

**COUNCIL MEMBERS:**

SHAWN DON SUZANNE GREGORY JIM REBECCA CHRIS  
 BARIGAR HALL HAWKINS LANTING MUNN, JR. MILLS SOJKA TALKINGTON



**Vice Mayor**

**Mayor**

**AGENDA**

Meeting of the Twin Falls City Council  
 Monday, June 17, 2013  
 City Council Chambers  
 305 3<sup>rd</sup> 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:
<b>I. CONSENT CALENDAR:</b>		Action	Staff Report
1. Consideration of a request to approve the accounts payable for June 11-17, 2013, total: \$722,737.52.			Sharon Bryan
2. Consideration of a request to approve Alcohol License Applications for 2013/2014, on the condition the applicants receive their State alcohol license.			Sharon Bryan
3. Consideration of a request to approve the Westpark Commercial No. 7, C-1 PUD Agreement 266.			Mitch Humble
4. Consideration of a request to allow access to City of Twin Falls Master Street Address Guide (MSAG) data for the purpose of utilizing the services of Everbridge.			Lt. Craig Stotts
<b>II. ITEMS FOR CONSIDERATION:</b>			
1. Swearing in ceremony for Twin Falls Police Department Officer Stuart Burnham; and Mayor Lanting to administer the Oath of Office.		Presentation	Chief Brian Pike/ Mayor Greg Lanting
Presentation to Officers Shawn Applewhite, Christopher Ehardt, and Tyler Rudkin with their Basic Certifications, and Officer Dallas Garner with his Intermediate Certification.			Cpt. Anthony Barnhart
Presentation to Dispatcher Tina Kelley with her Level III Communications Specialist Certification.			Lt. Craig Stotts
2. Consideration of a request by Ramir Duratovic, a representative of the Mladi Behar Group, to provide a Bosnian Dancing Event at the Senior Center, located at 530 Shoshone Street West, on June 29, 2013.		Action	Sgt. Ryan Howe
3. Consideration of a request by Sam Saltaga, owner of the Europe Bar & Deli, to approve a July 4 <sup>th</sup> Celebration to be held in the parking lot of 677 and 678 Filer Avenue on July 4, 2013.		Action	Sgt. Ryan Howe
4. Consideration of a request to award a bid to Western Construction, Inc., for FAA AIP-35; Airport Ramp & Taxi-lane Reconstruction Project, for the bid amount of \$2,541,111, contingent upon concurrence and funding from the Federal Aviation Administration.		Action	Bill Carberry
5. Discussion and possible action on the disposal of a 1994 E-1 Pumper.		Discussion/ Action	Chief Ron Clark and Batt. Chf. Ron Aguirre
6. Consideration of a request to adopt Ordinance 3052 for the Vacation of 15' x 125' alley located west of 303 Shoshone Street North on behalf of First Federal Savings Bank.		Action	Mitch Humble
7. Consideration of a request to adopt Ordinance 3053 for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 PUD (Westpark Commercial #7 PUD).		Action	Mitch Humble
8. Public input and/or items from the City Manager and City Council.			
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>			
<b>IV. PUBLIC HEARINGS: 6:00 P.M. - None</b>			
<b>V. ADJOURNMENT:</b>			
Executive Session 67-2345 (1)(a) To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.			
Executive Session 67-2345(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.			

**\*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.**



**Date:** June 17, 2013, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Sharon Bryan, Deputy City Clerk

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**Request:** Approval of Liquor, Wine and Beer license renewals for the 2013/2014 year on the condition that they receive their State alcohol license.

**Time:** Consent Calendar

**Background:** Renewal of liquor, wine and beer licenses.

**Budget Impact:** N/A

**Regulatory Impact:** City and State Code Compliance

**Conclusion:** Staff recommends approval of the renewal applications on the conditions they receive their State alcohol license.

**Attachments:** List of all alcohol license renewals.

## Alcohol License Applications 2013/2014

BUSINESS NAME	ADDRESS	BEER OFF PREM	BOTTLED/CAN ON PREM.	DRAUGHT ON PREM	WINE OFF PREM	WINE ON PREM	LIQUOR
360 'S Bistro & Lounge	360 Main Avenue North			X		X	X
9 Beans and a Burrito	764 Cheney Drive		X				
A Taste of Thai	837 Poleline Road		X			X	
Addison Kicks 66	240 Addison Avenue West	X			X		
Albertson's #139	1221 Addison Avenue	X			X		
Ameritel Inn - La Quinta	539 Pole Line Road	X			X		
Ameritel-Hilton Garden Inn	1741 Harrison St		X			X	
Anchor Bistro	334 Blue Lakes Blvd N			X			X
Applebee's Neighborhood Grill & Bar	1587 Blue Lakes Blvd			X			X
Asian Food Market	404 Addison Ave West	X			X		
Beacon Club	137 2nd Avenue East			X		X	
Big Smoke	659 Blue Lakes Blvd No	X			X		
Big Smoke #111	287 Washington Street N	X			X		
Blue Lakes Gas	1230 Blue Lakes Blvd North	X					
Bowladrome	220 Eastland Drive			X		X	
Buffalo Wild Wings	1239 Poe Line Road 303B			X		X	X
Canyon Crest Dining & Event Center	330 Canyon Crest Drive			X		X	X
Carinos Italian Kitchen, Inc.	1921 Blue Lakes Blvd N			X		X	X
Chili's Bar & Grill	1880 Blue Lakes Blvd No			X		X	X
Costco Wholesale Corp	731 Poleline Road	X			X		
Elevation 486	177 River Vista Place #102			X		X	X
Europe LLC	677 Filer Ave			X		X	
Fil-Mart 66	1612 Blue Lakes North	X			X		
Franklin United, Inc.	1992 Kimberly Road	X					
Franklin United, Inc.	322 West Addison	X					
Fred Meyer's	705 Blue Lakes Blvd	X			X		
Garibaldi's	645 Filer Avenue			X		X	X
Gerties Brick Oven Cookery	602 2nd Avenue South			X			
Hide Out Bar	157 Washington Street			X			
Idaho Joe's	598 Blue Lakes Blvd North		X			X	
Idaho Pizza Company	1859 Kimberly Road			X		X	
Jaker's Restaurant	1598 Blue Lakes Blvd North			X			X
Janitzio Family Mexican Restaurant	2096 Kimberly Road			X			X
Kiwi Fish n Chips & Meat Pies	778 Falls Avenue			X		X	
Klover Klub Lounge, Inc.	402 Main Avenue North			X		X	X

## Alcohol License Applications 2013/2014

BUSINESS NAME	ADDRESS	BEER OFF PREM	BOTTLED/CAN ON PREM.	DRAUGHT ON PREM	WINE OFF PREM	WINE ON PREM	LIQUOR
Kwik Mart	120 Ramage Street	X			X		
LaCasita Mexican Restr.	111 South Park Avenue W		X			X	
LaFiesta Mexican Restaurant	1288 Blue Lakews Blvd N			X		X	X
Log Tavern	401 4th Avenue West			X			X
Lonesome Dove Saloon	600 Main Avenue N			X		X	
Loong Hing	1719 Kimberly Road		X			X	
Magic Bowl	340 2nd Avenue East		X				
Magic Valley Cinema 13	1485 Pole Line Road E			X		X	
Mandarin House	735 Blue Lakes North		X			X	
Maverik	120 6th Avenue West	X			X		
Mi Pueblo Bakery LLC	449 Washington Street North	X	X				
Montana Steak House	1826 Canyon Crest Drive			X		X	X
Moose Lodge 612	835 Falls Avenue		X				X
Oasis Stop n Go #14	1390 Blue Lakes Blvd North	X			X		
Oasis Stop n Go #3	1310 Addison Avenue East	X			X		
Oasis Stop n Go #4	659 Addison Avenue E	X			X		
Oasis Stop n Go #7	2220 Addison Avenue East	X			X		
Oasis Stop n Go #8	515 Washington N	X			X		
Oasis Stop n Go #9	890 Washington South	X			X		
ODunken's	102 Main Avenue North			X		X	
Ol' Town GR	117 Main Avenue East			X		X	
Outback Steak House	1965 Blue Lakes Blvd N			X			X
Peking Restaurant	824 Blue Lakes Blvd North		X			X	
Persian Kebab	669 Blue Lakes Blvd N		X			X	
Pioneer Club	1519 Kimberly Road			X			X
Pizza Hut #2178	1099 Blue Lakes Blvd		X				
Pizza Hut #2179	1733 Addison Avenue E		X				
Prasai's Thai 2 Go	1563 Fillmore, Ste 1-A		X				
Prasai's Thai Cuisine	428 2nd Avenue East		X			X	
Pressbox Sports Bar	1749 Kimberly Road			X		X	X
Purity Spa	2221 Addison Ave East	X			X	X	
Red Lion Canyon Springs	1357 Blue Lakes Blvd North			X		X	X
River Rock Grill	1824 Blue Lakes Blvd.			X			X
Rock Creek	200 Addison Avenue West			X			X
Rudy's Price Hardware	147 Main Avenue West		X			X	
Sakura	562 Blue Lakes Blvd		x			x	
Sharis of Twin Falls	1601 Blue Lakes Blvd N		X			X	
Signature	717 West Main			X		X	

