirement of the trail development is not an unusual request and is required within the Canyon Rim Overlay.

Motion:

Commissioner Kemp made a motion to recommend approval of the request as presented with staff recommendations and the conditions attached to the approval of the In-Lieu Contribution for Park Land associated with Quail Ridge Estates on May 15, 2006 by the City Council. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

UNANIMOUSLY APPROVED

Commissioner Frank stepped down at this time.

2. Request of KIDA/TV, c/o Lytle Signs, for a Special Use Permit to operate a message center sign for property located at 1440 Blue Lakes Boulevard North. (app. 2076)

Applicant Presentation:



Nathan Fuller, Lytle Signs, representing the applicant stated that KIDA/TV is requesting a LED full color message center to be placed into their existing sign. It was stated in the findings of the staff report that the current placement of the existing sign is within the 40' vision triangle after measuring Lytle Signs found the sign to be approximately 2' outside of the visual triangle. The sign is proposed to be full color with light intensity control. The sign is able to be controlled with automatic turn on and shut off timers as well. He stated that he spoke with the owner/manager of the property regarding the sanitation issue, and was told they have had no communication with the City in regards to this issue.

Questions/Comments:

- Chairman Horsley asked if the owner was present.
- The representative stated that the owner/manager was not present.
- Commissioner Munoz asked if the sign is going to be used for displaying the KIDA/TV broadcast.
- The representative stated the sign will have the capabilities to use a live feed and will allowing the sign to be fully animated.

Staff Review:

Planner I Westenskow reviewed the request using overhead projections. She stated that on July 8th, 2003 a Special Use Permit was approved by the Planning and Zoning Commission to operate a television station with a transmission/receiver tower at this location. On August 18th, 2003 the City Council reviewed the action and denied the request. The sign is proposed to run from 5:00 am to 1:00 am daily. Historically message center signs have been difficult to regulate specifically lighting measurements, flashing, and animation. Staff is currently working toward amending the sign code. Staff has received several complaints regarding message center signs however the current code may not be adequate enough to address the animation of signs and staff recommends the following condition(s) be placed on this permit, if granted:

- 1) Subject to full compliance with zoning and sanitation regulations prior to sign permit being submitted.
- 2) Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 3) Assure compliance with all requirements of City code sections 10-9-2(L) & 10-9-2(O).

Questions/Comments:

- Commissioner Munoz stated that code 10-9-1(h) states no sign shall be animated.
- Community Development Director Humble stated that there is a minimum amount of time to change a display and the way it flashes, however the code does not address this issue except to say that flashing on and off repeatedly is prohibited.
- Commissioner Kemp asked staff if the City has addressed the other property issues.
- Zoning and Development Manager Carraway stated that the city is in litigation with the property owner and they are fully aware of the issues related to the property.
- Commissioner Warren asked if a Special Use Permit was required for a radio/TV station.
- Zoning and Development Manager Carraway stated this is an outright permitted use in the C-1 zone however, wireless communication facilities require a Special Use Permit and there is no Special Use Permit on file for this property regarding the use of wireless communication facilities.
- Commissioner Munoz asked if there are any regulations regarding off-site advertisement.
- Zoning and Development Manager Carraway stated off site advertisement is not permitted so they could not use this sign for this purpose.

Public Hearing:

Tom Frank, requested that this item be tabled until the property is brought up to current standards. He stated this type of sign is not addressed in the current code and regulating this will be very difficult. The signage within the community should be determined by the needs and wants of the community.



Closing Statements:

The representative of the applicant stated that Lytle Signs tries very hard to educate the customers on compliance issue and assist the customers with work within the code.

Deliberation Followed:

- Commissioner Warren stated he has no concerns with Lytle and appreciates the work they have done to educate the public regarding signage. He stated he agrees that the request should be tabled.
- Commissioner Kemp stated he doesn't think an animated sign such as this is appropriate for the city and that the commission needs to consider this item as part of planning and what they want the city to look like, he personally doesn't want the street to look like Time Square or Las Vegas.
- Community Development Director Humble stated that if the commission chooses to table the request is has to be address again in 30 days.
- Commissioner Horsley stated he is in favor of denial and the signs we see around the community are in compliance thanks to companies like Lytle Signs. He stated he does take issue with the animation and struggles with the fact that the City has had a difficult time contacting the owner of the property with regards to the other property issues.
- Commissioner Munoz agrees that a lot of issues need to be addressed and additional issues do not need to be added. The code does not address this type of sign and he would support denial of the request.

Motion:

Commissioner Kemp made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted against the motion.

UNANIMOUSLY DENIED

Commissioner Frank returned to his seat.

3. Request of Hot Rocks, c/o Larry D Muegerl, for a Special Use Permit to operate a teen dance club as an indoor recreational facility on property located at 170 South Park Ave. (app. 2077)

Applicant Presentation:

Larry Muegerl applicant stated he is asking for a Special Use Permit to operate a teen dance club Friday and Saturday nights from 7:00 pm -11:00 pm. for ages 13-18.

Questions/Comments:

- Commissioner Frank asked the applicant about problems with security related to a private party being held at this location and wanted to know how security issues will be addressed.
- The applicant stated the fighting incident was out in the parking area and was between a couple of 19 and 20 year olds that were not allowed into the building. This age group seems to be the most difficult behavior wise and therefore the age range has been set fro 13-18. As for other security there are 4 staff members identified as security, there is no alcohol or drugs allowed on the premises. The teens are not allowed out of the building without security and are asked to leave if they start any trouble.
- Commissioner Kemp asked how they prevent a 20 year old from coming into the building.
- The applicant stated that due to some complaints the age limit was lowered to 18 because parents didn't want 20 year old mingling with their teens. We card all of the teens that are allowed into the facility.
- Commissioner Younkin asked what the plans were for the building during the rest of the week.
- The applicant stated the building will remain closed during the rest of the week.



