



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
Wednesday, September 9, 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

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Boyd
Derricott
Frank
Grey
Moñoz
Reid
Tatum

ABSENT

AREA OF IMPACT MEMBERS

PRESENT

Higley
Woods

ABSENT

CITY COUNCIL LIAISON(S): Mills Sojka

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 meeting(s): **August 25, 2015 PH**
2. Approval of Findings of Fact and Conclusions of Law: **None**

III. ITEMS OF CONSIDERATION:

1. A **Preliminary Presentation** for a PUD Amendment to the Canyon Park West PUD #264 to allow a Panera Bread Restaurant on Lot 7 Block 1 with a drive through facility c/o Canyon Park Development, LLC on behalf of Canyon Park I (app. 2748)

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicant stated this project was originally drafted in 2000 and the economy went south in 2012 the development was reactivated changes were made to the PUD and Fillmore was relocated throughout the development, the roundabout was built and since then there have been several amendments for this development. This is a request related to the last piece of property within the development and is located north of the Outback parking lot. The request is to allow for a drive through for Panera Bread and originally the PUD precluded drive through restaurants and this request would only apply to this user on this lot.

Staff Presentation:

Planner I Spendlove reviewed the exhibits on the overhead and explained the request tonight is a preliminary presentation for a PUD Amendment to allow for a restaurant with a drive through in the Canyon Park West development a full staff analysis will be provided at the public hearing scheduled for September 29, 2015.

**Planning & Zoning Commission Minutes
September 9, 2015**

PZ Comments/Questions:

- Commissioner Woods asked about the elevations and headlight impacts towards traffic coming from the bridge.
- Mr. Martens explained there is approximately 60 ft of landscaping that is reserved for widening the bridge and there is a big landscaping area that should shield the headlights from the highway. Along the north side of the property there will be landscaping to prevent headlights from shining towards the Visitors Center. Elevations will be provided at the public hearing.
- Commissioner Munoz asked about parking in the area and if the parking standards apply to this development with the landscaping endcaps.
- Mr. Martens explained that the landscaping requirements related to the current parking code will be met.
- Commissioner Grey asked about the distance from the Canyon Rim Trail.
- Mr. Martens explained the property is not adjacent to the trail there is a parcel between this property and the Canyon Rim Trail.
- Commissioner Frank asked about traffic flow around the building.
- Mr. Martens explained that what is shown on the exhibit is designed to allow a delivery truck to maneuver around the building.
- Assistant City Engineer Vitek stated the accesses meet current requirements and standards.
- Commissioner Tatum asked about this allowance being specifically only to Panera Bread.
- Mr. Martens confirmed that the change would be only for Panera Bread.
- Commissioner Munoz asked about the design of the order and pick-up areas.
- Mr. Martens explained those areas are shown with concrete pads so that the cars do not move when stopped to give an order or pick up an order.

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

**[Planning & Zoning Public Hearing Scheduled
September 29, 2015](#)**

2. Request for approval of the [preliminary plat](#) for the Westpark Commercial Subdivision #9, A PUD consisting of **3.86 (+/-)** acres with **3 lots and 1 tract** for commercial development on property located north of Pole Line Road & west Canyon Crest Drive c/o Gerald Martens / EHM Engineers, Inc. on behalf of Westpark Partners, LLC

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicant explained that this request is for Westpark Commercial Subdivision #9. This plat fills in the gap between the Culver's Restaurant and Denny's Restaurant along Pole Line Road. The parcel on the east end is designated for Popeye's Restaurant. This was the first PUD ever done in Twin Falls and after 30 years it will finally be completed. A building permit will be submitted for Popeye's Restaurant once the plat has been approved.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated this is a preliminary plat for the Westpark Commercial Subdivision #9. There have been several changes to the PUD throughout

**Planning & Zoning Commission Minutes
September 9, 2015**

the years. This Preliminary Plat for the Westpark Commercial Subdivision #9 – a PUD includes 3.86 (+/-) acres and consists of three (3) lots.

The intended use for Lot 1, Block 1, Westpark Commercial Subdivision #9 – a PUD is to allow the commercial development of a Popeye’s restaurant with a drive-through window. The other two lots are unknown commercial uses at this time. There is not a minimum lot square footage requirement in the C-1 zone for commercial uses; the lot is required to be of “sufficient size to provide for the building, the required setbacks, off street parking and landscaping”. 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 criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for commercial/retail 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 compliance with Northbridge PUD.
3. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

PZ Comments/Questions:

- Commissioner Munoz asked about cross-use-agreements for this development.
- Mr. Martens explained that there is a cross use agreement between all of the parcels throughout this development.

