



MINUTES
Twin Falls City Planning & Zoning Commission
September 10, 2013-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Suzanne Hawkins Rebecca Mills Sojka

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT: Boyd, Derricott, Frank, Grey, Munoz, Tatum
ABSENT: Sharp

AREA OF IMPACT MEMBERS

PRESENT: ABSENT:
DeVore
Woods

CITY COUNCIL MEMBERS PRESENT: Hawkins

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek, Wonderlich

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **NONE**

Approval of Findings of Fact and Conclusions of Law:

- Ken Rogers-SUP 08-27-13
- Knox Family-SUP 08-27-13
- Curtis Mason-SUP 08-27-13
- Bob Veeh-SUP 08-27-13
- Idaho Central Credit Union-SUP 08-27-13

III. ITEMS OF CONSIDERATION:

1. Request to approve the preliminary plat Desmond Estates Subdivision approximately 3.37 (+/-) consisting of 3 residential lots located at 2851 Pole Line Road East c/o EHM Engineers, Inc.

Applicant Presentation:

Hailey Barnes, EHM Engineers, Inc., stated that the applicant owns 3.37 acres and they would like to divide the property in to 3 residential properties. Part of the subdivision is extends from Pole Line Road East and is a gravel road to the existing home. City has requested that a 20' wide section be paved to provide access to the lots and this will be completed upon sale of the first lot. There is also a bridge that crosses the property that is too narrow for fire truck access. The applicant has agreed to widen this bridge to 30' upon sale of the first lot also. The applicant has also requested that the plat name be changed to Pillar Falls View Subdivision instead of Desmond Estates.

Staff Presentation:

Planner I Spendlove reviewed the request and the exhibits on the overhead along with the history of the property. On January 5, 1994 Variance #363 was approved for a 35' Snake River Canyon rim setback. This variance was denied by Planning & Zoning and appealed to the City Council. The City Council approved the request. The decision was appealed to the Area of Impact Appeals Board. The Board upheld the City Council's decision, also finding the appellants had no standing to appeal the request.

This Preliminary Plat for the Desmond Estates Subdivision includes 3.37 (+/-) acres and is zoned SUI CRO in the Area of Impact. The request is to plat three (3) lots. The site is located at 2851 Pole Line Road East (extended). Pole Line Road East extended crosses a waterway with a private wooden bridge and is a private drive to the proposed subdivision. The existing bridge and private drive are inadequate for emergency vehicles and are not compliant with current zoning code. The Developer shall reconstruct/improve the bridge to 30' wide to allow access of emergency vehicles. The Developer will widen the proposed private drive where it is too narrow as approved by the City Engineering Department. The drive will be constructed of adequate all weather surface material. A full review of required improvements will be made by the Building, Planning, Fire and Engineering Departments for full compliance with minimum development standards prior to issuance of any building permits.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development. The plat is consistent with other subdivision development in the area, city code criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for urban village/urban infill uses.

Planner I Spendlove stated upon conclusion should the Commission approve the request, as presented staff recommends the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to final technical review and amendments as required by Engineering officials of the development of the private bridge over the waterway.
3. Subject to final technical review and amendments as required by Engineering officials to ensure compliance with all applicable City Code requirements and standards of the development of the private drive to the proposed subdivision.
4. Subject to final approval by the Twin Falls Board of County Commissioners.

Questions/Comments:

- Commissioner Boyd asked for clarification of the location of the property.
- Commissioner Munoz asked when the road improvements would be required.
- Assistant City Engineer Vitek stated that the improvements would have to be completed prior to a building permit being issued.
- Commissioner Tatum asked what the distance is from this property and the Evil Knievel jump site.
- Planner I Spendlove stated he would estimate it to be approximately 200-300'. There is a PUD "The Preserve" attached to the property adjacent to these lots that requires a trail to be developed that may allow access to the Evil Knievel jump site.
- Commissioner Boyd asked about trail requirements for these lots.
- Planner I Spendlove explained that these will be private lots and the trail requirements will not be connected to the development of these lots. The City Council voted at their last meeting to have the Evil Knievel jump site annexed into the City Limits and it will become City property.

