MINUTES
Twin Falls City Planning & Zoning Commission
Tuesday, March 13, 2012-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn **Chairman** | Jason Derricott | Tom Frank | Kevin Grey | Terry Ihler | V. Lane Jacobson | Chuck Sharp

AREA OF IMPACT:

Lee DeVore **Vice-Chairman** | Steve Woods

CITY COUNCIL LIAISON

Rebecca Mills Sojka | Jim Munn

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:	ABSENT:
Bohrn	Derricott
Frank	Ihler
Grey	
Jacobson	
Sharp	

AREA OF IMPACT MEMBERS

PRESENT:	ABSENT:
DeVore	
Woods	

CITY COUNCIL MEMBERS PRESENT: Jim Munn

CITY STAFF PRESENT: Anderson, Carraway, Reeder, Vitek, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

IV. ITEMS OF CONSIDERATION: None.

V. PUBLIC HEARINGS:

1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)

2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)

3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507) **WITHDRAWN**

4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)

5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

I. CALL MEETING TO ORDER:

Chairman Bohrn 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 present.

II. ELECTION OF OFFICERS:

1. Election of Officers:

MOTION:

Commissioner DeVore nominated Wayne Bohrn for Commission Chair. Commissioner Sharp seconded the motion.

MOTION:

Commissioner Sharp nominated Lee DeVore for Commission Vice Chair. Commissioner Jacobson seconded the motion.

2. **Introduction of New Commissioners:**

Chairman Bohrn introduced the new members appointed to the Planning and Zoning Commission. Kevin Grey is representing the City. Steve Woods will be representing the Area of Impact. Tom Frank has been on the Commission previously and is starting a new appointment representing the City.

III. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **February 14 & February 28, 2012**
2. Approval of Findings of Fact and Conclusions of Law:
   - Lazy J – SUP (02-14-12)
   - Spencer Williams – SUP (02-14-12)
   - Staker Parson Companies, dba Idaho Concrete Company – NCBEP (02-28-12)
   - Patrick A. Bourner – SUP (02-28-2012)

MOTION:

Commissioner DeVore made a motion to approve the Election of Officers and the Consent Calendar, as presented. Commissioner Sharp seconded the motion.

THE ELECTION OF OFFICERS & THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED

III. ITEMS OF CONSIDERATION:

NONE

IV. PUBLIC HEARING ITEMS

Chairman Bohrn stated that the first two public hearing items would be heard at the same time as they dealt with the same property. Separate motions would be made for the individual applications.

1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)

2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)

APPLICANT PRESENTATION:

Gerald Martens, representing the applicant, Canyon Park LLC, introduced the request. He gave a history on the property. The request is the first step- zoning has to be appropriate for what they propose to do. Secondly they want to do some realignment of Fillmore St by vacating the existing right-of-way. Any vacation is conditioned and will not occur until after the new roadway is dedicated as a parcel and the road is constructed. Then the roadway will be vacated and traffic moved to the new alignment.

Canyon Park consists of three parts- Canyon Park East consists of everything east of the bridge and Blue Lakes Boulevard and is the area that includes Best Buy and Old Navy. Canyon Park West was originally platted in 1995 and it consisted of the parcels primarily located along Blue Lakes. It was partially developed- Outback, Johnny Carino's, and Golden Corral, along with Fillmore being built. Canyon Park North consists of the area north of Fillmore St. It was proposed during 2000-2005 as a space for retail with the largest component being a convention center and hotel. That required some amendments to City ordinances and it was a lengthy process. During that time the developer was busy developing the east side property. At the time the developer started looking to the west side the market came to a halt and the demand for retail space dried up. New development has addressed the convention center component such as Canyon Crest and Elevation 486. Additionally several larger new hotels were developed that took up the hotel demand that existed in the early 2000's.

The sewer, water, and infrastructure are substantially there. They now have interest to bring this back as a project. They are proposing Canyon Park North and Canyon Park West as a single plat. He oriented the Commission and audience to the Master Development Plan. The proposal is for a series of retail buildings along the perimeter, a hospitality pad on the north canyon corner near the visitors' center, and some additional sites filling in along Blue Lakes. It will be a sum total of twelve (12) lots or parcels.

