



**MINUTES**  
**TWIN FALLS CITY PLANNING & ZONING COMMISSION**  
**April 26, 2016 6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson Tom Frank Kevin Grey Gerardo “Tato” Muñoz Ed Musser Christopher Reid Jolinda Tatum  
Chairman Vice-Chairman

**AREA OF IMPACT:**

Ryan Higley Steve Woods

**ATTENDANCE**

**CITY LIMIT MEMBERS**

**PRESENT**

Dawson  
Frank  
Grey  
Muñoz  
Reid  
Tatum

**ABSENT**

Musser

**AREA OF IMPACT MEMBERS**

**PRESENT**

Higley  
Woods

**ABSENT**

**CITY STAFF:** Carraway-Johnson, 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): **April 12, 2016 PH**
2. Approval of Findings of Fact and Conclusions of Law:
  - Lezamiz (SUP 04-12-16)
  - Walkers (NCBEP 04-12-16)
  - McKnight (SUP 04-12-16)

**Motion:**

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

**Unanimously Approved**

**III. ITEMS OF CONSIDERATION:**

1. Request for consideration of the **Preliminary Plat** for Lobo Villa Subdivision, 4.79 (+/-) acres consisting of 2 lots located at 2050 Eldridge Avenue Lori Ward c/o Scott Allen, JUB Engineers, Inc.

**Applicant Presentation:**

Lori Ward, the applicant, stated the purpose of this request is to separate the property into two lots so that each building can be on its own lot. During the platting process there will also be a dedication of right-of-way to the city along the north boundary of the property.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated this property is part of the Highland View Tract, Platted in 1909. It is also Zoned M-2 – Heavy Manufacturing. It is assumed this designation took place in the 1980’s when the Zoning Code was rewritten and the new classifications were assigned. No

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further zoning history is known at this time. Our records indicate one warehouse being constructed in 1997-98 and another warehouse being constructed in 2006-07.

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.

Planner I Spendlove stated upon conclusion staff recommends the Commission approve the preliminary plat of the Lobo Villa Industrial Subdivision, as presented, and subject to the following condition:

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.

**PZ Questions/Comments:**

Commissioner Grey asked about the right-of-way dedication.

Planner I Spendlove stated that road right-of-way along the north boundary would be dedicated at the time of platting.

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

**Closing Statements:**

Scott Allen, JUB Engineers, Inc., representing the applicant stated that there is going to be a line placed between two buildings. There will not be any changes to the site or the buildings and while reviewing this plat the need for additions storm water retention came up in the discussion. He would ask that if additional development occurs, the additional storm water retention be required at that time.

Assistant City Engineer Vitek, stated that if you were to develop a lot there would be a need for an increase in storm water retention. Plats act differently, it is the only opportunity to ask for requirements to be met for example right-of-way dedication and storm water retention. The platting of the lot is what has triggered the storm water retention requirement. He understands the request from the applicant however this is required by code. If the plat was not required, this would not be an issue.

**Deliberations Followed:**

Commissioner Frank asked how the storm water requirement is met.

Assistant City Engineer Vitek, stated that it can be met by several different methods and that he will work with the applicant to meet this condition.

**Motion:**

Commissioner Woods 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.

**IV. PUBLIC HEARINGS:**

1. Request for the Commission's recommendation on a **Zoning District Change and Zoning Map Amendment** for approximately 9 (+/-) acres from R-4 to **R-4 ZDA** to develop a Planned 4-Plex Townhome development on property located at 2916 East 3600 North. c/o Rex Harding, Riedesel Engineering, Inc. on behalf of Dennis Hourany (app. 2777)

