



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
May 27, 2015 6:00PM
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” Muñoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

Present Absent

Boyd
Derricott
Frank
Grey
Muñoz
Reid
Tatum

AREA OF IMPACT MEMBERS

Present Absent

Higley Woods

CITY COUNCIL LIAISON(S):

CITY STAFF: Carraway-Johnson, 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.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following public meeting(s): **May 12, 2015 PH**
2. Approval of Findings of Fact and Conclusions of Law:
 - Lamborn (SUP 05-12-15)

Motion:

Commissioner Munoz made a motion to approve the consent calendar, as presented. Commissioner Reid seconded the motion.

Unanimously Approved

III. ITEMS OF CONSIDERATION: None

IV. PUBLIC HEARINGS:

1. Request for an **Amendment to Special Use Permit #1360**, granted March 31, 2015, to include the sales of sporting vehicles in addition to automobiles on the North side of 500 block of 2nd Avenue South c/o Tony Hoggarth dba Hoggarth Auto Sales (app. 2718)

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Applicant Presentation:

Tony Hoggarth, the applicant stated the reason for this special use permit is to amend that special use permit to be able to sale sporting vehicles. They operate Monday-Saturday 9:00am to 6:00pm and have two employees with the hopes to add an additional in July.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and stated on March 31, 2015, the Commission unanimously approved a Special Use Permit to Tony Hoggarth to establish an automobile sales lot at this location. The permit was granted to sell automobiles, as presented, and subject to conditions. The permit was granted specific to allow an automobile sales business to operate from this site. The applicant wishes to amend the original Special Use Permit #1360 to include the sale of Sporting Vehicles

Title 10; Chapter 2 defines "Sporting Vehicles" as follows:

Travel and tent trailers not over eight feet (8') wide or thirty two feet (32') long and capable of being towed with safety behind a passenger vehicle, campers designed to be mounted on a pickup truck, boats and accessories, recreational type snow machines required to be licensed under the laws of the state of Idaho and having a maximum seating capacity for three (3) persons and motorcycles and related items designed to be used off the highway system.

The commission may wish to clarify that a building with a certificate of occupancy will be required as part of this special use permit to operate the business on this site. The applicant's site plan clearly identifies a permanent building onsite as the sales office. As of today it appears there is a temporary travel trailer being used to operate the business from. The previous location of the applicants business is on Main Ave S. If the commission grants this request this evening staff recommends a condition that there be a building with a certificate of occupancy onsite prior to any further business operating from this site.

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

1. Subject to compliance with original five (5) conditions placed on Special Use Permit #1360.
2. Subject to compliance with all state licensing requirements prior to operation from this site.
3. Subject to a building receiving a Certificate of Occupancy prior to operating from this site.

PZ Questions/Comments:

- Commissioner Grey asked about the requirement for a building to be used for the operation of the business.
- Planner I Spendlove explained that there needs to be a building on the lot the business cannot operate out of a recreational vehicle.
- Mr. Hoggarth explained he has a building on his old lot that he cannot move and for him to sell that he needed to move to this new location. Unfortunately the state has a different definition of what a building is than the City. He has to have a desk, a chair and a file cabinet, once he sells his other property he plans to build a building on the new lot. His dealer license is located at 734 Main Ave S and he cannot get that

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changed until he has an office. He could meet the state requirements for an office tomorrow but it would not meet the city's requirements for a building. If he sold his property tomorrow he would still not have time to get a permanent building on the site. He has inventory that he doesn't know what to do with until this is resolved.

- Commissioner Grey asked if a standalone shed that meets building code for public safety would suffice.
- Commissioner Munoz explained he doesn't think a temporary building will not meet code for Certificate of Occupancy.
- Commissioner Frank explained the Commission is bound by the code, there is no recourse for this group to allow something the code does not allow. He recommended that the applicant work closely with staff to try and resolve this situation.
- Commissioner Boyd asked if the applicant is aware of the building code requirements and if there is a temporary solution. Is there a creative solution that would suffice in the meantime.
- Zoning & Development Manager Carraway-Johnson explained the zoning code does not recognize a temporary building and so if Mr. Hoggarth would like to work with the Building Official on placing a building as a permanent structure that is what would need to be done.
- Commissioner Munoz explained the Building Official is the one that can provide Certificate of Occupancy so that is who the applicant needs to work with to resolve this situation.
- Commissioner Frank explained to the applicant that he needs to work with staff to resolve this issue.