## Alcohol License Applications 2013/2014

BUSINESS NAME	ADDRESS	BEER OFF PREM	BOTTLED/CAN ON PREM.	DRAUGHT ON PREM	WINE OFF PREM	WINE ON PREM	LIQUOR
St Lukes MVRMC	650 Addison Avenue West		X			X	
Stinker Store #51	1777 Kimberly Road	X			X		
Stinker Store #54	880 Shoshone Street West	X			X		
Stinker Store #55	2259 Addison Avenue	X			X		
Sushi Tokyo Japanese Restr.	1111 Blue Lakes Blvd N Ste B		X			X	
Sushi Ya	412 2nd Avenue East		X			X	
Swenmart, Inc.	115 Addison Avenue	X			X		
Swenson's	991 Washington Street South	X			X		
Target	1611 Blue Lakes Blvd N	X			X		
The Cove	496 Addison Avenue West			X		X	X
The Ground Round	2128 Kimberly Road			X		X	
The Historic Ballroom	122 2nd Ave North			X		X	
The Shuffle Inn	633 2nd Avenue South			X		X	
Tomato's Italian Grill	1309 Blue Lakes Blvd N			X		X	X
Triple S Oil- Mr. Gas	911 Blue Lakes Blvd North	X			X		
Tse Restaurant	1021 Blue Lakes Blvd N		X			X	
Turf Club	734 Falls Avenue West			X		X	X
Twin Burger, Kabob & BBQ	260 Shoshone Street E		X				
Twin Falls Golf Club	545 Grandview Drive			X		X	X
Twin Falls Grocery Outlet	2318 Addison Ave E	X			X		
Twin Falls Sandwich Company	128 Main Ave N			X		X	
Twin Stop, LLC	506 Blue Lakes Blvd N	X			X		
Twin Stop, LLC	108 Addison Avenue W	X			X		
Twin Stop, LLC	688 Pole Line Road	X			X		
Twin Stop, LLC	1509 Kimberly Rd	X			X		
Von Scheidt Brewing Co. LLC	157 2nd Ave West			X			
Wal Mart	252 Cheney Drive W	X			X		
Walgreens #07277	306 Blue Lakes Blvd N	X			X		
Walgreens #12286	1732 Washington Street N	X			X		
Winco Food #30	1569 Blue Lakes Blvd North	X			X		
Wok n Grill Restaurant	1188 Blue Lakes North		X			X	
Woody's Blue Room	213, 223 & 233 5th Avenue S			X		X	X
Wormo's Rack'em & Crack'em	1532 Kimberly Road			X		X	X
Zulu Bagels	1986 Addison Ave E			X		X	
<b>Green - Need to apply &amp; copy of State Lic.</b>							
<b>Red- Need Copy of State License</b>							



**DATE:** *MONDAY JUNE 17, 2013*

**To:** *Honorable Mayor and City Council*

**From:** *Mitch Humble, Community Development Department*

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## ITEM I-

**Request:** Consideration of the Westpark Commercial #7 C-1 PUD Agreement between the City of Twin Falls and Westpark Partners, LLC.

**Time Estimate:**

There will be no staff presentation unless the Council has questions and pulls this item off the Consent Calendar.

**Budget Impact:**

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

**Regulatory Impact:**

Approval will allow the project to be developed as approved.

**History:**

On April 23, 2013 there was a Preliminary PUD Presentation on this request made to the Commission at a public meeting followed by a public hearing on May 14, 2013.

On June 10, 2013 the City Council approved the rezone of this site, 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.**
- 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 Landscaping Being Consistent And Meeting Or Exceeding The Presented Master Development Plan, As Well As City Codes 10-4-8.3(F) And 10-7-12, Whichever Is Greater.**
- 4. Should The Monument Sign Need To Be Placed In A Utility Easement, The Property Owner Shall Demonstrate That There Is No Other Viable Location For A Sign, Provide Written Approval From The Utility Company Or Companies And Provide A Recorded Document Releasing The City Of Any Liability For Repair Or Replacement Of A Sign Damaged By Work Occurring Within The Utility Easement, As Per 10-9-5(D)2.**

A request for consideration of approval of the ordinance is on the City Council Agenda tonight as well.

**Analysis:**

Staff has worked with the developer to assure that the PUD Agreement correctly reflects Council's approval. Attached is a copy of the final draft of the PUD Agreement w/exhibits.

**Conclusion:**

Staff feels that the attached Westpark Commercial #7 C-1 PUD Agreement correctly reflects the rezone/PUD as it was approved and recommends Council approval of the agreement.

**Attachments:**

- 1- Final Draft of the Westpark Commercial #7 C-1 PUD Agreement
- 2- Draft Minutes of the June 10, 2013 CC public meeting- *not available at this time.*
- 3- Minutes of the April 23<sup>rd</sup> and May 14<sup>th</sup> P&Z public meetings.

**WESTPARK COMMERCIAL NO. 7 PUD**  
**C-1 PLANNED UNIT DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City"), and WESTPARK PARTNERS, LLC, an Idaho limited liability company (hereinafter called "Developer") whose address is 621 N College Rd., Suite 100, Twin Falls, ID 83301.

**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, and

WHEREAS, This portion of parcel of land is subject to Northbridge C-1 Planned Unit Development dated July 1, 1993 and Northbridge No.2 C-1 Planned Unit Development Agreement dated May 16, 1994.

WHEREAS, The City of Twin Falls and Westpark Partners, LLC agree that development of the property will be best accomplished by development of a new C-1 Planned Unit Development Agreement: and

WHEREAS, Developer intends to develop the property for a hotel.

WHEREAS, Developer has made request of the City to develop a Hotel under the C-1 Planned Unit Development subdivision (hereinafter called the "Project") on the Property and has submitted to the City a Master Development Plan attached in Exhibit "B", . . . thereof which was recommended for approval by the Planning & Zoning Commission on May 14, 2013 and was approved for development as a C-1 PUD by the City Council of the City on June 10, 2013 and adopted by Ordinance on June 17, 2013; and

WHEREAS, City, by and the through its City Council, has agreed to the development of said Project, subject to certain terms, conditions and understandings, which terms, conditions and understandings are the subject of this Agreement.

## COVENANTS

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, developer and City agrees as follows:

1. NATURE OF THE AGREEMENT: This agreement shall become part of the “Westpark Commercial No. 7 C-1 PUD” zone with respect to the Property 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. This agreement amends and restates, in their entirety, the Northbridge Planned Unit Development Agreement dated July 1, 1993 and the Northbridge No. 2 Planned Unit Development Agreement dated May 16, 1994 pertaining to the property described in Exhibit “A”.
  
2. NATURE OF THE DEVELOPMENT: It is agreed by the parties hereto that certain language and requirements pertaining to the “C-1PUD” zone shall be interpreted as follows:
  - A. COMMON AREA AND PROPERTY OWNERS ASSOCIATIONS AND MAINTENANCE: There is no requirement for common area within the Project. In the event a common area is created for the benefit of the property owners and tenants, a property owners’ association shall be established for the maintenance and care of the common area.

- B. USES: The use shall be limited to construction of a hotel and accessory building and consistent with the attached Master Development Plan, attached as Exhibit "B".
  - C. PHASING OF DEVELOPMENT: All construction will be completed in one phase. This does not preclude future renovations or modifications consistent with this agreement.
3. STREET, SEWER, WATER AND DRAINAGE IMPROVEMENTS: Developer shall be responsible for the design and construction of street, sewer, water and drainage systems on the Property (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 prepared by a registered professional engineer for the development showing all Improvements contemplated. The Improvement Plans and all Improvements shown thereon shall meet the approval of the City, which approval shall be given if such plans conform with published City requirements.
  - B. IMPROVEMENT DESIGN AND CONSTRUCTION: Developer shall cause to be designed, constructed and installed, in accordance with the approved Improvement Plans and at its expense, all Improvements shown on the Improvement Plans. Notwithstanding the foregoing, nothing in this agreement shall prohibit City participation in the cost of financing of improvements on the Property if mutually agreed to by the parties hereto.

- C. CONSTRUCTION SUPERVISION: Developer shall use a qualified construction engineer or supervisor to supervise the construction, inspection and testing of the work as necessary, to ensure that all such Improvements are constructed in accordance with the approved Improvement Plans.
- D. NON-COMPLIANCE: In the event any of the requirements with regard to the installation of said Improvements are not complied with, the City shall give written notice to Developer of said non-compliance. Developer shall cure said non-compliance within thirty (30) days of its receipt of notice (or, in the case of non-compliance that will take in excess of thirty (30) days to cure, Developer shall commence to cure within thirty (30) 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 that phase of such "PUD" until such time as all 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 of occupancy 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 rights of the parties are preserved at law and equity.
- E. FEES: Developer shall pay, or cause to be paid, to 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.
  
- 4. PLATS: A one lot plat will be prepared for the entirety of the subject parcel as further described in Exhibit "A". The plat will be replatting of a portion of Lot 4, Block 2 of Westpark Commercial Subdivision No.3. The said plat shall specify all necessary public easements. The plat shall be approved and recorded prior to issuance of any building permits.
  
