



CITY OF TWIN FALLS, IDAHO

MEETING NOTICE

* * * *

The Twin Falls City Council will meet at **5:30 P.M.** on Monday,
October 22, 2012, in the City Council Chambers, 305 Third Avenue East.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
<i>Vice Mayor</i>		<i>Mayor</i>				



AMENDED AGENDA
 Meeting of the Twin Falls City Council
Monday, October 22, 2012
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:30 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for October 16 -22, 2012, total: \$283,944.54 September 2012, total: \$2,776,519.22 2. Consideration of a request to approve the October 15, 2012, City Council Minutes. 3. Consideration of a request to approve the Conveyance Final Plat of the John Reeder Subdivision consisting of 2 lots on 4.97± acres located at 1259 & 1275 Madrona St. North. 4. Consideration to a request to adopt Resolution No. 1894, establishing the local limits of 10 pollutants for the Wastewater Treatment Plant. 5. Consideration of a request to approve the renewal of the Real Property Lease Agreement between the State of Idaho, Transportation Department and the City of Twin Falls for the Visitors Center.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Mitch Humble Jon Caton Travis Rothweiler
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to reappoint members of the Improvement Reimbursement Commission. 2. Consideration of a petition and a request to adopt a resolution creating a Local Improvement District on a portion of real property owned by Chobani Inc. (Petition and resolution will be distributed on Monday, October 22, 2012.) 3. Public input and/or items from the City Manager and City Council.	Action Action	Troy Vitek Travis Rothweiler
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> <u>6:00 - P.M.</u> 1. Consideration of a request for approval of a PUD Amendment to the WS&V – R-6 PRO Planned Unit Development Agreement to allow for the development of a 60-unit residential apartment complex on a five (5) ± acre lot on property located on the west side of the 1300 North Block of Field Stream Way.	Public Hearing	Mitch Humble
V. <u>ADJOURNMENT:</u>		

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
	<i>Vice Mayor</i>		<i>Mayor</i>			



MINUTES
Meeting of the Twin Falls City Council
Monday, October 15, 2012
City Council Chambers
305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for October 9 – 15, 2012. 2. Consideration of a request to approve the October 1 and October 8, 2012, City Council Minutes. 3. Consideration of a request to approve the Annual Veterans Day Celebration to be held on Sunday, November 11, 2012, at the Twin Falls City Park from 9:00 a.m. until 1:00 p.m.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Ryan Howe
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to approve a Halloween event sponsored by Amazing Grace Fellowship. This event will be held at the Twin Falls City Park on October 31, 2012, from 4:00 p.m. to 9:00 p.m. 2. Consideration of a request to award the 2012 Northeast Sewer Candleridge Tie-In Project to Stutzman, Inc., of Twin Falls, in the amount of \$94,212.50. 3. Presentation from the Golf Advisory Commission regarding their fund raising golf tournaments and the projects that have been accomplished with those funds. 4. Consideration of a request to consider the recommendations from the Recreation Center Committee and the Citizen Finance and Planning Commission regarding a proposed Recreation Center for Twin Falls. 5. Presentation of the Twin Falls Police Department's past, present and future. 6. Public input and/or items from the City Manager and City Council.	Action Action Presentation Action Presentation	Ryan Howe Lee Glaesemann Dennis J. Bowyer Dennis J. Bowyer Chief Brian Pike
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - NONE		
V. <u>ADJOURNMENT:</u>		

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Jr., Rebecca Mills Sojka, and Chris Talkington.
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Police Chief Brian Pike, Sergeant Ryan Howe, Staff Engineer Lee Glaesemann, Assistant to the City Manager Mike Williams, Public Information Officer Joshua Palmer, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Lanting called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. Mayor Lanting introduced staff. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested that the following be added to the Items for Consideration as Item #2:

Consideration of a request by the Mustard Tree Community Wellness Clinic for a Building Permit Fee Waiver in the amount of \$655, for property located at 173 Martin Street.

MOTION:

Councilperson Talkington made a motion to add the request by the Mustard Tree Community Wellness Clinic for a Building Permit Fee Waiver in the amount of \$655, for property located at 173 Martin Street. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: None

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for October 9 – 15, 2012, total: \$67,360.75
September, 2012, total: \$410,278.80
Payroll, October 12, 2012, total: \$112,850.24
2. Consideration of a request to approve the October 1 and October 8, 2012, City Council Minutes.
3. Consideration of a request to approve the Annual Veterans Day Celebration to be held on Sunday, November 11, 2012, at the Twin Falls City Park from 9:00 a.m. until 1:00 p.m.

MOTION:

Vice Mayor Hall made a motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the request. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a Halloween event sponsored by Amazing Grace Fellowship. This event will be held at the Twin Falls City Park on October 31, 2012, from 4:00 p.m. to 9:00 p.m.

Sergeant Ryan Howe explained the request. Staff recommends approval of the request.

Council discussion followed.

City Attorney Wonderlich explained Twin Falls City Ordinance 8-3-6(G) regarding throwing balls in City Park. He clarified that balls can be thrown in designated areas of a park.

MOTION:

Councilperson Barigar made a motion to approve a Halloween event sponsored by Amazing Grace Fellowship as presented. The motion was seconded by Councilperson Hawkins.

Council discussion followed.

Sergeant Howe stated that he understood that the applicant is not charging for the event.

Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request by the Mustard Tree Community Wellness Clinic for a Building Permit Fee Waiver in the amount of \$655, for property located at 173 Martin Street.

Tom Mikesell explained the request. The Mustard Tree is a nonprofit free medical clinic that serves the Twin Falls citizens. The clinic provides free office visits by volunteer community providers and support staff.

MOTION:

Vice Mayor Hall made a motion to approve the waiving of all building permit fees for the Mustard Tree Community Wellness Clinic as presented. The motion was seconded by Councilperson Mill Sojka.

Council discussion followed.

Community Development Director Humble stated that there may be additional fees associated with the permit.

Vice Mayor Hall with the approval of Councilperson Mills Sojka stated that his motion would include all applicable fees.

Roll call vote on the motion to approve waiving building permit fees and fees associated with the permit for the Mustard Seed Community Wellness Clinic showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to award the 2012 Northeast Sewer Candleridge Tie-In Project to Stutzman, Inc., of Twin Falls, in the amount of \$94,212.50.

Staff Engineer Glaesemann explained the request.

Staff recommends that City Council award the 2012 Northeast Sewer Candleridge Tie-In Project to Stutzman Inc., in the amount of \$94,212.50.

Council discussion followed.

Staff Engineer Glaeseamn explained Knife River Corporation's bid of \$248,130.

MOTION:

Councilperson Talkington made a motion to award the 2012 Northeast Sewer Candleridge Tie-In Project to Stutzman, Inc., of Twin Falls, not to exceed the amount of \$94,212.50. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Presentation from the Golf Advisory Commission regarding their fund raising golf tournaments and the projects that have been accomplished with those funds.

Gale Kleinkopf gave the presentation.

The Golf Advisory Commission developed the "Friends of Muni" golf tournament to raise funds for the golf course. The first tournament was held in 2008. The Golf Advisory Commission has used the Twin Falls Community Foundation to channel the funds to allow sponsors and/or donors a tax credit for their donations. Over the past five years, this tournament has raised just over \$50,000 that has been put back into the golf course or the club house.

The Council thanked the Commission.

5. Consideration of a request to consider the recommendations from the Recreation Center Committee and the Citizen Finance and Planning Commission regarding a proposed Recreation Center for Twin Falls.

Chris Scholes reviewed the recommendations for a proposed Recreation Center. He explained the vision and the path of a recreation center.

MINUTES

October 15, 2012

Page 4 of 5

Council discussion followed.

- Funding options
- 300 total teams, of which 220 are youth teams.

The Council thanked the Committee for their recommendations.

Council discussion followed.

Chris Scholes stated that the Committee has established a need and developed a proposal for a recreation center for Council's consideration.

City Manager Rothweiler stated that it may be appropriate that as the Council is embarking on the Strategic Planning process, the recreation center may be an element the Council may want to consider.

Sam Fowler stated the Board of the Boys and Girls Club of the Magic Valley voted that they would be in favor of a recreation center.

Mayor Lanting stated that the Strategic Planning Meeting will be held on November 8, 2012.

MOTION:

Councilperson Talkington made the motion, subject to support of the Boys and Girls Club Board of Directors, to adopt Option #1 for a recreation center to be located on Maxwell Avenue, as described in the study. Funding, operation, logistics and details to be worked out in the Strategic Planning process in November. Vice Mayor Hall seconded the motion and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Presentation of the Twin Falls Police Department's past, present and future.

Police Chief Pike gave a PowerPoint presentation on TFPD 2012 and beyond.

The following was presented:

Policing Philosophies

- Problem Oriented Policing (POP)
- Community Policing
- Problem-Solving Models (SARA)

A Culture of Problem-Solving

- Focused on proactive police work
- Community Engagement
- Building Partnerships with the Community
- Strong focus on crime prevention

The Police Department discussed past programs: Traffic Team/Bike Team/Neighborhood Watch, DARE, 5th Squad, School Resource Officer, GREAT, Pop Files.

TFPD Mission Statement

- Provide excellent customer service
- Professional law enforcement
- Effective crime prevention

Looking Inside the Organization

- Focused on our Values
- Focused on the Organization
- Focused on our External Partners

Our Future

- Combine the best of both worlds
- Use Data to drive this directed activity
- Engage our community

Police Chief Pike stated that the Police Department has a Facebook page and a Twitter account.

Councilperson Talkington stated his concern of crime in the area of the regional shopping center.

Chief Pike showed on overhead projection the TOTAL CRASHES data, indicating the pattern of crashes, and PROPERTY CRIME, showing the corridor of crime. The Police Department will focus on directed activity to reduce crime.

Police Chief Pike explained Alert ID and the Police Department's intent to use it in the near future.

The Council thanked Police Chief Pike for his guidance and leadership.

Chief Pike stated that other locations in the City have been used as substations for the Police Department.

7. Public input and/or items from the City Manager and City Council.

Vice Mayor Hall gave an update on the Historic Preservation Commission meeting. Discussion was made on presenting awards for buildings that have historical significance and using a QR code, to explain the virtual historical data of a building.

Councilperson Hawkins reported on the bike ride at the BMX Park on Thursday, October 11, 2012, and on Youth Council discussion on community participation.

Councilwoman Mills Sojka requested an update from City Manager Rothweiler on the Addison and Eastland project.

City Manager Rothweiler reported that on October 12, 2012, an individual went through the traffic barriers and destroyed the concrete. Shortly after midnight the contractors, PMF, Inc., began to rip out the concrete. The Police Department is investigating the crime.

Councilperson Barigar reported that the public may purchase the parking meters for half price at the Twin Falls Parks & Recreation building located at 136 Maxwell Avenue.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. – NONE

The motion adjourned at 6:48 p.m.

Lela A. Sanchez
Deputy City Clerk/Recording Secretary



Date: MONDAY, October 22, 2012
To: Honorable Mayor and City Council
From: Rene'e V. Carraway, Community Development Department

Request: Consideration of the Conveyance Final Plat of the John Reeder Subdivision consisting of 2 lots on 4.97 (+/-) acres located at 1259 & 1275 Madrona St. North, c/o Don Acheson/Riedesel Engineering

Background:

Applicant: Judie Reeder 1275 Madrona Street North Twin Falls, ID 83301 Representative: Don Acheson on behalf of Riedesel Engineering 202 Falls Ave Twin Falls, Idaho 83301 733-2446	Status: Owner	Size: 4.97 (+/-) acres
	Zoning: R-2	Requested Zoning: Approval of a conveyance plat
	Comprehensive Plan: Medium Density Residential	Lot Count: 2 lots
	Existing Land Use: Residential	Proposed Land Use: Residential – Single Family
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-12-2.5	
Zoning Designation & Surrounding Land Use(s)	North: R-1 VAR, Residential	East: R-2; Madrona St N-Residential
	South: R-2; Residential	West: R-2; Galena Dr- Residential

Approval Process:

1-TF City Code Title 10; Chapter 12-Subdivision Regulations; Section 2.5-Conveyance Plat; (A), (G), (H), (I):

(A)Purpose - Intent: A conveyance plat may be used for the purpose of subdividing land and the recording of same, or recording a single existing lot or parcel created by other means. A conveyance plat may be used to convey the property or interests therein; however, a conveyance plat does not constitute approval for development of the property and is not intended for immediate development. A conveyance plat is an interim step in the subdivision and development of land.

(G)Council Action: The council shall approve, approve conditionally, disapprove or table the conveyance plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the plat, the council shall specify:

1. The regulations and standards used in evaluating the application;
2. The reasons for approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

(H)Approval Period: The plat shall be filed with the county recorder within one year after written approval by the council; otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council.

(I)Platting Rules: The subdivider shall follow all the state and local platting rules when recording the plat. Refer to section 10-12-2-4 of this chapter for additional information and requirements. (Ord. 2901, 4-16-2007)

History:

Purchased in 1985 from the McCallie family, John Reeder constructed a separate dwelling on the lot in 1986. At the time, the County Assessor's Office was notified, by Twin Falls Bank & Trust, to split off the new home from the lot in what was called a mortgage split. This mortgage split was processed; however, the County assigned a separate RPT# for this portion of the lot. This led the Reeder's to believe that the lot had indeed been split legitimately. The property as a whole was annexed by the City of Twin Falls in December of 1995.

While attempting to sell a portion of the lot for development, the Applicant, and City Staff, determined that the property had not been split under the state or city statutes are still only one parcel, even though there are indeed two (2) RPT#'s associated with the land. This Conveyance Plat is attempting to rectify the situation, and allow the owner, Judi Reeder, to split her lot legally, in order to sell a portion of it.

Budget Impact:

Approval of this request will not impact the City budget at this time.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the recordation of the conveyance plat and the selling/deeding of the property as 2 lots.

Analysis:

This is a request for approval of the conveyance plat of the John Reeder Conveyance Plat-Subdivision. The property is zoned R-2: Residential, and the current uses are two (2) separate Single Family Dwellings. The property is located on 1259-1275 Madrona Street North. The proposed plat consists of 4.97 (+/-) acres subdivided into two (2) lots – Lot 1 is 3.83 (+/-) acres and includes one (1) existing single family residence and outbuildings; Lot 2 is 1.13 (+/-) acres and includes one (1) existing single family residence. Staff has been working with the owner of this property who has expressed an interest in splitting the existing residences. The owner is keeping lot 2, and selling Lot 1 with its residence and out buildings. The prospective buyer of Lot 2 wishes to subdivide for future development.

The owner is aware that in order to develop it will require a preliminary plat, final plat and construction plan approval and subsequent recordation of the final plat prior to development.

Approval of the conveyance plat will allow the plat to be recorded and only then may the sale or deeding of property occur.

The plat is consistent with other development in the area and is in conformance with the Comprehensive Plan.

In regards to the proposed plat, Twin Falls Engineering Department has negotiated a seven (7) foot Permanent Public Roadway, Access, Sidewalk and Utility Easement for a portion of property along Madrona Street North. This Easement will not be a dedicated City ROW, but shall be recorded as an easement in case Madrona Street North is expanded, or some other situation arises requiring the use of said easement. No permanent structures shall be allowed to be built within any easement on the property, including this seven (7) foot section.

Conclusion:

Staff recommends approval of the conveyance plat of John Reeder Conveyance Plat, as presented, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements as approved by the Engineering Department, being recorded as shown on the plat.

Attachments:

1. Conveyance Plat
2. Area Zoning Map
3. Site Map

JOHN REEDER CONVEYANCE PLAT

A PORTION OF
NE 1/4 SW 1/4, SECTION 3
T. 10 S., R. 17 E., 8.M.
TWIN FALLS COUNTY, IDAHO
2012
4.957 ACRES



LEGEND

	BOUNDARY LINE
	RIGHT OF WAY
	LOT LINE
	SECTION LINE
	CENTERLINE
	UTILITY EASEMENT
	PERMANENT PUBLIC ROADWAY, ACCESS, SIDEWALK AND UTILITY EASEMENT
	ALUMINUM CAP
	FOUND 5/8" REBAR
	FOUND 1/2" REBAR
	SET 1/2" x 2" REBAR & CAP
	SET 5/8" x 3" REBAR & CAP
	FOUND 1/2" SET 5/8" x 3" REBAR & CAP
	LOT NUMBER
	BASIS OF BEARINGS
	CORNER PERPETUATION NUMBER
	ACRES

GENERAL NOTES:
A CONVEYANCE PLAT IS A RECORD OF PROPERTY APPROVED BY THE CITY OF TWIN FALLS, IDAHO, FOR THE PURPOSE OF SALE OR CONVEYANCE IN ITS ENTIRETY OR INTEREST THEREON DEFINED. NO BUILDING PERMIT SHALL BE ISSUED UNTIL A FINAL PLAT IS APPROVED, FILED OF RECORD AND PUBLIC IMPROVEMENTS ACCEPTED, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 16 OF THE CITY OF TWIN FALLS CITY CODE. SELLING A PORTION OF THIS PROPERTY BY METES AND BOUNDS, EXCEPT AS SHOWN ON AN APPROVED, FILED AND ACCEPTED CONVEYANCE PLAT IS A VIOLATION OF CITY CODE.

REF:
WARRANTY DEED #235-3185, QUITCLAIM DEED # 2003-017845

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 16, CHAPTER 13, ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING, OR FILTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED.