**Applicant Presentation:**

Rex Harding, Riedesel Engineering, Inc. representing the applicant. The property is Lot 2, Block 1 of Golden Eagle Subdivision No. 4. This meeting is to give the public information about the request and to answer any questions. The property is zoned R-4 medium density and the plan is to design a project that meets the medium density requirement. The Zoning Development Agreement is necessary so that each of the units can be individually platted to be sold separately. The development will have four-plex townhomes with open space between the buildings and a landscape island through the development for traffic calming. Parking will all be off street there will be 2.5 spaces per unit. There will be 10 parking spaces per four-plex building. A fence will be installed along the property line between this development and the residential properties. There will be trash enclosures for the units. The plan is to begin the project this year and have it completed by 2022, which is outlined in the agreement. These units will be allowed to be individually owned and there were concerns about it becoming a low incoming housing development. There applicant had a few concerns with the staff recommendations. Completion of Valencia Street (a quarter million-dollar project) in the first phase, second concern is the condition to complete the fencing of the entire perimeter prior to development and third is the final plat being recorded before development. Platting in phases was the plan and would be less of a burden then platting all of it at one time before development.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated this parcel has been zoned R-4 since at least the 1980's when our current Title 10; Zoning & Subdivisions chapter was put in place. This property is Lot 2 of the Golden Eagle Subdivision Number 4 Conveyance Plat. This subdivision went through the public hearing process as part of the development for the South Hills Middle School. The subdivision was approved, and recorded in 2014.

**Per City Code 10-6:** A Conceptual Development Plan and associated written commitment have been provided by the applicant. These documents constitute the elements of the Zoning Development Agreement (ZDA) Sub-district.

The Conceptual Plan provided shows the layout of the property as desired by the applicant. Each "Town House" will be individually owned on its own platted lot. The remainder of the area surrounding the lots will be owned and maintained collectively by the owners in the Subdivision by creating an HOA.

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**Per City Code 10-6-1.5:** The following list of items shall be included on the Residential Conceptual Development Plans:

1. Land Use
  - a. *The applicant has shown the proposed land use of Attached Single Household (aka "Town House") on the Conceptual Plan and further clarified that use within the Written Commitment Document.*
2. Streets
  - a. *The applicant has satisfied this by showing the approximate location of Valencia Street and declared it within the Written Commitment Document as a public roadway.*
3. Storm Drainage
  - a. *The applicant shows a combined Park/Storm drainage area in the NE Corner of the property. The actual storm water plans are reviewed during the Platting Process and will be required to follow all current codes and standards.*
4. Preliminary Lot Arrangements
  - a. *The applicant has provided preliminary lot arrangements on the Conceptual Plan. Each "Row House" will be located on its own lot which can be purchased individually from the other connected "Row House's" within the same block.*

**Per City Code 10-6-1.5:** The following list of items may be included with the text material to further explain the plan:

1. Multiuse transportation access and pathways
  - a. *The applicant has shown public pathways and sidewalks throughout the development.*
2. Density
  - a. *The applicant has not requested a specific change in density with this development.*
3. Building Height
  - a. *The applicant has not requested a change in the building height.*
4. Screening
  - a. *The applicant has committed to a six foot (6') tall white vinyl fence along the perimeter of the property for the entire development.*
5. Landscaped areas
  - a. *The applicant has designated areas for open space which will be owned and maintained by the HOA.*
6. Project scheduling
  - a. *The applicant has provided a rough schedule for the project within the Written Commitment. The project will begin in earnest this year – 2016, with an anticipated completion in 2022.*
7. Parks and open space
  - a. *The applicant is not requesting changes to the parks dedication procedure.*

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8. Other pertinent development data.
  - a. *The other data in the Written Commitment includes: Lot Area, Lot Occupancy, Lot Width, Lot Depth, and Yard Setbacks. These items are requested to be modified as shown in the document in order to facilitate the development of the project.*

**Per City Code 10-6-1.5:** Color renderings or elevations shall also be submitted to illustrate proposed architectural standards or requirements.