- 5. INDIVIDUAL PARCEL DEVELOPMENT CRITERIA: The property shall be developed in accordance with Exhibit "B" and criteria set forth in this Section 5, whichever is greater.
  - 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 and shall first be approved by City and meet City standards, which approval shall not be unreasonably withheld.
  
  - B. BUILDING SETBACKS: All buildings on lots adjacent to Washington Street North are to be constructed with minimum setback as required to meet the Twin Falls City Code.
  
  - C. LANDSCAPING: Perimeter landscaping shall be required to be installed on each parcel of the Property and in the public right-of-way adjacent thereto at the time site and building improvements are

completed thereon or by the next planting season for the proposed vegetation. Such landscaped perimeter 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.

The depth of the landscaped perimeter on Washington Street North frontage shall be a minimum of 35 feet measured from the back of the curb, as per Exhibit "B".

The property owner shall maintain the landscaping on his property and in the public right-of-ways adjacent thereto.

- D. LANDSCAPING PLAN: At the time of development, the public street frontage shall be landscaped to include the following: Fifty percent (50%) of the lineal footage of street frontage of landscaping shall have berms with a ridge elevations of at least eighteen inches (18") in height with at least fifty percent (50%) of the berming having a minimum ridge elevations of (30") in height. The landscaped perimeter shall have a minimum of one tree per five hundred (500) square feet of landscaped area and minimum of one shrub per one hundred (100) square feet of landscaped area. At least seventy-five percent (75%) of the shrubs and trees shall be evergreen. Trees and shrubs may be grouped but not over seventy-five feet (75') between such groupings. All trees shall have a height of at least four feet (4') when planted. Plants and trees will be selected for their hardiness and variety in color and texture.
- E. In addition to the foregoing, each individual parcel must also satisfy the landscaping requirements of the underlying "C-1" zone.

All other landscaping shall be in general conformance with the Master Development Plan.

- F. **BUILDING STANDARDS:** Buildings and improvements shall comply with the following standards.
1. **Outside Storage:** Refuse and outside storage areas shall be completely surrounded with a well maintained fence or wall of a type that will completely obscure from view all trash and waste stored in the pen. All waste pens shall be visibly screened from adjacent streets and properties.
  2. **Utilities:** All on-site utility service lines, including electrical lines and telephone lines, located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visually screened from the view from streets, with appropriate screening material.
  3. **Architectural:**
    - a. **Building Colors:** Building exterior colors shall be muted earth tones, provided, however, that accent colors other than muted earth tones may be used. The accent colors may be used around doorways, windows and architectural projections as a contrast to the muted earth tones shall not dominate the color scheme of the building and shall be in general conformance with the architectural elevations attached as Exhibit B.
    - b. **Exterior Materials:** Building exterior materials should be stone, architectural masonry, EIFS, architectural metals, brick, wood, architectural concrete and other materials as may be approved by the Developer's architectural control committee. These materials shall be used on all exposed sides of all buildings.

- c. Building Roofs: Exposed roofing materials shall be tile, architectural composite, architectural metal, wood shingles or slate. Flat roofs and roof top mechanical equipment shall not be visible from adjacent streets or the Project parking areas.
- d. Architectural Style: Architectural style shall be consistent with the Master Development Plan, Exhibit "B".
- e. Glass: Glass shall be of a non-reflective finish.
- f. Lighting: All area lights shall be shielded to preclude exposure of the light source from adjacent streets and adjacent properties and the public trail. Neon accent lighting shall be subtle and compatible with the building architecture.
- g. Building Height: Building height shall not exceed 35 feet exclusive of architectural projections.
- h. Signage: Freestanding signage shall be limited to a maximum 100 sq ft monument type. All other signage shall conform to City ordinance.

G. CODES: All construction on the Property shall be to the standards established by applicable codes.

H. CONTROL DURING DEVELOPMENT OF INDIVIDUAL PARCELS: Developer shall maintain control during development of the property or any part thereof. Recording of this agreement shall put all future owners of the Property, or such portions thereof, on notice of the required development criteria contained herein.

6. TIME LIMITATION: "C-1 PUD" zone designation on the property described in Exhibit "A": attached hereto is expressly conditioned upon submission to the

City Council of a final plat of the first phase within one (1) year from the date hereof.

7. STANDARD DEVELOPER'S AGREEMENT: It is understood and agreed by the parties hereto that it shall be necessary for Developer to execute City's Standard Developer's Agreement.
  
8. 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 constructed 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 addresses 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". On the date of this agreement, the addresses of the parties are as follows:

Developer: Westpark Partners, LLC  
% David Shotwell  
621 N College Rd, Ste 100  
Twin Falls, ID 83301

City: City of Twin Falls  
321 Second Avenue East  
P.O. Box 1907  
Twin Falls, ID 83303-1907

- E. SUCCESSORS AND ASSIGNS: This agreement shall be binding upon the successors, assigns and legal representative of the parties hereto. Except for the obligation of Developer set forth in paragraph 5.I, transfer of all or a portion of the Property shall create a novation releasing the transferee 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 shall not be affected thereby.
- G. SIGNATORIES: Each of the persons executing this agreement hereby represent and warrant 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 “PUD” agreement shall become valid and binding only upon its approval by City, through its City Council, and upon its execution by the Mayor and Developer.
- I. ATTORNEY FEES: In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy provided by law, that party which prevails in any litigation 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 document 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. ATTACHMENTS: All attachments and recitals are incorporated herein and made a part hereof as if set forth in full.
- L. CAPTIONS: The captions, section 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.
- M. COUNTERPARTS: This agreement may be executed in as many counterparts as may be deemed necessary and convenient, and by the different parties hereto on separate counterparts, each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute one and the same instrument.

**IN WITNESS THEREOF**, the City has affixed its seal and caused these presents to be executed by its' Mayor as of the date above written.

**CITY OF TWIN FALLS**

ATTEST: \_\_\_\_\_  
Deputy City Clerk

By: \_\_\_\_\_  
Mayor

**DEVELOPER**

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_

ACKNOWLEDGMENTS

STATE OF IDAHO            )  
  :SS.  
COUNTY OF TWIN FALLS    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, known to me to be the **Mayor 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.

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at \_\_\_\_\_ Idaho  
My commission expires:\_\_\_\_\_

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at \_\_\_\_\_ Idaho  
My commission expires:\_\_\_\_\_

**Legal Description  
For  
Westpark Commercial No.7 PUD**

The following described property located within Lot 4, Block 2, Westpark Commercial Subdivision No.3, Twin Falls County, Idaho.

Beginning at the Northwest corner of said Lot 4 being the Real Point of Beginning.

Thence North 89°34'43" East, 257.89 feet, along the North boundary of said Lot 4.

Thence South 00°00'00" East, 444.93 feet,

Thence South 89°34'43" West, 240.00 feet along the South boundary of said Lot 4.

Thence along a curve:

Δ - 02°30'26"

R - 8257.86 feet

A - 361.34 feet

C - 361.31 feet

T - 180.70 feet

LCB - North 02°07'20" West a distance of 361.34 feet

Thence along a curve:

Δ - 00°35'23"

R - 8146.31 feet

A - 83.85 feet

C - 83.85 feet

T - 41.93 feet

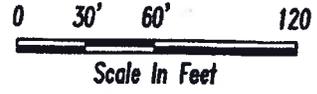
LCB - North 03°04'51" West a distance of 83.85 feet to the Real Point of Beginning.

Zone R2  
Residential

Zone R4  
Residential

Washington Street North

Storage Facility  
Zone C1



North

Vacant  
Zone C1

Fairfield Inn & Suites  
by Marriott

Avenida Del Rio

Zone C1  
Wallgreens

Construction Sequence:

1. Roadway
2. Building
3. Parking
4. Landscape

# Master Development & Landscape Plan

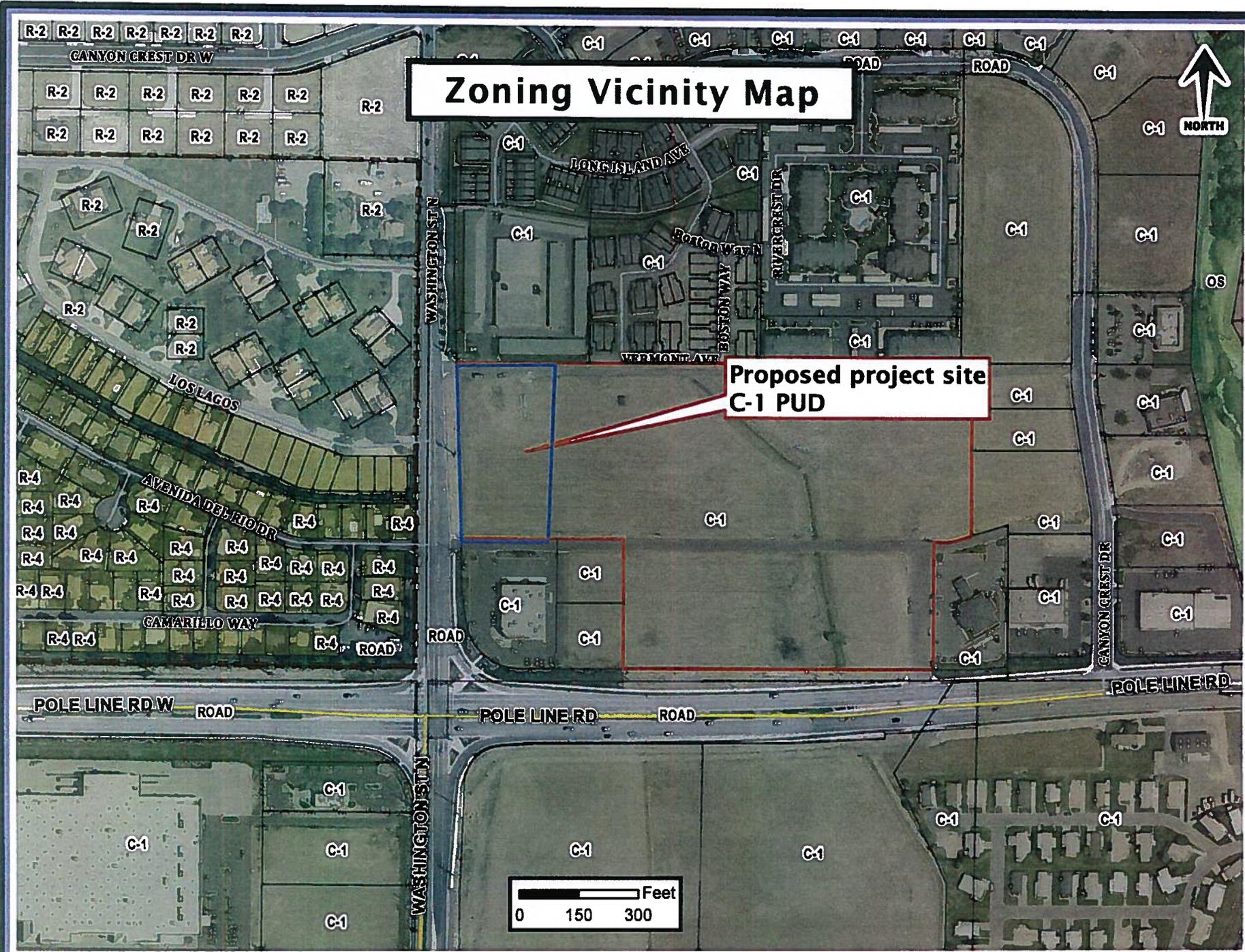
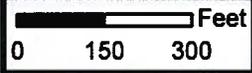
Items D1 & D2