DATE _____

REHS, SOUTH CENTRAL PUBLIC HEALTH DISTRICT

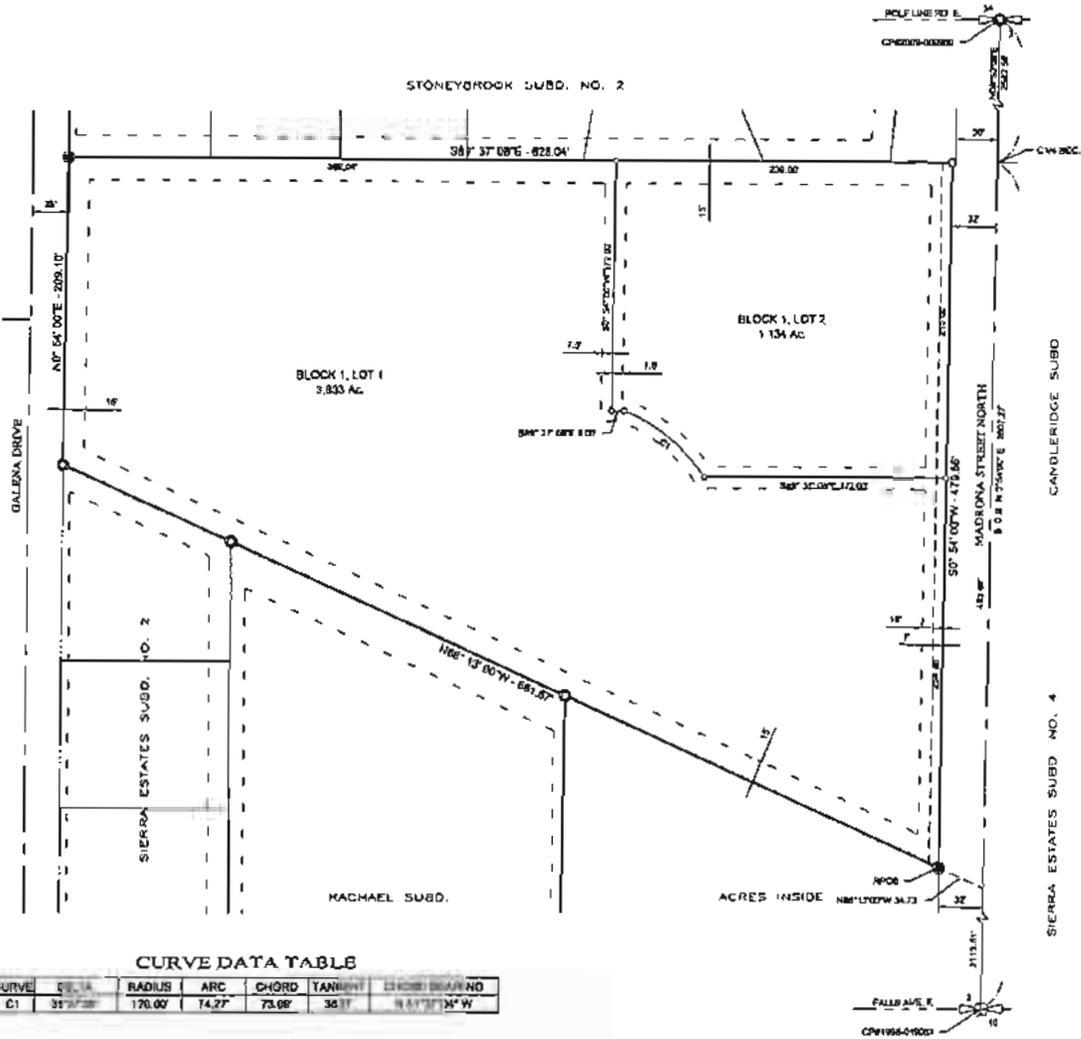


RIEDEL ENGINEERING, INC.
202 FALLS AVENUE
TWIN FALLS, IDAHO 83301
JOHN REEDER CONVEYANCE PLAT
SHEET 1 OF 2



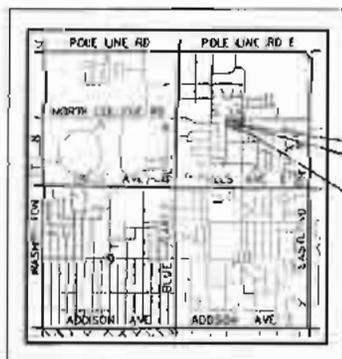
DATE: 10-12-12 408 462 2629

SIERRA ESTATES SUBD. NO. 2



CURVE DATA TABLE

CURVE	S. 1/4	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	35° 27' 00"	170.00'	74.27'	73.68'	34.17'	S 41° 37' 14" W



VICINITY MAP
NOT TO SCALE

CERTIFICATE OF OWNER

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNER(S) OR REPRESENTATIVES OF THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 17 EAST, B3SE MERIDIAN, TWIN FALLS COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 3 FROM WHICH THE CENTER SECTION OF SAID SECTION 3 BEARS NORTH 00°54'00" EAST A DISTANCE OF 2007.29 FEET, THENCE NORTH 00°54'00" EAST A DISTANCE OF 213.61 FEET, THENCE NORTH 88°13'00" WEST A DISTANCE OF 24.73 FEET TO THE REAL POINT OF BEGINNING

THENCE CONTINUING NORTH 88°13'00" WEST A DISTANCE OF 881.47 FEET TO A POINT ON THE EAST RIGHTS OF WAY OF CALENA DRIVE,

THENCE NORTH 00°54'00" EAST A DISTANCE OF 209.10 FEET ALONG THE EAST RIGHTS OF WAY OF CALENA DRIVE;

THENCE SOUTH 89°37'08" EAST A DISTANCE OF 628.04 FEET ALONG THE NORTH BOUNDARY OF THE N(1/4) S(1/4) TO THE WEST RIGHTS OF WAY OF MADRONA STREET NORTH;

THENCE SOUTH 00°54'00" WEST A DISTANCE OF 479.56 FEET ALONG THE WEST RIGHTS OF WAY OF MADRONA STREET NORTH TO THE REAL POINT OF BEGINNING, CONTAINING A 587 ACRES MORE OR LESS

THE EASEMENTS INDICATED HEREON THIS PLAT OF JOHN REEDER CONVEYANCE PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS ARE HEREBY RESERVED FOR THE PUBLIC UTILITIES OR AS DESIGNATED HEREON AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS AND SAID EASEMENTS ARE APPURTENANT TO ALL LOTS.

PURSUANT TO IDAHO CODE 50-1334, THE UNDERSIGNED AS OWNERS, DO HEREBY STATE THAT THE INDIVIDUAL LOTS DESCRIBED IN THIS PLAT WILL BE ELIGIBLE TO RECEIVE DOMESTIC WATER FROM THE EXISTING CITY OF TWIN FALLS, IDAHO DOMESTIC WATER SYSTEM, AND SAID CITY HAS AGREED IN WRITING TO SERVE SAID LOTS IN JOHN REEDER CONVEYANCE PLAT, AS SHOWN HEREON.

PURSUANT TO IDAHO CODE 31-3805, THE UNDERSIGNED AS OWNERS, DO HEREBY STATE THAT THE IRRIGATION WATER APPURTENANT AND THE ASSESSMENT OBLIGATION OF THE LAND IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS.

PURSUANT TO IDAHO CODE 31-3808, THE UNDERSIGNED AS OWNERS, DO HEREBY STATE THAT THEY WILL PROVIDE AN IRRIGATION WATER SYSTEM WHICH WILL DELIVER WATER TO THE LOTS WITHIN THE SUBDIVISION AND THE LANDOWNERS WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS UNDER A SEPARATE AGREEMENT.

PURSUANT TO IDAHO CODE 22-2462, MAINTENANCE AND WEED CONTROL FOR ALL LOTS SHALL BE THE RESPONSIBILITY OF THE UNDERSIGNED, AS OWNERS, UNTIL THE LOTS ARE SOLD AND THEREAFTER IS THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS.

IN WITNESS WHEREOF, I HAVE SET MY HAND ON THE DAY WRITTEN BELOW:

THE SURVIVOR'S TRUST, PART B, UNDER THE JOHN WILLIAM REEDER AND JUDIE R. REEDER 1999 TRUST

JUDIE R. REEDER, TRUSTEE _____ DATE _____

ACKNOWLEDGMENTS

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS

ON THIS _____ DAY OF _____, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JUDIE R. REEDER, KNOWN OR IDENTIFIED TO ME TO BE THE TRUSTEE OF THE SURVIVOR'S TRUST, PART B, UNDER THE JOHN WILLIAM REEDER AND JUDIE R. REEDER 1999 TRUST WHOSE NAME IS SUBSCRIBED TO THE WITHIN AND FOREGOING INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC OF IDAHO

RESIDENCE IN _____

MY COMMISSION EXPIRES _____

CERTIFICATE OF SURVEYOR

I, RICHARD H. CARLSON, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF IDAHO, DO HEREBY STATE THAT THE PLAT DEPICTED HEREON AND DESIGNATED HEREIN AS JOHN REEDER CONVEYANCE PLAT, WAS SURVEYED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 50, CHAPTER 13 AND TITLE 20, CHAPTER 16 OF THE IDAHO CODE AND IS AN ACCURATE REPRESENTATION THEREOF.



RICHARD H. CARLSON _____ DATE _____

COUNTY SURVEYOR'S STATEMENT

I, JOHN O. ROOT, A LICENSED PROFESSIONAL LAND SURVEYOR FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY STATE THAT I HAVE CHECKED THE PLAT OF JOHN REEDER CONVEYANCE PLAT, AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

ACTING COUNTY SURVEYOR _____ DATE _____

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS

ON THIS _____ DAY OF _____, 2012, BEFORE ME PERSONALLY APPEARED JOHN O. ROOT, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING STATEMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC OF IDAHO

RESIDENCE OF _____

MY COMMISSION EXPIRES _____

APPROVAL OF CITY COUNCIL

I, LELA SANCHEZ, DEPUTY CLERK FOR THE CITY OF TWIN FALLS, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 2012 THE FOREGOING PLAT OF JOHN REEDER CONVEYANCE PLAT, WAS DULY ACCEPTED AND APPROVED.

MAYOR _____ DEPUTY CITY CLERK _____

APPROVAL OF CITY ENGINEER

I, JACQUELINE D. FIELDS, CITY ENGINEER IN AND FOR THE CITY OF TWIN FALLS, IDAHO, HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY STATE THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

JACQUELINE D. FIELDS, P.E., CITY ENGINEER _____ DATE _____

ATTY _____ DATE _____

CERTIFICATE OF COUNTY TREASURER

I, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER _____ DATE _____

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. _____

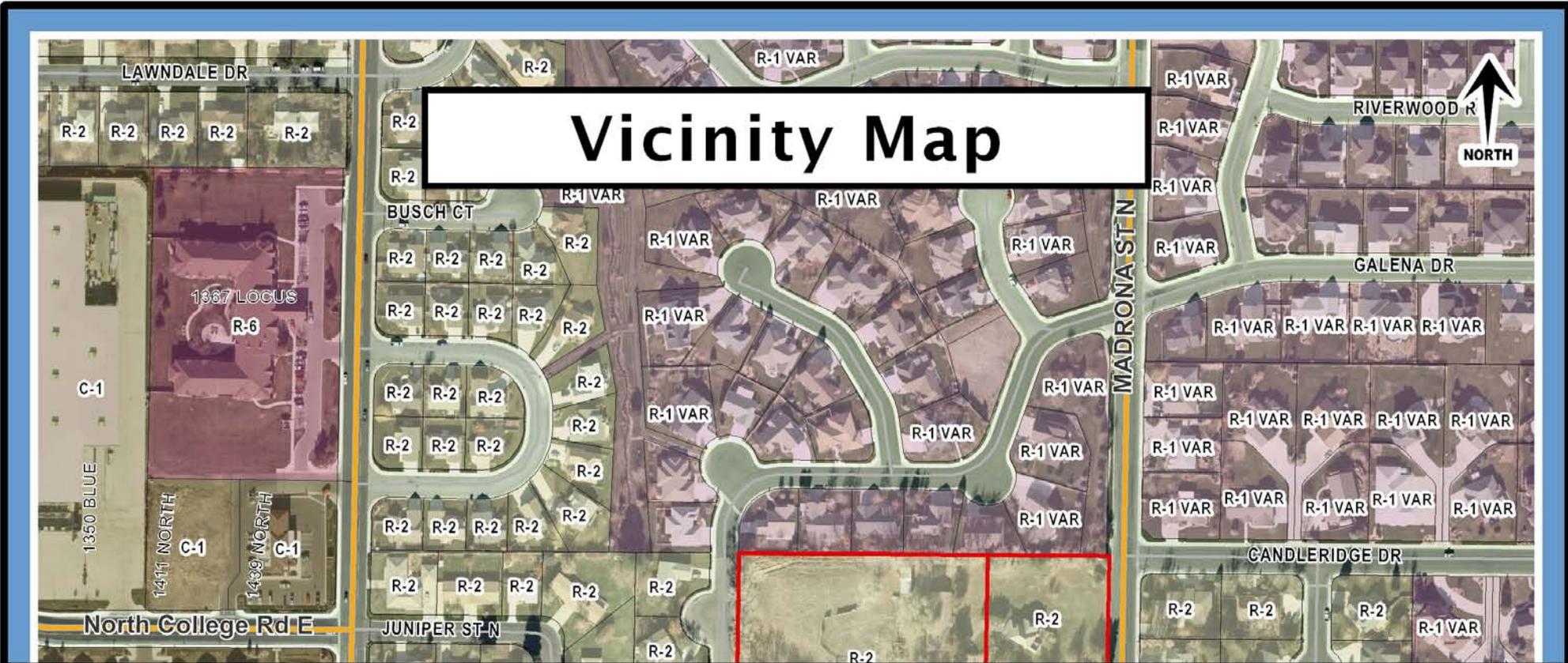
STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF THE COUNTY OF TWIN FALLS AT _____ DAY OF _____ MINUTES PAST _____ O'CLOCK _____ M., THIS _____ DAY OF _____, 2012, IN MY OFFICE AND WAS DULY RECORDED IN BOOK _____ OF PLATS AT PAGE _____.

DEPUTY _____ EX-OFFICIO RECORDER _____

RIEDEL ENGINEERING, INC.
202 FALLS AVENUE
TWIN FALLS, IDAHO 83301
JOHN REEDER CONVEYANCE PLAT
SHEET 2 OF 2





Site Map



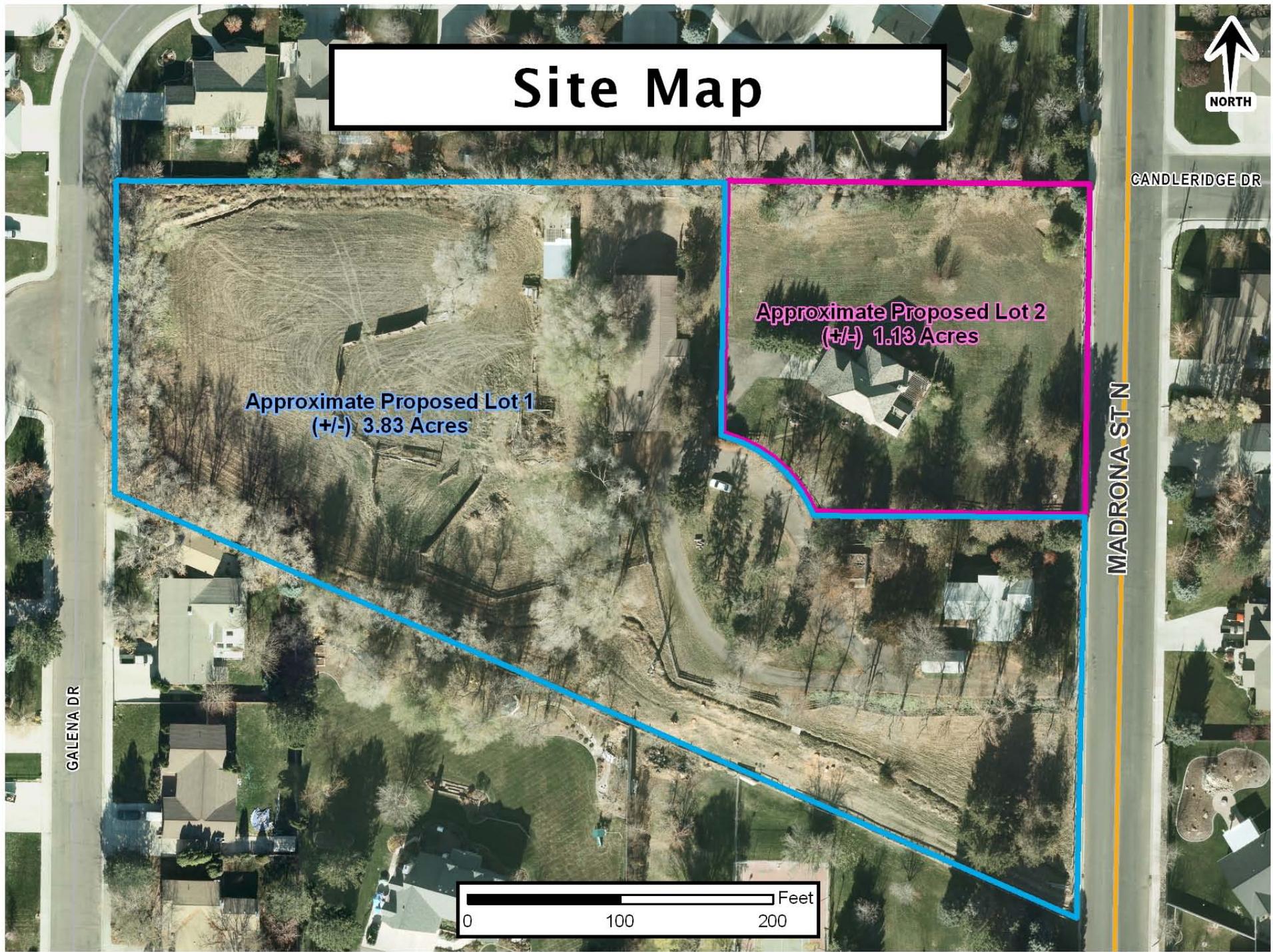
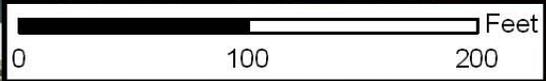
CANDLERIDGE DR

MADRONA ST N

GALENA DR

Approximate Proposed Lot 1
(+/-) 3.83 Acres

Approximate Proposed Lot 2
(+/-) 1.13 Acres





Date: October 22, 2012, City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, Public Works Director

Request:

Consideration to adopt Resolution No. 1894 establishing the local limits of 10 pollutants for the Wastewater Treatment Plant.

Time Estimate:

NA--This is a consent calendar item.

Background:

A local limit study is periodically required by EPA. The local limit study is simply a chemical analysis of the wastewater as it enters the treatment plant; think of it as a "health evaluation". The purpose of the study is to see if there are any pollutant concentrations of concern. This study demonstrated a slight increase in the presence of heavy metals. It is difficult to determine where or why there was an increase; however we do know that it did not come from our existing industries. So by resolution, we are proposing to change the allowable limit of heavy metals in accordance with our sewer use ordinance. It is important to emphasize that we know this will not affect our existing industries because none of them have an issue with heavy metals. The true benefit will be realized if and when we ever allow a future industry that uses heavy metals, then we will have appropriate limits established.

Approval Process:

This resolution requires council approval and the Mayor's signature.

Budget Impact:

NA

Regulatory Impact:

This resolution must be in place prior to November 1, 2012.

Conclusion:

Staff recommends that Council approve the resolution as presented.

Attachments:

1. Resolution No. 1894

RESOLUTION NO. 1894

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING LOCAL LIMITS FOR WASTEWATER DISCHARGE.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT THE FOLLOWING LIMITS ARE HEREBY ESTABLISHED FOR WASTEWATER DISCHARGE INTO THE CITY'S WASTEWATER COLLECTION SYSTEM:

The following pollutant limits are established to protect against pass-through and interference. No person shall discharge wastewater containing in excess of the following daily maximum allowable discharge limits:

<u>Pollutant</u>	<u>Local Limit (mg/L)</u>
Arsenic	0.045
Cadmium	0.016
Chromium	0.73
Copper	0.46
Cyanide	0.29
Lead	0.09
Mercury	0.003
Nickel	0.28
Silver	0.25
Zinc	0.60

The above limits apply at the point where the wastewater is discharged to the public sewer. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The City may impose mass limitations in addition to or in place of the concentration-based limitations above. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply.

PASSED BY THE CITY COUNCIL
SIGNED BY THE MAYOR

, 2012.
, 2012.

MAYOR

ATTEST:

DEPUTY CITY CLERK

REAL PROPERTY LEASE AGREEMENT

RECEIVED
OCT 20 2012
BY _____

THIS AGREEMENT, made this _____ day of October, 2012 by and between the STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT, acting by and through the IDAHO TRANSPORTATION BOARD, hereinafter called the "Lessor" and CITY OF TWIN FALLS, hereinafter called the "Lessee(s)",

WITNESSETH:

That the Lessor for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the Lessee(s), has by these presents demised and leased to the Lessee(s) the following described premises in Twin Falls County, Idaho, to-wit:

Two (2) acres, more or less, located south and west of the south end of the Perrine Bridge. Also described as being in Lots 3 and 4, Section 34, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

The property is more specifically shown on plat map attached hereto as Exhibit "A" and made a part hereof.

Use of the leased land is for the following purpose:

Landscaping, signage, parking, and other improvements to allow Lessee to maintain in conjunction with city development of public access. Plans for any and all improvements shall be submitted to ITD for approval prior to any work being commenced. Any signage shall comply with the ITD Standards for roadside improvements and with the sign requirements of the City of Twin Falls. It is specifically understood that "billboard" type signs will be strictly prohibited. All signs shall be located a minimum of 20 feet behind the curb.

TO HAVE AND TO HOLD the said premises to the Lessee(s) from the 1st day of November, 2012 to and including the 30th day of November, 2037 unless said lease be sooner terminated as is hereinafter provided.

This Agreement is entered into for a period of 25 years or until such time as I.T.D. requests use of the property for improvements to the transportation facility.

LESSEE(S), in consideration of the leasing of the premises above described and set forth, covenants and agree(s) with the Lessor to pay as rent for the same, the sum of \$30,000 DOLLARS . This sum is payable in equal installments of \$1200 per year. First installment due concurrently with the execution of this lease and subsequent installments due on or before the 1st day of November each successive year.

LESSEE(S) agree(s) that the said-demised premises are in good order and condition, and will, at their own cost and expense, maintain and keep said premises in as good condition as they were at the time possession thereof was taken by Lessee(s), and at the expiration of the term of this lease will yield up possession of the said premises to Lessor without further demand or notice and in as good order and condition as when the same were entered upon by the Lessee(s), loss by fire or inevitable accident and ordinary wear excepted.

LESSEE(S) shall not allow or suffer any waste on said premises, nor use or occupy, or permit any other person to use or occupy said premises, or any part thereof, for any unlawful purpose whatever, and the use of said premises for any unlawful purpose, shall, at the option of the Lessor, immediately terminate this lease.

LESSEE(S) shall not assign this lease, or underlet said premises or any part thereof, without the written consent of the Lessor.