To accomplish this plan, Fillmore Street will be relocated along the rear of the buildings along Blue Lakes. They will work with staff to make some improvements to the connection at Canyon Springs Road. The accesses off of Blue Lakes will not be changed or relocated, just the roadway within the project.

The other component of the official request is to get the zoning to the C-1 CRO PUD. They are combining the two PUDs to one that will address all the issues. There were some key components of the project that were important to staff and neighbors 10-15 years ago-

1. There is row of large trees on the west end of the property. It was very important at the time to have those trees in place as a buffer to the Breckenridge Homeowners Association.

2. The trail was developed at that time that connects to the trail system. It will stay in place and/or be enhanced. Screening will occur where necessary. There are a lot of trees and buffering installed and that will be addressed in the PUD.

3. Architectural standards have been modified only to match Canyon Park East. The architectural features developed in Canyon Park East- stone facades, roof alignments, hip roofs, architectural features- will be the standard for this development. All truck docks and dumpsters will be screened. The lighting and signing standards will be revisited. We have spent significant time working with staff on signage standards. There will be no pylon signs, only monument signs.

Since our last meeting since we made our presentation two weeks ago, staff has approached us about enhancements to address the traffic issues- to not just replace the roadway but improve it. At Canyon Springs and Fillmore intersection they would eliminate some of the dip approaching Fillmore and make that traffic flow smoother and improve access onto Canyon Springs Rd. The intersection at Bridgeview and Fillmore was initially proposed as a conventional "T" intersection with a free-running right. It has been redesigned with the possibility of a roundabout. Bridgeview Blvd would come west into a roundabout that would allow no stop conditions. Traffic into the visitors' center would have a very smooth 100' radius that would allow for motor homes, travel trailers, and vehicles pulling trailers to make it into the site. Outback Steakhouse will lose a minor amount of parking that will be replaced.

Traffic wishing to continue down Fillmore will go around the roundabout. There will be a free-running right from Fillmore to the intersection at Bridgeview. They have reviewed this with staff; the developer thinks it will work. The retailer is cautiously responsive. There is some apprehension about customers taking on something different. They want to be convinced that it will run smoothly. They will do the required traffic studies to show the developer and staff that it will work and traffic will be able to be accommodated.

In conclusion they are here for the two issues. They are requesting the vacating and rededicating of Fillmore St- one of the conditions that they have agreed to is that the road will not be vacated until the new roadway is completed and traffic is moved over.

Secondly, they are addressing the property zoning. A section was withheld previously because of the hotel component; they would like to rezone it to the C-1 zone that is supported by the Comprehensive Plan.

STAFF PRESENTATION:

Zoning & Development Manager Carraway stated this is a request for two separate items. The Commission will be asked to make two separate motions for recommendations that will automatically go on to the City Council.

Ms. Carraway reviewed the exhibits on the overhead and oriented the Commission and audience to the project. She pointed out the property zoned SUI- Suburban Urban Interface, part of the request is to rezone the property to a C-1 CRO PUD. The SUI portion was left out as there were questions on the development of the property at the time. The request is to rezone the whole 25 acre area and combine it under one (1) planned commercial/retail development, C-1 zone in the Canyon Rim Overlay (CRO) zone.

The second portion of the presentation was on the vacation request. Fillmore Street, a public street, is proposed to be rerouted and dedicated as a private easement. It will include utilities and public use. The City wants to ensure that it maintains proper usability. There will be a specific agreement attached to this street that will require property owners to be responsible for maintenance. It will look like a public street with sidewalks and landscaping. It is agreed upon by the developers and staff that the new Fillmore Street would be developed prior to the vacation of the existing public right-of-way if approved by the City Council.

The plan in the Commission's packet is outdated as staff has worked with the applicant to alleviate some concerns that came up during the preliminary presentation. At this point the design does comply with a lot of concerns staff had with the design of the plan.