041-13PUD-MDP

# Zoning Vicinity Map



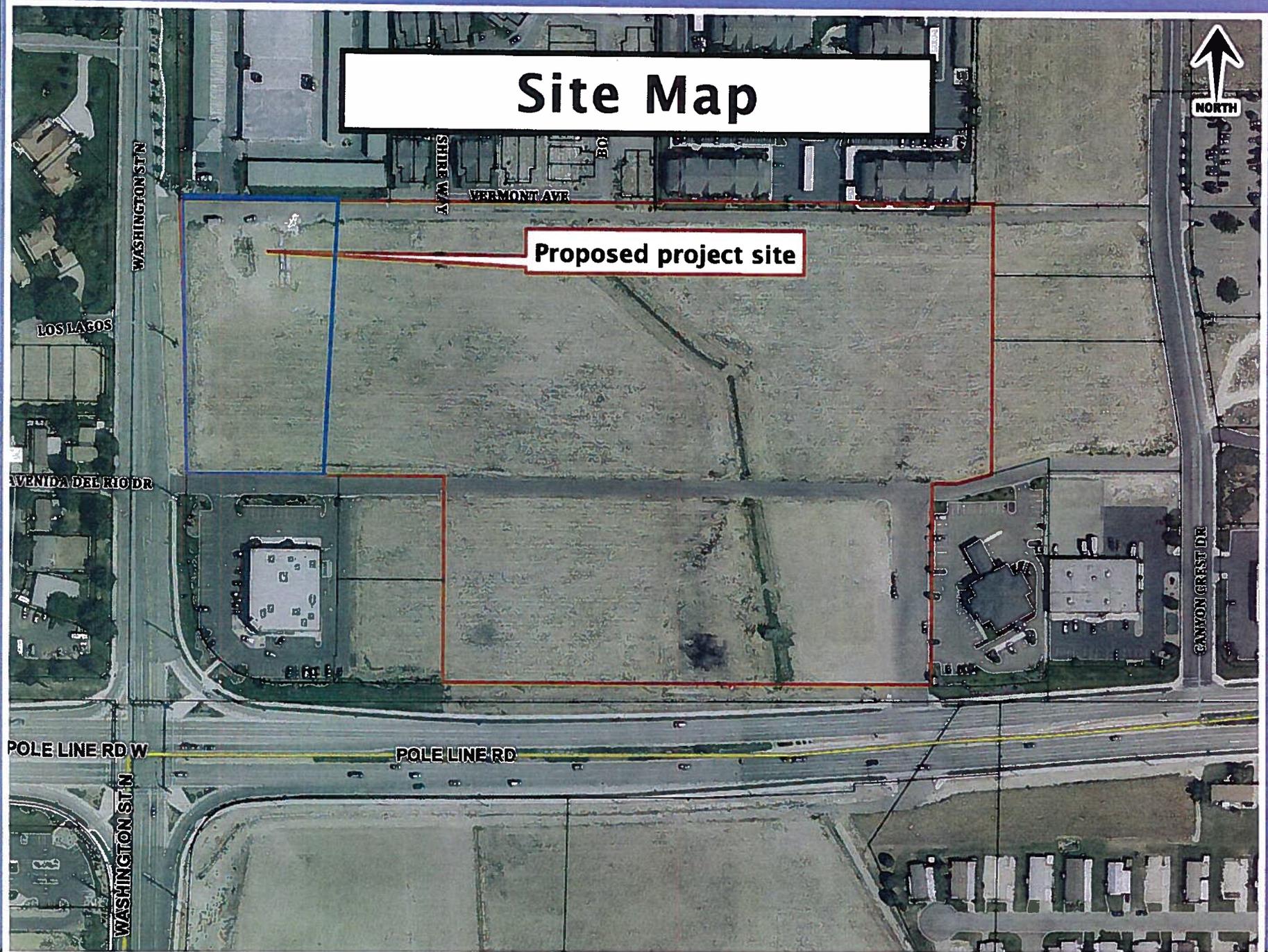
**Proposed project site  
C-1 PUD**

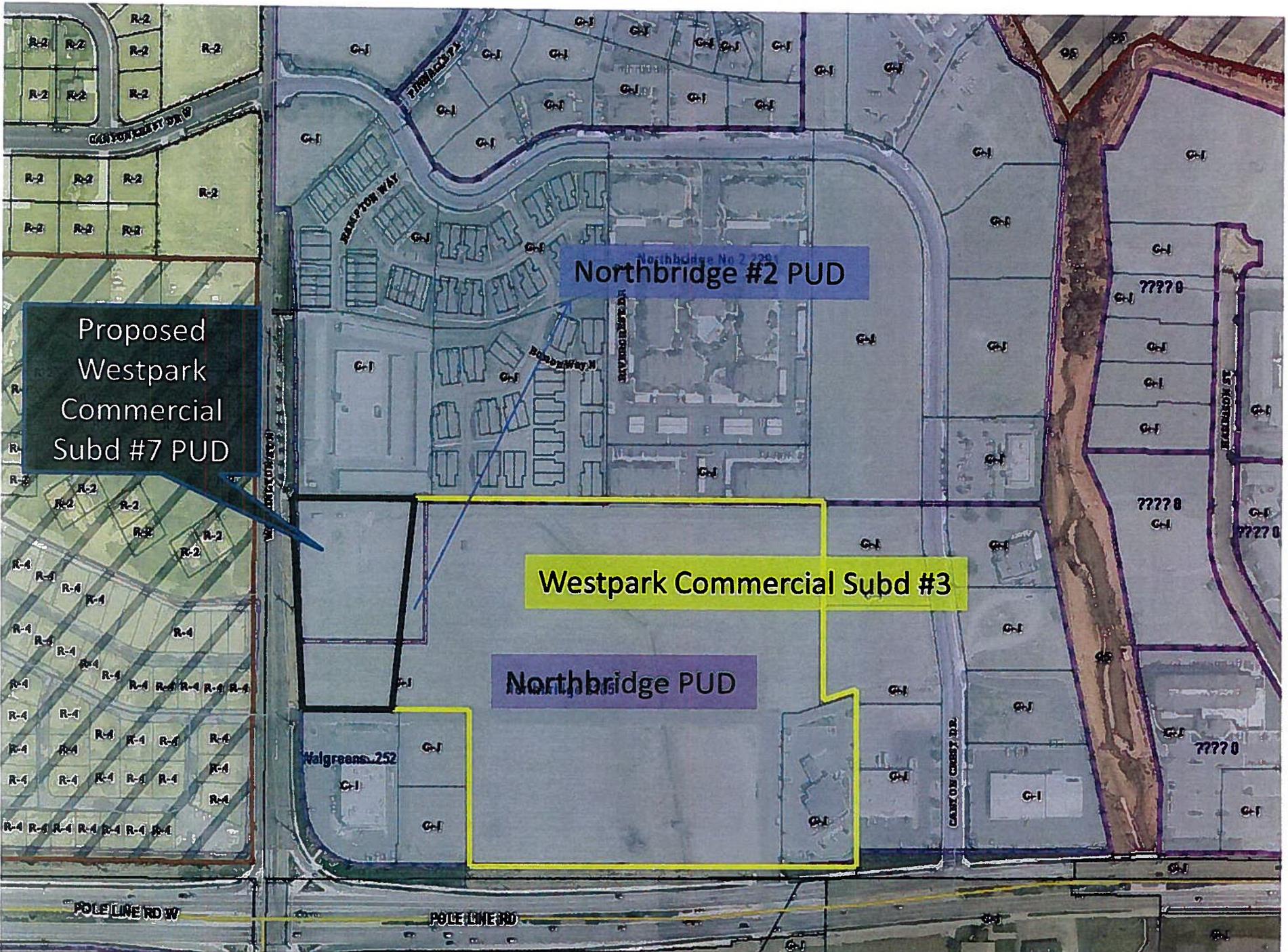


# Site Map



Proposed project site





Proposed  
Westpark  
Commercial  
Subd #7 PUD

Northbridge #2 PUD

Westpark Commercial Subd #3

Northbridge PUD

Walgreens 252

POLE LINE RD W

POLE LINE RD

CANYON CREST DR

HALGREEN ST

BROADVIEW WAY

BROADVIEW N

THORNAPPLE

Northbridge No 2 220

77770

77770

77770

77770





**FINISH SCHEDULE**

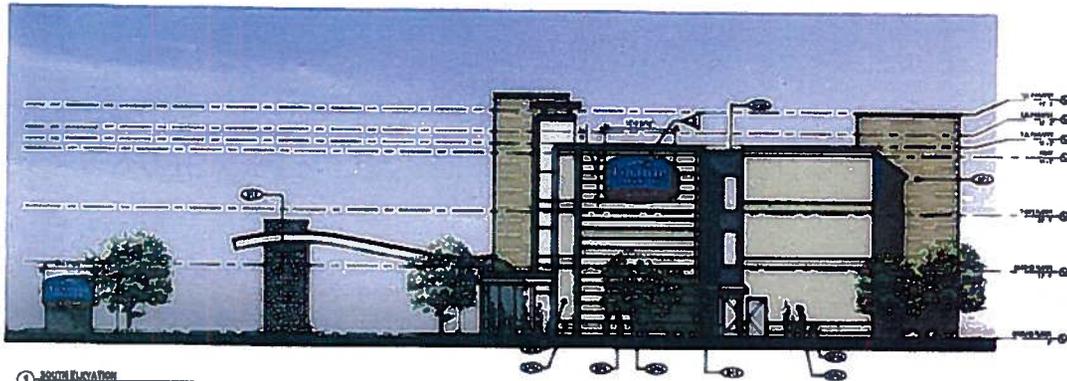
1	PAVING
2	CONCRETE
3	BRICK
4	GLAZING
5	WOOD
6	ROOFING
7	MECHANICAL
8	ELECTRICAL
9	PLUMBING
10	INTERIORS
11	LANDSCAPE
12	FINISH

**REFERENCE NOTES**

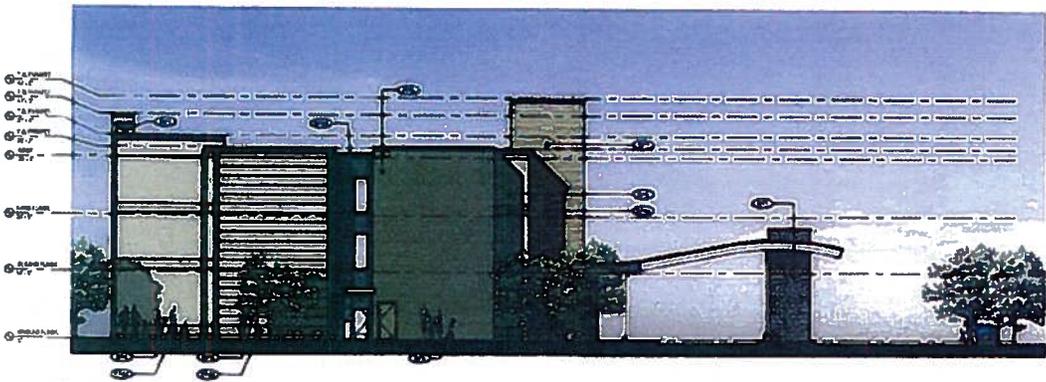
1. SEE ALL FINISHES FOR MATERIALS AND FINISHES.
2. SEE ALL FINISHES FOR MATERIALS AND FINISHES.

**CRITERIA NOTES**

1. SEE ALL FINISHES FOR MATERIALS AND FINISHES.
2. SEE ALL FINISHES FOR MATERIALS AND FINISHES.



1 SOUTH ELEVATION  
2/17



2 NORTH ELEVATION  
2/17



**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**April 23, 2013-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Nikki Boyd    Jason Derricott    Tom Frank    Kevin Grey    Terry Ihler    Gerardo Munoz    Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore    Steve Woods

**Vice-Chairman**

**CITY COUNCIL LIAISON**

Suzanne Hawkins    Rebecca Mills-Sojka

**ATTENDANCE**

**PLANNING & ZONING MEMBERS MEMBERS**

**PRESENT:**

Boyd  
Derricott  
Frank  
Grey  
Sharp

**ABSENT:**

Ihler  
Munoz

**AREA OF IMPACT**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**    Hawkins, Mills-Sojka

**CITY STAFF PRESENT:**    Carraway, Spendlove, Strickland, Vitek, Wonderlich

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**III. ITEMS OF CONSIDERATION:**

1. Preliminary Presentation to request the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 R-4 to C-1 PUD to allow a hotel and accessory uses on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC (app. 2565)

**IV. PUBLIC HEARING ITEMS**

1. Request for the Commission's recommendation on an amendment to the PUD Agreement which will allow a truck rental business and outside vehicle storage in conjunction with a storage unit facility on property located at 485 Grandview Drive. c/o Gregg Olsen on behalf of MOJO, LLC. (app. 2564)
2. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD to develop a planned mixed-use development on 4.6 acres (+/-) located at the northwest corner of Addison Avenue East and Eastland Drive c/o Scott Allen, The Land Group on behalf of Thomas & Cheryl Arledge and TOMERYL, LLC (app. 2563)

**I. CALL MEETING TO ORDER:**

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s):    **NONE**
2. Approval of Findings of Fact and Conclusions of Law:
  - Thompson (SUP 04-09-13)

**UNANIMOUSLY APPROVED**

Planner I Spendlove stated staff would request that an amendment to the Agenda be made adding an Item of Consideration. Because it is a change to the agenda a motion is required. The Item of Consideration is regarding Special Use Permit #1283 issued to United Metal Recycling on January 23, 2013.

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Roll call vote was taken and unanimously approved.

Wayne Brown, the representative for United Metal Recycling, stated that during their presentation on January 23, 2013 photos were presented showing that an 8' solid metal fence was going to be installed at property located at 2499 Warren Avenue. Since the Special Use Permit approval it was discovered that to provide engineered plans for this type of fence will cost an estimated \$100,000.00. What is being proposed is an 8' slatted chain link which is common to auto recycling and metal recycling uses. The cost exceeded their expectation and this alternative would still meet the same goals but be less expensive to install and would be consistent with what is being used in Twin Falls.

Planner I Spendlove explained the request is to get an interpretation from the Commission on the code requirement as to whether or not this alternative material meets code and if it is an acceptable substitute, otherwise the request will have to come back through the public hearing process again.

City Attorney Wonderlich explained that in the previous presentation the screening fence was proposed to be 8' solid metal screening fence, tonight the request is to change the type of material presented at the public hearing to an 8' slatted chain link fence. The Special Use Permit conditions didn't specify materials to be used however because this material is different than what was presented at the public hearing the Commission has to decide whether or not it is an acceptable alternative.

**COMMISSIONER QUESTIONS/COMMENTS:**

- Commissioner Frank verified with the City Attorney that this did not require a second public hearing.
- Commissioner Woods verified with the applicant that the screening portion of the fence would be 8'.
  
- Mr. Brown confirmed that the solid fencing portion would be 8' tall as required by code.
- Commissioner Sharp stated he felt the screening alternative meets code requirement for screening.

**MOTION:**

Commissioner Sharp made a motion to approve the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion. Special Use Permit #1283 will be amended to reflect the materials approved this evening.

**III. ITEMS OF CONSIDERATION:**

**1. Preliminary Presentation to request the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 R-4 to C-1 PUD to allow a hotel and accessory uses on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC (app. 2565)**

**APPLICANT PRESENTATION:**

Gerald Martens, EHM Engineering, Inc., representing the applicant stated the request is to rezone the property to allow for a Hotel. The applicant is here for any questions. As the land owner they will be presenting a PUD Plat that is specific to allow the hotel as presented. The property is located at 1810 Washington Street North. He reviewed the exhibits on the overhead. The PUD Agreement will address signage, lighting, building position to accommodate the parking and minimum requirements for landscaping. There will not be any additional curb cuts to access the property, it will be a shared access. The parking configuration does not provide for truck parking. The setback was increased to reduce the impacts to the surrounding properties, the maximum height will be 35' with architectural projections not to exceed 41'. The signing will be a monument type to keep consistent with the other development in the area. It is a 92 room three story building. Notices have been sent to the neighbors regarding a May 1, 2013 6:00 PM at the EHM Conference Room located at 621 North College Road meeting to discuss the project. The request is consistent with the surrounding zoning designations and existing PUD's.