LESSEE(S) shall pay as the same become due, all charges for water, light, and electrical power used on said premises during the term of this lease, and the Lessee(s) shall likewise pay as the same become due, all taxes and assessments on all personal property owned by the Lessee(s) and by kept on said premises.

LESSEE(S) shall promptly dispose of all garbage, refuse or debris that may accumulate in consequence of occupation of said premises, shall keep any lawns and grounds in a clean, neat, and presentable condition, and shall fully comply with all laws, ordinances, and regulations now in force, or that may hereafter be enacted, covering and regarding the occupancy and/or business conducted on said premises by Lessee(s).

LESSEE(S) shall indemnify and save harmless Lessor from all liability, however arising, as to any and all persons whomsoever, whether for personal injuries or otherwise, and from damage or injury resulting to any persons whomsoever from defects or defective conditions of said leased premises, and save harmless Lessor from any claim of any person for injuries to person or property by reason of anything done or permitted to be done, or suffered or permitted to be done by the Lessee(s) or employees and/or agents in and about the occupation, operation, and maintenance of said leased premises.

Any failure or default on the part of Lessee(s) to pay the rent when due or to comply with any and all of the terms, covenants, or conditions of this lease within thirty (30) days after written notice from Lessor to Lessee concerning such default, shall, at the option of Lessor, terminate this lease, and the said Lessee(s) shall forthwith, after five (5) days written notice of said failure or default, quit and surrender said premises to the Lessor.

LESSOR shall have, and is hereby granted, the right to inspect said demised premises at all reasonable times, and to go upon said premises for the purpose of repairing and protecting the same or any part thereof.

IT IS UNDERSTOOD AND AGREED that should Lessor grant written permission to Lessee(s) to make alterations in said demised premises that then and in that event, Lessee(s) agree(s) to remove any such alterations prior to the expiration of the term of said lease and the said Lessee(s) agree(s) to restore the said premises to the condition they were at the time said Lessee(s) took possession under said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that either party may terminate this lease at any time after 6 months notice in writing given to the other party.

THE FOLLOWING SPECIAL CONDITIONS ARE MADE A PART OF THIS LEASE;

All improvements shall meet ITD Standards for roadside improvements (ie: meet safety and visual requirements)

LESSEE(S) will ensure that sprinkling systems will have adequate drainage and will not interfere with roadway traffic.

LESSEE(S) shall provide a pedestrian/bike access and will not allow improvements along this path or sidewalk (ie: tree growth) to compromise the safety of roadway, pedestrian or bike traffic.

SCENIC OVERLOOK

Additional considerations for maintenance of the property described in the lease agreement are necessary due to the addition of structures by the LESSOR (Scenic Overlook). It is understood and agreed that the addition of structures by the LESSOR does not diminish or extinguish the original responsibilities of the LESSEE in the Lease Agreement

LESSOR shall perform bridge inspections on the scenic overlook structure as directed by Idaho Transportation Department Policy. Bridge Reports shall be provided upon request by the LESSOR tot the LESSEE after each inspection.

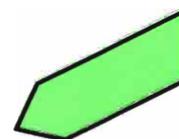
LESSOR shall identify any structural deficiencies in the scenic overlook structure and determine the appropriate corrective action based on Idaho Transportation Department structural specifications. The LESSEE and LESSOR shall mutually determine the complexity and responsibility of any repairs to the scenic overlook structure.

In addition to all maintenance responsibilities identified in the original Lease Agreement, the LESSEE shall perform general maintenance activities on all improvements on said premises including the scenic overlook structure.

LESSEE will be required to receive prior approval from LESSOR when adding or modifying any improvements on the premises.

IN WITNESS WHEREOF, the Idaho Transportation Department and The City of Twin Falls have executed this Agreement as of the day and year first above written.

CITY OF TWIN FALLS



BY: TRAVIS ROTHWEILER
City Manager

Approval As To Form:

A handwritten signature in blue ink, appearing to read "Devin O. Rigby", on a light blue background.

ITD Legal Department

IDAHO TRANSPORTATION DEPARTMENT



BY: DEVIN O. RIGBY, P.E.
District 4 Engineer

CANYON BLVD

North



0 25 50 100
SCALE IN FEET

Visitors Center

169.5'x29.5' - 5000 SF

Canyon Park North Subdivision

LOT 6

LOT 4

Access Road



LOT 5

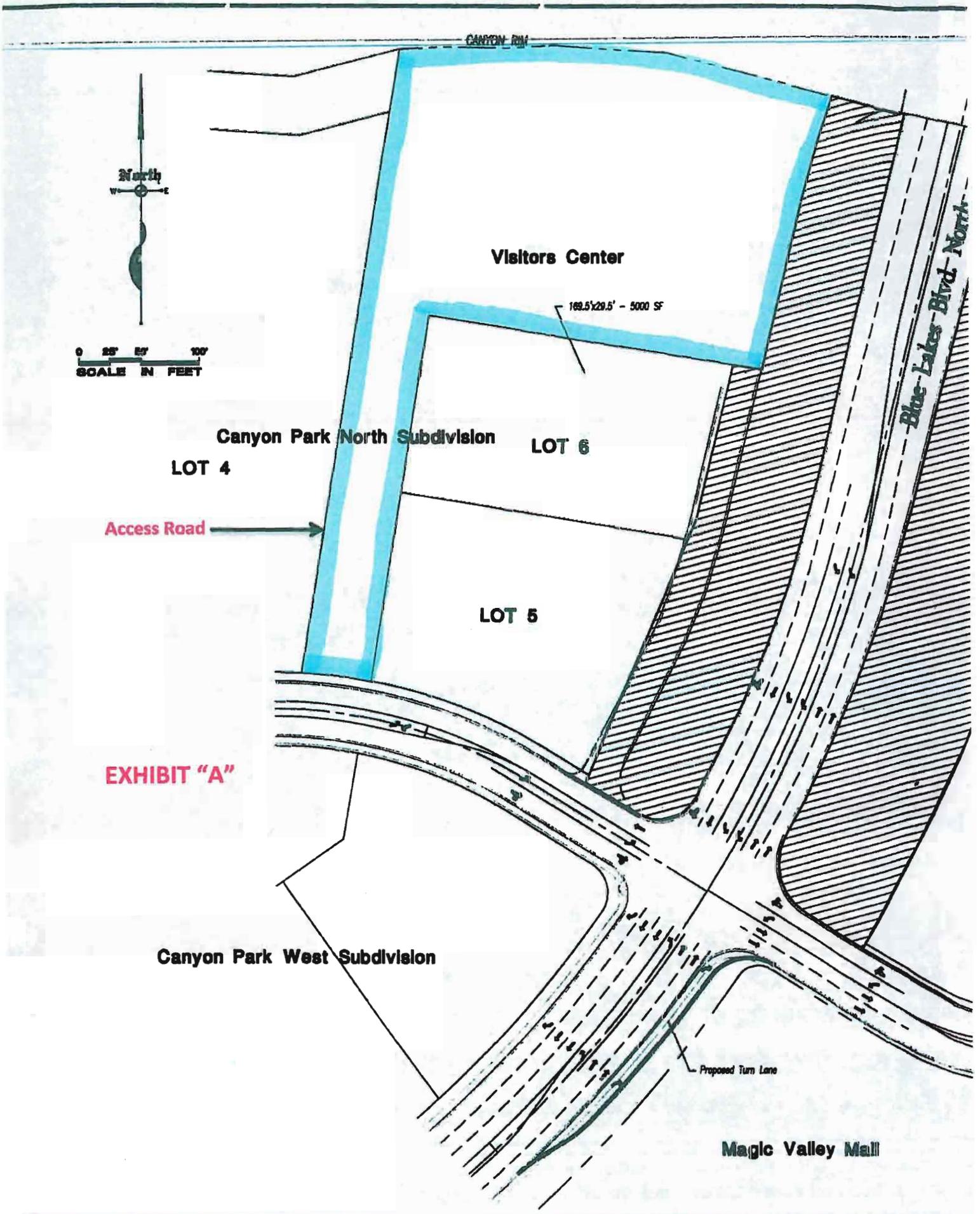
Blue Lakes Blvd North

EXHIBIT "A"

Canyon Park West Subdivision

Proposed Turn Lane

Magic Valley Mall



L-537

REAL PROPERTY LEASE AGREEMENT

COPY

THIS AGREEMENT, made this 11th day of May, 2001 by and between the STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT, acting by and through the IDAHO TRANSPORTATION BOARD, hereinafter called the "Lessor" and CITY OF TWIN FALLS, hereinafter called the "Lessee(s)",

WITNESSETH:

That the Lessor for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the Lessee(s), has by these presents demised and leased to the Lessee(s) the following described premises in Twin Falls County, Idaho, to-wit:

Two (2) acres, more or less, located south and west of the south end of the Perrine Bridge. Also described as being in Lots 3 and 4, Section 34, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

The property is more specifically shown on plat map attached hereto and made a part hereof.

Use of the leased land is for the following purpose:

Landscaping, signage, and other improvements to allow Lessee to maintain in conjunction with city development of public access. Plans for any and all improvements shall be submitted to ITD for approval prior to any work being commenced. Any signage shall comply with the ITD Standards for roadside improvements and with the sign requirements of the City of Twin Falls. It is specifically understood that "billboard" type signs will be strictly prohibited. All signs shall be located a minimum of 20 feet behind the curb.

TO HAVE AND TO HOLD the said premises to the Lessee(s) from the 1st day of May, 2001 to and including the 30th day of May, 2026 unless said lease be sooner terminated as is hereinafter provided.

This Agreement is entered into for a period of (not more than) 25 years or until such time as I.T.D. requests use of the property for improvements to the transportation facility.

LESSEE(S), in consideration of the leasing of the premises above described and set forth, covenants and agree(s) with the Lessor to pay as rent for the same, the sum of \$30,000 DOLLARS . This sum is payable in equal installments of \$1200 per year. First installment due concurrently with the execution of this lease and subsequent installments due on or before the 1st day of May each successive year.

LESSEE(S) agree(s) that the said-demised premises are in good order and condition, and will, at their own cost and expense, maintain and keep said premises in as good condition as they were at the time possession thereof was taken by Lessee(s), and at the expiration of the term of this lease will yield up possession of the said premises to Lessor without further demand or notice and in as good order and condition as when the same were entered upon by the Lessee(s), loss by fire or inevitable accident and ordinary wear excepted.

LESSEE(S) shall not allow or suffer any waste on said premises, nor use or occupy, or permit any other person to use or occupy said premises, or any part thereof, for any unlawful purpose whatever, and the use of said premises for any unlawful purpose, shall, at the option of the Lessor, immediately terminate this lease.

LESSEE(S) shall not assign this lease, or underlet said premises or any part thereof, without the written consent of the Lessor.

LESSEE(S) shall pay as the same become due, all charges for water, light, and electrical power used on said premises during the term of this lease, and the Lessee(s) shall likewise pay as the same become due, all taxes and assessments on all personal property owned by the Lessee(s) and by kept on said premises.

LESSEE(S) shall promptly dispose of all garbage, refuse or debris that may accumulate in consequence of occupation of said premises, shall keep any lawns and grounds in a clean, neat, and presentable condition, and shall fully comply with all laws, ordinances, and regulations now in force, or that may hereafter be enacted, covering and regarding the occupancy and/or business conducted on said premises by Lessee(s).

LESSEE(S) shall indemnify and save harmless Lessor from all liability, however arising, as to any and all persons whomsoever, whether for personal injuries or otherwise, and from damage or injury resulting to any persons whomsoever from defects or defective conditions of said leased premises, and save harmless Lessor from any claim of any person for injuries to person or property by reason of anything done or permitted to be done, or suffered or permitted to be done by the Lessee(s) or employees and/or agents in and about the occupation, operation, and maintenance of said leased premises.

Any failure or default on the part of Lessee(s) to pay the rent when due or to comply with any and all of the terms, covenants, or conditions of this lease within thirty (30) days after written notice from Lessor to Lessee concerning such default, shall, at the option of Lessor, terminate this lease, and the said Lessee(s) shall forthwith, after five (5) days written notice of said failure or default, quit and surrender said premises to the Lessor.

LESSOR shall have, and is hereby granted, the right to inspect said demised premises at all reasonable times, and to go upon said premises for the purpose of repairing and protecting the same or any part thereof.

IT IS UNDERSTOOD AND AGREED that should Lessor grant written permission to Lessee(s) to make alterations in said demised premises that then and in that event, Lessee(s) agree(s) to remove any such alterations prior to the expiration of the term of said lease and the said Lessee(s) agree(s) to restore the said premises to the condition they were at the time said Lessee(s) took possession under said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that either party may terminate this lease at any time after 6 months notice in writing given to the other party.

THE FOLLOWING SPECIAL CONDITIONS ARE MADE A PART OF THIS LEASE;

All improvements shall meet ITD Standards for roadside improvements (ie: meet safety and visual requirements)

LESSEE(S) will ensure that sprinkling systems will have adequate drainage and will not interfere with roadway traffic.

LESSEE(S) shall provide a pedestrian/bike access and will not allow improvements along this path or sidewalk (ie: tree growth) to compromise the safety of roadway, pedestrian or bike traffic.

IN WITNESS WHEREOF, the Idaho Transportation Department and the Lessee have executed this Agreement as of the day and year first above written.

CITY OF TWIN FALLS



BY: TOM COURTNEY
City Manager

IDAHO TRANSPORTATION DEPARTMENT



BY: DEVIN O. RIGBY, P.E.
District 4 Engineer



Date: October 22, 2012, City Council Meeting
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to reappoint members of the Improvement Reimbursement Commission.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

July 14, 2009 Resolution No 1816 established the Improvement Reimbursement Guidelines and Ordinance No 2974 also dated July 14, 2009 established the Improvement Reimbursement Commission. The Commission members previously were Samantha Evans, Tony Hughes, Scott Standley, Dave Van Engelen, Rod Mathis, Doug Vollmer, and Gerald Martens. All seven are eligible for re-appointment to inaugural partial terms as outlined in the Ordinance, All seven members have requested to be reappointed.

The reason for the need to re-appoint all seven members is due to inactivity in subdivision development the committee hasn't had any applications to meet. We currently have 3 reimbursement applications that need to go through the committee.

This committee has been established with very specific membership requirements due to the nature of their activity. The Committee is tasked to interpret and approve or deny application for reimbursement of public utilities installed inside a subdivision. Therefore, committee members need to have some knowledge of development of subdivisions.

They all have good attendance records and have provided valuable input into the actions of the Committee. Based on their attendance records and the valuable contributions, we recommend reappointing Tony Hughes and Samantha Evans for three (3) year terms (expires October 22, 2015), Scott Standley, Dave Van Engelen for two (2) years (expires October 22, 2014), and Rod Mathis, Doug Vollmer, and Gerald Martens for one (1) year (expires October 22, 2013). This meets the Tenure requirements of section 2-12-8 of the ordinance and allows future staggering of members.

Budget Impact:

There is no significant budget impact associated with the Council's approval of this request.

Regulatory Impact:

Approval of this request will keep the Committee at full membership.

Conclusion:

The staff recommends that the Council reappoint the members as described above.

Attachments:

None



Date: Monday, October 22, 2012

To: Honorable Mayor and City Council

From: Rene'e V. Carraway, Community Development Department

Request: Request for a PUD Amendment to the WS&V – R-6 PRO Planned Unit Development Agreement to allow for the development of a 60-unit residential apartment complex on a five (5) +/- acre lot on property located on the west side of the 1300 North Block of Field Stream Way c/o Doug Vollmer on behalf of WS&V, LLC. (app. 2527)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff presentation may take up to five (5) minutes.

Background:

Applicant:	Status: Owner/Developer	Size: 20 (+/-) acres
W S & V, LLC c/o Douglas Vollmer P.O. Box 31 Twin Falls, ID 83303 208-420-5650 doug@areaidaho.com	Current Zoning: R-6 PRO PUD	Requested Zoning: Amendment to a portion (1 lot - 5+/- acres) of the WS&V PUD Agreement, Master Development Plan, WS&V Subdivision, a PUD (not recorded)
	Comprehensive Plan: Urban Village/ Urban Infill	Lot Count: PUD/Plat contains 5 lots -- Amendment applies to Block 1; Lot 1 - 5 +/- acre lot. (the final plat has not been recorded)
	Existing Land Use: Undeveloped	Proposed Land Use: mixed-use - residential, medical, professional uses
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers c/o Tim Vawser 621 No College Rd, Ste 100 Twin Falls, Id 83301 734-4888 tvawser@ehminc.com	North: C-1 PUD; agricultural	East: R-2; Field Stream Way, residential
	South: R-2; Xavier Charter School and proposed LDS Church building	West: R-2; Creekside Way (extended), agricultural
	Applicable Regulations: 10-1-4, 10-1-5, 10-6-1 thru 4 (3(E)g) and the PUD Agreement	

Approval Process:

The process to amend an existing Planned Unit Development Agreement requires a preliminary presentation be made to the commission and to the public followed by a public hearing. The commission is asked to make a recommendation on the request. Their recommendation is automatically scheduled for a public hearing before the city council who shall make a decision on the request.

Budget Impact:

Approval of this request may impact the City budget as developed residential uses on the property may be assessed at a higher value than undeveloped residential property.

Regulatory Impact:

Approval by the City Council of the project will allow the development to proceed as approved.

History:

In 2006 --37 (+/-) acres was annexed, which includes the property being proposed for a PUD Amendment this evening. The site was annexed under what was an existing R-2 zoning designation.

In 2008 --a SUP was granted to allow a religious facility on a 5 (+/-) acre parcel located at the southeast corner of this property, intersection of Field Stream Way & Cheney Dr W. As of this date the religious facility has not been constructed. Later that year a SUP was granted to develop the Xavier Charter School just west of the proposed religious facility on North College Road West. The school site was platted and the school began operating in 2010.

In 2009 --the Cottages, a unique & creative residential R-4 PUD, was approved. The project consisted of 8.6 +/- acres with 54 single family homes. This project was not developed. In Sept 2010, this property, along with the remaining undeveloped property (11 acres for a total of 20 +/- acres), was rezoned from R-2 and R-4 PUD to as an R-6 PRO PUD designation. The proposed development was presented during the public hearings to encourage a "community type" multi-stage retirement home complex within this site. The R-6 zone allows for this type of development subject to approval of a special use permit. They also presented this type development be approved as a permitted use. The uses and development standards within the PUD Agreement addressed this type of use and also encouraged associated medical type uses that support a complete "community type" multi-stage retirement home complex.

The WS&V R-6 PRO PUD Agreement was approved by the City Council on March 12, 2012 and recorded on April 18th. The PUD was approved, as presented, consisting of 5 – 4 +/- acre parcels.

On Jan 10, 2012 the Planning & Zoning Commission approved the preliminary plat of the WS&V Subdivision-A PUD; consisting of 20 +/- acres with 5 lots, and on Feb 6, 2012 the City Council approved the final plat as presented and subject to the following 7 conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to recorded Cross-Use/Access Agreements being provided prior to recordation of final plat.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to Cheney Drive West being allowed to be 38' from face-of-curb to face-of-curb with turn bays where necessary and posted "No Parking" by the developer.
5. Subject to sewer lines being a gravity system unless determined by the City Engineer to be an unnecessary hardship.
6. Subject to a note on the final plat stating that the owners of the lots will be subject to a Parks In-Lieu fee that will need to be accepted and paid before development occurs on the lots.
7. Subject to all the construction issues being addressed which includes sewer design and easements, possible PI and water upgrade requirements, along with alignment of Cheney at the intersection of Field Stream Way, as approved by the City Engineer.

As of this date the WS&V Subdivision – A PUD final plat has not been recorded.

A preliminary presentation requesting consideration of a PUD Agreement Amendment to the WS&V R-6 PRO PUD Agreement was held on September 11, 2012 before the Planning & Zoning Commission. There were no questions or comments by the Commission or the general public.

Analysis:

This is a request for an amendment to the WS&V R-6 PRO P.U.D. and Master Development Plan to allow the development of a 60-unit residential apartment complex on a 5(+/-) acre lot on property located on the west side of the 1300 block of Field Stream Way.

