



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
February 23, 2016 6:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Vacancy **Vacancy** Tom Frank Kevin Grey Gerardo “Tato” Muñoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Frank
 Grey
 Muñoz
 Reid
 Tatum

ABSENT

AREA OF IMPACT MEMBERS

PRESENT

Higley
 Woods

ABSENT

CITY STAFF: Spendlove, Strickland, Vitek

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): **January 26, 2016 PH & February 3, 2016 WS**
2. Approval of Findings of Fact and Conclusions of Law:
 - Kuntz (SUP 01-26-16)

III. ITEMS OF CONSIDERATION:

IV. ITEMS OF CONSIDERATION:

1. Request for approval of the **Preliminary Plat** of Latitude 42 Subdivision, A PUD, consisting of 15 lots and 28.96 acres (+/) located on the south side of Pole Line Road West and west of the Reformed Church c/o EHM Engineers, Inc.

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc., representing the applicant stated this property is located south of Pole Line Road West and west of the Reformed Church. The preliminary plat consists of 15 lots and the developers for this parcel are wanting to move forward with this plat so that the development of Cheney Drive West can be coordinated better.

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated this property was annexed into City limits in October 2005 with an R-2 (Residential) zoning designation. Subsequent public hearings were held in 2009 to rezone the property to C-1 (Commercial Highway). In January 2011,

**Planning & Zoning Commission Minutes
February 23, 2016**

this property went through the public hearing process to rezone the property from C-1 to C-1 PUD. The Council approved the rezone with conditions.

1. Subject to amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls, and to be rebuilt, or built, to current City standards upon development of the property.
3. Subject to complete the design approval of Cheney Drive West being constructed to ½ width and per City Standards.
4. Subject to an approved and recorded PUD Agreement, to include a Master Development Plan, prior to approval and recordation of a Final Plat.

In May 2011, the City Council approved Ordinance 3004 to rezone the property to C-1 PUD. Due to the economic environment, the developer has not pursued this project since the approval of the ordinance. Although a moderate amount of time has passed since the ordinance was approved, this property has the opportunity to fulfill the conditions and proceed with the platting of the property.

The request is for approval of the Latitude 42 Subdivision, a PUD. The site is zoned C-1 PUD includes 29 +/- acres and consists of 15 commercial lots.

Condition #2 will be enforced during this platting process. The Preliminary plat we have received seems to satisfy this condition.

Condition #3 has been partially satisfied with an approved developer's agreement and approved construction plans. The construction of Cheney Drive West has not been completed or accepted. However it is anticipated this condition will be satisfied shortly.

Condition #4 has not be satisfied as of yet. Contained within the attachments is a draft form of the PUD Agreement. This draft is provided for informational purposes and is not being reviewed by staff at this time. The applicant has been notified of this condition and is working towards satisfying it.

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. This request is in conformance with the Comprehensive Plan and the requirements found in Twin Falls City Code.

**Planning & Zoning Commission Minutes
February 23, 2016**

Planner I Spendlove stated upon conclusion staff recommends the Commission approve the preliminary plat of the Latitude 42 Subdivision-A PUD, as presented, and subject to 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 ITD Approval of Pole Line improvements.
3. Subject to ITD vacation of bulb-out adjacent to Pole Line Road.
4. Subject to Pro-Rata share of Pressurized Irrigation Station construction for Perrine Point.
5. Subject to providing an access road for utilities, size and location per City Engineer approval.
6. Subject to an approved and recorded PUD Agreement, including a Master Development Plan, prior to approval and recordation of a Final Plat.

PZ Questions/Comments:

- Commissioner Frank asked why in-home daycare would not be an allowed use in the list of uses shown in the PUD Agreement.
- Mr. Vawser explained that he was not involved in the negotiations of the development so he is not aware of the reason for not allowing in-home daycares.
- Commissioner Grey asked if because the PUD Agreement document has not be signed if this will make the applicant have to come back through as a ZDA.
- Planner I Spendlove stated the rezone request for this property was approved prior to the ZDA code change so it will remain a PUD.