*The applicant has submitted multiple Building Reference Photos with this application. Although the photos depict varying types of structures, the basic architectural elements are the same throughout; Pitched Roofs, 2 story, Siding – stucco – brick – rock combo material buildings.*

Staff does not foresee the land use of “Townhouses” being a drastic departure from the permitted uses within this zoning district. Each townhouse will have the opportunity to be owned independently. This basic element of ownership is more in-line with a typical residential subdivision rather than an apartment complex.

This development has appropriately set aside a reasonable amount of open space between the buildings. This will help soften the visual impact of the clustered Townhouses, and offer an informal park area for the residents. Additionally, a park area will be dedicated in the northeast portion of the development as per the platting requirements.

Due to the rapid development in the area with the new Middle School staff does feel it necessary to complete Valencia Street in its entirety as soon as possible in order to facilitate better circulation in the area. It would be poor judgement to overlook the impacts additional housing would have on the existing neighborhood and traffic network, particularly Valencia Street and Southwood Avenue.

Staff does not feel the overall development to have any greater impact on the area than a typical subdivision would, and we feel it is in conformance with the Comprehensive Plan. Going through the ZDA process has allowed the developer to introduce a concept not outright permitted within our code. It has also offered a public forum for the nearby property owners and residents to become acquainted and view the project prior to construction.

As we move forward with the process, Staff will ensure the project conforms to the requirements of the ZDA Code Sections.

On April 12, 2016 the Commission heard a preliminary presentation on this request. There were questions and comments from the Commission and from adjacent neighbors. Upon a recommendation by the Commission this request will be scheduled for a public hearing before the City Council. The City Council may approve this request as presented, deny this request or approve it with additional conditions. If approved, an ordinance will be prepared and presented to the City Council for approval. The ZDA Memo of Commitment shall be attached to the Ordinance.

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Planner I Spendlove stated upon conclusion should the commission recommends approval of the ZDA Development, as presented, staff recommends the following conditions:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to assure compliance with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase.
3. Subject to the perimeter fence being installed prior to issuance of a building permit.
4. Subject to a final plat being recorded prior to any development.

**PZ Questions/Comments:**

- Planner I Spendlove explained that if this is developed with only the north side all the traffic going to this property would have to travel down Valencia Street and Southwood Avenue, with the middle school being constructed in this area staff foresees additional traffic for this area with this development. It would be better if Valencia Street were completed. As for the perimeter fencing the intent of the condition is to have perimeter fencing installed prior to each phase to mitigate issues that can impact the surrounding property owners during construction. The recording of the final plat is a requirement within the code.
- Assistant City Engineer Vitek confirmed the additional traffic impacts to the area with the development and the middle school is the reason for the condition that Valencia Street be completed. The platting process is where these issues will be reviewed, the item for discussion tonight is the zoning designation. The preliminary plat will come before the Commission when it is ready to move forward.
- Zoning & Development Manager Carraway-Johnson explained if the Commission is uncomfortable with condition #2 the way it is stated, they can amend the condition to include subject to engineering review of the plat. This zoning request will move forward to City Council with the Commission's recommendation.
- Commissioner Grey recommended that the wording be changed on condition #3 to reflect the intent better.
- Commissioner Higley asked where the utilities are located for this project.
- Assistant City Engineer Vitek stated that the utilities are located at the north end of the development. There are no services on 3600 North and there are some water issues in this area that will have to be resolved before a Will-Serve can be issued for this development.
- Commissioner Higley stated he was thinking if the development phases started at the south end of the project it would possibly allow them to build Valencia in pieces versus all at one time if the start at the north end. Utilities would still be put in but the road would be done in phases.
- Assistant City Engineer Vitek stated there are several options for development. The developer can either plat the entire development and bond for the portions that are not developed. The other option is to plat in phases.
- Zoning & Development Manager Carraway-Johnson stated that the phasing of the project is part of the platting process and that will be brought to the Commission for review also.
- Commissioner Reid asked about the intersection at Southwood Avenue & Valencia Street was discussed how this is not an area where parents should be dropping off students. Finishing Valencia Street would set it up for parents to drive up and down this street to drop kids off, so in essence finishing the road is going to impact the school.
- Commissioner Munoz stated that the recommendation that the statement, subject to engineering review of the plat would alleviate some of these concerns.
- Commissioner Higley stated the request is for a zoning recommendation, we could just remove the Valencia Street condition from the conditions because that will be addressed during the platting process.
- Commissioner Munoz agreed.
- Commissioner Woods stated that having a dead end road for six years prohibits emergency and fire access.