Part of the PUD Agreement will include typical verbiage for development of the buildings and compliance with the minimum standards of the C-1 and CRO zones. In discussions with the developer there will be enhanced landscaping along the northern part of the property, the canyon rim to enhance the public trail system. It will be comparable to the existing Canyon Park East development. There is a lot of work being done to protect the aesthetics of the backside of this project for the public to continue to walk along there. There will be enhancement on the landscaping along Blue Lakes Boulevard and Fillmore St. There is a canyon rim setback of one hundred feet (100') or fifty feet (50') if there is an approved geological study. There is not a geological study at this time so the standard would be a 100' setback. Building exterior colors are to be consistent with the Canyon Park East- muted earth-tone colors with accent colors. The verbiage states that there cannot create a continuous solid vertical or horizontal stripe and accent colors cannot take up more than 10% of the exterior wall face. It was indicated that roofs and mechanical equipment will be consistent with Canyon Park East.

The proposed Master Development Plan does comply with the current Comprehensive Plan that indicates this property is appropriate for commercial/retail development.

The process regarding a request for a zoning district change and zoning map amendment and a request for vacation require a public hearing before the Planning and Zoning Commission. It allows the public to come and comment. It is noticed in the paper so that anyone who is not within 300' and does not receive notice can be made aware and come to the public hearing if they would like to. The Commission is asked to make a recommendation on both of the items separately. After receiving a recommendation from the Commission, the request automatically goes to the City Council, who shall hold an additional public hearing and if the request is approved it would be required to be completely replatted.

Upon conclusion, the Commission is asked to make two (2) motions:

Should the Commission recommend the C-1 CRO PUD zoning to the City Council, as presented, staff recommends the following conditions be attached:

1. Subject to site plan 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 or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

Should the Commission recommend approval of the request to vacate Fillmore Street to the City Council, as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

There was a letter submitted to the Commission that Ms. Carraway posted on the projector from Katie Breckenridge and Rob Struthers.

P&Z COMMENTS/QUESTIONS:

- Commissioner Frank- Is there a difference in the uses between the C-1 PUD as it currently is on the property and the C-1 CRO zoning proposed?
- Gerald Martens said there will not be a change to the uses. They are accepting a more restrictive zoning regarding development standards. Lighting and other standards are more specific. Uses will not change. Also, he wanted to state that he agrees to the conditions of staff recommendations on

both requests. All mechanical equipment will be screened from the highway and from the trail. They are not asking for any further geological setback. Also, they will provide additional parking near the trail for public access to the trail.

- Commissioner Bohrn- In reference to Katie's letter, is the hotel included?
- Gerald Martens- The hotel is no longer part of the plan. They will be working with staff to improve the access onto Canyon Springs Road in any way that they can.
- Commissioner Frank- Why are they requesting a vacation? Why not have the City maintain ownership?
- Gerald Martens- It would be running through the project so the City wouldn't want to maintain that. There will be easements. The other reason for vacating the right-of-way is because there are all kinds of issues in regards to setbacks and requirements along right-of-ways. There will be development and they will maintain and enhance traffic capacity. There are adding width to the roadway section for turn lanes to get in and out of businesses. There will be turn lanes and turn bays. Traffic entering from either side of the street can do that through turn lanes and not impede through traffic. The projected traffic for this project is actually less than the original proposal because it has less square footage then the proposal with the hotel but the background traffic has grown on the roadway in the last ten (10) years due to other growth in the community.
- Commissioner Woods- For clarification, on the north side of the buildings will there be any glass that would cause glare to motorists on the bridge?
- Gerald Martens- No, it will be the back of the buildings and there will be virtually no glass. But it will not be a stark, flat commercial wall. It will have an attractive architectural finish.
- Commissioner Steve Woods- In his travels he has seen some wonderful roundabouts. He would encourage them to err on the side of making a larger radius so that traffic doesn't have to slow down inside it.
- Gerald Martens- In his study it is the traffic getting in and out of the roundabout that is important. If you have to slow down too much to get in or out then it impedes the efficiency of the roundabout. They will be taking the turning radius into the Outback and visitors' center area from 30' to 100'. This will make movement much smoother, unimpeded and smooth-flowing. The movement important to his clients is getting in and out of the shopping center. The community will want to easily get in and out of the visitors center. It is important that the traffic keep moving.
- Commissioner Steve Woods- Roundabouts can be very effective.
- Gerald Martens- They can be very effective, just a learning process.
- Commissioner Steve Woods- Since the new road is basically a private lane, will the road maintenance include snow removal?
- Gerald Martens – Yes, it would be maintained along with the parking lots. It will get first attention and may get quicker attention then by the City or State because of the many miles of roads they have to attend to.
- Commissioner Woods- The intersection at Canyon Springs Road and Fillmore Street is not a 90 degree intersection and it can make it difficult to see traffic coming from all directions.
- Gerald Martens – He doesn't believe there is anything they can do; it is at 70 degrees which is allowed. What they can do is improve the radiuses which make the turn movement easier without crossing into other lanes which will add some safety. The city would like to know what can be done there, as part of the reconstruction project using the land available.
- Commissioner Grey- Has it been discussed to make it a four-way stop?
- Gerald Martens – It is something the City has looked at. It has been discussed. It would have to come from the City Engineering department to put in stop signs.
- Commissioner Frank- Vacations are very serious because you are giving up rights that you can't get back again. Do we have any other collector roads that we have vacated before?
- Planning and Development Director Carraway- Not that I can remember but there has not been a development like this and this is a unique situation.