Staff Review:

Planner I Westenskow stated this facility has acquired several Special Use Permits through the Planning and Zoning Commission for different land uses. The last Special Use Permit issued was for the ability to serve alcohol for consumption on site as this property is within 300' of a residence. This Special Use Permit has expired and with the current request there will not be any alcohol served. The facility has been used for private parties and the police were called due to a fight in the parking lot. There are concerns regarding the impact to the community and the surrounding neighbors. There have been several complaints about noise and surrounding neighbors have conveyed their concern for safety. Planner I Westenskow state staff has reviewed this request and staff recommends the following condition(s) be placed on this permit, if granted:

- 1) Hours of operation from 7:00 pm to 11:00 pm on Friday & Saturday only.
- 2) Noise level is not to exceed 78 decibels at any point ten (10) feet from the exterior walls of the building.
- 3) Security plan to be submitted and approved prior to any activities occurring at this site, to include trash/litter surrounding the building to be picked up at the end of each business night.
- 4) Conformance with current building, engineering, fire, sanitation and zoning codes for the type of occupancy requested.
- 5) Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Captain Matt Hicks, city police department, presented issues and concerns with regards to safety, staff training for security, video surveillance and appropriate age limits. He stated that he is encouraged by the drug and alcohol free environment for the teens. He stated he would like the opportunity to review the request and prepare a report of findings to the commission and in order for this to happen he asked that the commission table the request. He stated that the curfew law states 16 and under be in by 11 pm this law allows for an additional 1 hour travel time which may be a concern to the surrounding communities as well as the commission. The other concerns of Captain Hicks is the lack of appropriate identification of minors, how the staff is trained to respond to security issues, a lack of video surveillance and the idea of 18 year olds "legal adults" mingling with younger teens. All of these issues are a concern for him as well as the police department, and he would like the commission to give him the opportunity to respond to the request and allow him time to submit a report before deciding to approve or deny the Special Use Permit request.

Questions/Comments:

- Commissioner Frank asked if there are any reports related to the fights on the property.
- Captain Hicks stated that he has not had a chance to review completely the reports and has not had a chance to prepare a response to this request; however that is something he would be looking into for the commission if the request is tabled.
- Community Development Director Humble stated they can table the item but it has to be reviewed again within 30 days or a specific date has to be identified in the motion to table.
- Commissioner Kemp asked if there were any complaints reported during the private party.
- Police Officer Barnhart stated that there have been reports of fights and a stolen vehicle however he is not sure if there were any complaints about noise.

Public Hearing: Opened

Sue Hess, adjacent property owner, stated that this is a good idea for the community; however they don't like that it is in a residential location. She stated that she made a call to the police station about the noise. She stated she would appreciate a daytime business that the entire neighborhood could use, but that this is not an appropriate spot for this type of business.

Closing Statements:

Dr. Richard Powell, operator of the teen club, stated he has personally been the one operating the music and has measured the decibels. He stated that there has been an increase in the crime rate locally and feels it is partly due to the lack of things and places for teens to go and do. He stated the security on staff is identified with black shirts that say security on the back. He stated the time of operation had been limited to 7:00 pm -11:00 pm allowing the



teens time to make curfew. The teens are not allowed out of the establishment without security and that is limited to one time, if they ask to leave again they are not allowed back into the building and are asked to leave. As for the disturbance the night of the private party the police were called because there were 20 year olds in the parking lot that were fighting because they were not allowed into the building. The other plan is to have a list of all the kids and a photo with authorization signed by the parent allowing them to be at the teen club. He stated they have tried very hard to do things correctly and provide a safe place for the teens to go and would ask that the commission approve the request.

Deliberation Followed:

- Commissioner Frank stated that he appreciates the attempt to create an establishment that would provide a place for teens to go, however the commission has approved other establishments that made promises about security and they were not completed. He stated has some concerns with security.
- Commissioner Munoz stated that the teens go over to Phat Eddy's parking area and hang out what prevents the 19-20 year olds from hanging out in the teen club parking area. He stated that having a prepared plan to handle security issues and implementing the plan is not a bad idea it would help the police officers as well as the business.
- Commissioner Horsley stated this is a much needed facility in the community however the location is what he is concerned with regarding this request. I think the applicant is on the right tract with the idea of providing a safe teen hang-out however this is not the right location. He stated a daytime business in this location would be more appropriate.
- Commission Younkin stated he has several concerns. One concern is where the teens go that are not allowed back into the club if they are asked to leave. He asked how the teens get to and from the club some are not old enough to drive, some are not allowed to ride with other teens and there is not a transport system that runs at this time and he is concerned with the idea that the teens would be walking the neighborhood. He was concerned with how the teens are identified for age. He also recommended an age limit of 17 because at 18 teens are considered adults. Crowd control was the other issue of concern and how security was going to be handled both inside and outside the facility.
- Commissioner Warren asked how they will control underage drinking, how they will handle security issues.

Motion:

Commissioner Mikesell made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion.

Discussion on the Motion:

- Commissioner Frank stated that a denial seems fairly stringent and he would like to have a report submitted from Captain Hicks before he makes a decision to deny.
- Commissioner Kemp stated he would like to see a motion to table.
- **Commissioner Mikesell withdrew his motion. Commissioner Warren withdrew his second.**

Deliberation Followed:

- Commissioner Kemp stated he would like to give the applicant a chance to work with the police department and see if a successful plan can be devised to make this work.
- Commissioner Horsley stated that the concerns seem to be enough to deny the request.
- Commissioner Kemp stated he does have concerns, but he would like to be able to give this a chance to work.
- Commissioner Munoz stated that if the improvements have been made before the opening to accommodate the security issues maybe tabling the request would give the applicant an opportunity to make this a success.
- Commissioner Warren stated that this meeting has made the applicant aware of the concerns and giving the applicant and additional 30 days may allow time to address the issue.



Motion:

Commissioner Frank made a motion to table the request until the January 9, 2007 public hearing. Commissioner Munoz seconded the motion. Roll call vote showed a vote of 6-3 in favor of the motion. Commissioners Munoz, Richardson, Younkin, Kemp, Lezamiz, and Frank were in favor of the motion and Commissioner Warren, Mikesell, and Horsley opposed the motion.