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**Public Hearing: Opened**

- Diane Kirkendall, 1658 Vista Drive, stated she is opposed to this change because of the extra density and traffic increase the development will cause and she doesn't want a two story building facing her backyard.
- John Matranga, 1624 Dana Street, stated he is opposed to the zoning change he does not want the extra density or traffic.
- Christin Taherey, 1527 Vista Drive, she is opposed to the zoning change she doesn't want the extra density and increased traffic as well as being opposed to the two story buildings backing up to her back yard.
- Chris Lewis, 1655 Vista Court, she is opposed to the zoning change, she stated they don't look like upscale townhomes and things they will end up being rental properties creating more noise and traffic for the surrounding property owners. The density is a large concern as well as garbage dumpsters next to her fence line.
- Nichol Stephens, 1557 Vista Drive, stated she is opposed to the rezone because of the same issues extra traffic and additional density. She doesn't want this to become a rental property.
- Todd Kirkendall, 1658 Vista Drive asked if there is anything that would prevent these from becoming rentals.
- Marlin Schmiege, 1547 Vista Drive is opposed to the rezone.
- Dennis Hourany, the applicant, stated that when they look for opportunities to build homes they look for areas in compliance with the comprehensive plan and zoning requirements. His understanding is that Twin Falls is in need of housing. This is not going to be a slum area; this is not going to become low income.
- Nona Bosh, 1535 Vista Drive, she has concerns about the dumpster location, noise, traffic and the safety of the children she is opposed to the request.
- Dennis Peters, 1544 Vista Drive stated his concern is for the safety of the children and navigating the curve along Southwood Avenue with the additional traffic this will create. He is opposed to the rezone.
- Lynn Jensen, 1659 Vista Drive stated he is opposed to the rezone and is concerned with property values going down because of this development.

**Public Hearing: Closed**

**PZ Questions/Comments:**

- Chairman Frank asked staff to review the uses that are currently allowed in the R-4 Zoning District.
- Planner I Spendlove reviewed on the overhead Title 10, Chapter 4, Section 5 explaining that currently with the R-4 zoning designation single family homes and duplex units would be outright permitted and triplex/four-plex units would be allowed with the approval of a Special Use Permit. The lot size requirement for a single family would be a minimum of 4000 sq. ft. The lot area increases to 7000 sq. ft. for a duplex and depending on how the units are built it would be an addition 1000 sq. ft. or 2000 sq. ft. added to the lot size requirement. As these are designed to be four in a row the calculation as a four-plex would require an 11,000 sq. ft. lot under the R-4 standards as they are written.
- Commissioner Frank clarified that there are not any restrictions for two story homes.
- Planner I Spendlove stated the height restriction is 35 ft. in any residential zone with a 20 ft. rear yard setback which is required in the R-4 zone. This request has not changed the setback for the rear yard.
- Commissioner Frank asked the applicant if there is anything to address the rental concerns.
- Mr. Harding stated that there is no restriction on renting the units. There will still be a homeowner's association and a property manager.
- Commissioner Frank asked if there is an estimate as to what the units might rent for if they did become rentals.
- Mr. Hourany responded that he would estimate between \$900-1000 per month not low-income.