- Commissioner Frank- His concern is in giving up the legal ownership of a road. There will be some legalities written in for maintenance and the snow removal sounded good. His main concern is about giving up legal ownership of a road in an important part of our community.
- Gerald Martens – The City will not be giving it up until the new one is provided and constructed and it will be like getting a new road that they don't have to pay to maintain.

PUBLIC HEARING: OPENED

- John Lezamiz, 847 Canyon Springs Road- In favor of developing the property- he thinks it is a great project and the property needs to be developed. He does have some concerns on the vacation of the road and the new alignment that is proposed. He showed a map on the overhead projector that had the existing road and the proposed road. Presently we have a three-lane road that is 49' wide with one lane in each direction and center turn lane along whole length. When you come off the bridge and you turn off the intersection you have a wide, long aesthetically pleasing road. It has great traffic carrying capacity. The proposal is that we would take the road that currently goes straight and they are changing it to a 90 degree turn. A one-lane roundabout becomes a bottleneck. In his mind, the road that we have presently is far superior. The proposal for the rezone for the PUD should be approved but the abandonment of Fillmore Street should be opposed. Would I rather have a roundabout or a road that goes straight? There is a possibility of a win-win situation. You can have the development and leave the existing road. The proposed road just causes problems.

PUBLIC HEARING: CLOSED

CLOSING STATEMENTS:

Gerald Martens- They have worked hard on the options with the City for the roadway. They have flattened the road and made some alignment improvements in addition to the roundabout. We are on record with staff that we will provide them with the necessary traffic studies that they are not going to diminish capacity but enhance it. We are adding turn lanes to make it safer. He suggests that the City Engineer's representative comment on it if there are questions. We looked at the alternative and it fragmented parking. This is what the market is showing is desirable and this is what the developer is willing to pay for. It will be safer than what currently exists. They will commit to working with the Engineering Department. This change is integral to the plan that they have presented.

DELIBERATIONS FOLLOWED:

- Chairman Bohrn requested Assistant City Engineer Troy Vitek comment on the presentation.
- Assistant City Engineer Vitek- When Engineering first saw this there were concerns about the intersection. He is for roundabouts but thinks that there is a matter of education. The City Engineer is very adamant about carrying capacity there and she set speed requirements for the roundabout. The roadway is three lanes and without the roundabout it has a sharp turn and the development could have a lot of approaches where people have to really look to maneuver onto the road. In this case the approaches are squared off and there is a lane for people to turn. People will be able to exit and not gain speed then have to stop abruptly when someone is slowing to anticipate a turn. They are interested in the concept with the recommendation that it be completed before existing road is vacated. It will take some education but staff is receptive to it.
- Commissioner Woods- The issue of leaving Fillmore as it is creates a traffic and pedestrian safety problem because it splits the parking lot. In regards to education, in his experience with roundabouts such as Anacortes, Washington, hundreds of cars come from all around town and manage. They meet at the roundabout- people pulling trailers- people that have never seen roundabouts are able to handle it.
- Commissioner Frank- He is still concerned about the vacation. Fillmore Street is not a road to nowhere, it is an active road. Giving up the legal rights to a road that is in use really bothers him.