MOTION PASSED

REQUEST TO BE HEARD AT THE JANUARY 09, 2007 PUBLIC HEARING

B. ITEMS OF CONSIDERATION:

4. Request of the City of Twin Falls for Commission approval of a special sign to be located at Sunrise Park, 350 Madrona Street North. (app. 2082)

Applicant Presentation:

Dennis Bowyer, Parks & Recreation Director, stated that with him tonight is Brian Stephenson who is working towards Eagle Scout. He is here tonight to request approval of a Special Sign to be placed at Sunrise Park. Brian Stephenson stated he has assisted in designing the sign and was required to research the history of the park and his scout troop will install the park sign if the request is approved.

Questions/Comments:

- Commissioner Horsley asked if this type of sign request will be a regular event for the commission to review.
- Dennis Bowyer stated the goal of the Parks Department is to have all of the parks identified with a special sign and his personal goal is to at least have two approved each year. He stated the next park on the list is the City Park and but he has not decided on a design, he would like the signs to be a reflection of the park that it represents.

Staff Review:

Zoning and Development Manager Carraway reviewed the request using overhead projections. She stated staff has reviewed this request and staff recommends approval.

Public Hearing: Opened and closed without public input.

Deliberation Followed:

Chairman Horsley stated that prior to this request he was not aware of the location of this park or the name. He stated that as we grow and we have new people come to the community it will be nice to have the parks labeled. We work really hard to have parks for the community and it will be nice to recognize them with a nice sign.

Commissioner Kemp made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the request.

UNANIMOUSLY APPROVED

Commissioner Lezamiz and Commissioner Kemp stepped down at this time.



5. Preliminary PUD Presentation of Twin Falls School District No. 411, c/o Scott Straubhar/Hummel Architects, for the annexation of 80 acres (+/-) with a zoning designation of R-2 & C-1 PUD, currently zoned R-2 & R-4 on property located northwest of North College Road and Washington Street North. (app. 2078)

SCHEDULED FOR PUBLIC HEARING ON DECEMBER 12, 2006.

Applicant Presentation:

Scott Straubhar, representing the applicant stated the applicant is here to review their request for annexation with an R-2 C-1 PUD zoning designation. This presentation will cover a site review and issues that have been addressed through the planning process of the master plan and zoning decisions. The property consists of 80 acres with approximately 58 acres dedicated to the high school leaving some room from growth.

The high school will be about 210,000 sq. ft and will accommodate approximately 1500 students. The building consists of 61 teaching stations, 51 classrooms and 6 computer stations. Along with normal classroom settings the high school is planning to offer some technical classes also in 3 different areas, health occupation, business finance, and pre engineering/construction. These academies will offer a new approach to teaching and will require some travel for students between the two campuses. The events areas will consist of a gymnasium, 2 football fields, 6 tennis courts, 4 baseball fields, and 2 soccer fields all of these areas will be gated excluding the two soccer fields on the east side of the property in order to allow for a localized ticket area. There will be multiple access points to and from the property which will allow for a better traffic flow on and off the campus. The main entrance to the property will be located on North College Road, however there will be an access areas located along, Cheney Drive, and along the east side of the property all of which align with other streets.

Other issues that surfaced when planning the campus involved the lighting, placement of the building, the road system along the east side of the property and the zoning. . The lighted areas of the campus were placed as far away from the residential areas as possible the lights can also be shielded to reduce overflow lighting. The placement of the building was important to allow for multiple access to the campus, and have it positioned in a way that if feel more inviting. The main entrance is facing the center of the city and is positioned to allow for less wind and more light along the front. As for the road system originally the road to the east was not going align with an existing street to the north. Since the original design this has changed to have the road to the east align with Wendell to the north allowing for a better north to south flow of traffic. The zoning for the property consists of R-2 with 4.7 acres to the north east of the property be zoned C-1 along Cheney Drive with all of the property be designated as a PUD. The PUD designation also allows us to accommodate the need for additional height for the gymnasium and the classrooms along with allowing a school in the R-2 zone. The C-1 zoning along the north east of the property will allow for a buffer between the developments.

Questions/Comments:

- Commissioner Munoz asked about a sidewalk system and if there are safe places for the students to keep them out of traffic area.
- Mr. Straubhar stated that they do have sidewalks along the entire outside edge of the property and they have hired a traffic study group to determine speed zone areas, the need for traffic lights and the speed limits needed around the campus.
- Commissioner Horsley stated that he still has a concern with the location of the school, however the overall design is great and his was glad to see that the road issue was addressed along the east side of the property.
- Community Development Director stated he has been present at all of these property meetings, specifically the road to the east of the property. The other applicants located around this property were directed to make this option work and all three properties agreed to the alignments as well as the North Haven Property. There has been a lot of hard work and the requests that are due for public hearing on December 12, 2006 will go through smoothly.



C. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

- a. Special Use Permit-Tim Coiner
- b. Special Use Permit-The Batter's Box
- c. Special Use Permit-Idaho Power Company
- d. Special Use Permit-Tom & Joan Parnell
- e. Special Use Permit-Elwood Lee Wilson

D. APPROVAL OF PLANNING AND ZONING COMMISSION MINUTES FOR: NONE

I. DATES OF UPCOMING PLANNING AND ZONING COMMISSION MEETINGS:

- A. Next Scheduled Work Session: December 5, 2006 - 12:00 p.m.
- B. Future Scheduled Public Hearing: December 12, 2006 - 6:00 p.m.

II. PUBLIC INPUT AND/OR ITEMS FOR THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING AND ZONING COMMISSION:

Community Development Director stated Dec. 12, 2006 is the last meeting this year. The City Council moved to go forward with impact fee study and Landmark Design was chosen to start reviewing and updating the Comprehensive Plan.

III. ADJOURN MEETING: 8:45 P.M.

Lisa Jones
Administrative Assistant
Community Development Department



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I. CALL MEETING TO ORDER:

Chairman Horsley called the meeting to order at 6:00 P.M. he then reviewed the public hearing procedures with the audience and introduced the City Staff present. Commissioner Younkin reviewed rules of procedure for public hearing. Chairman Horsley stated that it has been a request by the Community Development Director Humble to change the order of the agenda for a couple of items before the meeting proceeds.

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING AND DEVELOPMENT MANAGER AND THE PLANNING & ZONING COMMISSION.