- Assistant City Engineer explained that the reason there is not a request for the bike path to be constructed along the north portion of these lots is because as part of "The Preserve" PUD a trail will be provided and will connect to a development further east.

Public Hearing:

- Forrest LeBaron, 246 9th Avenue North asked if the road to be paved is private or public and if the bridge widening is to be paid for with the sale of first lot and if there are others that will need to assist with the cost.
- Assistant City Engineer Vitek explained it will be the developer's responsibility and in order to subdivide the property proper fire access is required.

Discussion Followed:

- Commission Munoz explained his concern about when the road and the improvements will be made is because of the funding necessary to complete the improvements. There could be an issue with this later if the lots change hands and the person wants to build on the lot before the improvements have been made.
- Zoning & Development Manager Carraway explained there have been numerous discussions with the property owner as well as the engineering firm about these requirements. This situation is a little different because there is already development on the rim that has been there for a long time. This road according to City Code cannot remain the way it is, if the developer is able to work with the other property owners that would be acceptable however the improvements will have to be complete before any building permits will be released.
- City Attorney Wonderlich stated the City that a note on the plat would probably be beneficial explaining that the required improvements must be in place prior to a building permit being issued.

Motion:

Commissioner Munoz made a motion to approve the request, as presents, with staff recommendations with the addition of a note on the plat that explains there will be no building permit issued until the required roadway improvements for the road and bridge are completed. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With The Following Conditions

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to final technical review and amendments as required by Engineering officials of the development of the private bridge over the waterway.
3. Subject to final technical review and amendments as required by Engineering officials to ensure compliance with all applicable City Code requirements and standards of the development of the private drive to the proposed subdivision.
4. Subject to final approval by the Twin Falls Board of County Commissioners.
5. Subject to a note being placed on the final plat that no building permits will be issued until the roadway improvements for the road and bridge are completed.

IV. PUBLIC HEARINGS:

1. Request for a Special Use Permit to build a mini-storage unit facility on a 2 (+/-) acres portion of undeveloped land located south of 221 Carriage Lane North, aka Carriage Lane Apartments c/o Forrest LeBaron (app. 2599)

Applicant Presentation:

Forrest LeBaron, the applicant stated he is proposing to build a mini storage unit facility on the property located at 221 Carriage Lane North. He feels this will be a good fit for the area. He has been working closely with EHM Engineering and the city staff with regards to design and code requirements. He has read the conditions listed by staff and has no concerns at this time.

Staff Presentation:

Planner I Spendlove reviewed the request and the exhibits on the overhead along with the history of the property. In 1981 Ordinance 2012 was passed in 1981 rezoning the property to its current zone which is C-1. In June of 1997 the Cedar Park PUD was approved by the City of Twin Falls, this zoned the particular area to C-1 PUD. No further zoning history is known at this time.

The applicant has supplied a narrative outlining the details of the proposed use of the property. The storage facility will have 250 units total. The office hours of operation will be 9am – 5pm; Mon – Friday, or by appointment. The tenants will have access from 7:30am – 9:30pm every day. The applicant anticipates 10-15 vehicles per day will visit the storage units. The facility will have two employees. The applicant states a screening fence will be installed along the perimeter that will match the adjoining properties. The applicant does not anticipate any negative impacts to neighbors in the form of noise, glare, odor or vibration.

Upon review of the application per City Code 10-4-8.2: Mini-storage units in the C-1 Zone are required to obtain a Special Use Permit prior to establishing the use due to potential impacts on neighboring properties. The location of this storage facility is within a PUD that has a master development plan designating this area as a C-1 Zone. Although it is not directly along a major commercial corridor, the overall development is along Addison Avenue East. The impacts to surrounding areas are not anticipated to greatly increase as it pertains to traffic, noise, or glare. The greatest impacts of storage units are typically of a visual matter. All required improvements made on the subject property are required to comply with standards set forth in the approved Cedar Park PUD.