- Chairman Bohrn- He has encountered a few roundabouts- he is sure that traffic can move very well through it. In the past new subdivisions try to meander the roads to control the traffic and speed. This road is not set up to be a speedway. He has a problem giving up the road, but on the other hand they will be taking care of the maintenance and save the City money.

MOTION:
Commissioner Frank made a motion to approve the request for a zoning district change and zoning map amendment, as presented with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, 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 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 or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012

MOTION:
Commissioner Woods made a motion to recommend approval of the vacation request to the City Council, as presented with staff recommendations. Commissioner DeVore seconded the motion. Commissioners Sharp, Woods, DeVore, and Grey voted in favor of the motion. Commissioners Jacobson, Bohrn, and Frank voted against the motion.

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, 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 all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012

3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507) **WITHDRAWN**

Commissioner Tom Frank stepped down.

4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)

APPLICANT PRESENTATION:

Fran Florence, 4129 Hidden Lakes Dr, Kimberly. He is here on behalf of John Winnie. This is one of the steps of several that have been taken to get the properties aligned and zoning in place for the ongoing project for Chobani. The request is not for a change of zoning but to change it from M-2 in the Area of Impact to M-2 in the City. The property is 37 acres. The balance of the property is already zoned M-2. This piece was part of a larger acreage that has been farmed for a number of years. At some point the remainder may come into the City. The impact is minimal since it is already surrounded by M-2. City services are there. It is fairly critical to the process to get it into City limits because it is part of the agreement between the City, Urban Renewal, and Agro-Farma to get this portion into the City.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed the exhibits on the overhead. The property is contiguous to City limits on three boundaries and thus able to request annexation.

The M-2 zone is the City's Heavy Manufacturing zoning District. This site and the adjoining properties are all zoned M-2 and have been used for agricultural use. The adjacent property is part of the Chobani yogurt facility currently being constructed.

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 into the City limits. 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 City of Twin Falls and Area of Impact zoning map is officially amended.

The Comprehensive Plan does designate this area as appropriate for manufacturing uses. If the Commission finds the zoning of M-2 appropriate they should make a motion recommending to the City Council that the current M-2 zoning on this property is appropriate.

P&Z COMMENTS/QUESTIONS:

- none

PUBLIC HEARING: OPENED

- none

PUBLIC HEARING: CLOSED

DELIBERATIONS FOLLOWED:

- none

MOTION:

Commissioner Sharp made a motion to recommend the zoning as presented with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

RECOMMENDED M-2 ZONE AS APPROPRIATE TO THE CITY COUNCIL, AS PRESENTED
CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012

5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

APPLICANT PRESENTATION:

Melinda Anderson, Economic Development Director and Executive Director of the City of Twin Falls Urban Renewal Agency. Several years ago the Urban Renewal Agency started looking at continuing revitalization of downtown and Old Town. They looked at putting new uses into the downtown area- such as new employment, open space, restaurant, retail uses. They recently discovered that there is no new housing allowed in the OT zone and very limited in the CB zone. Ms. Anderson oriented the Commission to the location of the CB zone and OT zone. The agency is very interested in its revitalization efforts to ask the Commission allow for new housing. It could be single-family attached housing, condominiums, apartments, tri-plex and four-plexes. The agency wants to promote them in the downtown. It is also part of the City's Comprehensive Plan adopted in 2009, it does conform with that plan.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed stated this is a request for a Zoning Title Amendment which if approved would amend Twin Falls City Code Title 10; Chapter 4; Section 13- which is the Old Town Zone by requiring a Special Use Permit for multi-household residential dwellings consisting of 5 residential units or more; and also amending Title 10; Chapter 4; Section 7- which is the Central Business Zone and Tile 10; Chapter 4; Section 13- Old Town Zone by requiring a Special Use Permit for attached single household residential dwellings, duplex residential dwellings and triplex and/or 4-plex residential dwellings. Multi-household residential dwellings consist of 5 residential units or more is currently a permitted use in the CB Zone. Presently the other types of new residential construction are not permitted in these zones.