1. Planning & Zoning Commission Meeting schedule for 2007.

- Community Development Director Humble stated the Commissioner's have a choice of keeping the 2nd and last Tuesday of each month as the scheduled meeting pattern or changing the patter to the 2nd and 4th Tuesday of each month. After discussion the Commissioner's chose to move the public hearing meetings to the 2nd and 4th Tuesday of each month. The final schedule will be posted on the City website for public access.

A. CONSIDERATION ITEMS:

9. Consideration of the request of Mitch Bausman for an extension of the approval of the preliminary plat of Stone Ridge Estates Subdivision.

Commissioner Mikesell stepped down from his seat.

Staff Review:

Community Development Director Humble stated that on August 30, 2006 the Planning and Zoning Commission granted a 90-day extension for the preliminary plat of Stone Ridge Estates. The 90 day extension expired on November 29, 2006 on November 22, 2006 the developer submitted a request for an additional 60 day extension. Since the approved Special Use Permit has necessitated the original extension on August 30, 2006 a change to the plat granted to Idaho Power for the construction of a substation on a portion of land within the plat. Staff has no concerns with an additional extension for up to one year. After this review you may hear public comment from adjacent property owners to add a nuisance waiver to the deeds of purchased property as well as a request for a buffer zone due to a mink farming operation located to the northeast of this property. This is an item of consideration and is not a public hearing.

Public Comment:

- Commissioner Younkin read into the record a letter submitted by Mr. Moyle showing evidence encouraging the buffer zone and the addition of a Nuisance Waiver.
- Mr. Bausman stated that many of these issues were discussed previously during the preliminary plat presentation that was approved August 30, 2005. He stated the development is very cognizant of mink farm operation and is working to create a buffer next to the subdivision. The subdivision is approximately 137 acres in size and will have 87 homes. The reason for the request tonight is that an extension is needed to accommodate the new substation.
- Commissioner Frank stated that he understands that an agreement has been made with Mr. Bausman however if the land is sold there is no way to dictate that the agreement be kept by the next owner. The question is, "are there plans to sell a portion of the land to provide a buffer from the mink farm?"
- Mr. Bausman stated that he has discussed the need to provide a buffer from the mink farm to the party interested in purchasing the land. The problem with dividing this portion of land off and selling it to the Moyles is that the property has already been subdivided and platted to sell this would require another change to the plat and the party interested in purchasing the land at this time wants to purchase the plat as it is platted currently.



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- Jay Moyle stated originally Mr. Bausman had made an agreement to sell the south east edge of the property to the mink farm if Mr. Moyle would stop protesting Mr. Bausman's plans for platting and selling the 137 acres. Later the plat was submitted to include the portion of land Mr. Bausman had agreed to sell to the Moyle's. After the plat approval Mr. Bausman told Mr. Moyle that someone is considering purchasing the property and if it is sold his deal to sell the southeast portions to Mr. Moyle was off. Mr. Moyle stated he is concerned for the mink farm and its ability to thrive without a Nuisance Waiver attached to each of the property deeds sold and wanted to purchase the north east portions to provide a better buffer for the development from the mink operation, if the land is sold to someone else the new owner is not obligated to provide the buffer or to add the Nuisance Waiver.
- Bob Ohlensehler stated that he represented Mr. Moyle and that the big issue is that animals and people don't mix well. The mink farm has a high ammonia odor, which would require at least a 1300 ft. buffer between the farm and other properties. The concern is that the wind directions that occur most often in this area around the property in question would carry this odor across the development causing a high probability of odor complaints. The additional buffer may assist in resolving some of the odor complaints and a nuisance waiver recorded in the deed would help as well.
- Irene Bird stated that she lives south of the Moyle mink farm and wanted people to be aware that by purchasing property within this subdivision they should expect an overwhelming number of flies and a horrendous stink if they are that close to the mink farm.
- Reagan Hatch stated he represents the Moyle's as well and he supports the addition of the nuisance waiver and the need for an additional buffer area.
- Evard Gibby stated that since this plat was approved regulations regarding the property size needed to use an ET System have been increased from 1 acre to 1.5 acres. The research has shown that the ET System does not work as efficiently on a small piece of property. He stated that he would recommend the development come in under the new regulations. The new regulations also require that water samples be taken and that the samples have < 5ppm of nitrates if the sample shows a higher ppm further testing would be needed. The results of the test samples would help determine the property size necessary to use the ET System.
- Carol Sperry stated that she has property to the northwest and to the southeast of the mink farm and she still encounters the strong odor emitted by the minks they have planted some cotton woods along their property which has help somewhat with the smell. She stated that her other concern is the use of the ET System which allows for up to 500 gallons per year to leak through and the concern is that if this is a fact with the addition of 87 homes it won't take long for pollution to occur in the water and that she thinks that this developer should be required to hook up to city utilities.
- Kathy Jones stated that she lives in Minidoka County however she lives close to a mink farm and has lived by the mink farm for 10 years. She stated she is here as concerned citizen to make people aware of the nuisances that she has encountered with the mink farm that she lives near. She stated that she live approximately 1.5 miles northeast of the mink farm in her area and she still has a problem with the odor and the flies. The odor is one problem with a mink farm However the concern that she is here to discuss is the danger of a mink escaping from the farm. She stated that there have been several instances where a mink has escaped from the nearby farm and they are very aggressive animals. One of the children close to her residence was mauled by one and she kept 4-5 dogs loose on her property at all times to protect her children from these animals. The dogs have been injured multiple times and in a nice subdivision such as the Stone Ridge Estates dogs running loose for protection is not going to be an option for these individuals. She stated she wants the commission and the public to be aware of the danger that these animals pose to people.
- Brian Olmstead representing the canal company stated that he is concerned with loosing access to the water quality pond. Currently they have worked well with developers regarding the water quality ponds. However previously he has had agreements with developers and once the land was sold he no longer had access to the easement to get to the water quality ponds. He stated that if the Moyle's were to purchase the portion of land in question he is sure that access to the water quality ponds would continue, he has worked with the Moyle's regarding another water quality pond and has not had any problems with access. He stated that it is typically easier to work with the agricultural community regarding such things then it is to work with developers and individual property owners.
- Brent Stanger stated that he lives approximately .75 miles north of the proposed Stone Ridge Estates development and his concern is that his nitrates are in ranges above the 5 ppm that they average around 8.4. Knowing this information he highly doubts that the water samples taken for this development would be any better.
- David Shubert stated that his concern is that a contract of sale would not protect against nuisance complaints and supports attaching the nuisance waiver to the deeds.



