



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
June 28, 2016 6:00 PM
City Council Chambers
305 3rd 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

Frank
 Grey
 Musser
 Reid
 Tatum

ABSENT

Dawson
 Munoz

AREA OF IMPACT MEMBERS

PRESENT

Woods

ABSENT

Higley

CITY STAFF: Carraway-Johnson, Thompson

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): **June 14, 2016 PH**
2. Approval of Findings of Fact and Conclusions of Law:
 - Canyon Village Subdivision No.2 –A PUD (Pre-plat 06-1416)
 - Rock Canyon Amphitheater (SUP 06-14-16)

Motion:

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

Unanimously Approved

III. ITEMS OF CONSIDERATION: None

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 stated he is here to make a request for a rezone to a ZDA. This development application was initially presented to the Planning & Zoning Commission on April 26, 2016 with a recommendation for denial to the City Council. The developer decided that he wanted to attempt to address the concerns and make some revisions to the plan. This proposed development is Lot 2 of the Golden Eagle Subdivision No. 4. This property has to be platted prior

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to any development and the applicant would like to develop the property under a ZDA plan. The east side of the development has not changed from the original presentation on April 26, 2016. After the April 26, 2016 meeting the developer met with the neighbors and has attempted to address their concerns, by making changes to the property on the west side of the development. The concerns were related to windows facing the existing back yards and density. The buildings have been turned so that the side of the buildings faces the existing back yards with no windows. They have reduced the number of units from 88 to 84. Another concern brought up by the Commission was related to density with this layout. He explained with the R-4 zoning there is an allowance for 4plex units which would require 11,000 sq. ft. for the development of each building if all four units are on the same level; each of these units will be on the same level. On the west side of the development the buildings are on approximately 14026 sq. ft. area which exceeds the 11,000 sq. ft. requirement. On the east side the lots are approximately 12, 953 sq. ft. area. The other concern brought forth was the location of the dumpsters, they have all been moved over close to the Valencia side of the development. They are still proposing traffic islands for traffic calming with a six ft. sidewalk and a five ft. green area behind the sidewalk. The greenspace area on the northeast side of the development will have toddler type play equipment and will provide a park area for the development. This will not be a runoff area used as a park, the runoff will be kept onsite in areas of the landscaping. There will be fencing installed between the existing residential area and the development.

Staff Presentation:

Zoning & Development Manager Carraway-Johnson review the request on the overhead and stated, this site is approximately 9 (+/-) acres and is zoned R-4 located on the north side of 3600 west of Harrison Street. The request is to rezone the property from R-4 to an R-4 Zoning Development Agreement. The conceptual plan provided shows the layout of the property as described 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. As you have just heard this project was presented to you previously.

On April 12, 2016 the Commission held a preliminary presentation on this request. There were questions and comments from the Commission and from adjacent neighbors.

On April 26, 2016 the Commission held the public hearing for this request. Upon conclusion of the applicant's presentation, staff's presentation, public comment and commission deliberation of the request, as presented, was recommended for denial by a vote of 2 for and 6 against.

On May 31, 2016 the developer met with the surrounding neighbors to discuss their concerns Upon conclusion of the meeting the developer made some modifications to the development to try and mitigate the impacts to the neighbors. Tonight is a result of the developer's modifications and new presentation.

In summary the changes from the April 26th public hearing includes, **1)** a reduction in residential development from twenty-two (22) Town House Blocks / 88 single family dwelling units to twenty-one (21) Town House Blocks / 84 single family dwelling units. Each Block will contain four (4) "Town Houses" lots, each lot shall be built as a single family dwelling, and may be owned individually **2)** the orientation of 9 out of 10 townhomes that are adjacent to residential neighbors on the western boundary of the development shall be located with the side yard adjacent to the fence, **3)** the ends of the townhomes that may overlook the neighbors' homes or yards will not have any windows; **4)** the trash dumpsters

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shall be located to the furthest location from the residential neighbors on Vista Drive; **5)** all lighting within Valencia Park shall be “down shielded”, **6)** there shall be an additional depth of landscaping buffer between the development and the residential neighbors – depth should be defined; **7)** traffic calming on Valencia Street as deemed appropriate by the City.