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- Commissioner Grey asked if there is anything to prevent the back patio areas from becoming dumping grounds or the parking lot from becoming the place for the junk car to park for months.
- Mr. Hourany stated there will be much better conformity with the HOA and there will be an onsite property manager.
- Commissioner Munoz asked who will enforce the HOA and is it legal binding.
- Mr. Hourany stated when the homes are purchased the HOA documents are signed by the purchaser and the agreement becomes legally binding. The HOA has a president along with a committee that enforces the rules. They have a property manager to keep track of any maintenance and landscaping issues.
- Commissioner Higley asked if there has been any thought given to moving the park area to the west side of the project to possibly provide a better buffer for the neighbors on the east side of Valencia Street.
- Mr. Harding stated that could be considered however it was placed in the current location because it butts up to the school's open area and it will have playground equipment for smaller children.
- Commissioner Higley stated he was just recommending this as an option to help address the neighbors' concerns of having these units backed up to their property.
- Commissioner Grey stated he's not sure a collector street along someone's back yard is much better. He also asked about parking along Valencia Street.
- Mr. Harding stated that Valencia Street is a collector, parking on a collector is not allowed.
- Commissioner Grey asked about the dumpster locations.
- Mr. Harding explained that the dumpsters are along the end of the parking lot so that the trucks can get to them easily and there will be enough to prevent people from keeping their trash on-site too long because they are too far away. The lot area is exceeded for a four-plex with taking the road out. As for privacy there will be landscaping as well as a fence along the back area to provide more screening.

**Deliberations Followed:**

- Commissioner Woods stated his issue is the definition of the R-4 district, which is intended to promote medium density, this seems to be a high density development and having dumpsters backed up to someone's fence is unsettling. Throughout his years as an engineer he has been an advocate for providing a transition from single family to high density which is the reason for special use permits. He thinks if this project were phased as duplexes on the west side and then four plexes along the east side of Valencia Street that would be less concerning. He is also concerned with roads not being completed and would like to see Valencia Street completed.
- Commissioner Munoz stated the platting process is when the street should be discussed and engineering should have an opportunity to determine whether or not this can or cannot be done in phases. He is also considering that this is a ZDA process which allows for an adjustment to density. He has mixed feelings about the density, but the collector road is part of the reason for this design. The privacy may be an issue however a two or three story house could be built in this zone under the current code. He has some concerns about the transition from a single family residence to this type of density.
- Commissioner Grey asked if the Valencia Street condition could be removed without causing issues, because this will come up during the platting process.
- Planner I Spendlove stated yes the condition can be removed.
- Commissioner Grey summarized that there is a benefit to the ZDA that shows the development prior to being built however it can also create the concerns that have come up tonight because everything is shown all at one time.

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- Commissioner Frank stated Valencia Street if these get built this is actually the only way Valencia Street will get completed. If the property is subdivided and sold in pieces there will not be enough capital for someone to build Valencia Street. Having one owner of the entire property for full development will be the only way this collector street gets built.

**Motion:**

Commissioner Munoz made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Higley seconded the motion.

**Discussion Followed:**

- Commissioner Tatum asked if there needed to be a statement added to condition number two allowing the Engineering Department the opportunity to review the construction plan for Valencia St.
- Commissioner Frank stated this is a condition City Council can amend or remove.
- Planner I Spendlove clarified the Commission has the same option either to approve the condition as is, amend the condition or remove this condition.

**Motion Amendment #1:**

Commissioner Tatum made a motion to add "subject to Engineering review of the plat" to condition number 2 of the staff recommendations. Commissioner Munoz seconded the motion. Commissioner Woods abstained and all other members present voted in favor of the motion.

**Discussion Followed:**

- Commissioner Grey stated he thinks that clarification on the fencing should be included in condition number 3 of the staff recommendations making it clear when fencing needs to be completed throughout development.

**Motion Amendment #2:**

Commissioner Grey made a motion to add "for each phase of the project" to the Condition No. 3 of the staff recommendations. Commissioner Tatum seconded the motion. Commissioner Woods abstained and all other members present voted in favor of the motion

**Final Motion with Amended Conditions:**

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase, **subject to Engineering review of the plat.**
3. Subject to the perimeter fence being installed prior to issuance of a building permit, **for each phase of the project.**
4. Subject to a final plat being recorded prior to any development.