Public Hearing: [Opened & Closed Without Comment](#)

Deliberations Followed:

- Commissioner Munoz explained the conditions are reasonable to him, but he would encourage the applicant to speak to the building official and work with staff.
- Commissioner Grey made it clear that the amendment does not allow him to operate without a permanent building.

Motion:

Commissioner Munoz made a motion to approve the request, as presented, 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 compliance with original five (5) conditions placed on Special Use Permit #1360.
 2. Subject to compliance with all state licensing requirements prior to operation from this site.
 3. Subject to a building receiving a Certificate of Occupancy prior to operating from this site.
2. Requests a [Special Use Permit](#) to construct a restaurant with a drive through window and to operate during the hours of 6:00 am to 10:00 pm on property located at 1643 Washington Street North. [c/o EHM Engineers Inc. on behalf of David Dickerson/Taco John's \(app. 2724\)](#)

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Applicant Presentation:

Tim Vawser, EHM Engineers, Inc, representing the applicant, stated this is lot 8 blk 1 of North Haven PUD, this was platted with 3 lots for this type of use. The City requires a special use permit for a drive through window with extended hours of operation from 6-10pm. This lot will be between Panda Express and the Wal-mart Fuel Station and will be used for construction and operation of a Taco Johns.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and stated the request is to allow the operation of a drive thru window in conjunction with a restaurant operating with extended hours of operation. The restaurant will be owned and operated by Taco John's. The requested hours of operation are from 6:00 am – 10:00 pm (permitted hours are 7 am to 10 pm).

Per City Code 10-4-8.2: Drive-thru windows require a special use permit. Additionally, retail establishments wishing to legally operate outside the permitted retail hours of operation of 7:00 am to 10:00 pm are also required to acquire a special use permit.

The impacts of this particular project operating a drive thru and extended hours of 6:00 AM – 10:00 PM would generally revolve around traffic and light intrusion onto neighboring properties. The Wal-Mart store to the west currently operates 24 hours. Staff does not anticipate the traffic increase to be detrimental to the area due to its proximity to a major arterial (Washington Street North), and the current development pattern in the area. Light from this operation is not anticipated to increase dramatically from what is currently in the area.

Per City Code 10-10: Off Street Parking is required for this business at a rate of one (1) space per one hundred (100) square feet of floor area. The result is twenty one (21) parking spaces required. The site plan provided shows the required minimum number of spaces being met. Further review will occur at the time of building permit submittal.

Per City Code 10-11-1 thru 8: All the required improvements will be reviewed for compliance with current city code at the time of building permit submittal. Some of these improvements include screening, access, parking surface, streets, storm water retention, utilities, and others.

It is important to note that the base operation of a restaurant is an outright permitted use in this zoning district. The immediate properties surrounding this project are zoned C-1 (Commercial) PUD. The property to the west is the Wal-Mart store that operates 24 hours. A restaurant is located to the North and a proposed Fuel Station will be located to the South. With arterial roadways to the North and immediately to the East, this property was intended to become a commercial corridor. The typical affects to adjoining property owners will be negligible due to the nature of the overall development being commercial. The impact on the greater area should be considered. As this area continues to develop, it is acceptable to assume more traffic will be generated. However, this development is positioned at the intersection of two major arterial roadways which have been identified as commercial corridors in the current Comprehensive Plan and Future Land Use Map. The access to the restaurant is internal from the Wal-Mart site.

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

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

PZ Questions/Comments:

- Commissioner Frank asked for clarification on the escape route for the drive through customers.
- Commissioner Munoz asked if the drive through and restaurant are going to have the same hours and if there are plans for extending them later.
- Mr. Vawser explained there are not and plans to extend the hours and the drive through will have the same hours.
- Commissioner Munoz asked about landscaping around the parking area.
- Planner I Spendlove explained that requirements for landscaping.

Public Hearing: [Opened & Closed Without Comment](#)

Deliberations Followed: [Without Concerns](#)

Motion:

Commissioner Boyd made a motion to approve the request, as presented, with staff recommendations. Commissioner Higley seconded the motion. All members present voted in favor of the motion.