Per City Code 10-10: The required number of parking spaces is counted for the office portion of the development. Actual storage spaces do not require a parking space. The office shown on the site plan is approximately 1200 sq. ft. The applicant has provided 4 parking spaces which meets the minimum City Code requirement. Per City Code 10-11-1 thru 8: Required improvements to the property are required to be in conformance with City Code or the PUD, whichever is applicable, at the time of building permit. Additional landscaping is required along Carriage Lane, certain building material and standards are prohibited or required, and that other pertinent standards will need to be met per the approved Cedar Park PUD.

The proposed project conforms to the approved master development plan found in the Cedar Park PUD, which designated this area as a C-1 zone with its associated uses. The applicant has stated that access to the units will be during normal business hours. Any increase in traffic, noise, odor, or glare is not anticipated to be significantly increased to unacceptable levels for neighboring land uses. The potential visual impact of storage units have been reasonably addressed by the applicant. No outside storage is shown on the site plan, and the storage units all face the interior of the development. The exterior of the development will be a pour-in-place concrete that will be painted in earth tones. Additionally, the site plan shows landscaping that parallels the perimeter of the entire development, as well as a screening fence being installed on the perimeter. It is anticipated that the proposed storage units will not have significant impacts additional to those previously addressed that need to be mitigated by special conditions.

Planner I Spendlove stated upon conclusion should the Commission grant this request, as presented, staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

2. Subject to recordation of the Final Plat.
3. Subject to all requirements of the Cedar Park PUD being met

Public Hearing: Opened & Closed Without Public Input

Closing Statements:

Forrest LeBaron made a clarification regarding the screening fence. The concrete wall will be approximately 10-14' tall around the perimeter of the property. The north side of the property it will be approximately six inches (6") from the property line on the south side it will be built five feet (5') from the property line. There will be two points on the property for fire access that will create a break in the wall and those two points will have slatted fencing to provide screening. The wall will be the screening fence between the properties.

Discussion Followed:

- Assistant City Engineer Vitek explained to the Commission that the applicant is working with the City on gaining a "Will Serve" letter for this property.
- Commissioner Tatum asked about the landscaping requirements.
- Planner I Spendlove stated the landscaping requirements area addressed in the Cedar Park PUD and it exceeds City Code requirements.

Motion:

Commissioner Derricott made a motion to approve the request, as presents, with staff recommendations. Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

Approved, as presented, with the following conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to recordation of the Final Plat.
3. Subject to all requirements of the Cedar Park PUD being met.

Commissioner Munoz stepped down from his seat.

2. Request for a Special Use Permit to establish a drive-through ATM in conjunction with an existing bank on property located at 215 Blue Lakes Boulevard North c/o Jason Smith on behalf of D.L. Evans Bank (app. 2598)

Applicant Presentation:

Jessica Aguilar, the applicant stated that D.L. Evans is in the process of updating their ATM's and this is one of the locations that needed to be updated. The original plan was to put the new ATM in the existing drive thru on the last lane, however the existing island was not wide enough to support the new ATM and to widen the lane would require encroachment into the alley. Encroaching into the alley was not an option for the improvement therefore they are requesting to relocate the ATM to the front of the building to allow it to become a drive-through ATM facility. There is an existing drive lane in this area, they would keep the ATM on the sidewalk and attach it to the building with directional signs place appropriately for traffic. There would not be any modifications to egress or traffic flow.

Staff Presentation:

Planner I Spendlove reviewed the request and the exhibits on the overhead along with the history of the property. In 1981 Ordinance 2012 was passed in 1981 rezoning the property to its current zone which is C-1. Multiple commercial establishments have been located in this building, including some restaurants (Red Steer) and the current Bank.

The applicant has supplied a narrative outlining the details of the proposed use of the property. The drive-thru will be located on the south and east sides of the building for a freestanding ATM. The desire for a drive up ATM is for convenience to its customers. The hours of operation for the bank, number of employees and general traffic to and from the property are not anticipated to change. The applicant does not believe there will be any adverse effects on the adjoining property owners by moving the ATM from the NE corner of the building to the East side of the building.