There are four (4) changes being proposed from Exhibit "C" of the WS&V R-6 PRO PUD Agreement. They are as follows:

- 1- LAND USE REGULATIONS: A7(a) Permitted Uses; –under residential permitted uses it states – “accessory buildings, (less than 1,000 sq ft), are allowed. B7(a) Special Uses; - requires all accessory buildings over 1,000 sq ft require a special use permit. The proposed change is asking to allow any accessory building regardless of size and if associated with residential development (for uses such as carports, garages, or a clubhouse) be outright permitted uses. There are carports, garages & a clubhouse being proposed as part of this residential apartment complex.

The applicant would like to be able to construct any residential accessory structure and the clubhouse without having to go through a special use permit process.

- 2- PROPERTY DEVELOPMENT STANDARDS: (D)1. Use Of Lots: states there is a requirement that each building, except accessory structures, shall be located on a separate lot. The proposed development consists of a 60-unit residential apartment complex consisting of 10 separate buildings w/ 6 residential units each; all on a single lot and which also includes carports/garages and a clubhouse for use by the tenants. The code and the existing R-6 PRO PUD allows for only one building per lot. The proposed change would allow multiple buildings on one lot for the purpose of a residential development which shall remain under single ownership.

The applicant would like to develop the proposed apartment complex, including carports and a clubhouse for the tenants, on one lot, eliminating the requirement for platting.

3. PROPERTY DEVELOPMENT STANDARDS: (D)1a. Use Of Lots: a-Lot Area; states there is a requirement that a minimum of 15% and a maximum of 85% of the project/development shall be residential. The proposed change would clarify that a minimum of 15% and a maximum of 85% of the ENTIRE development (PUD) is to be residential development.

The applicant would like to develop this residential apartment project as a 100% residential development. The total PUD would still need to meet the 15%-85% ratio

4. PROPERTY DEVELOPMENT STANDARDS: (D)12.d. Building Materials; states buildings shall have exteriors of architectural masonry, stone, stucco, and architectural steel siding. The applicant is proposing to add wood or cementitious materials (e.g. hardie board). This would allow the proposed development of this lot to have an exterior siding that is harmonious with residential development.

The applicant would like to develop this project with “exterior siding that is harmonious with residential development”.

As previously stated – as of today’s date the WS&V Subdivision – A PUD final plat, consisting of 20 +/- acres and 5 residential lots, has not been recorded.

One of the requirements of the subdivision platting process is to provide the city with a completed water & sewer model. Under the Engineering Dept review of this zoning proposal they indicated due to the proposed change in density they will require a new review of infrastructure modeling prior to recordation of the final plat of the WS&V Subdivision – A PUD.

The WS&V PUD requires that a minimum of 10% of the total area of residential development be landscaped and in addition there shall be street frontage and perimeter landscaping & berming – landscaping shall be subject to planting ratios of trees & bushes as per City Code Title 10; Chapter 11.

Development requirements such as storm water retention, PI, lighting, a complete parking analysis, etc. will also be reviewed as part of the building permit review process to assure compliance with city code and the PUD development requirements.

The original PUD rezone & Agreement was approved and recorded showing 5 separate parcels of approximately 4 acres each and which emphasized during the public hearings and within the PUD Agreement there could be a “community type” multi-stage retirement home complex & which would encourage associated medical type offices that support this type of “community type” retirement home complex.

Staff recommends this proposed amendment to the WS&V PUD Agreement, if approved, be limited to the “Field Stream Apartment” project, as presented.

The Comprehensive Plan designates this area as Urban Village/Urban Infill. Development of this residential project is approximately 20-25% of the PUD. If the City Council approves this amendment as presented, the PUD remains in compliance with the Comprehensive Plan.

At the September 25, 2012 public hearing the Commission unanimously recommended approval of this request, as presented, subject to the following conditions:

- 1. Subject To Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With All Applicable City Code Requirements And Standards And The WS&V PUD Agreement #263- Amended, as approved.**
- 2. Subject To A New Review Of Infrastructure Modeling Due To The Changes In Capacity Being Proposed For This Development, To Include A Current Water/Sewer Model.**
- 3. Subject To The Final Plat Of The WS&V Subdivision, A PUD, Being Recorded. *Staff would like to add that both the final plat and the Amended PUD Agreement be recorded “prior to any development.”***
- 4. The PUD Amendment Is Limited To The “Field Stream Apartment” Project, As Approved.**

Attachments:

1. Reason for Request..(Exhibit "C" w/proposed changes highlighted)
2. Vicinity Map
3. Area Zoning Map
4. Aerial Map
5. Comprehensive Plan Future Land Use Map
6. DRAFT- Amended Master Development Plan (2)
7. Tentative Development Timeline
8. Development Fact Sheet (3)
9. Presented "Architectural Concept(s)" -6
10. Current Site photo taken 09-18-2012
11. Minutes from the Sept 25, 2012 P&Z public hearing
12. **Current** WS&V PUD Agreement #263 w/Master Development Plan

B.1. REQUEST INFORMATION

Amend the following subsections of “Exhibit C” as follows:

(A)7.a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses. Accessory buildings (more than 1,000 square feet) if associated with a residential development for use as a carport, garage, or clubhouse.

(D)1. Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. Multiple buildings are allowed on one lot for the purpose of a residential development under one ownership.

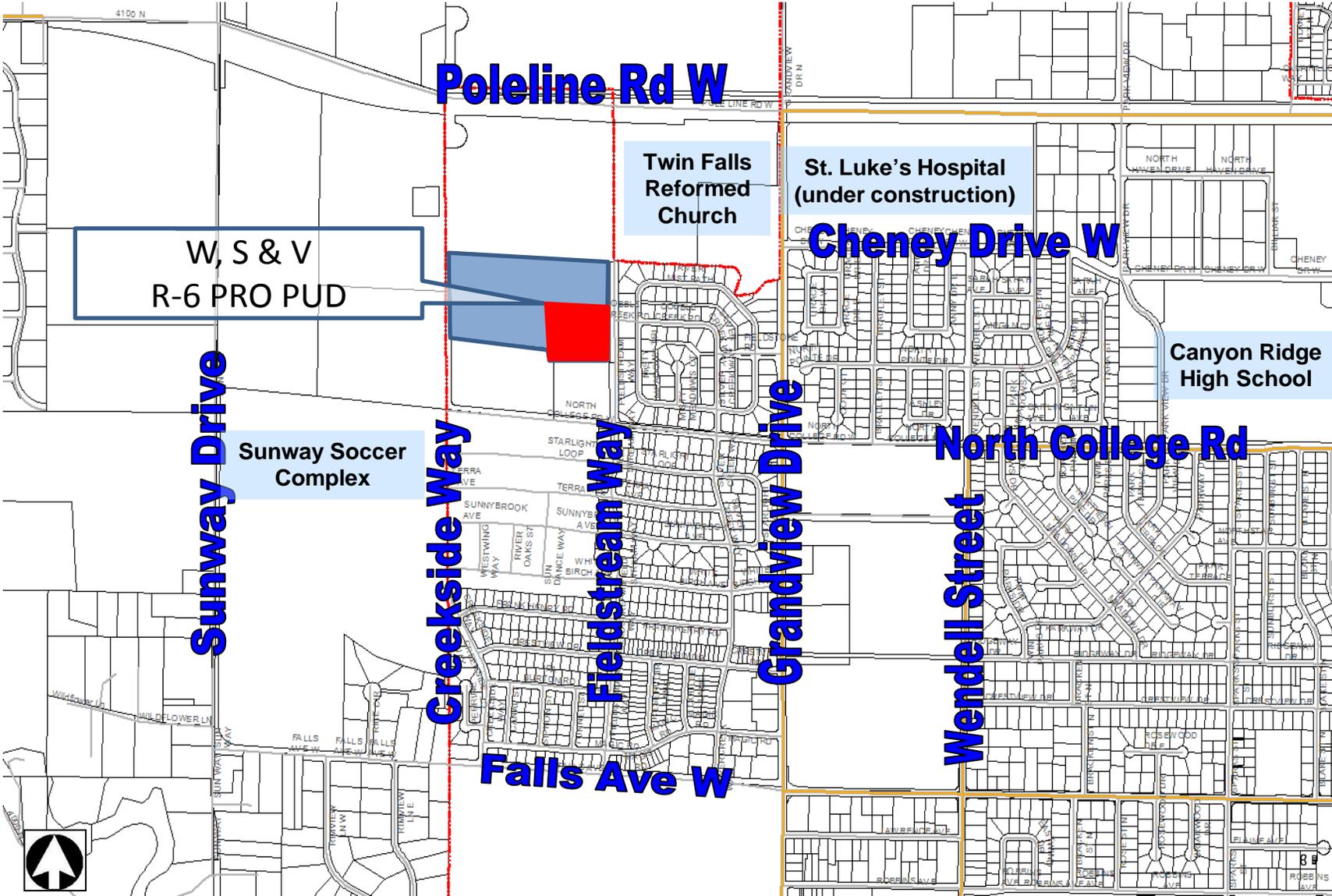
a. Minimum of 15% and a Maximum of 85% of the entire development (PUD) to be residential development.

(D)12.d. Buildings shall have exteriors of architectural masonry, stone, stucco, architectural steel siding, wood, or cementitious materials (e.g. Hardie board).

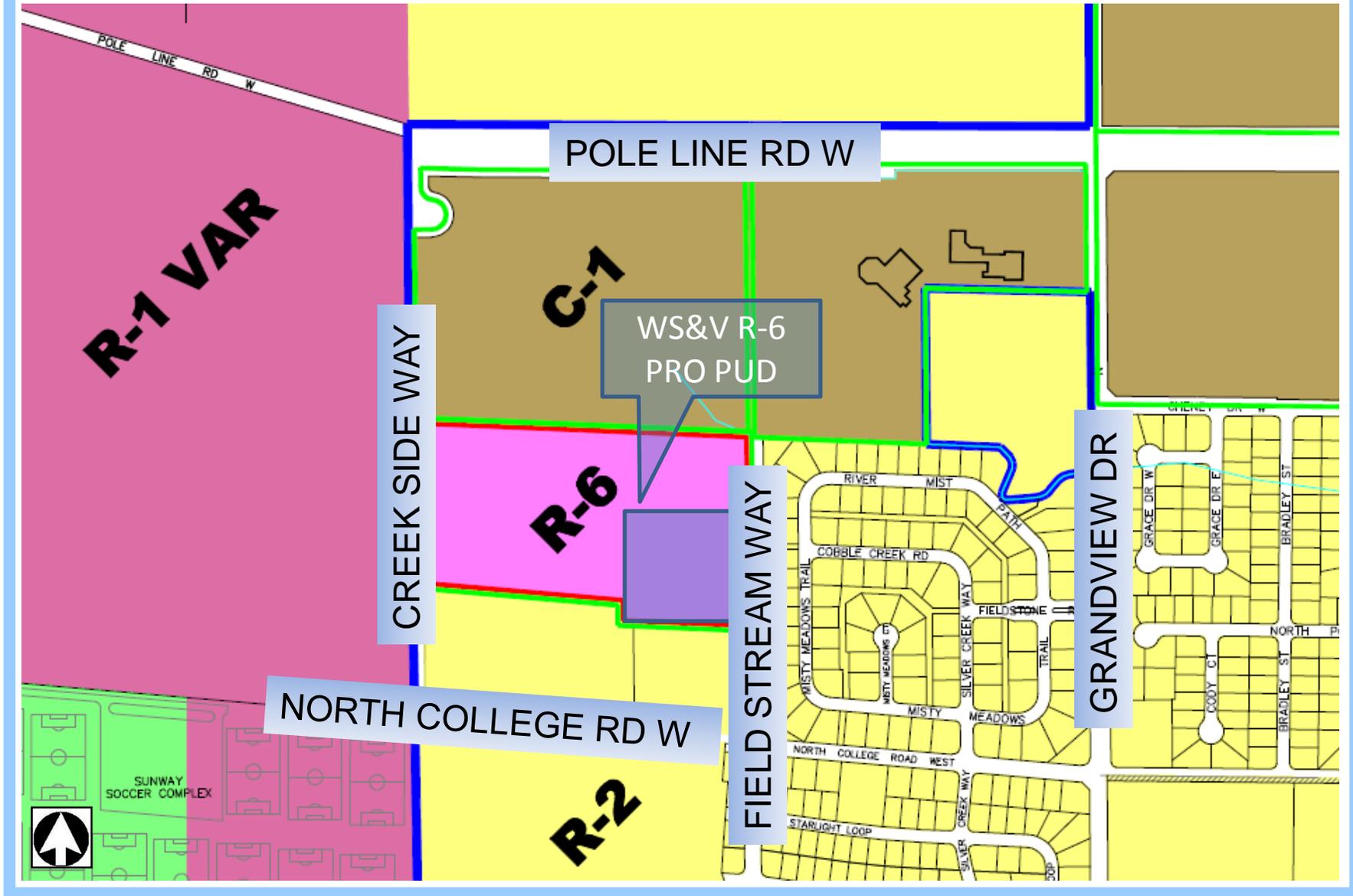
C.3. DETAILED STATEMENT INFORMATION

- a. The reason for the request is to allow for the ability to have carports or garages larger than 1,000 square feet so they can be uniform to the units rather than breaking them into smaller units. It would also allow for multiple buildings to be placed on one lot for a residential development as well as a clubhouse accessory building. It clarifies that residential density percentages are not a requirement for individual lots but the entire development and would allow an exterior siding that is harmonious with residential development.
- b. Proposed changes attached.
- c. The development goes basically unchanged by this amendment. It allows for a private road rather than a public one and a clubhouse to be built for the residents of the development. It also provides for an exterior siding that is more residential in nature.
- d. The surrounding area should not be changed by this amendment. The normal process would allow for this it would just be more time consuming. The changes proposed do not change the intent of the original PUD it only clarifies some items that weren't originally addressed.