[Approved, As Presented, With the Following Conditions](#)

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
3. Request for a [Special Use Permit](#) to operate a medical office providing physical therapy on property located at 1053 Eastland Drive c/o David B Hutchinson on behalf of Body Balance (app. 2726)

Applicant Presentation:

Dave Hutchinson, the applicant explained he is making this request so that he can operate a physical therapy business at 1053 Eastland Drive.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and stated, In 1999 SUP #0620 was granted to G&R Sturgill, LLC c/o Rob Sturgill to construct a professional office at 1031 Eastland Drive. In 2013, the original SUP #0667 was again reactivated in order to construct a shell building on the remaining undeveloped lot; 1053 Eastland Dr. The original SUP did not contain any conditions, and the reactivation did not enact any further conditions. In March 2013 a shell building was constructed and under the current SUP would allow a professional office to operate.

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The applicant is seeking approval of a special use permit to operate a physical therapy business as a medical office within this shell building. This site is zoned R-2 PRO. The original SUP granted in 2000 and subsequently reactivated two (2) times, portrayed the building to operate as a general professional services office. Medical Offices and Professional Offices are located in different "Use" categories within the Zoning Code and therefore an SUP for one is not approval for the operation of the other.

Per City Code 10-4-18: The PRO Zone requires a medical office to acquire a Special Use Permit prior to being legally established.

Since this is a change of "Use Category" a new SUP is required. This is due to the difference in potential impacts that can occur between the different uses. A medical / physical therapy office can turn into a more involved business than other types of medical offices. It may be prudent to issue this Special Use Permit to this particular owner/operator, in order to ensure it remains operating in the fashion described.

Per City Code 10-10: A Medical Office has a parking requirement of one (1) space for every two hundred fifty (250) square feet of floor area.

This requirement is the same requirement placed on general office buildings as well. It is not anticipated that a change of use will dramatically increase or impact the parking plan of the development. This building was constructed Marcy Of 2013. There is a 4,000 sf main level and a 1,500 sf basement. The applicant should clarify the intended use of the entire building to determine the required parking. A cross-use parking agreement was provided with the shell building permit. Conformance with parking will be completed prior to issuance of a certificate of occupancy – to include a parking evaluation of all three lots.

Per City Code 10-11-1 thru 9: the required improvements do not change between the uses of property. However, if the commission feels this particular use creates an unusual or increased impact, a condition could be placed on this permit to mitigate that impact.

Staff does not foresee a significant increase in negative impacts to the surrounding properties with the establishment of this business as presented.

Planner I Spendlove stated upon conclusion should the Commission approve this request, as presented, staff recommends 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 this Special Use Permit being issued to Body Balance Physical Therapy c/o David Hutchinson and the business to operate as presented.

PZ Questions/Comments:

- Commissioner Grey asked about parking and if there is a cross use agreement for this development.
- Planner I Spendlove stated yes.
- Commissioner Munoz stated he remembers this request coming through previously and if a fence was installed along the property between this and the residential properties.

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- Planner I Spendlove stated yes.
- Commissioner Munoz asked is there are any plans to have any kind of retail for example equipment.
- Mr. Hutchinson explained the entire building will be used for the physical therapy business and they have no plans to have retail items.

Public Hearing: [Opened](#)

- Mr. Sturgill, 1031 Eastland Drive, Ste 3, stated he is in support of this request and the fence issue was associated with the building to the north of this location and it has been installed.

Public Hearing: [Closed](#)

Deliberations Followed: [Without Concerns](#)

Motion:

Commissioner Boyd made a motion to approve the request, as presented. Commissioner Higley 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 this Special Use Permit being issued to Body Balance Physical Therapy c/o David Hutchinson and the business to operate as presented.
4. Request for a **[Zoning District Change and Zoning Map Amendment](#)** from R-4 to C-1 for 2.4 (+/-) acres located at 1629 Locust Street North c/o Walt Hess on behalf of Christy J. Williams (app. 2727)

Applicant Presentation:

Walt Hess, representing the applicant, explained that this property used to be accessed by a private lane, and the city has grown up around it with the surrounding properties being zoned C-1. This request is to rezone the property from R-4 to C-1 zoning.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and stated this parcel is part of the Eoff Tract, which was recorded around 1909. Over the years, surrounding properties and parcels have been rezoned and developed with commercial businesses. In 1981 Twin Falls City adopted an amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map. It is assumed that the current zoning of the property was established at that time.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone a single parcel from R-4; Residential Medium Density to C-1; Commercial Highway. The parcel, located at 1629 Locust Street North, is 2 +/- acres. There is an existing single family residence on the parcel. The surrounding properties are all

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zoned C-1. Properties to the North, East and West are developed with commercial businesses. The property to the south is undeveloped. Locust Street North runs along the eastern boundary of the property as well.