**STAFF PRESENTATION:**

Planner I Spendlove displayed the exhibits on the overhead and stated this is a preliminary presentation therefore no action is required this evening. He reviewed the location of the property on the overhead and explained that this request will be reviewed by staff at the public hearing.

City Code requires this type of request present a preliminary PUD presentation to the Commission prior to a public hearing. The purpose of this presentation is to allow the Commission, the adjacent property owners and general public to hear from the developer what type of development is being planned for the property. No action is taken at this preliminary presentation however the Commission and the public can ask questions and make comments at this time prior to the public hearing.

Staff makes no recommendations at this time. A public hearing regarding this request will be heard at the regularly scheduled Planning & Zoning Commission public meeting on Tuesday, May 14, 2013. Further staff analysis will be give at that time.

**PUBLIC COMMENTS/QUESTIONS: OPENED & CLOSED**

**PUBLIC HEARING SCHEDULED BEFORE THE  
PLANNING & ZONING COMMISSION MAY 14, 2013**



**MINUTES**  
Twin Falls City Planning & Zoning  
Commission  
**May 14, 2013-6:00 PM**  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

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**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Nikki Boyd      Jason Derricott      Tom Frank      Kevin Grey      Gerardo Munoz      Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore      Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISON**

Suzanne Hawkins      Rebecca Mills Sojka

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**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

**PRESENT:**

Derricott  
Frank  
Grey  
Munoz  
Sharp

**ABSENT:**

Boyd

**AREA OF IMPACT MEMBERS**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**      Hawkins, Mills-Sojka

**CITY STAFF PRESENT:**      Carraway, Spendlove, Strickland, Vitek, Wonderlich

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**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**III. ITEMS OF CONSIDERATION:**

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7-A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

**IV. PUBLIC HEARING ITEMS**

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)
2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)
3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

**I. CALL MEETING TO ORDER:**

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

Chairman Frank announced that Commissioner Ihler has resigned from the Commission.

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s):

Public Hearing Minutes: **April 9, 2013 & April 23, 2013**

Work Session Minutes: **January 3, 2013, February 6, 2013, March 7, 2013,  
April 3, 2013 & April 23, 2013**

2. Approval of Findings of Fact and Conclusions of Law:

- Hertz Local Edition (SUP 04-09-13)
- Krengels/Wildland, LLC (SUP 04-09-13)
- Sabia (SUP 04-09-13)

**MOTION:**

Commissioner DeVore made a motion to approve the consent calendar as presented. Commissioner Sharp seconded the motion.

**UNANIMOUSLY APPROVED**

Chairman Frank announced that Items III-1 and IV-1 will be presented by the applicant together. Staff will then provide a presentation for each item. A separate motion will be made on each item.

Commissioner Grey stepped down for the next two items.

**III. ITEMS OF CONSIDERATION:**

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7- A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

**APPLICANT PRESENTATION FOR ITEMS III-1 & IV-1:**

- Gerald Martens, EHM Engineering, Inc., is representing the applicants Westpark Partners, LLC. He introduced Jarrod Smith who represents Penbridge Capital, the group that wants to build the hotel. He then explained that this property requires two zoning actions in order for the project to move forward. The first step of the project requires that the lot be platted. Tonight the first request is for the Commission to approve the preliminary plat to create a subdivision consisting of 1 lot that is approximately 2.5 (+/-) acres.

The plan is for this property to be its own lot and have its own PUD Agreement restricting to construction a hotel. A special use permit is required for a Hotel to be constructed which is part of the second request to be heard. He reviewed exhibits on the overhead showing the site plan, landscaping, hotel layout and explained accessibility to the site. In summary the first action required will be for the approval of the preliminary plat, and the second action will be for a recommendation of approval for the zoning change.

- Jarrod Smith, introduced himself. He stated he is the owner of Penbridge Capital a franchise with Marriott. They are a local firm with three hotels, with intentions of building another hotel in Twin Falls. This will be long term project, Penbridge Capital will be the owners and operators of the hotel. A neighborhood meeting was held May 1, 2013 without any opposition to the project. They are excited about being a part of Twin Falls.

**STAFF PRESENTATION ITEM III-1:**

Planner I Spendlove explained that he was going to combine the history for both requests and review some exhibits on the overhead. In February 1993 there were some changes to the zoning, and platting of subdivision. He explained the portion that will be platted is part to the Westpark Commercial Subdivision however the lot that will become its own subdivision has a portion of the property in two separate PUD Agreements half being in Northbridge PUD and the other half being part of Northbridge PUD#2. In 2008 Walgreens platted its own subdivision, created its own PUD Agreement and had the same process approved.

The plat request includes 2.53 (+/-) acres and requires Commission approval to move forward with final plat approval. During the preliminary plat review staff determined it meets the requirements that are needed to proceed with the development.

Planner I Spendlove state upon conclusion staff recommends the Commission approve the preliminary plat of the Westpark Commercial Subdivision #7- a PUD, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to 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 compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Presentation continued by Planner I Spendlove

#### **IV. PUBLIC HEARING ITEMS**

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)

##### **STAFF PRESENTATION ITEM IV-1:**

Planner I Spendlove state this portion of the presentation is in regards to the the Zoning District Change and Zoning Map Amendment again he reviewed the exhibits on the overhead and stated the construction of the building will be in conformance with City Code. The development is consistent with the area. Staff has requested that the landscaping will be seamless along the Washington Street North arterial between the Walgreens site and the Bach Storage Facility site to the north. A Master Development plan has been submitted with the PUD Agreement and the site will be constructed to comply with the Master Development Plan. At the preliminary PUD presentation the public and the Commission were informed that the signage for the Hotel would be a maximum of 100 sq. ft. monument sign. It was stated that the signage will be in compliance with the Northbridge PUD Agreement, currently signage has not been shown on the site plan, it will however have to comply with the PUD and City Code.

Planner I Spendlove stated upon conclusion should the Commission recommend the C-1 PUD zoning to the City Council as presented, staff recommends the following conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to 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 landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.
4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D) 2.

**COMMISSIONER QUESTIONS/COMMENTS:**

- Commissioner Munoz asked if there will be any restaurants with beer and wine sold on-site.
- Mr. Martens stated there will be a continental breakfast provided for guest but not a restaurant for the public and nothing that will require a beer or wine license.
- Commissioner Munoz asked if there will be an event center provided on-site.
- Mr. Smith explained that this is a small facility. They will have three large rooms available but it will not be an event center.
- Commissioner Woods asked why the lot is not square.
- Mr. Martens explained that the lot is not square because of right-of-way that was used for the road. He also explained that the signs are monuments signs and will meet the requirements per City Code.
- Commissioner Woods asked what the area designated along the east side of the building is and if the north access is secondary.
- Mr. Smith stated the space identified on the east was going to be an outside patio area for guests to eat breakfast outdoors.
- Mr. Martens explained the access to the north will be a shared approach and will meet design criteria for an access.
- Commissioner Woods asked about signage and light impacting adjacent properties to the west from the signs.
- Mr. Smith stated that the signs that will face the residential area on the west will be channel letter so it will not be a cartouche sign. The signs along the east and facing Pole Line will be a cartouche type sign and will be brighter.
- Mr. Martens also explained that the face of the building is approximately 100' from the street and would be approximately 200' from the residential area to the west. The light will be bright enough to read but it doesn't shine like a something use to light an area.

**PUBLIC HEARING: OPENED**

- Kevin Grey 601 Sparks Street representing the Los Lagos Home Owners Association. He thanked the applicant for holding the neighborhood meeting. They would ask that the parking lot be posted with signage that does not allow large trucks to park in the lot overnight due to noise and disturbance from the trucks running all night. The other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

**PUBLIC HEARING: CLOSED**

**CLOSING STATEMENT:**

- Mr. Martens stated the landscaping along an arterial such as Washington Street North requires a certain type of landscaping, tree, shrubbery and a 30" high berm. The uniformity that is being required by staff will happen and it should address the concerns of the neighbor.
- Mr. Smith stated he is not sure that Marriot will allow for signs to be posted; regarding no truck parking, the other hotels that are currently operating do not have this type of clientele. They will not turn down clientele however if there is an issue, it will be addressed so that it doesn't disturb the neighbors or the other guests in the hotel.

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**DELIBERATIONS FOLLOWED ITEM III-1: WITHOUT CONCERNS**

**MOTION III-1:**

Commissioner Derricott made a motion to approve the Westpark Commercial Subdivision #7 Preliminary Plat request, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

**APPROVED, AS PRESENTED, WITH STAFF RECOMMENDATIONS**

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 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 compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

**DELIBERATIONS FOLLOWED ITEM IV-1: WITHOUT CONCERNS**

**MOTION IV-1:**

Commissioner Sharp made a motion to recommend approval of the Westpark Partners, LLC Zoning District Change and Zoning Map Amendment request, as presented to the City Council. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

**APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.
4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D)2.

**PUBLIC HEARING SCHEDULED BEFORE THE CITY COUNCIL JUNE 03, 2013**

Commissioner Grey returned to his seat.