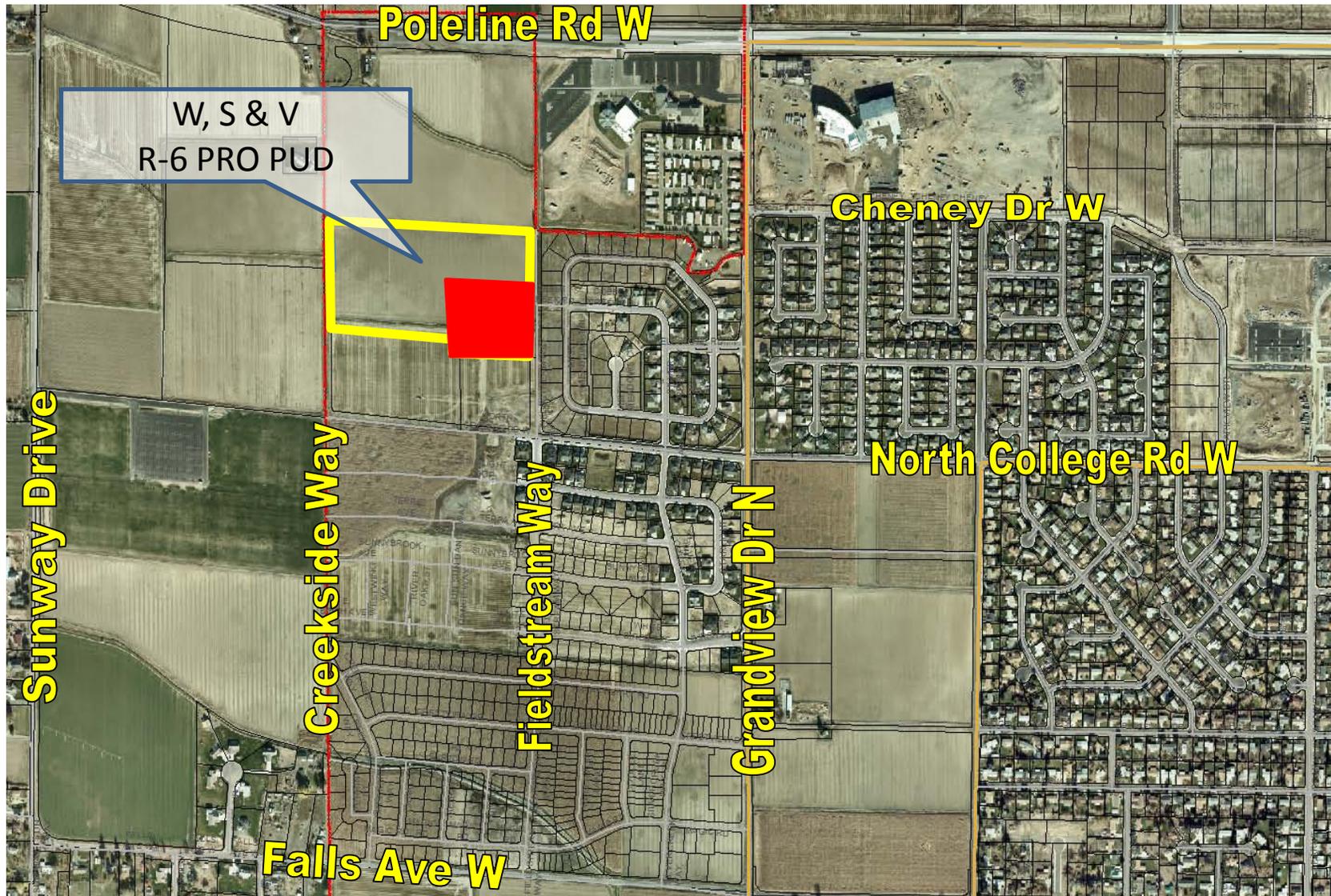
VICINITY MAP



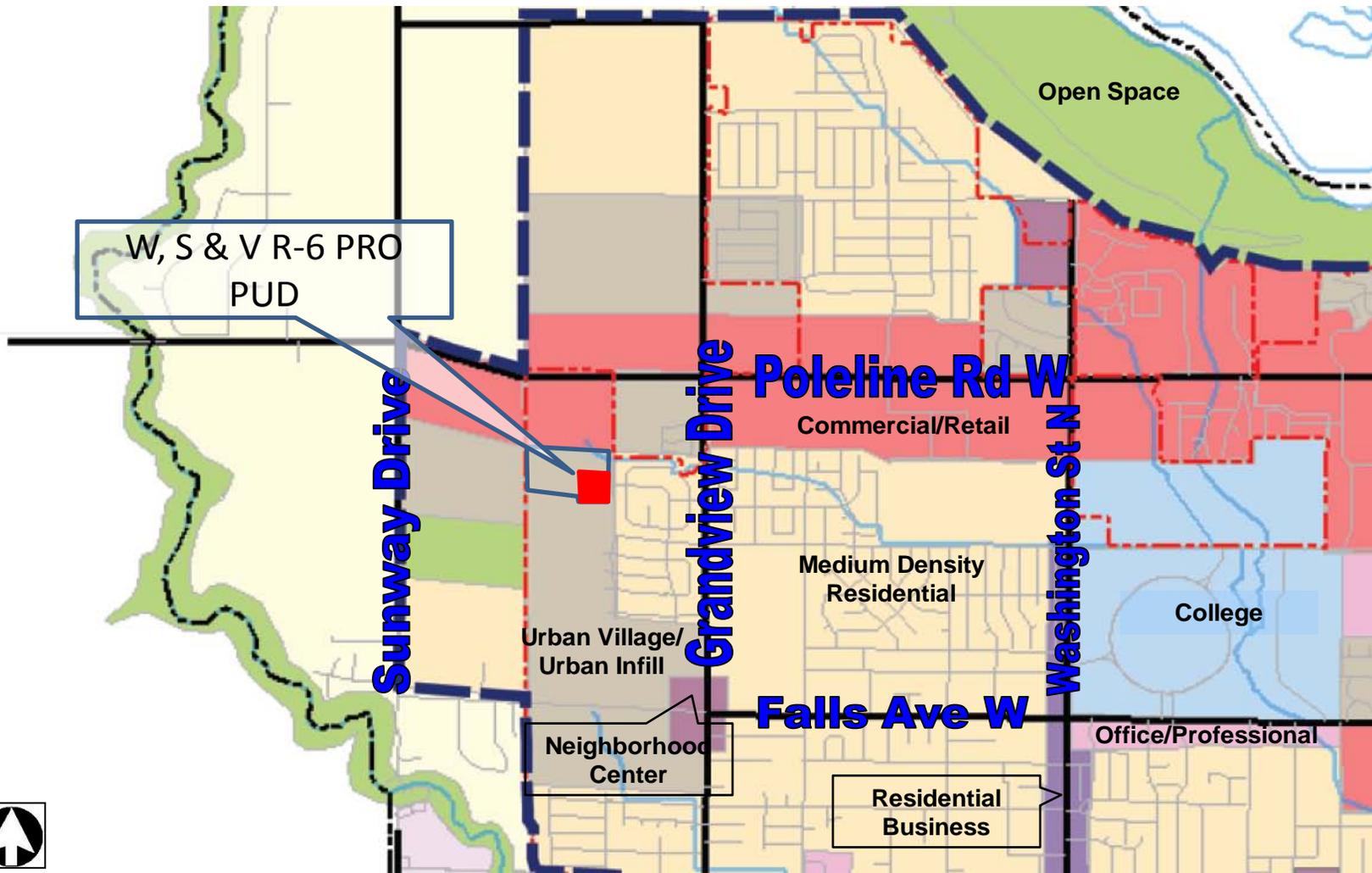
ZONING MAP



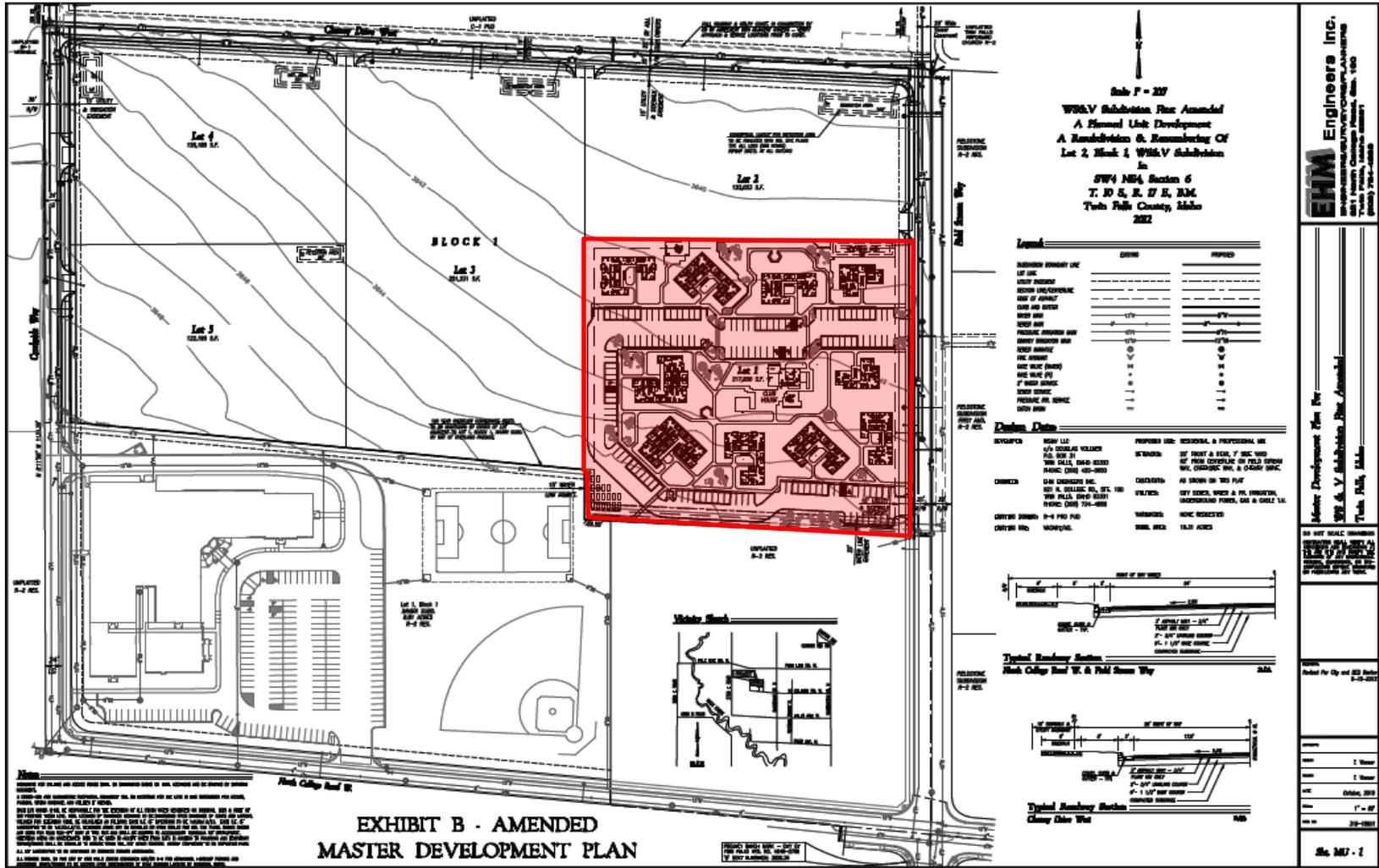
AERIAL VIEW



COMPREHENSIVE PLAN FUTURE LAND USE MAP



DEVELOPMENT PLAN





Field Stream Way - Concept

**FIELD STREAM APARTMENTS
TBD FIELD STREAM WAY
TWIN FALLS, ID 83301**

TENTATIVE DEVELOPMENT TIMELINE:

- **September 7, 2012 Apply for Low-Income Tax Credits/HOME Funds**
- **Late November 2012 Expect to Hear on Funding Awards**
- **December 15, 2012 Close on Site Acquisition**
- **Late December Expect Donation from City of Twin Falls**
- **Late December Start Construction Documents with Architect/Engineers**
- **Late December Start Applications for Construction/Perm Financing**
- **February/March 2013 Submit Plans to the City for Review**
- **April/May 2013 Go out to Bid on Construction**
- **May 2013 Close Partnership with LP and Construction Loan**
- **June 2013 Begin Construction**
- **February 2014 Complete Construction/Resident Move-in**

**FIELD STREAM APARTMENTS
TBD FIELD STREAM WAY
TWIN FALLS, ID 83301**

FACT SHEET:

- **60 Affordable Family Units**
- **Energy Efficient/LEED Certified**
- **8 Studio Units**
- **20 One-Bedroom/One Bath**
- **20 Two-Bedroom/Two Bath**
- **12 Three-Bedroom/Two Bath**
- **10 Two Story Walk-up Six-plex Residential Buildings**
- **Open Space**
- **Playground**
- **Community Garden**
- **5.0 Acres**
- **Covered Parking**
- **On-site Resident Manager (will live on the site)**
- **Maintenance Technician**

new apartments

twin falls, idaho

INDEX OF SHEETS:

T-1	TITLE
S-1	SITE PLAN
A-1	FLOOR PLAN - BUILDING 'A'
A-2	FLOOR PLAN - BUILDING 'B'
A-3	FLOOR PLAN - BUILDING 'C'
A-4	FLOOR PLAN - BUILDING 'D'
A-5	FLOOR PLAN - BUILDING 'E'
A-6	FLOOR PLAN - BUILDING 'F'
A-7	TYPICAL ELEVATIONS - BLDG 'E'
A-8	STUDIO, 1 BDRM & 2 BDRM UNITS
A-9	3 BDRM 'A' & 'B' UNITS
A-10	1 & 2 BDRM ACCESSIBLE UNITS
A-11	3 BDRM ACCESSIBLE UNIT
A-12	COMMUNITY BUILDING
A-13	COMMUNITY ELEVATIONS

PROJECT NOTES:

SITE AREA: 217,781 SQ FT +/-
BUILDING AREA: 54,930 SQ FT +/-
1 COMMUNITY: 1618 SQ FT +/- EA.
2 BUILDING A: 3696 SQ FT +/- EA.
1 BUILDING B: 5006 SQ FT +/- EA.
1 BUILDING C: 5006 SQ FT +/- EA.
4 BUILDING D: 5497 SQ FT +/- EA.
1 BUILDING E: 6960 SQ FT +/- EA.
1 BUILDING F: 6960 SQ FT +/- EA.

UNITS:
8 STUDIO 500 SQ.FT.
19 ONE BR 700 SQ.FT.
1 ONE BR ACCESSIBLE 700 SQ.FT.
19 TWO BR 947 SQ.FT.
1 TWO BR ACCESSIBLE 947 SQ.FT.
11 THREE BR 1105 SQ.FT.
1 THREE BR ACCESSIBLE 1105 SQ.FT.
60 TOTAL UNITS (INC 3 HC)

PARKING: 86 CARS (INC 3 HC)
CARPORTS: 60 CARS (INC 3 HC)
TOTAL: 146 CARS (INC 6 HC)

DEVELOPMENT, SPONSER:

CONTRACTOR:

ARCHITECT:

WILSON ARCHITECTURAL
4961 BRADLEY SUITE A
GARDEN CITY, IDAHO 83714
PH: (208) 344-1800
FAX: (208) 345-9012
tom@wilsonarchitectural.net







Picture taken from the southeast corner of property facing northwest.



MINUTES
Twin Falls City Planning & Zoning Commission
September 25, 2012-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

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

AREA OF IMPACT:

Lee DeVore Steve Woods

CITY COUNCIL LIAISON

Rebecca Mills Sojka Suzanne Hawkins

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Derricott
Frank
Grey
Ihler
Jacobson
Sharp

ABSENT:

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins, Mills-Sojka

CITY STAFF PRESENT: Carraway, Glaesemann, Spendlove, Strickland, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

"....."

IV. PUBLIC HEARING ITEMS

1. Commission's recommendation on a request for a PUD Amendment to the WS&V – R-6 PRO Planned Unit Development Agreement to allow for the development of a 60-unit residential apartment complex on a five (5) +/- acres lot on property located on the west side of the 1300 North Block of Field Stream Way c/o Doug Vollmer on behalf of WS&V, LLC. (app. 2527)

APPLICANT PRESENTATION:

Tim Vawser, EHM Engineering, Inc, representing the applicant WS&V, LLC, stated this is a request for a PUD Amendment, for a 19.31 acre development. He reviewed exhibits on the overhead for clarification of the property location and the surrounding development of the property.

Initially the PUD was to allow R-6 PRO with some residential, professional office/commercial mix and divided the property into five larger lots with no real users in mind at the time. As of a few months ago an identified user came forward for a housing development. Looking through the PUD Agreement some things needed to be changed to assist the housing development in moving forward. The representative Kathryn Almborg for The Housing Development, is available for questions related to the proposed development.

- Currently the PUD allows for 1000 sq. ft however anything over that size would require a special use permit. This development would like to have a clubhouse building for the apartments and would like to have the accessory buildings greater than 1000 sq. ft. allowed without a special use permit.
- They applicant would also like to request that the PUD allow for the development to occur on one parcel under one ownership versus dividing the property into separate parcels for each building.
- The next item is a request for clarification regarding the 15%-85% ratio for the development, and if it applies to each parcel. This development would be 100% residential.
- The final request is to allow for additional building material allowances eg. Hardie Board to keep in accordance with a residential feel.

The only other thing that the applicant would like the Commission to consider is that these amendments apply to the entire 19.31 (+/-) acres and not just the 5 (+/-) acres associated with the apartment project.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed the exhibits on the overhead and stated this is a request for a an amendment to the WS&V PUD Agreement. She reviewed the history of the property and stated, in 2006, 37 (+/-) acres were annexed, which includes the property being proposed for a PUD amendment this evening. The site was annexed under the existing R-2 zoning designation. In 2008 a Special Use Permit was granted to allow a religious facility on a 5(+/-) acre parcel located at the southeast corner of this property. As of this date the church has not been constructed. Later that year a Special Use Permit was granted to develop the Xavier Charter School. The site was platted and the school began operating in 2010. In 2009, The Cottages, a unique and creative residential R-4 PUD was approved. The project consisted of 6 (+/-) acres, but was not developed. In September 2010 this piece along with the remaining property was rezoned from R-2 and R-4 PUD to R-6 PRO PUD designation. The WS&V PUD Agreement was adopted by the City Council on March 12, 2012. The original PUD was approved emphasizing within this PUD there could be a "community type" retirement home complex and also encouraged associated medical type offices that support this type of "Community Type" retirement home complex.

On January 10, 2012 the Planning & Zoning Commission approved the preliminary plat of the WS&V Subdivision-A PUD, and on February 6, 2012 the City Council approved the final plat as presented and subject to 7 conditions. As of today's date the final plat of the WS&V subdivision-A PUD has not been recorded.

The preliminary presentation for this request to allow a PUD Agreement Amendment was held on September 11, 2012. This is a request for an amendment to the WS&V R-6 PRO PUD and Master Development Plan to allow the development of a 60-unit residential apartment complex on a 5(+/-) acre lot on property located on the west side of the 1300 north block of field stream way.

There are (4) changes being proposed from the PUD Agreement, "Exhibit C" they are as follows:

1. Land Use Regulations: Under residential permitted uses it states-Accessory Buildings (Less than 1, 000 sq. ft.) are allowed. The proposed change would also allow accessory buildings (more than 1,000 sq. ft.) if associated with residential development for use as a carport, garage, or clubhouse. There are carports, garages & a clubhouse planned as part of the residential apartment complex.
 - The applicant would like to be able to construct the Clubhouse without having to go through a Special Use Permit process.
2. Property Development Standards; Use of lots: There is a requirement that each building, except accessory structures, shall be located on a separate lot, and the building or structures thereon shall conform to the minimum dimensional standard contained herein. The proposed development consists of a 60 unit apartment complex on a single lot; project consists of 10 buildings with 6 units each; and includes carports/garages and a clubhouse. The existing R-6 PRO PUD allows only one building per lot. The proposed change would allow multiple buildings on one lot for the purpose of a residential development under single ownership.
 - The applicant would like to develop the proposed apartment complex, including carports and a clubhouse for the residents, on one lot, eliminating the requirement for platting.
3. Property Development Standards: Use of lots: (a) Lot Area; requires a minimum of 15% and a maximum of 85% of the project/development be residential development. The proposed change would clarify that a minimum of 15% and a maximum of 85% of the entire development (PUD) is to be residential development.

- The applicant would like to develop this residential apartment project as 100% residential development. The total PUD would still need to meet the 15%-85% Ratio.
4. Property Development Standards: Building Materials; states buildings shall have exteriors of architectural masonry, stone, stucco and architectural steel siding. The applicant is proposed to add wood or cementitious materials (eg. Hardie Board) This would allow the proposing development of this lot to have an exterior siding that is harmonious with residential development.
- The applicant would like to develop this project with "exterior siding that is harmonious with residential development."

As of today's date the Final Plat of the WS&V Subdivision-A PUD has not been recorded. One of the requirements of the subdivision platting process is to provide

the city with a completed water & sewer model. Under the engineering dept review of this zoning proposal they indicated due to the proposed change in density they will require a new review of infrastructure modeling prior to recordation of the final plat of the WS&V Subdivision-A PUD .

The WS&V PUD requires that a minimum of 10% of the total area of residential development be landscaped and in addition there shall be street frontage and perimeter landscaping & berming; landscaping shall be subject to planting ratios of trees & bushes as per City Code Title 10; Chapter 11.

Development requirements such as storm water retention, PI, lighting, a complete parking analysis, etc. will also be reviewed as part of the building permit review process to assure compliance with City Code and the PUD development requirements.

The original PUD was approved emphasizing within this PUD there could be a "community type" retirement home complex & which also would encourage associated medical type offices that support this type of "community type" retirement home complex.

Staff recommends this proposed amendment to the WS&V PUD agreement, if approved, be limited to the "Field Stream Apartment" project, as presented.

The area proposed for this residential project is designated as Urban Village/Urban Infill and complete development of the PUD, as approved, remains in compliance with the Comprehensive Plan.

As a reminder, this process requires a preliminary presentation to the public followed by a public hearing. The Commission is asked to make a recommendation on the request. Their recommendation is automatically scheduled for a public hearing before the City Council who shall make a decision on the request.

The applicant made a presentation at the Commission's September 11, 2012 Meeting. They represented the proposed amendments to the PUD Agreement was to allow the development of a 60 unit residential apartment complex on one 5(+/-) acre lot without having to go through the platting and/or the special use process. There was no public comment nor questions from the Commission to the applicant regarding the proposed changes to the WS&V PUD.

Zoning & Development Manager Carraway stated upon conclusion the Commission is asked to make a recommendation on this request for an amendment to the WS&V PUD Agreement. Should the Commission recommend approval of this request, as presented, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards and the WS&V PUD Agreement #263- amended, as approved.
2. Subject to a new review of infrastructure modeling due to the changes in capacity being proposed for this development, to include a current water/sewer model.
3. Subject to the final plat of the WS&V Subdivision-A PUD, being recorded.
4. Subject to the PUD amendment being limited to the "Field Stream Apartment" project, as approved.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank, asked if this development would allow for elderly tenants also.
- Ms. Almborg The Housing Company representative, stated there would be no age limits or restrictions for the tenants in this complex.
- Commissioner Sharp asked about the Professional Office Overlay and if all five lots were originally planned to be professional.
- Mr. Vawser stated that there were several uses planned for this development. The idea was to have a mix of uses. There would be a residential requirement to fill but a mixed use was planned.
- Commissioner Gray asked about the amendment applying to the entire acreage, but staff is asking the amendments be limited to the 5 acres, so that the development is reviewed for compliance.
- Mr. Vawser stated that is correct it would help to reduce delays in development.

PUBLIC HEARING: OPENED

- Brad Wills, stated he owns the property to the east of this location and previously changes came through to allow Cheney to extend through to this project. There was a change of zoning on the northwest area of Fieldstream Way to allow for a transition from residential. As the land owner to the east of this location he is in support of the request.

PUBLIC HEARING: CLOSED

DELIBERATIONS FOLLOWED:

- Commissioner Frank, stated he understands the applicants request to consider the full land area for the amendment however without a master development plan he would only be comfortable approving the changes for the 5 acres.
- Commissioner Woods asked about lighting issues that may impact surrounding properties. He also has questions about pressurized irrigation and if there would be planning to prevent lawns from dying while it's being put into place. He would also have reservations about granting changes to the entire area.
- Commissioner Gray asked if the PI is looked at in their review.
- Engineer Glaessmen explained that the requirement for the final plat approval are reviewed and this would be reviewed in order for the development to move forward.
- Commissioner Bohrn stated this is how planning should progress, he is in support of an apartment complex/development versus have the increased traffic by building single family homes on a bunch of small R-6 lots. He would also be in support of restricting the changes to just the 5 acres.

MOTION:

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

**RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL
WITH STAFF RECOMMENDATIONS, AS FOLLOWS:**

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards and the WS&V PUD agreement #263- amended, as approved.
2. Subject to a new review of infrastructure modeling due to the changes in capacity being proposed for this development, to include a current water/sewer model.
3. Subject to the final plat of the WS&V Subdivision-A PUD, being recorded.
4. Subject to the PUD amendment being limited to the "Field Stream Apartment" project, as approved.

PUBLIC HEARING SCHEDULED for CC PH on OCTOBER 22, 2012

TWIN FALLS COUNTY
Recorded for:
TWIN FALLS, CITY OF
1:42:31 PM 04-18-2012
2012-007103
No. Pages:39 Fee: \$
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

PUD-263

WS&V PUD
R-6 PRO PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this 2nd day of April, 2012 by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City"), and WS&V LLC. (hereinafter called "Developer"), whose address is PO Box 566, Twin Falls, Idaho 83301-0566

RECITALS

WHEREAS, Developer is the owner of the certain tract of land in the City of Twin Falls, State of Idaho, more particularly described in Exhibit "A", attached hereto, (the "Property") which Property is north of the northwest corner of the intersection of North College Road and Field Stream Way.

WHEREAS, Developer intends to develop and/or sell all or portions of the property from time to time; and

WHEREAS, Developer has made request of the City to develop a mixed use medical/professional office and residential (the "Project") on the Property and has submitted to the City a Master Development Plan (Exhibit "B") thereof which has been approved for development as a "R-6 PRO PUD" by the City Council of the City; and

WHEREAS, City, by and through its City Council on September 20, 2010, has agreed to the development of said land within the City of Twin Falls, Idaho, subject to certain terms, conditions and understandings, which terms, conditions and understandings are the subject of this Agreement and are as follows:

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 and approval of a PUD Agreement prior to recordation of a final plat.
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 development meeting or exceeding R-6 PRO Code Requirements and Required Improvements (10-11-1 through 9) and/or subject to compliance with attached - Exhibits "C" W, S & V -R-6 PRO PUD, as approved, or whichever is greater.