The applicant has expressed in their narrative that the rezone request stems from the desire to market and sell this property for commercial development. Under the current zoning designation of R-4, commercial-retail and/or professional service oriented businesses are not allowed. The 2009 Comprehensive Plan and Future Land Use Map designated this portion of Locust Street North as appropriate for Commercial/Retail uses.

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

Planner I Spendlove stated upon conclusion in order for the Commission to make a positive recommendation to the City Council the Commission must determine that **1-** the request is in conformance with the Comprehensive Plan and **2-** the extent and nature of changing the zoning of this property to C-1 would allow land development that would be compatible with and not detract from the surrounding area. If the Commission finds that items 1 & 2 listed above have been met, Staff proposes the Commission recommend approval of this request, as presented.

Public Hearing: [Opened](#)

- Latisha Hernandez, 1451 Locust Street North, asked for clarification about the location of the property that will be rezoned.
- Planner I Spendlove showed on the overhead the property that is part of this request.

Public Hearing: [Closed](#)

Deliberations Followed: [Without Concerns](#)

Motion:

Commissioner Tatum made a motion to recommend approval of the request to the City Council, as presented. Commissioner Boyd seconded the motion. All members voted in favor of the motion.

[Recommended Approval to City Council, As Presented](#)

[City Council Public Hearing Is June 22, 2015](#)

5. Recommendation on the **[Zoning Designation for a request to Annex](#)** 53.38 (+/-) acres located at the SE corner of 2700 East Road aka Sunway Drive North and North College Road West, extended. [c/o Bradford J Wills on behalf of the Twin Falls School District \(app. 2730\)](#)

Applicant Presentation:

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Brad Will, representing the applicant, explained he is to request annexation with and R-1 VAR zoning designation.

Staff Analysis:

Since this property is in the Area of Impact, the current zoning designation would have been placed on the property with the action taken on the most recent Area of Impact Agreement between the City of Twin Falls and Twin Falls County which occurred in 2004.

On March 9, 2015 the City Council approved the Sunway Conveyance Plat creating a 2 lot subdivision of approximately 93 acres. On March 19, 2015, the Twin Falls County Commissioners approved the same conveyance plat as this property is in the Area of Impact.

This request is to annex 53 +/- acres with a zoning designation of R-1 VAR and SUI. Currently, the property is being utilized as agricultural farm land, the Sunway Soccer Complex, and First Federal Park. The applicant is requesting the current zoning designations to remain R-1 VAR and SUI as part of the annexation. However, the SUI zone is not appropriate for property within City Limits, and staff will recommend the entire site be zoned R-1 VAR upon annexation. Please see attached maps for current and future zoning designations.

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.

Section 10-15-2(A) states: "The Commission hearing shall not consider comments on annexation and **shall be limited to the proposed development plan and zoning changes.**" The City Council shall then hold an additional public hearing to determine whether the designated area should be annexed and if so what the zoning designation shall be. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the published ordinance is sent to the State and the official zoning map is officially amended.

Since the School District acquired the property, the property's intended use was for potential expansion of the school district's facilities, including but not limited to a potential new school site. The School District and the City have an agreement to transfer ownership of the Sunway Complex to the City in the near future.

Staff recommends an R-1 VAR zoning designation would be appropriate for the entire 53 +/- acre site. This would be consistent with the zoning districts currently found within City Limits, as well as being closely aligned with the current zoning of the area. It would allow for future residential growth.

Planner I Spendlove stated upon conclusion should the Commission find the R-1 VAR Zoning designation appropriate, they should forward a positive recommendation to the City Council that the entire 53 +/- acre site have an R-1 VAR zoning designation.

Public Hearing: [Opened](#)

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- Dan Degell, 875 Rimview Lane West, stated he lives south of the soccer fields stated he is not opposed to the annexation, they have seen quite a bit of traffic that has not been too bad however he can see the need for a light at some point along Grandview and Falls Avenue West as some point. He asked about the development of North College Road.
- Sherry McGalister, 1651 Sunway Drive North, asked about the North College Road extension. If this is annexed into the city limits where does the county and city jurisdiction begin and end, and how will that impact speed limits along Sunway Drive.
- Assistant City Engineer Vitek stated North College Road will eventually be going through and it is not in the current budget, but it is being discussed and the City would be responsible for building the road. As for the speed limits, the City guidelines would apply in this area.
- Planner I Spendlove explained that the City has jurisdiction over the development of the property and zoning. Anything that happens to this property will require multiple hearings before something could move forward.