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

Motion:

Commissioner Boyd made a motion to approve the request, as presented. Commissioner Woods 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 compliance with Northbridge PUD.
3. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

**Planning & Zoning Commission Minutes
September 9, 2015**

IV. PUBLIC HEARINGS:

1. **WITHDRAWN** Request for a **Zoning Title Amendment** to amend Title 10-7-6 by reducing the front-yard building setback from 80 ft from centerline to 70 ft from centerline on 2700 East Road from 3600 North to 4200 North Road c/o Tim Stover on behalf of Jon & Becky Powlus (app. 2746) **WITHDRAWN**
2. Request for **Vacation** of a 15' utility easement along westerly boundary of Lots 1, 2, 3, 4, 5 & 6 Block 1 and a 15' utility easement along easterly boundary of Lots 1, 2, 3, 4 and Tract A Block 2 of the Eldridge Commercial Subdivision located north of the intersection of Eldridge Avenue & Madrin Street c/o The Edmunds Group, LLC & Larry Fairbanks (app. 2747)

Applicant Presentation:

Ryan Steel, representing the applicant, stated the request is to vacate the easements along the outside 15 ft of the Eldridge Commercial Subdivision on the east and west side. The applicant is making this request so that they can have room to build larger buildings.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated in 2008, the owner of the above stated property went through the public hearing process with the Planning and Zoning Commission, and the City Council to create the Eldridge Commercial Subdivision consisting of 10 lots and 1 tract. The plat was recorded in November 2008.

This is a request to vacate portions of a utility easement within the Eldridge Commercial Subdivision. During the platting process in 2008, a utility easement was placed on the plat along the exterior boundary of the subdivision. At the time of platting this was a common practice. Since the recordation of this plat, the common practice has been changed, no longer requiring utility easements along the exterior boundary. As no structure may be built over a recorded easement it limits the allowable building space within a lot. We have shifted regulations to requiring easements along street frontages to minimize intrusions to private property owners.

The Engineering Department has reviewed this request and is supportive of the vacation. We have also received letters from all applicable utility companies in support of this vacation.

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.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the request to the City Council, as presented, staff recommends approval be subject to the following condition(s):

1. Subject to any and all requirements placed by applicable utility companies being met prior to publication of the Vacation Ordinance.

PZ Comments/Questions:

- Commissioner Frank verified that there are still easements along the road in front of the parcels.
- Planner I Spendlove confirmed that there are easements along the front of the lots.

**Planning & Zoning Commission Minutes
September 9, 2015**

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

Motion:

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

**[City Council Public Hearing Scheduled
October 5, 2015](#)**

V. GENERAL PUBLIC INPUT: [None](#)

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

- Zoning & Development Manager Carraway-Johnson reminded the Commission that the meeting on September 22, 2015 has been cancelled and rescheduled for September 29, 2015. She thanked the Commission for their cooperation in changing the date and being available for the meeting to be held on September 29, 2015.
- She stated the next Comprehensive Plan Update Advisory Committee Meeting will be held this Friday, September 11, 2015. The consultants will give an update on the public input they have received and on Saturday, September 12, 2015 there will be an informational booth set up at the Wings and Things Event from 12:00pm to 3:00pm in the City Park.
- She also reminded the Commission about the Jerry Mason training registration and stated it is paid for by the City of Twin Falls for any of the Commissioners that want to attend the training. This training is scheduled for September 15, 2015 from 1:00pm to 4:00pm at the County Planning & Zoning Office.
- Commissioner Woods stated that he has attended this training before and it was very valuable other jurisdiction attended and it was interesting to hear about issues they were dealing with regarding Planning & Zoning.
- Commissioner Grey asked about any updates from the Idaho Transportation Department and if there were any discussions about lengthening turn lanes, traffic signals and islands.
- Assistant City Engineer Vitek explained the only item he has spoken with ITD about recently is a proposed development located at Kimberly Road and Meadowview Lane regarding a shared approach. It looks like the property owners are work through this process with ITD and may have that completed soon.
- Commissioner Woods reported that his neighbors have been very happy with the landscaping out at the new water storage tanks.
- Commissioner Reid asked about some clarification on what the back of the building is defined as, because there is a building along Blue Lakes Boulevard North going in a development that looks like the back of the building faces the street.
- Zoning & Development Manager Carraway-Johnson explained that this issue is something that would come under a design review committee, which the City of Twin Falls does not have so unfortunately the only option staff has is to encourage certain design.
- Commissioner Frank asked staff to look at a video wall that is flashing inside the new Mountain America Credit Union located on Blue Lakes Boulevard North.

**Planning & Zoning Commission Minutes
September 9, 2015**

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

1. Public Hearing- **September 29, 2015 (Special Meeting)**
2. Work Session - **October 7, 2015**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 6:55 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department