COVENANTS

Now, THEREFORE, in consideration of the mutual promises and covenants contained herein, Developer and City agree as follows:

I. NATURE OF THE AGREEMENT. This Agreement shall become part of the "R-6 PRO PUD" zone with respect to the Project upon its full execution and recording. Developer and its assigns or successors in interest, as well as City and its assigns or successors (if any), shall be bound by the terms and conditions contained herein.

II. NATURE OF THE DEVELOPMENT. It is agreed by the parties hereto that certain language and requirements pertaining to the "Project" zone shall be interpreted as follows:

A. Uses: as per "Exhibit C"

1. Except as provided herein, the uses shall be limited to those allowed in the R-6 PRO (PUD) zone (Code Section 10-4-18.2) as amended and attached hereto as "Exhibit C".

B. Lot Area: as per "Exhibit C"

1. Except as provided herein, the minimum lot area per single household dwelling shall be four thousand (4,000) square feet, six thousand five hundred (6,500) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit and attached hereto as "Exhibit C".

2. For medical/professional offices, the lot size shall be of sufficient size to provide for the building, off street parking and landscaping and attached hereto as "Exhibit C".

C. Lot Occupancy: as per "Exhibit C"

No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

For professional offices, there is no occupancy requirement.

D. Building Size. as per "Exhibit C"

The maximum building size is 14,000 S.F. (a larger building may be allowed with an application for a special use permit).

E. Building Height. **as per "Exhibit C"**

No building shall be greater than 35' above grade, as measured per 10-2-1 of City Code, as amended.

F. Hours of Operation. **as per "Exhibit C"**

Hours of operation for all professional office buildings shall be 7:00 am to 9:00 pm unless extended hours of operation are permitted with an approved special use permit.

G. Phasing of Development.

Developer shall be permitted to develop the property in phases, so long as those phases are in compliance with the Master Development Plan and this PUD Agreement. Approval for each phase may be obtained by submission to the City Engineer of technically correct designs and improvement plans for necessary construction. The designation and location of specific uses on the Master Development Plan are conceptual and changes therefrom shall not provide basis for disapproval of any phase. There shall be no minimum or maximum limit between the occurrence of phases.

III. STREET, SEWER, WATER AND DRAINAGE IMPROVEMENTS.

Developer, or their designee by appropriate agreement, shall be responsible for the design and construction of street, sewer, water and drainage systems on the Property and adjacent right-of-ways (hereinafter "Improvements") as described herein in accordance with City Standards.

A. Improvement Plans. Developer shall file or cause to be filed with the City a complete set of plans showing all improvements contemplated. The Improvement Plans and all improvements shall thereon meet the approval of the City, which approval shall be given if such plans conform with established City requirements, the Master Development Plan and this PUD Agreement.

B. Improvement Design and Construction. Developer, at its expense, shall cause all Improvements shown on the Improvement Plan to be designed, constructed and installed consistent with the approved Improvement Plans except as otherwise provided herein. Notwithstanding the foregoing, nothing in this Agreement shall

prohibit City, State or Federal participation in the cost or financing of Improvements on the Property if mutually agreed by the parties hereto.

- C. Phased Construction. Developer may install the Improvements at one time, or in phases, as the Developer shall determine in its sole discretion. Developer shall provide the City with written notification of the timing and scope of the phase, or phases, of said Improvements it intends to complete at that time. Developer agrees to make modifications to construct any temporary facilities necessitated by such phased construction work as shall be reasonably required and approved by the City.
- D. Non-Compliance. In the event any of the Improvements are not consistent with the Improvement Plans, the City shall give written notice to Developer of said non-compliance. Developer shall cure said non-compliance within thirty days of its receipt of notice, or in the case of non-compliance that will require in excess of thirty days to cure, Developer shall commence to cure within thirty days of receipt of notice and diligently pursue the same to completion. In the event Developer fails to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within only that phase of such "PUD" until such time as requirements specified in this Section 3 have been complied with; PROVIDED, HOWEVER, Developer shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy shall have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates should be issued. The City Council shall then, in good faith and in an objective manner, decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the right of the parties are preserved at law and equity.
- E. Fees. Developer shall pay, or cause to be paid, to the City all applicable fees, if any, with regard to the installation of Improvements pursuant to the Improvement Plans. However, City water and sewer connection and service charges shall be paid for by individual developers and users at the rates set by applicable City ordinances and resolutions.

F. Maintenance of Improvements. City hereby agrees to accept maintenance responsibility for the public improvements upon their completion to City Standards in accordance with current City policy.

III. PLATS.

A. Developer agrees to file with City preliminary plat and final plats prepared by a registered professional engineer, of the real property, which is the subject of this agreement. Preliminary and final plats shall be submitted specifically identifying and dedicating all necessary public easements and those rights-of-ways the City agrees to accept herein and in the Standard Developer's Agreement. It is agreed that said plats and any amendments thereto must first be approved by the City.

IV. PARCEL DEVELOPMENT CRITERIA. as per "Exhibit C" The Property or any portion thereof shall be developed in accordance with the criteria set forth in this Section V -- **as per "Exhibit C"**

A. Approval and Construction. All Improvements shall be constructed in accordance with engineered drawings and specifications, describing in reasonable detail the work to be performed, with drawings and specifications to first be approved by City, which approval shall not be unreasonably withheld.

B. Landscaping and Planting. as per "Exhibit C"

C. Landscaping Plan. as per "Exhibit C"

D. Building Standards. as per "Exhibit C" Buildings and improvements shall comply with the following standards.

1. Architectural Standards. as per "Exhibit C"

2. Outside Storage / Loading Docks. as per "Exhibit C"

3. Utilities. All on-site utility service lines located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with screening material such as landscaping or other approved material.

4. Sign Plan. All signage shall conform to City of Twin Falls Sign Regulations Ordinance subject to the following:

a) Building Signs. **as per "Exhibit C"**

V. STANDARD DEVELOPER'S AGREEMENT. It is understood and agreed by the parties hereto that Developer shall execute the City's Standard Developer's Agreement.

VI. GENERAL PROVISIONS.

- A. Cooperation. The parties hereto agree to cooperate each with the other. Developer shall submit to the City all plans, specifications and working drawings required by the City.
- B. Entire Agreement. This Agreement constitutes the entire agreement between the parties concerning the Property and improvements described herein, and no amendment or modification to this Agreement shall be valid or effective unless reduced to writing and signed by the parties.
- C. Applicable Law. This Agreement shall be construed in accordance with the laws of the State of Idaho.
- D. Notices. If notices from one party to the other are desired or required hereunder such notices shall be delivered or mailed to the party to receive such at its address last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy- two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested".
- E. Successors and Assigns. This Agreement shall be binding upon the successors, assigns and legal representatives of the parties hereto. Transfer of all or a portion of the Property shall create a notation releasing the transferor from obligations under this Agreement with respect to said transferred property.
- F. Severability. In the event any portion of this Agreement is declared by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, such portion shall be deemed severed from this Agreement, and the remaining portions thereof shall not be affected.
- G. Signatories. Each of the persons executing this Agreement hereby warrants that he or she is duly authorized and empowered to so act on behalf of the entity for which he

or she is signing, and that this Agreement is binding on, and enforceable against, such entity.

- H. Effective Date. This Agreement shall become valid and binding upon its approval by the City, through its City Council, and upon its execution by the Mayor and the Developer.
- I. Attorney Fees. In the event that either party should be required to retain an attorney to institute litigation because of the default or breach of the other, or to pursue any remedy provided by law, the party, which prevails, shall be entitled to a reasonable attorney's fee.
- J. Construction. Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a contract is to be construed more strictly against the person who himself, or through his agents, prepared the same, it being acknowledged that both parties have participated in the preparation hereof.
- K. Attachment. All attachments to this Agreement and recitals are incorporated herein and made a part thereof as if set forth in full.
- L. Captions. The captions, sections and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and shall in no way affect interpretation of this Agreement.

IN WITNESS WHEREOF, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

ATTEST:  BY: 
 CITY OF TWIN FALLS
 Mayor

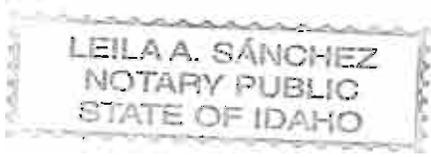
DEVELOPER
 WS&V LLC
 ATTEST: WS&V LLC BY: 

ACKNOWLEDGEMENTS

STATE OF IDAHO)
)ss.
COUNTY OF TWIN FALLS)

On this 2nd day of April, 2012, before me, the undersigned, a Notary Public in and for said State and County, personally appeared Gregory Laning known to me to be the _____ of Twin Falls, the municipal corporation that executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Leila Sanchez
NOTARY PUBLIC FOR IDAHO

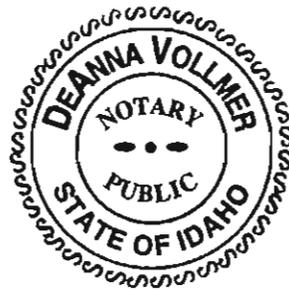
Residing At: Twin Falls

My Commission Expires: 5-18-2012

ACKNOWLEDGMENTS

STATE OF IDAHO)
)ss.
COUNTY OF TWIN FALLS)

On this 28th day of March, 2012, before me personally appeared Douglas Vollmer, known and identified to me to be member of WS&V LLC, of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledge to me that such corporation executed the same.



DeAnna Vollmer

NOTARY PUBLIC OF IDAHO

Residing At: Twin Falls

My Commission Expires: 4/22/16

PUD-263

EXHIBIT A – LEGAL DESCRIPTION

Lot 2, Block 1, WS&V Subdivision-Conveyance Plat, according to the official plat thereof recorded in the office of the Twin Falls County Recorder in book 23 of plats on page 4.

PUD 263

EXHIBIT B – MASTER DEVELOPMENT PLAN

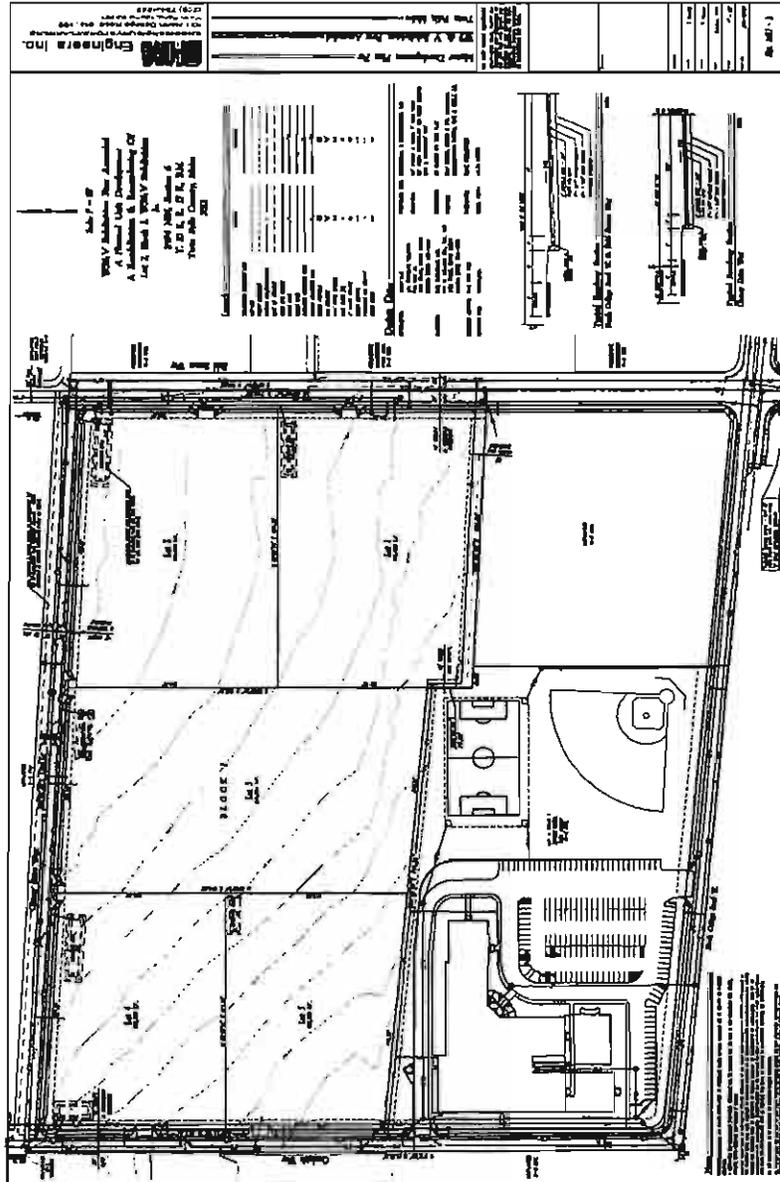


EXHIBIT "C"

WS&V

R-6 PRO PUD

September 20, 2010 – CC DECISIONS

LAND USE REGULATIONS: -

(A) PERMITTED USES: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses: (Hours of operation shall be 7:00 am to 9:00 pm unless extended hours of operation are permitted with an approved special use permit or unless stated elsewhere in this Exhibit)

1. Communications And Utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Governmental Facilities:
 - a. Governmental office buildings
3. Medical Facilities:
4. Doctors' office
5. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
6. Public Assembly:
 - a. Religious facilities.
 - b. Schools - private academic.
 - c. Schools - public.
7. Residential (unrestricted hours of operation):
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex.
 - e. Dwellings - multiple household (max 6 units).
 - f. Dwellings - triplex and four-plex. (Ord. 2526, 5-20-1996)
 - g. Household units in the same building as an allowed use and occupied by owner or an employee of the allowed use.
 - h. Nursing homes and rest homes with a maximum of 16 residents/beds – including staff
8. Services:
 - a. Finance and investment offices.
 - b. Insurance and related business.
 - c. Professional services.
 - d. Photography studios.
 - e. Real estate and related business.

(B) SPECIAL USES: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses unless special provisions are taken. Special use permits may be granted for the following uses:

(Hours of operation shall be 7:00 am to 9:00 pm unless extended hours of operation are permitted with an approved special use permit)

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Judicial facilities.
4. Medical Facilities:
 - a. Ambulance service.
 - b. Doctor's Offices
5. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
6. Public Assembly:
 - a. Auditoriums.
7. Residential:
 - a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
 - b. Bed and breakfast facilities.
 - c. Home occupations.
 - d. Nursing homes and rest homes with 17 or more residents/beds – including resident staff
 - e. Residence halls-medical related, residence hotels-medical related, rooming houses-medical related.
8. Services:
 - a. Beauty salons/barbershops.
 - b. Commercial daycare facilities and preschools.
 - c. Consumer credit collection.
 - d. Employment agency.
 - e. In home daycare services.
9. Sports Facilities:
 - a. Outdoor, public and commercial ice and roller skating facilities.
 - b. Outdoor, public and commercial swimming pools.
 - c. Outdoor, public and commercial tennis courts.
10. Transportation:
 - a. Bus - pick up shelters.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence.

(D) PROPERTY DEVELOPMENT STANDARDS:

1. Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein.
 - a. Minimum of 15% and a Maximum of 85% of the project to be residential development.
2. Lot Area:
 - a. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, six thousand five hundred (6,500) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.
 - b. For professional offices, the lot size shall be of sufficient size to provide for the building, off street parking and landscaping.
3. Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.
 - a. For professional offices, there is no occupancy requirement.
4. Building Height: No building shall be greater than 35' above grade, as measured per 10-2-1 of City Code, as amended.
5. Building Size: The maximum building size is 14,000 sf (a larger building may be permitted with a Special Use Permit.)
6. Yards:
 - a. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)
 - 1) The front building line shall not be closer than twenty feet (20') to the front property line.
 - 2) Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.
 - 3) On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
 - 4) No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the property line on other street frontages.
 - b. Side Yard:
 - 1) The side building line shall not be closer than five feet (5') to the side property line.
 - 2) Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.
 - 3) Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet (2¹/₂') to the side property line.

- c. Rear Yard:
- 1) The rear building line shall not be closer than fifteen feet (15') to the rear property line for residential uses and fifteen feet (15') for other uses.
 - 2) Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided in section 10-7-5 of this title.
 - 3) On a corner lot, the rear yard setback may be reduced to the side yard setback.
 - 4) For professional offices, the rear yard may be reduced to the side yard setback of the basic district.
7. Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
8. Landscaping Plan (PUD): All landscaped shall comply with the provisions of section 10-11-2 of this title.
- a. Professional Uses: Professional offices shall provide landscaping equal to twenty-five percent (25%) of the total lot area.
 - b. Residential Uses: Residential development, excluding single family and/or duplex dwellings, shall provide landscaping equal to ten percent 10% of the total lot area.
 - c. Landscaping shall be required to be installed on each parcel/lot of the Property at the time site and building improvements are completed thereon, or by the next planting season subject to a Temporary Certificate of Occupancy. Landscaped perimeters shall be installed from the back of the curb in the public right-of-way and shall be extended to the dimensions set forth below:
 - d. A minimum 20 foot wide landscape buffer, including sidewalk, measured from back of the curb will be constructed along Field Stream Way and Creekside Way.
 - (1) Fifty percent (50%) of the lineal footage of landscaping shall have berms with a ridge elevation of at least eighteen inches (18") in height and with at least fifty percent (50%) of the berms to have a minimum ridge elevation of thirty inches (30") in height. Trees and shrubs will be provided in ratios meeting the City Code 10-11-2. Trees and shrubs may be grouped, but there shall be no space greater than seventy-five feet (75') between tree and shrub groupings.
 - e. A minimum 20 foot wide landscape buffer, measured from the property line, will be constructed along the north and south boundaries of the PUD project boundary. The landscaping shall include berms with a minimum height of 18 inches to a maximum height of 30 inches.
 - f. The use of planters and landscaped islands within parking lots will be used to reduce visual impact of large paved areas and these shall be planted with shade trees and shrubbery. The area adjacent to residential areas shall be landscaped with coniferous and deciduous trees and/or solid fencing with shrubs, berms, solid wall and/or planter boxes to create a dense buffer in a relatively short period of time.
 - g. All landscaping shall be installed in conformance with the project Master Development Plan. All landscaping maintenance will be in a uniform manner.
 - h. The property landscaping will utilize a city pressure irrigation system constructed in compliance with applicable standards.

9. Off Street Parking:

- a. Each use shall provide parking in compliance with city code.

10. Signs:

- a. All uses shall comply with the provisions of chapter 9 of this title.
- b. Multiple-occupancy buildings shall have a sign plan approved by the administrator.

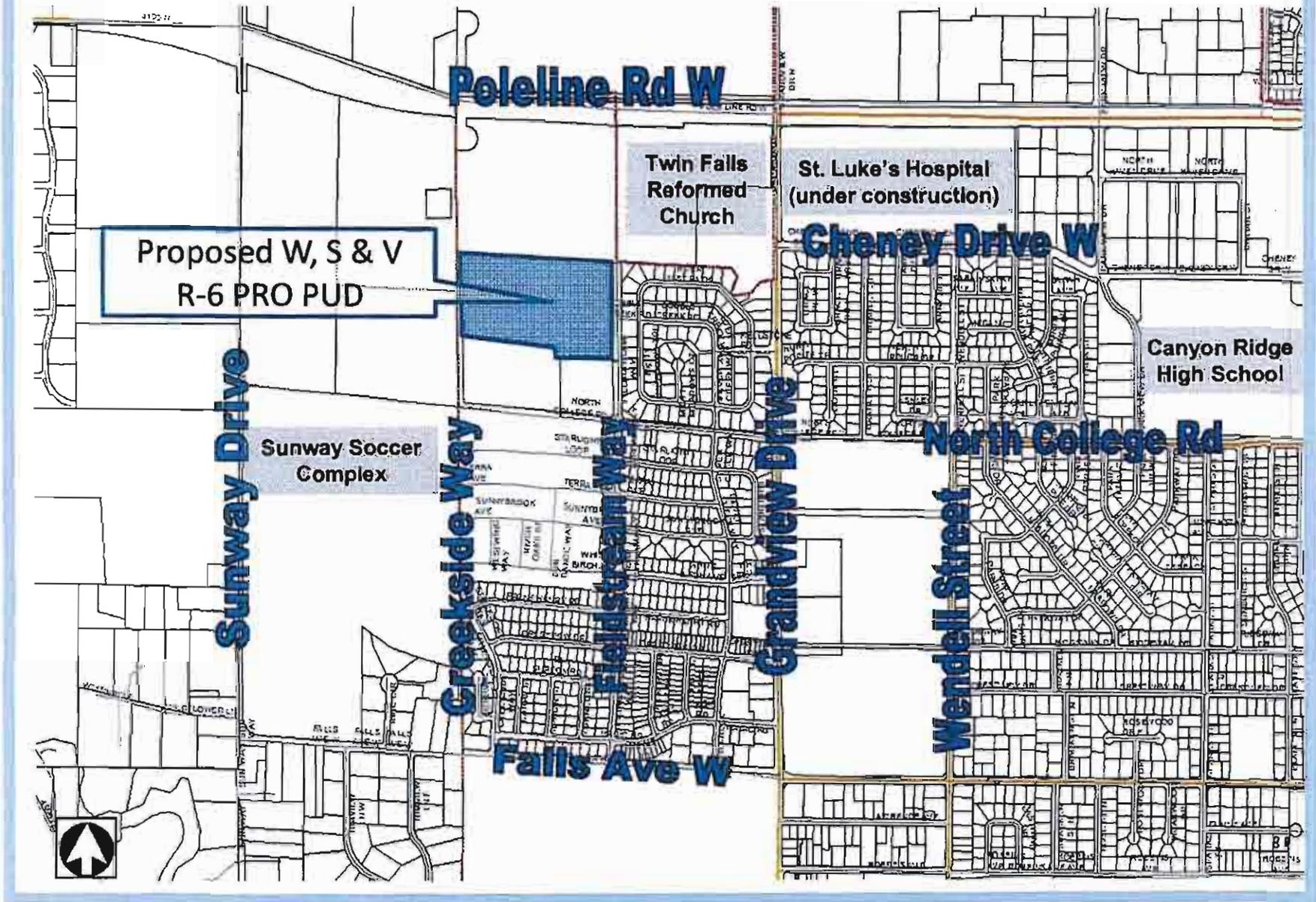
11. Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: no wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

- a. Professional offices shall provide a fence not less than six feet (6') in height that will act as a sight and sound barrier between the professional office use and any contiguous residential lot or use.