Public Hearing: Closed

Deliberations Followed: Without Concerns

Motion:

Commissioner Grey made a motion to recommend approval to the City Council, as presented. Commissioner Reid seconded the motion. All members present voted in favor of the motion.

Recommended Approval To City Council, As Presented

City Council Public Hearing Is June 22, 2015

6. Request for a **Special Use Permit** to construct and operate a restaurant with a drive-through window on property located at 1720 Pole Line Road East c/o EHM Engineers, Inc on behalf of J2 Real Property Group, LLC/David Johnson – McAlister’s (app. 2731)

Applicant Presentation:

David Thibault, EHM Engineers, Inc., representing the applicant McAlister’s Deli, stated the intent is to have a drive through window as a carry out and pick up window. There will not be any order boards or PA’s systems. The issue of parking was discussed in the staff report and the established landscaping and parking. Previously 9 x 18 stalls were permitted they would prefer not to jog the curb line to increase the size of the stalls and they can eliminate the parking spaces if necessary for the permit to be approved, they have ample parking for the site.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and stated in 1981 the City of Twin Falls amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map. The approval of Ordinance 2012 created the zoning districts we currently use and zoned various properties within

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City Limits. Many new zoning designations were assigned at that time or when areas were annexed. In 1998, an 80 acre site was zoned under the Eastpark PUD Agreement #213. This 80 acre PUD has several zoning designations from R-1 VAR to C-1. The 20 acre site around Home Depot was zoned C-1. In 1999 the Eastpark Subdivision No. 2, A PUD was approved – creating two lots. According to Building records, The Home Depot store was constructed in 2000 in Lot 1. The location of this request is Lot 2.

Per City Code 10-4-8.2: A business with a Drive-thru window requires a Special Use Permit in order to be legally established. This restaurant is being presented having a drive up window for people to call in and pick-up orders, there will not be any PA systems or menu boards.

The impacts of this particular project operating a drive thru would generally revolve around traffic. Staff does not anticipate the traffic increase to be detrimental to the area due to its proximity to a major arterial (Pole Line Road East), and the current development pattern in the area. Light from this operation is not anticipated to increase dramatically from what is currently in the area.

Per City Code 10-10: Off Street Parking is required for this business at a rate of one (1) space per one hundred (100) square feet of floor area. The building is presented to be 3,670 sf. The result is a minimum of thirty-seven (37) parking spaces will be required. Staff does have a concern regarding the 10 parking spaces shown along the northern boundary of this lot. Those spaces were developed when Home Depot was constructed. The parking spaces appear to be 9 x 16'. The code requires a minimum of 9'x20'. The site plan will be reviewed for compliance as part of the building permit review.

Per City Code 10-11-1 thru 8: All the required improvements such as; landscaping, screening, access, parking surface, streets, storm water retention, utilities, and others will be reviewed for compliance with current city code and to ensure compliance with the Eastpark PUD Agreement #213 at the time of building permit submittal.. The PUD requires a minimum landscaping strip of 35' from back of curb on Pole Line Road East and 20' on Bridgeview Blvd – the lot appears to meet this requirement.

It is important to note that the base operation of a restaurant is an outright permitted use in this zoning district. The developed properties surrounding this project are zoned C-1 (Commercial) PUD. The property to the southwest is the Home Depot store. With the current Zoning and PUD Agreement, this property was intended to become a commercial business. The typical affects to adjoining property owners will be negligible due to the nature of the overall development being Commercial. The access to the restaurant is internal from the Home Depot site. Prior to a certificate of occupancy a cross-use agreement shall be provided and/or a review of the parking shall ensure the parking shown on the plan shall meet the minimum required for this lot.

Assurance that development of this site comply with the Eastpark PUD Agreement and /or the minimum required improvements, whichever is greater, shall be completed at the time of building permit review.

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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 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 compliance with the Eastpark PUD Agreement.