Assistant City Engineer Vitek has looked at the plan and is comfortable with the traffic calming proposal. Within the R-4 zone 4plex buildings require a Special Use Permit be approved for each building. The proposed rezoning through a Zoning Development Agreement would allow this public hearing requirement to be met with one public hearing for a Special Use Permit for the entire development. There are no garages, covered parking or onsite storage areas being provided by the development and it is unclear whether or not there will be an onsite manager for the development. This may need to be addressed because all of the common area is owned by the Home Owners Association and without someone onsite, these types of developments on occasion can end up not being maintained.

The town-house blocks will be strategically placed to maximize open space and parking. The remainder of the development shall be open space and parking area which will be owned and maintained by an HOA comprised of the home owners within the development.

Staff does not foresee the land use of town-houses being a drastic departure from the permitted uses within the zoning district. Each town-house will have the opportunity to be owned independently. Staff does not feel the overall development will have any greater impact on the area than a typical residential subdivision. The proposed development it is in conformance with the Comprehensive Plan; Medium Residential Density.

Upon recommendation by the Commission this request will be scheduled for a public hearing before the City Council. The City Council may approve the request, as presented, deny the request, or approve the request with conditions. If the City Council recommends a change to the concept of the plan this process will start over with the Planning & Zoning Commission. If the ZDA is approved an ordinance will be prepared and presented to the City Council for approval. The ZDA Memorandum of Commitment shall be attached to the ordinance.

Zoning & Development Manager Carraway-Johnson stated upon conclusion if the Commission recommends approval of the Valencia Park 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 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.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.

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PZ Questions/Comments:

- Commissioner Grey asked for clarification on the depth of the landscaping proposed along the adjacent property line.
- Mr. Harding stated that the minimum depth of landscaping will be 12 ft. The rest of the areas will be larger.
- Commissioner Grey asked about an on-site manager.
- Mr. Harding stated that at the last public hearing the applicant indicated there will be an on-site manager.

Public Hearing: [Opened](#)

- Wendy Shrief, Horrocks Engineers, stated that she has worked on several projects with this developer. She stated he does high quality projects and his model is to put each unit on its own lot and to sell each unit to an individual owner; this is not a project for investors. She met with the neighbors on May 31, 2016 to discuss the proposed changes with the neighbors and as a result there are fewer neighbors at this meeting. It was a successful meeting, they were satisfied with the buildings being turned, dumpsters being relocated and this development should provide a good buffer between the new school and the existing single family homes. There are still a few concerned neighbors that would prefer the dairy however this property is already zoned R-4 which would allow for a medium density residential use.
- Moni Bosh, 1535 Vista Drive, stated she still has a concern with the buildings being purchased by one owner and then rented out like apartments. The other concern is the property upkeep, and currently the property is not being managed very well. What guarantee is there that the HOA will remain in place. Her last concern is how Valencia Street will be developed and would like some clarification on how that will be completed.
- Kristen Tahiri, 1527 Vista Drive, would like clarification on how Valencia Street will be developed. She also has concerns with the park location and water retention. The other concern is what is going to change after this has been approved, it is very concerning.
- Nicole Stevenson, 1559 Vista Drive, stated she appreciates the changes that have been made to the plan. She explained they were told the park was going to retain the runoff for the property which is why it could not be moved to the west side of the development and tonight the presentation stated that the park will not be used for a runoff area. The other concern is the traffic and possibility of jumping the fences to go to school. She is not sure that this development will be successful in Twin Falls, they don't sell; some investor eventually buys the property and rents them out as apartments.

Public Hearing: [Closed](#)

Closing Statement:

Mr. Harding stated that the cost of purchasing each individual unit will not be cheap for an investor and it would not be economically feasible. As an individual it would provide a property that someone would own and have the benefit of not having to maintain a yard. His client has done his research and developments like this are his business. As for weed control on the property, his client does not own the property and the current owners are responsible for managing the weeds. The HOA is recorded with the county so it does not disappear, but the home owners have to stay active. In this situation there will be dues paid to maintain the property so there should be some incentive to keep the HOA active. Valencia Street development is subject to Engineering review and is part of the platting procedure, the City will determine during the platting process when and how this road is developed.