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- Dean Moyle stated that the property Mr. Bausman stated he would sell would have been a perfect way to provide a better buffer from the smell of the mink farm. Mr. Moyle stated through out the years of operation the mink farm has purchased land surrounding the mink farm to provide a buffer for surrounding property owners and he does not understand why Mr. Bausman has backed out of his agreement to sell the property to the mink farm. He asked the commission to deny the request for the extension and if they choose to approve the extension to consider adding the nuisance waiver to the conditions.
- Mr. Bausman stated that once the property is sold the situation is out of his hands because he cannot dictate to the purchasing party what to do with their land. He stated also that he would have liked to have the subdivision hooked to city utilities however the property is not close enough yet to do so. He stated there have not been any reports of water quality issues. He asked the commission to approve his request for an extension.

Deliberation Followed:

- Commissioner Frank asked for clarification if the final engineering technical review would require the lot sizes be brought up to current code size to allow the ET Systems to be uses.
- Community Development Director Humble stated that changing lot sizes would require a change in the plat again.
- Commissioner Horsley wanted to know what the alternative would be for the Idaho Power substation if the extension were denied.
- Community Development Director Humble stated that the denial could affect the sale of land to Idaho Power and the sell of the land cannot occur until the plat has been recorded.
- Commissioner Frank stated that there have not been any changes to the preliminary plat since it was presented to the Commission in August of 2005; therefore he has no problem with the request. He also stated that he would like to have the Nuisance Waiver added as a condition to the motion as part of the final plat approval.
- Commissioner Tenney stated that he thinks enough concerns about the property have been presented this evening to consider denying the request for the extension.
- Commissioner Frank stated the other issues could be addressed in the technical reviews.
- Commissioner Horsley stated that it could be possible that the issues discussed tonight were not as apparent when the preliminary plat was presented before and there seem to be enough concerns to consider denial. He stated he voted against the preliminary plat earlier, he would also like to see this subdivision attached to city services as well, because He always has concerns with septic systems and problems that occur when they fail. He stated there seems to be too many unanswered questions.
- Commissioner Warren stated that there needs to be some protection for the mink farmers in that a nuisance waiver should be added to the conditions in the motion.
- Commissioner Stroder stated that there are going to be complaints about the smell and safety is also one of her concerns.
- Commissioner Frank stated that the Commission does not have the ability to protect the Moyle's if there is a sale of property the best we can do is ask that a nuisance waiver be attached to the deeds.
- Commissioner Horsley stated that he thinks there are enough issues with this plat that it should be taken back and looked at again, the Commission has a responsibility to do its very best for the public and if the have the opportunity to do right the first time then a denial would be the best option.

Motion:

Commissioner Frank made a motion to approve the request as presented with the addition of a Nuisance Waiver to the property deeds. Commissioner Stroder seconded the motion. Roll call vote showed a 4-3 vote opposing the motion. Commissioners Horsley, Richardson, Stroder, and Warren opposed the motion and Commissioners Frank, Younkin, and Tenney voted in favor of the motion.

REQUEST DENIED

Commissioner Mikesell returned to his seat.



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10. Consideration of the Preliminary Plat West Park Commercial PUD #4, c/o Gerald Martins for 2.46 acres located South East of Rock Creek Canyon and Pole Line Road

Applicant Presentation:

Gerald Martins representing the applicant stated his requested is for a lot that is approximately 2.46 acres, which is located along the Snake River Canyon. The request is for the approval of the preliminary plat. The restaurant with dining facilities and a lounge is consistent with the use for this area. He stated that the applicant has reviewed the staff recommendations and concurs.

Questions/Comments:

- Commissioner Tenney asked where on the property the trail is located.
- Mr. Martins stated that the trail meanders along private and public property along this area of this portion of the canyon. There are plans to repair portions of the trail and some deeds will be exchanged to keep the trail where it is currently located.

Staff Review:

Zoning and Development Manager Carraway stated this site is currently zoned C-1 CRO PUD which is in the Highway Commercial Zone with a Canyon Rim PUD overlay designation. The applicants are proposing the 2.46 acre lot for a restaurant and meeting facility. As a proposed subdivision development it is in conformance with the Comprehensive Plan, which designates the area for mixed use residential. There are no new streets or services required, the subdivision will be for commercial property and the impact of the one building will be minor. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request, if granted:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Public Hearing: Opened and closed without any public input.

Motion:

Commissioner Tenney made a motion for approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

APPROVED SUBJECT TO CONDITIONS

B. PUBLIC HEARING ITEMS:

11. Request of Area, LLC. c/o Doug Vollmer, for the Commission's recommendation for the annexation of 160 acres (+/-) with a zoning designation of R-4, currently zoned M-2 & R-4, for property located north and south of the 400 through the 800 blocks of South Park Avenue West. (app. 2079) **WITHDRAWN**
12. Request of the Ameritel Inns, Inc. for a Special Use Permit to operate a hotel on property located at the northwest corner of Pole Line Road and Harrison Street. (app. 2080)

Applicant Presentation:

Mark Rossiter representing the applicant stated they are requesting a Special Use Permit to construct and operate a 104 room hotel with a restaurant on the outer corner of Pole Line and Harrison.



Questions/Comments:

- Commissioner Frank asked about the sidewalks on the site plan along Pole Line Road and the trail system approach.
- Mr. Rossiter stated that the applicant would be willing to work with the city in regards to making the trail more accessible to the public and consider the detached sidewalk proposal along Pole Line Road.

Staff Review:

Zoning and Development Manager Carraway stated this request is to construct and operate a hotel on property located at the northwest corner of Pole Line Road and Harrison Street. This site is located in the C-1 Commercial Highway zoning district. A Special Use Permit is required for a hotel in this zone. The proposed Hilton Garden In will consist of 104 guest rooms with amenities to include a pool, exercise room, meeting rooms, and guest breakfast lounge. The hotel is designed with 4 stories, having a maximum height of 58'-2". In the C-1 zone buildings are not exceed 35' therefore the applicant will be requesting additional height allowances, which may be approved by the City Council. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request, if granted:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to the site plan as presented to include detached and meandering sidewalks for pedestrians along Pole Line Road frontage.