2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)

**APPLICANT PRESENTATION:**

Todd Meyers, the applicant, stated that the property in question is located at the southwest corner of Blue Lakes Boulevard North and Falls Avenue. The property is zoned C-1; Commercial Highway District. In the C-1 zone a C-Store is an outright permitted use however a gasoline station and to operate 24 hours a day requires a Special Use Permit. The property is surrounded by mixed uses consisting of banks, another gas station, a restaurant and offices. The current site has been the Masonic Temple for many years on this property. There is a large landscaping area along Blue Lakes Boulevard North. This property was developed prior to the current arterial landscaping requirements so the property will be brought up to current code standards upon development. There is a private drive that goes along the south and west property line; that is where the street access to the site is located. These are shared accesses. The property line along Blue Lakes Boulevard North is brought back far enough for future widening. The old building is where the canopy would be installed with drive isles and landscaping. The storage tanks will be located between the right of way along Blue Lakes Boulevard North and the canopy structure because it provides safer access and is least congested. He reviewed exhibits on the overhead showing an outdoor picnic area and bike rack area for customers with renderings for the building and site plan. He also provided a traffic plan for the fuel truck deliveries and explained how they would be routed into and out of the property. As for the staff recommendations they have reviewed them and are willing to comply with the requirements as written. They have had a meeting with the Engineering, Planning & Idaho Department of Transportation with regards to having a right turn lane constructed along Blue Lakes Boulevard North and access. They are still working through the process.

**STAFF PRESENTATION:**

Planner I Spendlove reviewed the exhibits on the overhead and stated the City of Twin Falls building files only date back to 1982 for this lot. At that time it was the Masonic Lodge, as it is today. The location has been zoned C-1 at least as far back as the 1970's. There is no further zoning history for this location. In recent years, a local farmer has been selling his produce while in season in the northeast corner of the property, closest to the intersection. The property is located at 883 Blue Lakes Blvd North. The site is zoned C-1; Commercial Highway the C-1 zone is intended to allow for large or small commercial businesses to take place along major corridors.. The applicant has submitted a site plan showing the proposed use of the property. The existing building would be removed and a new 4800 +/- sq. ft. building would be built in its place, along with 10 gasoline pumps (20 vehicles), these features would be facing Blue Lakes Boulevard North. The reason for this request is because a Special Use Permit is required to operate a gasoline service station and a 24 hour convenience store. As per 10-4-8.3;

Required Improvements: Site improvements shall meet or exceed the C-1 development requirements. *Per City Code 10-7-12:* Gate Way Arterial Landscaping is required along the frontage of Blue Lakes Boulevard. The submitted site plan shows the applicant fulfilling the gateway arterial landscaping requirement of a minimum 35 foot wide bermed landscaped area behind the curb/future curb along Blue Lakes Blvd N. A full landscape plan to include trees/bushes/berming will be reviewed at the time of building permit application to ensure compliance with all landscape requirements. All improvements required by City Codes 10-11-1 thru 8 shall be reviewed during the time of building permit; these improvements include total landscaping, screening, parking areas, refuse area and drainage/storm-water management. The outside trash container is shown on the submitted site plan as enclosed and out of public view.

*He reviewed the Engineering Comments:* The City of Twin Falls Engineering Department has reviewed the application along with the Traffic Impact Study (TIS) prepared for and submitted by Maverik. Blue Lakes Blvd North is owned by the State and managed by the Idaho Transportation Department. Twin Falls City Engineering used the numbers provided by Maverick and in conjunction with ITD's Traffic Manual section 451.03 has determined that ITD shall require a right turn lane as warranted. Engineering feels this right turn lane is a benefit to the community and will help to offset the increased traffic impact Maverik will generate on the corner. However, since the staff report was generated there has been a meeting with all necessary parties and the City Engineering Department has accepted the traffic study as submitted and will not require the right turn lane because it is not warranted at this time. The Commission can strike condition #2 if they feel it is necessary.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

**COMMISSIONER QUESTIONS/COMMENTS:**

- Chairman Frank asked Assistant City Engineer Vitek to address condition #2 and provide further clarification.
- Assistant City Engineer Vitek read directly from the traffic study the verbiage explaining why the right turn lane is not warranted at this time. At this time the City Engineer has accepted this traffic study.
- Commissioner Sharp asked if the right turn lane is required will that impact the gateway arterial landscaping.
- Assistant City Engineer Vitek stated yes it will impact the landscaping, if at some point the right turn lane is required the lane will be installed and the property owner will not be required to bring the landscaping back into compliance.

- Commissioner Woods asked to review the exhibit for the fuel trucks entering and exiting the property and stated his concern is that if the trucks are going to enter the property from Blue Lakes Boulevard North will it require a wide right turn into the property. If this is the case would it be possible to limit deliveries to off hours. If the truck enters the property from Falls Avenue it will have to cross two lanes of traffic which is not optimal either.
  - Planner I Spendlove stated that the City has not in the past addressed delivery times but the applicant may be able to address the routing of the fuel trucks.
  - Mr. Meyers stated that there could be some restrictions for delivery to reduce congestion issues and reduce the liability issue for Maverik.
  - Zoning & Development Manager Carraway stated this would be hard to enforce without a condition listed on the Special Use Permit by the Commission. The applicant will do what it takes to protect their interest.
  - Commissioner Sharp stated that truck drivers are typically aware of the situation and he doesn't see this becoming an issue and by adding this type of condition to the permit would be a detriment. The truckers are going to plan their route.
  - Zoning & Development Manager Carraway stated there are also traffic rules that will need to be followed.
  - Commissioner Grey asked if this issue was taken into consideration with the curb cut that is shown.
  - Assistant City Engineer Vitek stated the curb cut is existing and if they modify the curb cut they have to approach the state and the state will require the right turn lane.
- 
- Mr. Meyer clarified that in their discussions with the Idaho Department of Transportation as long as they don't make any changes to the approach they will not have to go through them for permits. Any alterations would require the right turn lane.
  - Commissioner Frank asked if there is an agreement with the adjacent property owners with regards to the approaches and maintenance of them.
  - Mr. Meyer stated they would own to the center and they would have to work with the adjoining property owners on maintenance of the internal road. The tight turning circles and heat may make it where the roads have to be replaced with concrete to support the heavy trucks.
  - Commissioner Grey asked about the existing trees and if they would remain on site.
  - Mr. Meyer stated they intend to keep as many as possible.

**PUBLIC HEARING: OPENED**

- Fran Florence, 4129 Hidden Lakes Drive, stated he has worked with the Masonic Lodge during the process for selling the property and now through the special use

permit process for the Maverik. The accesses are good for the property because they are further away from the intersection which makes it safer. He would request that this be approved.

- Mike Perry, 805 and 835 Blue Lakes Boulevard North, stated adjacent to his property the trees will probably not survive. He feels the turn lane off of Blue Lakes Boulevard North will not allow truck to make this turn because it is very tight and he feels the right lane will be necessary. He welcomes the project, but he is concerned about the room for turning into the site and the structural integrity of the access for handling the weight of the trucks.

**PUBLIC HEARING: CLOSED**

**CLOSING STATEMENTS:**

- Mr. Meyers stated the accesses along the private drive into the fuel station area will be widened for the trucks and customers to get into the fuel area easily. The approaches along the arterials will not be altered. They are aware of the requirements related to asbestos testing and will follow those guidelines prior to removing the existing building.
- Assistant City Engineer Vitek stated as long as the approaches are not altered along the arterials, the state will not have any comments for the project.
- Commissioner Woods asked if the truck drivers are Maverik employees or private driver.
- Mr. Meyers stated that 98% of the drivers are employed by Maverik.

**DELIBERATIONS FOLLOWED:**

- Commissioner Woods stated he is convinced that Maverik will address any issues that may create traffic issues related to fuel delivery.
- Commissioner Munoz stated that this is a Special Use Permit which can be brought forward for revocation if necessary. As for the second condition regarding the right turn lane is vague enough that he doesn't see a need to strike the condition.
- Commissioner Grey asked who would make the decision when it's time to install the right turn lane, and who would enforce that decision.
- Assistant City Engineer Vitek stated the City Engineer has determined the right turn lane is not needed at this time.
- Commissioner Grey asked if there is a provision for a right turn lane in front of Fred Meyers.
- Assistant City Engineer Vitek stated that the State would have to have a major construction project for the right turn lane to be installed.

**MOTION:**

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

**APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS**

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

Commissioner Derricott stepped down for this item.

3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

**APPLICANT PRESENTATION:**

Tim Vawser EHM Engineering, Inc, representing the applicant, stated he is here to request a vacation of an alley. The property along the alley in question is owned by First Federal Savings Bank. The applicant has worked with the utility companies regarding the vacation request and has received their approval, with an agreement that any existing utilities will be moved at the expense of the applicant. The applicant has agreed to pay those costs and will be moving the utilities and dedicating an easement at the new location. The vacation is being requested so that a new building can be constructed to house their staff. He requested that the Commission recommend approval.