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**Final Vote:**

Commissioner Grey and Frank voted in favor of the motion and Commissioners Reid, Dawson, Munoz, Tatum, Higley and Woods voted against motion.

[Recommended Denial](#)

[City Council Public Hearing To Be Scheduled at a Later Date](#)

**Commission took a 5-minute recess.**

2. Request for a **Special Use Permit** to operate an auto repair business on property located at 307 Hankins Road South in the Area of Impact. [c/o Nolan Watte](#) (app. 2778)

**Applicant Presentation:**

Nolan Watte, the applicant, stated he owns the property located at 307 Hankins Road South and he would like to operate an auto repair shop at this location.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated this property has been zoned M-2 at least as far back as the 1980's when the new zoning designations took effect. There are currently 4 structures on this parcel; a single family dwelling and a detached garage fronting Hankins Rd, a residential duplex, and a separate shop. County Records show a structure being constructed in 1920, presumably, the single family dwelling and garage. This location is within the Area of Impact and the City does not have any land use or building records on file for the other structures on this property.

The applicant has supplied a narrative outlining the details of the proposed use only for the portion of the property for the auto repair business. The hours of operation will be 8:00 AM – 5:00 PM, Monday – Friday. There will be two (2) employees initially.

The narrative states the applicant believes that any impacts to neighboring land uses will be minimal. The narrative also states that he does not anticipate any change in odor, glare, or otherwise objectionable impacts to neighboring properties. Based upon the applicant's narrative that he believes there will be little to no noise heard outside the repair shop and no change to impacts to the surrounding area it is unclear if a business may be already operating.

**Per City Code 10-4-10.2:** Automobile and truck service and/or repair businesses are required to have a special use permit in order prior to operation. A special use permit is granted for a land use, as presented and may be subject to additional conditions, at a requested site and not to a specific applicant.

*There are also an existing single family residence and detached garage and a residential duplex located on this same parcel. The applicant is the owner of this parcel and all structures. The proposed shop building is on the far eastern boundary and is the only portion of the parcel to be used for the auto repair business. The property owner does not plan on operating the auto repair business if the sup is granted – he plans on leasing out the auto repair shop.*

All improvements made on the subject property are required to comply with standards set forth in Twin Falls City Code.

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**Per City Code 10-10:** To operate an auto repair business requires three (3) plus one and one half (1.5) parking spaces per service bay. There are two (2) service bays at this shop. This ratio equals a minimum of nine (9) parking spaces required.

*The submitted site plan meets the minimum code requirement.*

**Per City Code 10-11-1 thru 8:** Required improvements to the property shall be in conformance with city code at the time of certificate of occupancy/building permit. All required improvements including landscaping, screening, parking areas, drainage and storm water retention will be reviewed with the building permit submitted to the city and will be required to meet the minimum requirements prior to issuance of the certificate of occupancy.

Landscaping: Currently the landscape area complies with minimum required city code. The trees and bushes will have to be replaced and maintained per city code.

It is believed that the proposed automobile repair shop being proposed will not greatly impact beyond what is reasonably acceptable at this location. However, any automobile restoration business has the potential to become an unsightly visual impact to neighbors and the community. In order to mitigate this visual impact to neighbors and the community as a whole, it would be acceptable to require all un-operable vehicles and parts to be stored inside a building or within a sight obscuring fence area. Also, a time limit for vehicles to be parked outside that are either waiting to be worked on or work is completed would be appropriate.

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.
2. Subject to all inoperable, un-licensed, or junk vehicles, and all parts being stored inside a building or behind a sight obscuring fence that has been approved by staff. Screened area to be installed prior to issuance of the Certificate of Occupancy.
3. No vehicle parked outside for longer than 2 business days prior to or after work is completed.
4. Subject to a Certificate of Occupancy issued by the City prior to business operations beginning.