Public Hearing:

- Katy Breckenridge stated she is an owner of property close to the proposed development. She stated that she did not receive notice about this request until she called and asked for notice to be sent to her. She stated that in the findings the aerial map shows Harrison entering and curving through her property when in actuality it curves around her property. She also stated that the previous request for the Ameritel across the street was suppose to contact her about a barrier to be placed between the commercial and residential property and she still has not been approached by Ameritel regarding this issue. She stated that the mistakes that have been made with this request and the previous Ameritel request seem to be very poignant and feels that this development would have a negative impact on the surrounding residential property. She stated that as a property owner here in Twin she and her family have been very cooperative with the city and have been affected by many of the decisions that have been made. She is here tonight as a concerned citizen.

Closing Statements:

- Mr. Rossiter stated he was not aware of the previous project and that once the city notified him of the mistake with the property owner notice she faxed a copy immediately to Ms. Breckenridge in order to meet the notification deadline.

Deliberation Followed:

- Commissioner Frank stated that he thinks this development is more car-friendly than people friendly. He stated his concern is not having a detached sidewalk to provide a safer means for pedestrians to walk along Pole Line Road.
- Commissioner Horsley stated that the concerns are valid regarding commercial next to a residential property; however the type of commercial business going in is in the business of keeping things quiet so that people can rest and he feels this would have a much small impact on the area than other types of commercial. He stated he is also in favor of a detached sidewalk for pedestrians.

Motion:

Commissioner Warren made a motion for approval of the request as presented with staff recommendations and subject to the site plan as presented to include detached and meandering sidewalks for pedestrians along Pole Line Road frontage. Commissioner Frank seconded the motion. Roll call vote showed all members present voted in favor or the motion.

[APPROVED SUBJECT TO CONDITIONS](#)



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13. Request of 200 South Developers, c/o Fran Florence to operate a coffee shop with a drive-through window on property located at 509 Blue Lakes Boulevard North. (app. 2081)

Applicant Presentation:

Scott Allen representing the applicant stated he is here to request a Special Use Permit to operate a drive-through window and to extend business hours of the proposed Starbucks coffee shop from 5am-10pm Monday –Saturday and 5am-5pm Sundays. He also stated that the current 30' landscaping requirement for the property along the arterial gateway would eliminate 4 of the parking spaces shown on the site plan; therefore the applicant is asking that the current landscaping plan be approved as part of the request. He stated that the plan for this property would be an improvement compared to what is currently on-site. There will be a 6' screening between the commercial and residential property. The coffee shop will occupy approximately 1700 sq. ft. and the additional 1027 sq. ft space will be leased. The speaker system for taking orders will be installed to face the commercial property so as to reduce the impact on the adjacent residential property. He asked that the Commission approve the request.

Questions/Comments:

- Commissioner Frank asked if there has been any thought as to the impact this development will have on the traffic patterns along Blue Lakes Boulevard. He asked if there has been any thought about restricting the entrance onto the property from Blue Lakes Boulevard.
- City Engineer Fields stated she has not considered requiring a right turn only from Blue Lakes Boulevard. She stated that Filer would most likely not have any restrictions.
- Commissioner Younkin asked if the applicant knew to whom the other portion of the building would be leased.
- Mr. Allen stated currently they did not know however the optimal idea would be for Starbucks to lease both sides of the building.
- Commissioner Frank inquired about the landscaping along Blue Lakes Boulevard and asked staff if there have been any other instances where there have been landscaping allowances made for businesses along an arterial gateway.
- Zoning and Development Manager Carraway stated that there have been alternative landscaping plans excepted for several businesses along Blue Lakes Boulevard and that the 30' landscaping buffer is being reviewed by staff as it may be a hardship to comply with the 30' landscape buffer requirement for smaller pieces of property that people may want to develop.

Staff Review:

Zoning and Development Manager Carraway stated that this request is to operate a coffee shop from 5am-10pm Monday – Saturday and 5am-5pm Sundays with a drive through window at 509 Blue Lakes Boulevard North. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request, if granted:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Public Hearing:

- Gary Young, 331 Fillmore Street, stated he has an amended site plan for this request that may address the traffic pattern concerns of the commission and would like to submit his suggestion to staff. He stated the resolution he devised allows for only one entrance from Blue Lakes Boulevard limiting the exit from the property to Filer Avenue by making the entrance to the site from Filer an arterial approach allowing the cars to exit from this location only.
- Melanie Lewis, adjacent property owner to the west, stated she would like to see the request approved and the addition of a privacy fence between the properties it would make the residential area safer.
- Don Acheson stated he would like to see this request approved.



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Closing Statements:

- Scott Allen stated that applicant is willing to work with city staff on approaches to the property and would like the commission to approve the landscaping plan presented.

Deliberation Followed:

- Commissioner Stroder stated this would be a definite improvement for this property, the only concern she has is the impact it may have on traffic.
- Commissioner Frank stated he has no problem with the request but is also concerned with the traffic. He stated he would be willing to approve the landscaping plan if there were a restricted access along Blue Lakes Boulevard onto the property.
- Commissioner Warren stated he agrees a restricted entrance from Blue Lakes Boulevard would seem like a better plan.
- Commissioner Horsley stated the engineering review should consider the traffic issues and the impact this development would have on the traffic patterns at this corner.

Motion:

Commissioner Frank made a motion for approval of the request as presented subject to converting the Filer Avenue entrance to an arterial approach, and changing the Blue Lakes Boulevard North access to an entrance only and with approval of landscape plan as presented. Commissioner Stroder seconded the motion. Roll call vote showed all members present voted in favor of the motion.