PZ Questions/Comments:

- Commissioner Higley asked for clarification on the parking design.
- Planner I Spendlove stated when this parking area was built they were designed to be 18' deep and were allowed to overhang in the landscaping area. With the recent parking code amendment the overhang is not allowed into the landscaping area.
- Commissioner Higley stated in order for the parking stalls to meet current code they would need to be 20' long.
- Planner I Spendlove explained the stalls shown are not required spaces and they were constructed when the Home Depot was built and under the Eastpark PUD Agreement. So the applicant is requesting that the 2' feet hangover be allowed so that they don't have to jog the curb.
- Commissioner Munoz clarified that if the current code requirements apply it won't be just the 20' requirement that will apply to the parking area.
- Commission Grey asked for clarification about the drive-thru window.
- Mr. Thibault explained that the way that it works is a customer calls in their order and they are told they can pick up their order at the window within a certain time. He expects there will be a learning curve for this type of window.
- Commissioner Munoz asked if this became another fast food place with reader boards would this permit still be valid.
- Planner I Spendlove explained the stacking is counted from the window in this request normally it would be counted from the reader board location, so if another business came through and wanted to use the drive through the requirements would have to be reviewed for compliance. The five stacking requirements would be difficult with a reader board a new special use permit may be required.

Public Hearing: [Opened & Closed Without Comments](#)

Deliberations Followed: [Without Concerns](#)

Motion:

Commissioner Boyd made a motion to approve the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

[Approved, As Presented, With the Following Conditions](#)

1. Subject to 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 compliance with the Eastpark PUD Agreement.

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7. Request the **Vacation** of 15' x 249.5 platted sewer easement on Lot 7 Block 1 of the Canyon Park West Amended Subdivision, A PUD aka 2015 Blue Lakes Boulevard North c/o EHM Engineers, Inc. on behalf of Base Jumper Two, LLC (app. 2729)

8. Request the **Vacation** of a 20 x 182' platted sewer easement located on Lot 4 Block 1 of the Canyon Park Amended Subdivision aka 1843 Blue Lakes Boulevard North c/o EHM Engineers, Inc. on behalf of Geronimo, LLC (app. 2728)

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing the applicant, stated would like to present request IV-7 and IV-8 together. He explained that these sewer easements that were platted prior to the development. The trunk line has been relocated and rededicated in another location and in order for development to move forward they request that these vacations be approved. He explained where the platted lines were located and where they have been relocated to on each lot.

Staff Analysis:

Planner I Spendlove reviewed the request on the overhead and explained item IV-7 refers to Lot 7 and IV-8 refers to Lot 4. They sewer easements were previously platted and exclusive to the City of Twin Falls, the sewer lines were re-routed and installed within a separate sewer easements. The Engineering Department has reviewed this request and is supportive of the vacation.

Planner I Spendlove stated upon conclusion the vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published. Should the Commission recommend approval of the request to the City Council, staff makes no recommendation on this request.

Public Hearing: Opened & Closed Without Concerns

Deliberations Followed:

Commissioner Grey clarified that the re-routed lines are working properly.
Assistant City Engineer Vitek stated yes they are working correctly.

Motion IV-7:

Commissioner Derricott made a motion to recommend approval of the request to the City Council, as presented. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Recommended Approval To City Council, As Presented

City Council Public Hearing Is June 29, 2015

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Motion IV-8:

Commissioner Grey made a motion to recommend approval of the request to the City Council, as presented. Commissioner Higley seconded the motion. All members present voted in favor of the motion.

Recommended Approval To City Council, As Presented

City Council Public Hearing Is June 29, 2015

V. GENERAL PUBLIC INPUT: None

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

- Zoning & Development Manager Carraway-Johnson explained four of these items tonight will be scheduled for the City Council the Williams Zoning District Change and the Twin Falls School District Annexation will be heard June 22, 2015, and the two Vacation requests will be heard June 29, 2015. She also stated the first kick-off for the Comprehensive Plan Amendment will be June 24, 2015 at the first downtown concert with an open house at the future City Hall building.
- Commissioner Frank asked the Commission to consider recommending people for the Advisory Committee.
- Zoning & Development Manager Carraway-Johnson explained that Rebecca Mill Sojka and Greg Lanting have been chosen as the City Council Liaison for the Advisory Committee and there needs to be one Commissioner chosen for the Advisory Committee.

VII. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session-**June 3, 2015**
2. Public Hearing-**June 9, 2015**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:39 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department