12. Building Standards:

- a. Buildings: New buildings are to be designed in such a way as to conform with the general residential nature of the neighborhood. All buildings shall be of residential character with exteriors of architectural masonry, stone, stucco or architectural steel. Building faces shall include windows, setbacks, awnings, parapet variations, material variations, color variations and other architectural treatments to break up large uniform surfaces.
- b. Buildings shall have pitched roofs with a gable or hip roof with a minimum 5/12 pitch and twelve inch (12") eave. Roofing material shall consist of architectural asphalt shingles, architectural metal or tile.
- c. Building faces shall be broken up with windows, recesses, awnings or other architectural features that break up large flat surfaces.
- d. Buildings shall have exteriors of architectural masonry, stone, stucco or architectural steel siding.
- e. All building public access will be oriented toward the project interior.
- f. Lighting: Building and parking area lighting shall be enclosed in fixtures or soffits that direct lighting to the ground surface in a manner that the light source cannot be seen from adjacent properties.
- g. Outside Storage/Trash Containers/Loading Docks/Emergency Facilities: Outside storage and/or display is prohibited. Loading docks, trash containers and emergency facilities shall be visibly screened from roadways, residential areas and adjacent properties with screening materials. Screening may consist of landscaping- as per D8, masonry walls, buildings or fencing (vinyl, block, wood).

VICINITY MAP



PUD-203

AERIAL VIEW

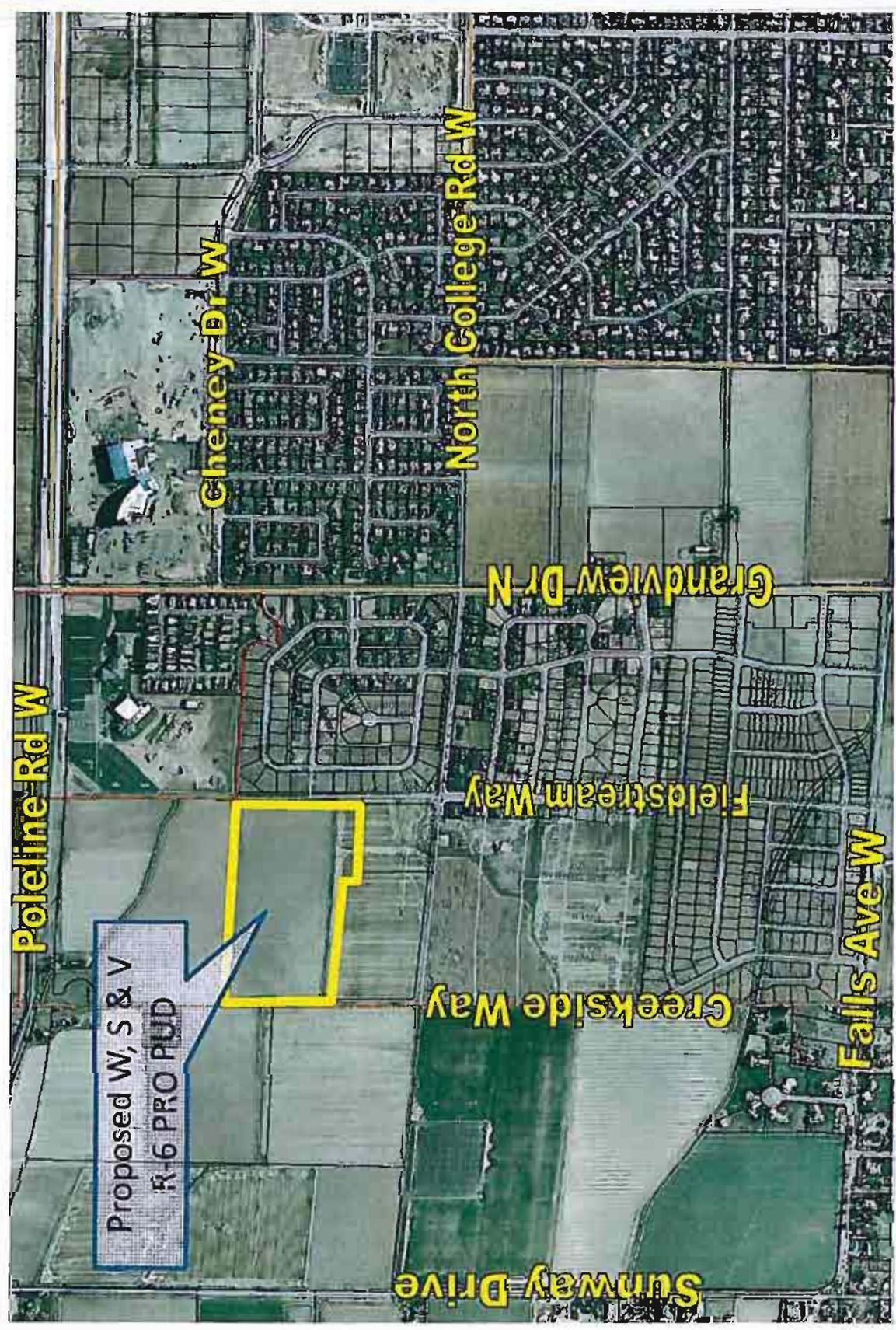
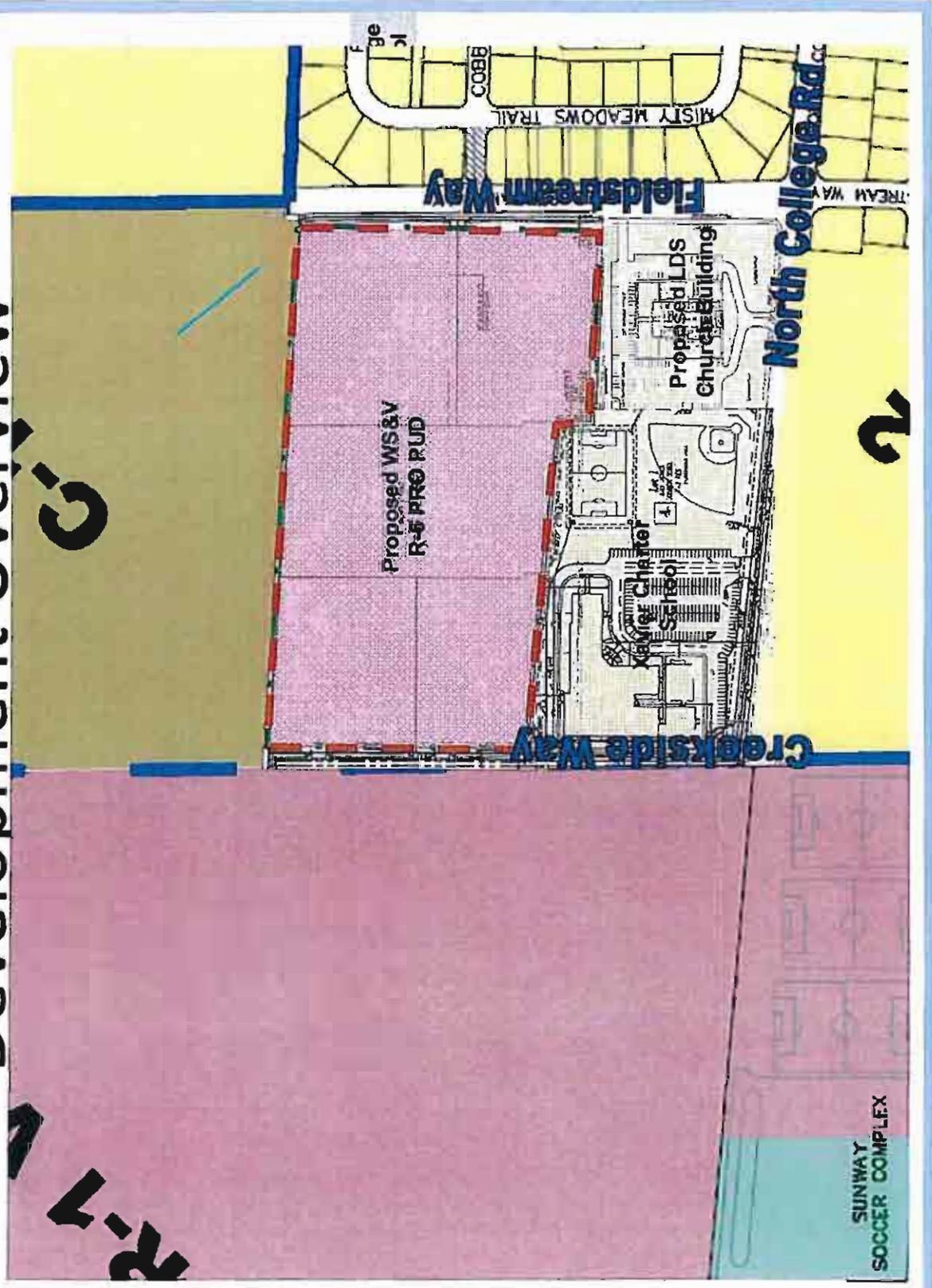


EXHIBIT "B"

Development Overview



INSERT EXHIBIT C

Locust Grove office building (1411 Falls Ave E, Suite 400 building)



Visions Home Health office building (209 Shoup Ave West)



Residential Duplex



Residential Duplex



Residential Duplex



Devon Senior Housing (1338 North College Rd East)





PUD-203

MINUTES
Twin Falls City Planning & Zoning Commission
August 10, 2010-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Kevin Cope Jason Derricott V. Lane Jacobson Bonnie Lezamiz Gerardo Munoz Jim Schouten
Chairman Vice-Chairman

AREA OF IMPACT:

Lee DeVore R. Erick Mikesell

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Cope
Lezamiz
Munoz
Schouten

ABSENT:

Derricot
Jacobson

AREA OF IMPACT MEMBERS

PRESENT:

Mikesell

ABSENT:

DeVore

CITY COUNCIL MEMBERS PRESENT: Heider

CITY STAFF PRESENT: Carraway, Jones, Reeder, Vitek

I. CALL MEETING TO ORDER:

1. Confirmation of quorum
2. Introduction of staff

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **July 27, 2010**
2. Approval of Findings of Fact and Conclusions of Law:
 - Dean Kulm-SUP
 - Wesleyan Holiness Church-SUP

Commissioner Cope made a motion to approve the consideration items. Commissioner Schouten seconded the motion. All members present voted in favor.

UNANIMOUSLY APPROVED

III. ITEMS OF CONSIDERATION:

1. Preliminary PUD presentation for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed-use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way. c/o Doug Vollmer on behalf of W.S & V, LLC(app. 2386)

APPLICANT PRESENTATION:

Tim Vawser, EHM Engineering, Inc, representing the applicant stated this is a 19.31 acre parcel; lot 2 of the W,S&V, LLC conveyance plat. The property is south of Pole Line Road and boarded by Creekside Way on the west and Fieldstream Way on the east. Xavier School is southwest of this parcel and there are plans for a church along the southeast. The property is essentially surrounded by transitional uses. The plan is to request a rezone from R-2 & R-4 PUD to R-6 PRO PUD to offset the commercially zoned property to the north and provide a transition throughout. He reviewed the plans on the overhead showing five large sections allowing them to sell the property for development.

P&Z QUESTIONS/COMMENTS:

- Commissioner Munoz asked if the plan was to have duplex or apartment type buildings in the residential plan.
- Mr. Vawser explained that the reason for the R-6 zoning is to allow for multi-family housing or possibly a cluster home type of development.
- Doug Vollmer state the zoning matrix is provided in the staff packet and explained that they would like to make some things outright permitted in the PRO overlay. Photos have been provided and will be discussed at the public hearing.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed the vicinity maps on the overhead and stated this is a preliminary PUD presentation to rezone the property from R-2 & R-4 PUD to R-6 PRO PUD. She stated this is a preliminary presentation and staff does not review the request or make recommendations at this time. This presentation is to allow the Commission to ask questions before the public hearing scheduled for the August 24, 2010 meeting.

PUBLIC COMMENTS: OPENED & CLOSED WITHOUT PUBLIC COMMENTS

PUBLIC HEARING SCHEDULED FOR AUGUST 24, 2010



MINUTES
Twin Falls City Planning & Zoning Commission
August 24, 2010-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohm Kevin Cope Jason Derricott V. Lane Jaboson Bonnie Lezamiz Gerardo Munoz Jim Schouten

Chairman Vice-Chairman

AREA OF IMPACT:

Lee DeVore R. Erick Mikesell

CITY COUNCIL LIAISON

Lee Heider

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohm
Cope
Derricott
Jacobson
Lezamiz
Munoz

ABSENT:

Schouten

AREA OF IMPACT MEMBERS

PRESENT:

ABSENT:

DeVore
Mikesell

CITY COUNCIL MEMBERS PRESENT: Helder

CITY STAFF PRESENT: Carraway, Jones, Vitek

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Consideration of the Preliminary Plat of Kimberly Road Commercial Subdivision 36.96 (+/-) acres consisting of 12 lots and located southwest of 3250 Kimberly Road c/o Gerald Martens on behalf of Kimberly Road Partners, LLC

IV. PUBLIC HEARINGS:

1. Requests the Commission's recommendation on the Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed-use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way. Doug Vollmer on behalf of W.S. & V, LLC (app. 2386)
2. Request for the Commission's recommendation on the Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO property located at 510 Lincoln St c/o Francis Florence on behalf of 200 South Developers, LLC (app. 2383)
3. Requests for a Special Use Permit to include a private school in conjunction with an existing religious facility on property located at 315 Shoup Avenue West c/o Pastor Bruce Carlson on behalf of Cornerstone Baptist Church (app. 2384) **RESCHEDULED FOR SEPTEMBER 14, 2010 P&Z PH**
4. Request for a Special Use Permit to operate an automobile (racecar) service/repair business, automobile (racecar) storage facility with hours of operation Monday-Friday 7:00am to 7:00pm, year-round in conjunction with the operation of an existing seasonal (April-September) racetrack on property located at 3369 North 2800 East in the City's Area of Impact c/o Eddy McKean on behalf of Magic Valley Speedway (app.2385) **RESCHEDULED FOR SEPTEMBER 14, 2010 P&Z PH**

I. CALL MEETING TO ORDER:

Chairman Bohm 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. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **AUGUST 10, 2010**
2. Approval of Findings of Fact and Conclusions of Law: **NONE**

III. PUBLIC HEARINGS:

1. Requests the Commission's recommendation on the Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed-use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way. Doug Vollmer on behalf of W.S. & V. LLC (app. 2386)

APPLICANT PRESENTATION:

Tim Vawser, EHM Engineering, Inc, representing the applicant stated that he is here to request a recommendation of approval of the Zoning District Change and Zoning Map Amendment. To the east of this property is Fieldstone a residential subdivision; to the north of this property is the Reform Church and property that was just recently zone C-1 PUD; to the west is agricultural; to the south is Sunway Soccer Field and the Xavier Charter School along with the site planned for the LDS Church. The extension of Fieldstone Way and Creekside Way will provide access to this property. The property will consist of 5 lots with the two lots on the east having access to Creekside Way and the two lots on the east would have access to Fieldstream Way and the lot in the middle would have a private access drive coming in off of Fieldstream Way. The proposed zoning is an R-6 PRO PUD to allow flexibility in several different types of transitions in this area. The packet provided to the Commission includes exhibits with the plan for the development to have some type of internal looping or traffic pattern. An assisted living center, and some mixed residential would provide a transitional area between the C-1 and the uses surrounding this property. He reviewed the list of items that the applicant is requesting be listed as an approved use without the need for a special use permit. He also reviewed the recommendation that a maximum 25% of the development consist of residential uses, the applicant would like to request that the percentage be adjusted to a range between 15% and 85% to allow for a bit of leeway for the development to please the adjacent property owners and to help with the marketing of the property. He requests that the Commission consider this request and make a positive recommendation to the City Council for the rezone.

STAFF PRESENTATION:

Zoning & Development Manager Caraway reviewed the exhibits on the overhead and stated this is a request for a rezone to a Planned Unit Development. She stated on November 6, 2006 the City Council approved annexation of 36.5 (+/-) acres with an R-2 Zoning Designation, which includes this property that is being proposed for a zoning change. Ordinance #2884 was adopted on November 23, 2006, and later recorded. On July 8, 2008 the Church of Jesus Christ of Latter Day Saints was granted a special use permit to construct a religious facility on a 5 (+/-) acre parcel located at the southeast corner of this property. The church has not developed as of yet.

The W, S & V conveyance plat, consisting of 30 (+/-) acres and 2 lots was approved on February 17, 2009 and later recorded on March 13, 2009. The Xavier Charter School was granted a special use permit on December 16, 2008 to develop a public charter school on the southwest corner of this property. The Xavier Subdivision, Lot 1 consisting of 8.5 (+/-) acres was approved by the City Council on March 2, 2009 and later recorded on August 19, 2009. The school is currently under construction and has received a temporary Certificate of Occupancy.

The Cottages, a residential PUD was approved by the City Council on February 9, 2009 with a zoning designation of R-4 PUD. Ordinance # 2964 was adopted on March 23, 2009 and later recorded. The project consisted of 6 (+/-) acres located north of the LDS Church site and on the west side of Fieldstream Way. The project has not been developed; and this PUD site is being incorporated into this proposed development.

A preliminary PUD presentation for tonight's Zoning District Change and Zoning Map Amendment was heard by the Planning & Zoning Commission Tuesday, August 10, 2010.

Zoning & Development Manager Carraway stated this is a request for a Zoning District Change and Zoning Map Amendment for 20(+/-) acres from R-2 and R-4 PUD to R-6 PRO PUD the property is located between Field Stream Way and Creekside Way, extended, and north of North College Road West. The applicants have indicated they wish to rezone this property to allow for a mixture of residential and professional uses.

The property is currently being used as agricultural farmland; to the north is also agricultural land but the zoning for the property is C-1; Commercial Highway District. To the west is agricultural land in the City's Area of Impact and is zoned R-1 VAR; Residential Single Family District. Property to the east is zoned R-2; Residential Single Family and Duplex District and is mostly developed as the Fieldstone Subdivision. To the south is the Xavier Charter School, which serves grades K-12 and a vacant property that is proposed to be an LDS Church meeting house.

The proposal for the site consists of allowing for a mixture of residential uses, office uses, medical offices, religious facilities, schools, nursing homes, rest homes, medical resident halls and similar facilities. The Master Development Plan consists of dividing the property into five (5) areas which would average 3.9 (+/-) acres in size. There would be two (2) main shared accesses to the area on Creekside way and Fieldstream Way and then internal circulation throughout the site, it is anticipated at this time that two of the areas would include an assisted living facility and assisted living-related uses. The other three (3) areas would include compatible uses.