APPROVED SUBJECT TO CONDITIONS

14. Request of Twin Falls School District No. 411, c/o Scott Straubhar/Hummel Architects, for the Commission's recommendation for annexation of 80 acres (+/-) with a zoning designation of R-2 & C-1 PUD, currently zoned R-2 & R-4, on property located northwest of North College Road and Washington Street North. (app. 2078)

Commissioner Mikesell stepped down for items 6-8

Applicant Presentation:

Scott Straubhar representing the applicant stated this request is to have approximately 80 (+/-) acres of land annexed into the city as an R-2 & C-1 PUD. The property is currently zoned R-2 & R-4. The reason for a PUD designation is to designate a school as a permitted use and to allow for additional height due to the gymnasium and other portions of the building. The R-2 PUD zoning is intended for allow residential development and the portion designated C-1 PUD to the north east of the property will be for commercial use to provide a buffer between the high school property and the North Haven Development. There will be a road that will travel North and South along the east side of the property the will be developed as a collector street through the developments at staffs request. Mr. Straubhar stated that each of these developments have worked hard to meet the needs of the city and the developments proposed for this area and he asks that a recommendation for approval be submitted to the City Council for this request.

Questions/Comments:

- Commissioner Frank stated that he would like to see the PUD allow for a covered bus facility shelter for Trans-IV type busing systems.

Staff Review:

Zoning and Development Manager Carraway stated this request is for annexation of 80 (+/-) acres with a zoning designation of R-2 & C-1 PUD for the development of a new high school. She stated the Commission role is to make a recommendation to the appropriate zoning of the property and not whether or not the property should be annexed. She said staff has reviewed this request and recommends the following condition(s) be placed on this request, if recommended for approval:

1. Subject to arterials and collector streets adjacent and on the property being built or rebuilt to current City standards upon development of the property.



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2. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards, including technical review of traffic studies.
3. Subject to Council approval of the annexation and zoning designation of North Pointe Business Park PUD and St. Luke's/Magic Valley Regional Medical Center Business Park PUD.
4. Subject to right-of-way dedication from North Haven Subdivision for Park View Drive, north of Cheney Drive West.

Public Hearing:

- Karl Lessly stated he would like to complement the school for working so hard with the residents to make this development work for everyone. There are still a couple of issues that have not been addressed, he stated he would like to make sure that when the school is installing the P.A. System for the stadium that they consider that fact that noise carries easier at night and the reduction of noise from the system would be appreciated. The second issue is that he would like to see a berm built along the new Park View Drive to shield noise for the residential area.
- Don Acheson stated he is in favor of the annexation.

Closing Statements:

- Mr. Straubhar stated he heard the concerns of the neighbor and stated there is a canal along the portion of property where he has requested a berm be installed. He stated currently nothing has been addressed concerning a buffer for the residential properties because it involves multiple parties. As for the sound system there will be an acoustical engineer that will be reviewing the stadium and assisting with the installation of this system and he will be made aware of the need to keep the sound contained as much as possible.

Deliberation Followed:

- Commissioner Frank stated that his biggest concern regarding traffic through these developments have been addressed and has no issues with the request.
- Commissioner Horsley stated that he is glad to see that each of the development were able to come together to provide a solution for the traffic flow concerns of the Commission.
- Commissioner Warren stated that with the new road design the neighbors won't have to be concerned with the trucks entering their neighborhoods to access these developments and he is happy with the design.
- Commissioner Younkin stated all of these developments are in the wrong location but he supports the request.

Motion:

Commissioner Warren made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Tenney seconded the motion.

Discussion of the Motion:

Commissioner Frank asked for an amendment to the PUD agreement to allow for bus facilities.

Roll call vote showed all members present voted in favor of the amendment requested by Commissioner Frank.

Motion:

Commissioner Warren made a motion to recommend approval of the request as presented subject to changing the statement on pg. 21 of the PUD agreement to allow for bus facility shelters. Commissioner Tenney seconded the motion. Roll call vote showed all members present voted in favor of the motion.

RECOMMENDED R-2 & C-1 PUD ZONING DESIGNATION SUBJECT TO CONDITIONS
SCHEDULED FOR CITY COUNCIL PUBLIC HEARING JANUARY 8, 2007



Planning & Zoning PH
December 12, 2006
Minutes

15. Request of St. Luke's/Magic Valley Regional Medical Center for the Commission's recommendation for annexation of 40 (+/-) acres with a zoning designation of C-1 PUD Business Park, currently zoned R-2, for property located at the southeast corner of Pole Line Road and Grandview Drive North. (app. 2058)

Applicant Presentation:

Jeff Hull representing St. Luke's Magic Valley Regional Medical Center stated that this request is to have approximately 40 (+/-) acres annexed into the city limits and designated as C-1 Business Park PUD. Mr. Hull stated that the hospital is willing to work with City staff to make this project successful and if there is a need to make Cheney Dr 5 lanes then the hospital is willing to accommodate. The reason for the PUD designation is to allow for additional height and possibly some industrial uses associated to the operation of the hospital. The site shows several access points to the property in order to provide an efficient way to enter the property if another access to the hospital were closed for any reason. The hospital would like to request that the conditions be based upon the approval of the other applicant's annexation approval and that the PUD Agreement process be handled independently of the other developments.

Questions/Comments:

- Commissioner Frank asked if a collector is typically 4 lanes.
- City Engineer Fields stated the reason for Cheney to be 5 lanes would be to provide medians and to provide left turn lane pockets. This issue will be reviewed at the time of the final technical review at the platting review and there may or may not be a need for 5 lanes.

Staff Review:

Zoning and Development Manager Carraway stated that this request is for the annexation of approximately 40 (+/-) acres with a zoning designation change from R-2 to C-1 Business Park PUD. She stated the Commission role is to make a recommendation as to the appropriate zoning of the property and not whether or not the property should be annexed. She stated that the conditions listed on the staff report have been adjusted to recommend approval based on the annexation approval of the other two developments presented. She stated condition 3 was to ensure that all of the application requests would move forward at the same time. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request, if granted:

1. Subject to arterials and collector streets adjacent and on the property being built or rebuilt to current City standards upon development of the property.
2. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards, including technical review of traffic studies.
3. Subject to Council approval of the annexation and zoning designations as presented of North Pointe Business Park PUD and Twin Falls School District #411 PUD, for the development of a new High School.
4. Subject to right-of-way dedication from North Haven PUD Subdivision for Park View Drive, North of Cheney Drive West.