Upon review of the application per City Code 10-4-8.2: All drive-through establishments in the C-1 Zone are required to obtain a Special Use Permit prior to establishing the use. The use of a drive-thru on the property has been in place for quite some time. The additional drive through lane will be placed on the east side of the building away from residences. This particular location will mitigate most of the potential impacts it may generate. The location of this financial office is along a major commercial corridor. The impacts to surrounding areas are not anticipated to greatly increase as it pertains to traffic, noise, or visual matters.

Per City Code 10-7-13: Drive-in banks require nine (9) stacking spaces, or such other number as approved by the Planning and Zoning Commission, but not less than six (6) spaces. The submitted site plan shows enough space for six (6) stacking spaces. Any establishment with a drive-through has the potential to have negative impacts to neighboring land uses. These impacts generally include an increase in traffic, noise, as well as light trespass from headlights and security lighting. Typically these impacts are greater on residential uses. This particular location has residences located west across an alley. Generally, the impact of traffic and noise will occur during the daytime due to the limited bank hours. The drive-thru for ATM service being placed on the East side of the building will greatly mitigate the impacts for after-hours service. The site is designed to require access for the new drive-thru via Shoup Ave on the South; the natural exit will then be via Blue Lakes Blvd.

It is anticipated that the proposed drive-through ATM will not have significant impacts to the area that need to be mitigated by special conditions.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; city staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

Questions/Comments:

- Commissioner Frank asked with the traffic returning back onto Blue Lakes Boulevard North and if there are any restrictions for making it a right in and right out only.
- Assistant City Engineer Vitek stated this egress already exists so the City could not ask for that type of change. In the past this has not been successful without putting an island out in the main road such as Blue Lakes Boulevard and to do this it would require Idaho Department of Transportation approval.

Public Hearing:

Judson Arrington, 210 Lincoln Street, stated he is here because he is concerned that the ATM will become a full service 24 Hour banking ATM. This will increase traffic to the site without restrictions on the hours of operation. The other concern is once one of these is authorized and they want to change or add more of the 24 Hour full service ATMs will it require additional public hearings, the drive through lanes already exist. His other issue is the lighting of the drive-thru, currently the lights are very bright and they shine directly into his bedroom. The customers are not the issue, but the traffic after hours is continuous because the lights are so bright. The summer is particularly worse than the winter because he has to open his windows and doors to keep the house cool and they can hear everything.

Gerardo Munz, 410 Aspenwood Drive, he stated he has some comments to offer because he works for the bank however he is speaking as a Citizen. There is no intent to become a 24 hour banking facility through the ATM machine. There should not be an increase in traffic and there are ADA requirements that need to be met by the ATM machine, which is the reason for replacing the machine.
Flori Arrington, 210 Lincoln Street, asked for more clarification for access to and from the bank. If the main access is going to the ATM will be from Shoup Avenue, the concern is that the cars are going to be traveling along an area close to her flower beds and where she is quite often.

Closing Statements:

Ms. Aguilar stated that the ATM upgrade is for ADA compliance requirements. There will not be any foreign currency handled through the ATM. The plan involves moving the existing ATM (5') five feet from where it is currently. Security lighting is on a timer and this is the first time she has heard any concerns about the lighting. There are ways to mitigate these concerns. The traffic pattern is not going to change much, and there will be customer education provided. Additional traffic coming in from Shoup Avenue will be minimal because that access already provides a difficult means of accessing the property. The customers have already been trained how to enter and exit the property. The majority of the customers will most likely loop around to use the ATM machine once it is converted to a drive-thru lane. The additional signage will not be lit and will just be used to direct the traffic.

Discussion Followed: [Without Concerns](#)

Motion:

Commissioner Derricott made a motion to approve the request, as presents, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

[Approved, as presented, with the following conditions](#)

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Zoning & Development Manager Carraway stated that the next agenda has two scheduled hearing items. One is to request an amendment to a Special Use Permit and the other item was rescheduled because the property was not correctly noticed when it was originally scheduled.

VI. UPCOMING PUBLIC MEETINGS (held at the City Council Chambers unless otherwise posted):

1. Public Hearing – Tuesday, September 24, 2013 6:00 pm
2. Work Session – Thursday, October 3, 2013 12:00 pm – 1:00 pm

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:00pm.

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department