**PZ Questions/Comments:**

- Commissioner Munoz asked about fencing between properties.
- Planner I Spendlove stated fencing would not be required as this property is not adjacent to residential.
- Commissioner Woods asked about County approval.
- Planner I Spendlove stated this item is approved by the Commission only. If the item were to be appealed it would go to City Council first and if necessary, then it would proceed to the Board of County Commissioners.

Public Hearing: **Opened & Closed Without Concerns**

Deliberations Followed: **Without Concerns**

**Motion:**

Commissioner Tatum made a motion to approve the request, as presented, with staff recommendations. Commissioner Woods 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 all inoperable, un-licensed, or junk vehicles, and all parts being stored inside a building or behind a sight obscuring fence that has been approved by staff. Screened area to be installed prior to issuance of the Certificate of Occupancy.
3. No vehicle parked outside for longer than 2 business days prior to or after work is completed.
4. Subject to a Certificate of Occupancy issued by the City prior to business operations beginning.

V. **GENERAL PUBLIC INPUT:**           **None**

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

1. Discussion on proposed Code Amendment

- Zoning & Development Manager Carraway-Johnson stated that recently an amendment was approved to change the City Code regarding Public Hearing Notice Requirements. 10-7-20(B)c - Site Posting states, "If a property contains three hundred (300) or more feet of street frontage on a single street, one sign **SHALL** be placed on the property for each three hundred feet (300'), or portion thereof, of the street frontage." 10-7-20(B)d states "Additional notice signs may be required as determined by the administrator." While 10-7-20(B)d allows the administrator to increase the number of public notice signs to be posted the word "**SHALL**" in 10-7-20(B)c -Site Posting does not allow the administrator the ability to reduce the number of signs required. A recent zoning request was submitted that included 80 +/- acres. Based upon the public notice sign posting code requirement the request required 23 public notice signs be posted on the perimeter of property with 8 of them being along Pole Line Road. Staff feels this number of signs is not necessary at this site to ensure proper notification is satisfied. Upon conferring with the city's legal counsel it was recommended to amend this code section to allow for discretion by the administrator to determine the required number of public notice signs to be posted. Zoning & Development Manager Carraway-Johnson stated she is proposing a Zoning Title Amendment to 10-7-20(B)c Public Hearing Notice Requirements- Site Posting by adding the following verbiage "*or as determined by the administrator*". She is asking for the Commission's recommendation to proceed with the public hearing process.
- Commissioner Grey stated that the Commission thought this process through, thinking staff needed some support when more signs needed to be posted. Here is an example of when staff should be able to reduce the number of signs if necessary.
- Zoning & Development Manager Carraway-Johnson stated staff currently has no other options but to follow code the way it is written.

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- Commissioner Woods stated the Commission was trying to protect staff.
- Commissioner Reid asked if the number of signs should be capped at a certain number so staff is not left in an uncomfortable situation.
- Zoning & Development Manager Carraway-Johnson stated she does not want to limit the number, but she does think staff is qualified to take a look at an individual parcel and make an educated decision to either add or reduce the number of public notice signs to be posted. There is already an opportunity in the code to increase the number and there should be an opportunity to reduce the number also, because each property is different.
- Commissioner Frank and the Commission agreed and are in support of staff's request to proceed with the public hearing process.
- On a second item Zoning & Development Manager Carraway-Johnson stated staff would like to coordinate another joint Comprehensive Plan Advisory and Planning & Zoning Commission meeting before the end of May. At that meeting she will present draft Comp Plan chapters and Draft Maps. The Commission agreed and there was discussion on a couple of dates. Zoning & Development Manager Carraway-Johnson said she will inform the Commission when the date is confirmed.

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

1. Work Session- **May 4, 2015**
2. Public Hearing-**May 10, 2015**

**VIII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 8:09 PM

Lisa A Strickland  
Administrative Assistant  
Planning & Zoning Department