As for the park, the City has made it clear that they do not want the park area used for water retention and the plan is to keep it in its current location. The runoff for the entire development will be managed

throughout the property and will not be dumped into the park area. As for changes to the development if it is approved, the proposed development if approved has to remain the same unless something major is proposed. There is a timeline for completing the development, there is not a lot of room for change. Relocation of the park was considered but it is not feasible with the setback and parking requirements. If there is a concern that the kids will be dropped off for school a fence could be installed between the park area and the school. The school has been designed for parents to drop their kids off using Harrison Street. He does appreciate the neighbors input and the plan is to provide an open medium density development.

Deliberations Followed:

- Commissioner Frank asked for clarification that once a ZDA is approved and signed it becomes a contract with the City and cannot be changed.
- Zoning & Development Manager Carraway-Johnson explained that is correct there is some allowance for minor changes to be made but it is a binding contract and any changes required by the Commission or City Council would become part of the contract. To approve an amendment to the contract a public hearing process would be required.
- Commissioner Musser stated he does understand the neighbors concern with these being purchased and rented as apartments. He asked if there could be a way in the covenants or the HOA bi-laws that would prevent this from happening.
- Zoning & Development Manager Carraway-Johnson stated there would be a way for this to occur in the agreement between the property owners and the developers but not between the City and the developer.
- Commissioner Tatum asked who is financially responsible for the construction of Valencia Street.
- Zoning & Development Manager Carraway-Johnson explained the construction cost and development of Valencia Street is the responsibility of the developer.
- Commissioner Tatum asked if this were planned for individual homes who is responsible for the cost in constructing Valencia Street.
- Zoning & Development Manger Carraway-Johnson explained the developer is responsible for the cost of construction the road as part of the platting process. Each lot once platted would be sold separately.
- Commissioner Woods stated that this layout is a much better compromise. He thinks this is a reasonable transition between the school and the single family homes.
- Commissioner Frank stated he thinks this is the best situation for the neighborhood and in order for the development of the road to occur it is going to require something like this for the developer to make this happen.
- Commissioner Grey stated that the ZDA is a contract that is binding and the owners have a stake in how the development looks because it impacts their own property values.
- Commissioner Woods stated he would really like to see the street completed as soon as possible.
- Zoning & Development Manager Carraway-Johnson stated that the intent of the conditions is to have it completed all at once, however that is subject to change if there are infrastructure or engineering issues discovered during the platting process.

Motion:

Commissioner Tatum made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

Recommended Approval, As Presented, to City Council
City Council Hearing Scheduled for July 25, 2016

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.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.

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 a joint meeting with the Comprehensive Plan Advisory Committee is scheduled for July 13, 2016 at Noon to 2:00pm. At 3:30pm the City Fair is scheduled at the Banner Building and a copy of the draft Comprehensive Plan Update will be available for the public to review. There are two public hearing items and one consideration item scheduled for July 12, 2016.
- Commissioner Grey asked for an update on the turn located on Blue Lakes Boulevard by the Canyon Park West development.
- Zoning & Development Manager Carraway-Johnson stated that this discussion has occurred with ITD and they were opposed to any kind of change at this location.
- Commissioner Reid explained other issues with this area is that people are using the lane to turn at Canyon Springs Road but the cars are backing up to the point that people that are in the left lane on Blue Lakes Boulevard headed north are not able to continue traveling because they have to wait for traffic to clear. The other issue is there is only one bridge across the canyon, so traffic that has to travel across the canyon has to travel this direction.
- Commissioner Frank asked if there is any more data or information that could be presented to the Commission as to why something different can't be done.
- Zoning & Development Manager Carraway-Johnson stated she would have someone from Engineering provide more information about this traffic issue.
- Commissioner Frank explained the traffic is only going to get heavier in this area and it would be nice to get ahead of the problem.
- Commissioner Grey explained he would really like to prevent a major accident.

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

1. Work Session- **July 6, 2016-canceled**
2. Public Hearing-**July 12, 2016**

3. Public Meeting - [July 13, 2016, Joint CPAC & P&Z meeting](#)

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:00 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department

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