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

Deliberations Followed:

- Commissioner Grey asked about the development of Cheney Drive West.
- Assistant City Engineer Vitek explained the development that occurs at this location is required to build Cheney Drive West clear out to Grandview Drive before a Certificate of Occupancy can be issued. Construction of Cheney Drive West is currently underway.
- Mr. Vawser clarified that Cheney Drive West will be built through to Creekside Way.

Motion:

Commissioner Tatum made a motion to approve the request, as presented, with staff recommendations. Commissioner Reid 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.

**Planning & Zoning Commission Minutes
February 23, 2016**

2. Subject to ITD Approval of Pole Line improvements.
3. Subject to ITD vacation of bulb-out adjacent to Pole Line Road.
4. Subject to Pro-Rata share of Pressurized Irrigation Station construction for Perrine Point.
5. Subject to providing an access road for utilities, size and location per City Engineer approval.
6. Subject to an approved and recorded PUD Agreement, including a Master Development Plan, prior to approval and recordation of a Final Plat.

V. PUBLIC HEARINGS:

1. Requests for a **Zoning Title Amendment** to delete City Code 10-7-13 Vehicle Stacking Requirements for drive-through facilities. c/o City of Twin Falls (app. 2767)

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated the City Council approved Ordinance 2012 on July 6, 1981 which replaced Twin Falls City Code - Title 10; Zoning & Subdivision Regulations in its entirety. Title 10 has had many amendments over the years. One such amendment took place in July 2014. This particular amendment rewrote the Parking Code Section (Title 10 Chapter 10). Within that amendment, new stacking requirements were also included.

This request is to delete City Code 10-7-13;

10-7-13: VEHICLE STACKING REQUIREMENTS FOR DRIVE-THROUGH FACILITIES:

The following are minimum requirements for vehicle stacking for drive-through facilities:

- (A) Fast food restaurants and drive-in banks: Nine (9) spaces, or such other number as approved by the planning and zoning commission, but not less than six (6) spaces.
- (B) All others: Six (6) spaces. (Ord. 2550, 6-2-1997)

It came to our attention as part of development review this section, upon codifying the new sign code in 2014 the code section 10-7-13, is a contradiction to City Code 10-10-10;

10-10-10: LOADING SPACE AND STACKING REQUIREMENTS:

- (A) All nonresidential uses having ten thousand (10,000) square feet or more of gross floor area shall provide and maintain an area for the loading and unloading of merchandise and goods, in accordance with this code and the following requirements:
 1. Retail, commercial and industrial uses with building sizes of ten thousand (10,000) to fifty thousand (50,000) square feet of floor area will provide one loading space minimum. Uses with building sizes fifty thousand (50,000) to one hundred thousand (100,000) square feet of floor area will provide two (2) loading spaces minimum. Buildings over one hundred thousand (100,000) square feet of floor area

**Planning & Zoning Commission Minutes
February 23, 2016**

will provide two (2) loading spaces minimum, plus one additional space for each one hundred thousand (100,000) square feet of floor area.

2. All hotels, office buildings, restaurants and similar establishments shall have at least one space per one hundred fifty thousand (150,000) square feet of gross floor area up to three hundred thousand (300,000) square feet of gross floor area or fraction thereof.
3. A loading space shall consist of an unobstructed minimum area of twelve feet wide, forty feet long and fourteen feet tall (12' x 40' x 14').
4. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks. Each site shall provide a designated maneuvering area for trucks.

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

Deliberations Followed: [Without Concerns](#)

Motion:

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

**[Recommended Approval to City Council, as presented](#)
[City Council Public Hearing Scheduled for March 28, 2016](#)**

VI. GENERAL PUBLIC INPUT:

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

- Planner I Spendlove reminded the Commission of upcoming public meetings.
- Chairman Frank stated that the new commissioners should be appointed by the next meeting and that it was a difficult decision on which applicants to choose because they were all good candidates.

**Planning & Zoning Commission Minutes
February 23, 2016**

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

1. Work Session- **March 2, 2016**
2. Public Hearing-**March 8, 2016**

IX. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 6:28 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department