It was stated at the preliminary PUD presentation on Tuesday, August 10, 2010, that The Cottages an approved but undeveloped residential PUD project was to be included as approved within this proposed PUD, however, as the developers are unsure if and/or where The Cottages will be developed within this project it has not been included with the land uses for this PUD. To develop a residential development similar to The Cottages would require a PUD amendment.

The applicant provided a portion of the City's Land Use and Zoning District Matrix-Table to indicate how the PUD would vary from the use allowances of a standard R-6 PRO District, there is also an "EXHIBIT" included in this packet which includes the zoning requirements and property development standards for the R-6 PRO Zone and includes the applicant's proposed modifications.

In terms of uses there is a general standard for uses to operate within the hours of 7:00am to 9:00pm unless permitted otherwise by PUD or Special Use Permit. The developers are proposing the following uses be allowed outright in this PUD without a Special Use Permit:

- Governmental Office Building
- Schools-Public
- School-Private Academic
- Household Units (in the same building as an allowed use and occupied by owner or employee)
- Nursing Homes and Rest Homes (maximum of 16 beds/residents-larger facility would require SUP)
- Finance Investment Offices
- Insurance and Related Business
- Photography Studios
- Professional Services
- Doctor's Office (One Doctor-More Would Require SUP)
- Real Estate and Related Business
- Religious Facilities

Pictures were also provided to give a conceptual idea of the intended architectural standards. The photos include the Locust Grove Development located on the northwest corner of Falls Avenue East and Locust Street North, Visions Home Health Office Building at 209 Shoup Avenue West, residential duplexes, and the Devon Senior Apartment Complex at 1338 North College Road East.

The Comprehensive Plan's Future Land Use Map 2-4 designates this area as Urban Village/Urban Infill. The description of this designation in the Comprehensive Plan is "to support a mix of residential uses and densities in addition to commercial and community uses" Mixed uses could be both vertical and horizontal meaning different buildings containing different uses or different uses within the same building as being encouraged. The proposed project is for a mixture of uses which could include residential and primarily professional related non residential uses. A solely residential or solely professional office development would not meet the intent of the Comprehensive Plan for an Urban Village/Urban Infill project in this area and so the PUD would need to include a guarantee of a mixture of both uses on the site, the current proposal would appear to meet the intent of the Urban Infill designation and staff would propose a statement in the PUD that would allow for a minimum of 25% and a maximum of 50% of the project to be residential development. The applicant is requesting the minimum be set at 15% and the maximum set at 85%; the Comprehensive Plan does not have a finite number required but a mixed use is mandatory.

Another aspect to consider during this process is if the project provides a transition between surrounding uses. The property to the north is adjacent to Pole Line Road West and is designated for commercial/retail development and is Zoned C-1. However, prior to development it will require the PUD public hearing process. The other properties surrounding the subject property are zoned residential. The applicant is proposing this zoning district change to provide a buffer between the uses. Multi-family residential and professional office development is often used to provide a transition between single family residential areas and commercial development. The school and proposed church to the south are starting a transition already and the R-6 PRO designation would provide a range of uses that would be compatible. The property is also separated from single family residential developments by collector streets which also helps provide a transition of uses.

The R-6 PRO PUD-Exhibit proposes a maximum building size of 10,000 sq. ft. with a larger building requiring a Special Use Permit. This is to maintain a residential scale to the site, for comparison, the new building at the Locust Grove PUD Occupied by Wolverton Homes Office is just over 9,000 sq. ft. and the buildings at the Renaissance Professional Office Park are approximately 14, 000 sq. ft.

There are architectural standards proposed within the exhibit such as the buildings have a residential nature, pitched roofs at a slope of at least 5/12 and building and roofing materials that are compatible with a residential area. The proposal of an R-6 PRO zoning may be appropriate as it provides transitional uses. The PUD, as proposed, allows for uses normally requiring special use permits to be outright permitted if the zoning was amended as presented. The Commission must determine that the extent and nature of changing the zoning of this property to R-6 PRO PUD would be harmonious and would not detract from the surrounding area. The Master Development Plan does not provide development detail but the general concept is that each of the approximately 3.9 (+/-) acre parcels would provide for a master development plan area such as the Locust Grove Complex or a Senior Housing or Rest Home Complex. Generally PUD applications provide a conceptual layout including parking, landscaping and building locations.

The Locust Grove Development is used as a conceptual example for layout and building elevations. That site is developed on about 9 (+/-) acres has 12 lots and was built out with 11 buildings. The R-6 PRO zoning allows only one (1) building to be developed per lot. The Devon Senior Apartment Complex was also provided as a conceptual example. The Devon Development is a residential complex on 2.3 acres. There are also protections proposed such as landscaped buffers around the property-minimum 20' with berms and plantings along Creekside Way, Field Stream Way and on the north and south sides of the development. Landscaping will also be provided in the parking area. Public accesses to the buildings will be oriented toward the interior of the development. Screening will be provided between professional office and residential uses. The applicant is proposing requirements that will protect the existing property owners and provide a transition to more commercial areas and setting standards for the development of a compatible project.

Zoning & Development Manager Carraway stated upon conclusion if the Commission determines that the request is not in conformance with the Comprehensive plan and/or the extent and nature of changing the zoning of this property to R-6 PRO PUD would not be harmonious and would detract from the residential neighborhood then staff recommends the Commission recommend denial of this request to the City Council. However, should the Commission find that the request is in conformance with the Comprehensive Plan and the extent and nature of changing the zoning of this property to R-6 PRO PUD would be harmonious and would not detract from the residential neighborhood staff recommends the Commission recommend approval of this request to the City Council, as presented, subject to 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 and approval of a PUD Agreement prior to recordation of a final plat.
- 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 development meeting or exceeding R-6 PRO code requirements and required improvements (10-11-1 through 9) and/or subject to compliance with attached Exhibit identified as "W, S, & V Proposed R-6 PRO PUD whichever is greater.

PUBLIC HEARING: WITHOUT CONCERNS

DELIBERATIONS FOLLOWED:

Commissioner Munoz stated he agrees that to meet the intent of the Comprehensive Plan a minimum development for residential uses should be required and he doesn't have a problem with the 15%-85% requested by the applicant.

Commissioner Bohm agreed with the statement made by Commissioner Munoz.

MOTION:

Commissioner Munoz made a motion to recommend approval to the City Council of this request, as presented, with staff recommendations and the applicants requested amendment for development requirements. Commissioner DeVore seconded the motion. All members present voted in favor of the request.

RECOMMENDED FOR APPROVAL AS PRESENTED WITH THE FOLLOWING CONDITIONS

SCHEDULED FOR CITY COUNCIL PUBLIC HEARING ON SEPTEMBER 20, 2010

- 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 and approval of a PUD agreement prior to recordation of a final plat.
- 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 development meeting or exceeding R-6 PRO code requirements and required improvements (10-11-1 through 9) and/or subject to compliance with attached Exhibit "W, S, & V Proposed R-6 PRO PUD," whichever is greater.
- 4) Subject to the residential portion of the plan ranging between 15% and 85% of the development.

PUD-263

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL	LEE HEIDER	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING
		<i>Mayor</i>	<i>Vice Mayor</i>			



MINUTES
 Meeting of the Twin Falls City Council
 September 20, 2010
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CALL MEETING TO ORDER: 5:00 P.M. PROCLAMATIONS: None. CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:			
AGENDA ITEMS		Purpose	By:
I. CONSENT CALENDAR:		Action	Staff Report
1. Consideration of accounts payable for September 13 – 20, 2010.			L. Sanchez
2. Consideration of the Amended August 23, 2010, Minutes and the approval of the September 7, 2010.			Dan McAtee
3. Consideration of a request from Patrick Scheidt, owner of Von Scheidt Brewing Company, to host an outdoor music event in the parking lot of their location at 157 2 nd Avenue West on Saturday, October 2, 2010, from 12:00 P.M. to 9:00 P.M.			Mitch Humble
4. Special Use Permit Amendment c/o Sherry Keyt and Findings of Fact, Conclusions of Law and Decision.			Mitch Humble
5. Special Use Permit for Twin City Auto c/o David Hall and Findings of Fact, Conclusions of Law, and Decision.			Mitch Humble
II. ITEMS FOR CONSIDERATION:		Action	Mitch Humble
1. Consideration of a request to approve the 2011 Certified Local Government application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.		Action	Mitch Humble
2. Consideration of the Final Plat of Eaglefield Commercial Subdivision 4.3 (+/-) acres consisting of 8 lots and located north of Kimberly Road and east and west of Meadowview Lane c/o Scott Allen/The Land Group on behalf of Dirk Parkinson.		Action	Travis Rothweiler
3. Consideration of contract with PSI Environmental Systems to collect residential solid waste and curbside recyclables.			
4. Public input and/or items from the City Manager and City Council.			
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:			
IV. PUBLIC HEARINGS: 6:00 P.M. –		Action	Mitch Humble
1. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way, c/o Doug Vollmer on behalf of W.S.&V, LLC. (app 2386)		Action	Mitch Humble
2. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 510 Lincoln Street, c/o 200 South Developers, LLC/Fran Florence, (app.2383)			Elvia Caldera
3. Request to ban all tobacco products from five neighborhood parks and around specific park amenities, such as playgrounds c/o Elvia Caldera, South Central Health District.			
V. ADJOURNMENT:			

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Present: Lance Clow, Trip Craig, Don Hall, Dave Johnson, Greg Lanting, Will Kezele, Lee Heider

Absent: None

Staff Present: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, Staff Sergeant Dan McAtee, Parks & Recreation Director Oennis Bowyer, Utility Services Director Sherry Jeff, Deputy City Clerk/ Recording Secretary Leila Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him and led the pledge of allegiance. A quorum was present. Mayor Hall introduced City staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

Approved the following changes to the Consent Calendar:

Removed:

- 4. Special Use Permit Amendment c/o Sherry Keyt and Findings of Fact, Conclusions of Law and Decision.
 - 5. Special Use Permit for Twin City Auto c/o David Hall and Findings of Fact, Conclusions of Law, and Decision.
- The items will be on the September 27, 2010, Agenda.

Added:

Consideration to approve Alcohol License Application to Purity Spa Salon Boutique located at 2221 Addison Avenue East. (Wine: Retail Sales for consumption off premises only.)

PUD-263

AGENDA ITEMS

Councilperson Craig dismissed himself at 6:09 P.M. due to illness.

Mayor Hall went over the public hearing procedures.

IV. PUBLIC HEARINGS: 6:00 P.M. -

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way, c/o Doug Vollmer on behalf of W.S.&V, LLC. (app 2386)

Tim Vawser, EHM Engineers, representing the applicants, explained the request. On item 3 of Exhibit C as well as item 4, which also addresses medical services, they would like remove the restriction of "one doctor". On property development standards, specifically during the Planning and Zoning Commission meeting the applicant asked for and received under Item (D) a. Minimum of 15% and a Maximum of 85% of the project to be residential development. On Item (D)5. Building Size: requested the maximum building size is 14,000 sf.

Community Development Director Humble reviewed the request. Staff supports the request as presented.

On August 24, 2010, the Planning & Zoning Commission unanimously recommended approval of the request a presented and subject to 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 and approval of a PUD agreement prior to recordation of a final plat.
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 development meeting or exceeding R-6 Pro Code requirements and required improvements (10-11-1 through 9) and/or subject to compliance with attached - EXHIBIT "C" WS & V - proposed R-6 Pro PUD, whichever is greater.
4. Subject to an approved/recorded PUD agreement prior to development.

Community Development Director Humble stated that condition item 4. *Subject to an approved/recorded PUD agreement prior to development.* can be removed from the conditions since the condition is covered in item 1.

Staff recommends approval of the changes requested by the applicant.

Discussion followed:

-Vice Mayor Heider asked if Cheney were to come through within 200' north of the property would the developer seek to develop that 200' or purchase that parcel to whoever owns the parcel to the north and seek to expand the development up to Cheney Road. Tim Vawser stated that more than likely no.

-Access roads

Councilperson Clow stated that he was trying to sort through access roads. He asked what the eventual access is to Pole Line Road and asked the applicant to address the traffic flows.

Tim Vawser stated that the drawing shows an access easement into the middle parcel. This property is similar to Locust Grove with a private drive throughout the interior. The actual access to Pole Line is limited based on controlled access. Creekside Way is the only road ITD allows to access Pole Line to Grandview and the next road over. Fieldstream will tie into presumably Cheney and will not have any further development other than private feed within that subdivision as Pole Line is blocked at that point.

Doug Vollmer, applicant, stated that you can take Cheney, angle to the north and meander through as long as you come back out to the point to the west where it would hook up to further Cheney.

Community Development Director Humble discussed the plans for Cheney Road.

The Public Portion Of The Hearing Was Opened.

Brad Wills, 222 Shoshone Street West, stated for a point of clarification that he is not a partner in the section being discussed. Spoke in favor of the request.

John Straubhar, applicant, spoke in favor the request.

Councilperson Clow asked for clarification on the guidelines in the PUD agreement original said only one doctor. Where did this come from? Community Development Director Humble stated that the standards were developed cooperatively with the applicant and staff.

The Public Portion Of The Hearing Was Closed.

Deliberations.

MOTION:

Councilperson Johnson made the motion to approve a Zoning District Change and Zoning Map Amendment from R-2 and R-4 PUD to R-6 PRO PUD for 20 (+/-) acres for the development of a mixed use professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way, cb Owsen Vollmer on behalf of W.S. & V, LLC, (app 2386) with the following changes in the WS&V Proposed R-6 PUD Agreement dated August 25, 2010:

- 1. Page 1, (A) 3. Medical Facilities:
 - a. Doctors Office, ~~limited to one doctor at a time~~
- 2. Page 3, (D) 5. Building Size: The maximum building size is ~~10,000~~ 14,000 sf (a larger building may be permitted with a Special Use Permit.)

and the following recommendations:

- 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 and approval of a PUD agreement prior to recordation of a final plat.
- 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 development meeting or exceeding R-6 Pro Code requirements and required improvements (10-11-1 through 9) and/or subject to compliance with attached – EXHIBIT "C" WS & V – proposed R-6 Pro PUD, whichever is greater.
- 4. ~~Subject to an approved/recorded PUD agreement prior to development.~~

The motion was seconded by Councilperson Larting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Recess – 7:10 P.M.
Reconvene at 7:16 P.M.

P.U.O-203



P.O. Box 1907 324 Hansen Street East Twin Falls, Idaho 83303-1907 Fax: (208) 736-2293

ENGINEERING

208-735-7273

March 26, 2012

Mr. Gary Nelson
PO Box 6004
Twin Falls, ID 83301

RE: Request for reimbursement of the Poleline/Parkview signal
Canyon Trails PUD

Mr. Nelson:

The Canyon Trails PUD agreement indicates that the PUD is responsible for payment of 25% of the signal that was anticipated to be placed at the intersection of Poleline Road and Parkview Drive.

The initial estimate for design and construction of a complete signal was \$400,000. Since then, work was constructed in conjunction with an ITD project that reduced the cost of the project. I have tried to keep you apprised of the status of the project because I recognize that 25% of a signal is a substantial sum of money.

St. Luke's Magic Valley Regional Medical Center (SLMVRMC) designed and constructed the signal and the City has accepted the work. SLMVRMC submitted itemized costs for the development and construction of the work which indicates that 25% of the costs is \$60,816.21. I have attached a spreadsheet to this cover letter for your reference. Please remit the amount directly to SLMVRMC.

If you have any questions or require further information, please contact Tim Austin at 208-381-2023 or me at 208-735-7273.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline D. Fields P.E." The signature is written in a cursive style.

Jacqueline D. Fields, P.E.
City Engineer

c: Tim Austin



P40-263

RECEIVED
JAN 12 2012
CITY OF TWIN FALLS
PLANNING & ZONING

January 10, 2012

Jacqueline D. Fields, PE
City Engineer
City of Twin Falls
324 Hansen Street E.
Twin Falls, ID 83301

RE: St. Luke's Magic Valley Regional Medical Center
Poleline / Parkview Traffic Signal – Reimbursement Construction Cost

Dear Ms. Fields:

As you know, St. Luke's prepared designs and obtained approvals for the traffic signal at the intersection of Poleline & Parkview Drive. After competitively bidding the work, St. Luke's awarded a contract to Quality Electric, Inc. The signal installation is now complete. The total design and construction expense incurred by St. Luke's was \$243,264.83 as itemized on the attached spreadsheet.

As you have described to St. Luke's in the past, the City has commitments for partial funding of the signal costs from other developers in the project vicinity. We understand that 25% of the signal costs are payable and that your office can obtain these parties proportionate share and issue reimbursement to St. Luke's.

In accordance with these understandings, would you please initiate collection of these monies in an amount of \$60,816.21 and route payment to me at your earliest convenience?

We have included an invoice for this amount.

If you have any questions, please contact me at 208-381-2023 or via e-mail at austint@slhs.org.

Sincerely,

A handwritten signature in black ink, appearing to be "Tim Austin", written over a horizontal line.

Tim Austin
St. Luke's Construction

cc: Jeff Hull
Enclosure

P40-263

St. Luke's Regional Medical Center**INVOICE #: 28328-001**

Architectural and Construction Dept.
190 East Bannock Street
Boise, Idaho 83712

Phone: (208) 381-2023
Fax: (208) 381-4613

TO: City of Twin Falls
324 Hansen Street E.
Twin Falls, ID 83301

DATE: 1/10/2012
PROJECT: SLMV Regional Medical Center
JOB: 28-328 – Traffic Signal

ATTN: Jacqueline D. Fields
City Engineer

WORK AT:
St. Lukes Magic Valley Regional Medical Center
801 Poleline Road W.
Twin Falls, ID 83301

PAYMENT TO:
St. Luke's Health System
Architecture and Construction Dept.
Attn: Virna McEntee
190 East Bannock Street
Boise, ID 83712

INVOICE DESCRIPTION:

Poleline/Parkview traffic signal reimbursable costs:

25% of Signal Costs payable to St. Luke's: \$60,816.21

Total amount due within 30 days: \$60,816.21

PUD 263

St. Luke's - Magic Valley Regional Medical Center Parkview Traffic Signal Reimbursable Costs

Poleline / Parkview traffic signal installed by St. Luke's

Construction Costs

Item	Description	Qty	Unit	Value	Cost
203-005A	Removal of Obstructions	1	ls	1,952.00	1,952.00
203-060A	Removal of Sidewalk	6	sy	115.00	690.00
613-005A	Concrete Sidewalk	6	sy	320.00	1,920.00
626-005A	Rent Const Sign Cl A	17.5	sf	2.50	43.75
626-010A	Rent Const Sign Cl B	452	sf	3.00	1,356.00
626-035A	Rent Const Sign Cl B Ty II	2	ea	15.00	30.00
626-050A	Rent Drum Cl B	120	ea	18.00	2,160.00
626-100A	Rent Incidental Traf Cont Item	1	ls	300.00	300.00
626-075A	Rent Adv Warn Arrow Panel Ty C	200	hr	2.00	400.00
626-105A	Traf Cntl Maintenance	160	mnhr	20.00	3,200.00
630-005A	Flagging	120	mnhr	18.00	2,160.00
656-005A	Traf Signal Installation	1	ls	160,333.00	160,333.00
S203-20A	Obliteration of Pav Markings	150	sf	2.10	315.00
S656-10A	Multiple Approach Video Detection System	1	ls	17,725.00	17,725.00
S900-60A	Pav Marking Waterborne	120	ft	0.55	66.00
S900-62a	Special Pav Markings	1788	sf	0.55	983.40
S904-05A	Preempt Detection System	1	ls	6,857.00	6,857.00
S904-05D	Wireless Interconnect System	1	ls	3,480.00	3,480.00
Z629-05A	Mobilization	1	ls	928.85	928.85
				Total Construction Cost	204,900.00

Development Cost

Item	Description	Qty	Unit	Value	Cost
1	Engineering Design & Approval	1	ls	18,573.83	18,573.83
2	Construction Staking	1	ls	1,350.00	1,350.00
3	Construction Management & General Conditions	6%	of	204,900.00	12,294.00
4	SLRMC Fee	3%	of	204,900.00	6,147.00
				Total Development Cost	38,364.83

Total Project Cost 243,264.83