Public Hearing:

- Karl Lessly stated he would like to thank the hospital for being cooperative with the neighbors as well, however he would like to ask that there be no access to the hospital property from Cheney Drive. If the hospital needs an additional entrance he would ask that it be located on Grandview Drive.
- Brian Fortuin stated he is in favor of the request and would like to see this process move forward, so that the city can have a new facility from which to serve residents.
- Russell Newcomb stated he has been a member of the Board of St. Luke's and is a supporter of the request. He stated this would be good for the community, with a new facility at no cost to tax payers. He asked that this be approved.
- Kent Loosley stated that he is the COO of St. Luke's Magic Valley Regional Medical Center and that there has been a significant amount of collaboration and communication between the other developments and the residents around the area. He stated that he is very eager to see this be approved so that the project can move forward.



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- Ross Newcomb stated he has been pleased with the hospital and how they worked with the surrounding neighborhood. He stated he does have a concern with Cheney becoming a 5-lane road. We are trying to discourage traffic and if Cheney becomes a 5-lane road it will encourage more traffic.
- Cheryl Nevin stated she is in support of the request but is not in favor of Cheney becoming 5 lanes.
- Brent Jussel stated he sits on the hospital planning committee and is in support of this request. He stated they are ready to move forward and the engineering issues will be addressed during the technical review. He stated after being involved in this process he realizes how much the community needs a new facility and would like for this request to be approved.
- Gary Slette, representing the property owner to the east of the St. Luke's site stated he is favor of the approval and the development.

Closing Statements:

Jeff Hull stated that he may not have conveyed the need for multiple accesses to the property however the applicant would be willing to consider the suggestion of having an entrance along the south east end of the property from Grandview Drive.

Deliberation Followed:

- Commissioner Horsley asked for clarification from the Engineer Director Fields regarding the two entrances along Cheney Drive.
- Engineer Director Fields stated that she does not consider the two accesses along Cheney Drive to be excessive but will consider the approach recommended from Grandview Drive. She also stated that Cheney Drive is a collector street and whether or not it is 4 lanes or 5 will depend on the need for medians.
- Commissioner Frank stated the engineering department will address the issues regarding the entrances along Cheney Drive and he has no problem with recommending approval of the request.
- Commissioner Stroder stated she is in support of the new hospital being built but is not in support of the location.
- Commissioner Horsley stated he is in support of the request and appreciates the hard work that each of these developments has put for to make this as successful as possible.

Motion:

Commissioner Younkin made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed a 6-1 in favor of the motion with Commissioners Tenney, Frank, Horsley, Richardson, Warren, & Younkin in favor of the vote and Commissioner Stroder not in favor of the vote.

RECOMMENDED C-1 BUSINESS PARK PUD ZONING DESIGNATION SUBJECT TO CONDITIONS

SCHEDULED FOR CITY COUNCIL PUBLIC HEARING JANUARY 8, 2007

16. Request of North Pointe Park, c/o Gerald Martens, for the Commission's recommendation for annexation of 15 acres (+/-) with a zoning designation of C-1 PUD Business Park, currently zoned R-2, for property located west of Wendell Street extended and north of Cheney Drive West. (app. 2057)

Applicant Presentation:

- Gary Slette representing the applicant stated this request is to annex approximately 15 (+/-) acres into the city limits with a C-1 Business Park PUD zoning designation. He stated the property is currently R-2 and located west of the new street to be extended from Wendell Street and is north of Cheney Drive West.
- Commissioner Horsley asked if there are any thoughts to limiting the building sizes within this business park.
- Mr. Slette stated that city ordinance will dictate the size of the building due to parking and landscaping requirement and currently there are no limitations on the building size.



Planning & Zoning PH
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Minutes

Staff Review:

Zoning and Development Manager Carraway stated this request is for annexation of approximately 15 (+/-) acres with a zoning designation change from R-2 to C-1 Business Park PUD. She stated the Commission role is to make a recommendation as to the appropriate zoning of the property and not whether or not the property should be annexed. She stated staff has reviewed this request and recommends the following condition(s) be placed on this request, if granted:

1. Subject to arterials and collector streets adjacent and on the property being built or rebuilt to current City standards upon development of the property.
2. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards, including technical review of traffic studies.
3. Subject to Council approval of the annexation and zoning designations as presented of St. Luke's/Magic Valley Regional Medical Center Business Park PUD and Twin Falls School District #411 PUD.
4. Subject to right-of-way dedication from North Haven PUD Subdivision for Park View Drive, North of Cheney Drive West.

Public Hearing:

- Kent Loosley stated that he is in favor of this request and in support of the development.
- Don Acheson representing Pelican Property to the east is in favor of the proposal.

Deliberation Followed:

- Commissioner Stroder asked if a large building can be constructed in the C-1 Business Park PUD.
- Community Development Director Humble stated yes it is possible in a C-1 Business Park PUD, however this property is being divided into two sections which limits the size of the builds that will be allowed on the property do to parking and landscaping ordinances.
- Mr. Slette stated that the C-1 Business Park PUD does not have limitations for building sizes.
- Commissioner Frank stated that he does not have an issue with the request. He stated however due to previous similar requests he has learned the definition of a Business Park and wants to make sure that he understands clearly the intent of this development.
- Commissioner Tenney stated that placing a size limit would not be in the best interest of this commission and that the layout of the property clearly limits building size if they are required to provide parking and landscaping as well.
- Commissioner Stroder stated she was requesting clarification as to what was planned for the property several small buildings or two large buildings.

Motion:

Commissioner Stroder made a motion to recommend approval of the request as presented with staff recommendations. Commissioner Warren seconded the motion. Roll call vote showed all members present voted in favor of the motion.

C-1 BUSINESS PARK PUD AS PRESENTED SUBJECT CONDITIONS
SCHEDULED FOR CITY COUNCIL PUBLIC HEARING JANUARY 8, 2007

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW: Signed @ December 4th Work Session

- a. Special Use Permit- Don and Georgina Wolverton
- b. Preliminary Plat Findings-Calistoga Springs



CITY OF TWIN FALLS, IDAHO
TWIN FALLS PLANNING & ZONING MEETING

CANCELED
FOR
DECEMBER 26, 2006