You have just heard the presentation by Melinda Anderson that there is interest in these types of uses in the area. There are sections of the Comprehensive Plan included in the staff report packet. This request is supported by the City's Comprehensive Plan which was amended and adopted in 2009. It states that: "The greater downtown area should encourage new development that recognizes existing uses and patterns, while allowing for positive redevelopment opportunities" (pg. 2-37). This includes high-density residential.

A goal of the Comp Plan is to encourage the re-establishment of downtown Twin Falls as the "heart" of the community and some stated policies within the Comp Plan include promoting and encouraging new and appropriate downtown housing opportunities, including lofts, downtown infill, and other urban residential/commercial opportunities as part of mixed use development.

This request is in conformance with the direction of the Comprehensive Plan to modify existing ordinances and codes to allow and encourage mixed use residential/commercial development in the downtown area.

This is the first step of the Zoning Title Amendment approval procedure. A request for a Zoning Title Amendment is initially made to the Commission. The Planning and Zoning Commission holds a public hearing to evaluate the request and to determine the extent and nature of the amendment. Upon conclusion of the public hearing the Commission makes a recommendation to the City Council on whether or not to approve the request as presented, deny the request, or approve the request with conditions and/or modifications. If the Commission recommends approval they shall assure the request is compatible with the comprehensive plan.

This request is also in conformance with a list approved by the City Council last year of the top 10 potential Title 10 code amendments to be reviewed and presented through the public hearing process. Downtown redevelopment to consider mixed uses such as additional residential household development is listed as #4 on the list of top 10 priorities to be considered.

Once the Commission makes a recommendation, the City Council shall then hold an additional public hearing where they may approve the application as recommended by the Commission, deny the application, or remand the application back to the Commission for further proceedings.

If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the City Code is officially amended.

Upon conclusion, Staff recommends that the Commission recommend approval of the code amendment as presented this evening.

P&Z COMMENTS/QUESTIONS:

- Commissioner Woods- Since this request is looking at putting family housing in the downtown area, has staff looked at parking for additional residences, enhanced sewer and water, and fire department concerns of a residence above a business?
- Planning and Development Manager Carraway- In both of these zones the parking requirements are minimal to encourage development. As these changes are requiring Special Use Permits it would allow each individual development to come to you separately and for conditions to be placed as seen appropriate. Any type of development would have to meet current fire codes and would be reviewed. Infrastructure would also be addressed at the point of new and reviewed.

PUBLIC HEARING: OPENED

- Tom Frank, 1060 Pahsimeroi Dr– He stepped down from the Commission as he is currently the Vice Chairman of the Twin Falls Urban Renewal Agency. Housing is very important to the long term viability of our downtown. If you have people living downtown it can spur mom-and-pop type businesses. They have been pitching the idea and have had interest. It is part of the long-term viability of the area. You start to develop an actual community there and so they think it is important to have this type of possibility.

PUBLIC HEARING: CLOSED

DELIBERATIONS FOLLOWED:

- Chairman Bohrn- He is a true believer of people living downtown to make it viable.
- Commissioner Grey- He asked if they are actively seeking proposals from developers?
- Tom Frank-Representing the Twin Falls Urban Renewal Agency addressed the question and stated yes. The dream would be for professionals, especially young professionals at the St. Luke's office and the proposed Glanbia facility to be able to walk to work. There are always people for looking.

- Commissioner Grey- Has this come to the P&Z before?
- Tom Frank- No, there were talks about reviewing code. He is happy to see it taking place- the time is now. The economy is taking an up-tick. We want to maintain momentum of what the Agency is trying to do in the downtown.

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

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED
CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:
None

VI. UPCOMING MEETINGS:
Next Planning & Zoning Commission public meeting is scheduled for **March 27, 2012.**

VII. ADJOURN MEETING:
Chairman Bohrn adjourned the meeting at 7:29 pm.

Amber Reeder

Amber Reeder
Planner I
Community Development Department