**STAFF PRESENTATION:**

Planner I Spendlove reviewed the exhibits on the overhead and stated the alley being requested for vacation was established as part of the Twin Falls Original Town Site. Development has occurred around the alley in the century since. This development included a vacation of an alley to the North as well. This previous vacation was due in part to the expansion of the Bank and the overall plan they had for the area. The alley currently being proposed for vacation has been developed as a one-way drive aisle for the parking lot servicing 1<sup>st</sup> Federal Savings Bank. Over the years, the alley was converted into an access drive for the parking lot that services 1<sup>st</sup> Federal Bank. This function was in line with the intent of the original plan for the alley. This request to vacate the alley is part of a plan proposed by 1<sup>st</sup> Federal Bank to construct a new, larger, building on the corner of 3<sup>rd</sup> Ave N and Shoshone Street. Part of the new building will be

built on the vacated alley. The requests for alley vacations in this part of town are not uncommon. Multiple locations have been granted alley vacations in the past. We do not anticipate substantial negative affects to occur in relation to this vacation request if it is approved. We have received all the required letters from the applicable utility companies stating their approval of the vacation of the tract. Some approvals were granted on a condition that currently installed utilities be moved into a new serviceable easement at the cost of the applicant. The applicant has stated in its narrative that all existing utilities will be moved at their own expense in order to facilitate the vacation. The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the request to the City Council as presented, staff recommends the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

**COMMISSIONER QUESTIONS/COMMENTS:**

Commissioner Sharp asked if where on the exhibits the utilities are being moved. Mr. Vawser displayed the exhibits on the overhead and showed on the site plan where the utilities will be relocated. He explained there will be 7 feet on each side for the trench for the easement.

**PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS**

**DELIBERATIONS FOLLOWED: WITHOUT CONCERNS**

**MOTION:**

Commissioner Sharp made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

**RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL,  
AS PRESENTED, WITH THE FOLLOWING CONDITIONS**

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

**PUBLIC HEARING SCHEDULED BEFORE THE  
CITY COUNCIL JUNE 10, 2013**

Commissioner Derricott returned to his seat.

**V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:**

Zoning & Development Manager Carraway made the following announcements:

- Westpark Commercial PUD recommendation will be heard by the City Council on Monday June 10, 2013
- First Federal Savings Bank Vacation request will be heard by the City Council on June 10, 2013.
- Auger Falls will be closed for improvements after May 31, 2013
- The next Planning & Zoning Commission meeting will be on Wednesday, May 29, 2013 and there are 6 items scheduled.
- On Monday, June 17, 2013 the Twin Falls County will be hosting training for Commissioners provided by Jerry Mason from 1pm to 4pm. If anyone would like to attend please let her know so that the registration can be submitted.
- On June 8, 2013 from 7pm -10pm a Black Tie Affair sponsored by the Optimist Club will be held at the Canyon Springs Inn for Childhood Cancer.

**VI. UPCOMING MEETINGS:**

Next Planning & Zoning Commission public meetings:

Wednesday, May 29, 2013 Public Hearing Planning & Zoning Commission

Wednesday, June 5, 2013 Public Meeting Planning & Zoning Work Session

**VII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 7:45 pm.

*Lisa A. Strickland*

Lisa A Strickland  
Administrative Assistant  
Community Development Department



**Date:** Monday, June 17, 2013, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Lieutenant Craig Stotts, Twin Falls Police Department

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**Request:**

Consideration of a request for the Council to approve allowing access to City of Twin Falls Master Street Address Guide (MSAG) data for the purpose of utilizing the services of Everbridge. Everbridge is a web-based emergency notification system that provides emergency communication and mass notification services to organizations in all major industries and government sectors.

**Time:**

Staff requests that this be placed on the Consent Calendar.

**Background:**

The Southern Idaho Regional Communication Center (SIRCOMM) has recently announced that it selected Everbridge, a leading mass notification provider, as the new system for both community alerts and emergency notifications. The new Everbridge system will offer the citizens of Gooding, Jerome, Lincoln and Twin Falls County the opportunity to register multiple contact paths, including SMS, TTY, mobile phone numbers, e-mail, and landline phones for emergency notifications, severe weather alerts, and community notifications by early summer. SIRCOMM will use Everbridge's leading mass notification system to enhance its communication capabilities during natural or manmade crises, and it has invited the City of Twin Falls Communications Center to participate in the use of this notification system. The annual fees for Everbridge's services are being paid through federal grants maintained by the four counties' emergency coordinators and will be provided to the City of Twin Falls at no cost.

Everbridge recently gained national recognition for its work in supporting the critical communications of the Boston Police, Watertown Police, and Waltham Police Departments during the Boston Marathon blasts and subsequent manhunt. Everbridge was selected, in part, to address incidents like last summer's fires in the Rock Creek and South Hills areas. This service also allows citizens to opt-in to receive notifications via phone calls, text messaging, e-mail and more based on addresses that they care about. Citizens can choose to receive notifications about events that may affect their home, workplace, schools, and more.

We envision that this system will allow our staff to notify citizens about imminent threats to health and safety, as well as information regarding severe weather, flooding, gas leaks, police activity and more. The contract with Everbridge clearly states that City of Twin Falls MSAG data will never be sold to another party or used for any purpose other than emergency notification.

Agenda Item for June 17, 2013  
From Lieutenant Craig Stotts  
Page Two

**Budget Impact:**

None

**Regulatory Impact:**

N/A

**Conclusion:**

Staff recommends that the Council approve the request for Everbridge to access our MSAG data for the purpose of providing emergency notification services to the citizens of Twin Falls.

**Attachments:**

None

CS:aed



**Date:** Monday, June 17, 2013, Council Meeting

**To:** Honorable Mayor and City Council

**From:** Chief Brian Pike, Captain Anthony Barnhart, and Lieutenant Craig Stotts, Twin Falls Police Department

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**Request:**

Swearing in ceremony for our newest Twin Falls Police Department Officer, **Stuart Burnham**. It is requested that Mayor Greg Lanting administer the Oath of Office.

Captain Anthony Barnhart will be presenting **Officers Shawn Applewhite, Christopher Ehardt, and Tyler Rudkin** with their Basic Certifications, and **Officer Dallas Garner** with his Intermediate Certification.

Lieutenant Craig Stotts will be presenting **Dispatcher Tina Kelley** with her Level III Communications Specialist Certification.

**Time Estimate:**

The presentation will take approximately 15 minutes.

**Background – New Officer:**

**Stuart Burnham** was hired by the Twin Falls Police Department on May 28, 2013, as a full-time Police Officer.

**Stuart** was born and raised in Rock Springs, Wyoming. Stuart graduated from Rock Springs High School in 2009. He went on to serve an LDS mission in Philadelphia, Pennsylvania, where he learned to speak Spanish while serving the Hispanic people in that area.

After his mission, Stuart attended Idaho State University (ISU). While attending ISU, he worked with Public Safety and that job confirmed that law enforcement was the career he wanted to pursue. He began the ISU Law Enforcement Program in January 2013. He attended for one semester before being hired by the Twin Falls Police Department in May. Stuart is looking forward to serving the citizens of Twin Falls.

Stuart is married to his wife, Stephanie.

**Background – POST Certifications:**

On March 20, 2013; April 17, 2013; and April 30, 2013, **Officers Tyler Rudkin, Christopher Ehardt, and Shawn Applewhite**, respectively, were awarded their POST Academy Basic Certification. These Officers successfully graduated from POST Academy, have completed the Field Training Program, and have served one year as Police Officers in the State of Idaho to receive this certification.

On April 2, 2013, **Officer Dallas Garner** was awarded his Intermediate Certification by POST Academy. To receive this certificate, Officer Garner was required to complete hundreds of hours of training, including obtaining several college credits.

Agenda Item for June 17, 2013  
From Chief Brian Pike, Captain Anthony Barnhart, and  
Lieutenant Craig Stotts  
Page Two

The personal commitment of these Officers to better themselves through training has helped the Twin Falls Police Department in achieving its goal of being the best Police Department in the State of Idaho.

On May 9, 2013, **Dispatcher Tina Kelley** was awarded her Level III Communications Specialist Certification. Dispatcher Kelley was required to complete a minimum of 200 hours of POST-certified, communications-related training and possess or be eligible for a Level II certificate. Dispatcher Kelley was also required to have at least six years of communications specialist experience.

Through her personal commitment to better herself through training, Dispatcher Kelley has helped the City of Twin Falls Communications Center in achieving its goal of providing exceptional service and ensuring the safety of all the people it serves.

**Approval Process:**

N/A

**Budget Impact:**

This will not impact the budget.

**Regulatory Impact:**

N/A

**Conclusion:**

Chief Pike will be having the Twin Falls Police Department's newest Police Officer sworn in before the City Council, with Mayor Greg Lanting administering the Oath of Office on June 17, 2013.

Captain Barnhart will be recognizing Officers Ty Rudkin, Christopher Ehardt, and Shawn Applewhite for their accomplishment in obtaining their Basic Certificates and Officer Dallas Garner for obtaining his Intermediate.

Lieutenant Stotts will be recognizing Dispatcher Tina Kelly before the City Council for her accomplishment in obtaining her Level III Communications Specialist Certificate.

**Attachments:**

1. Copy of POST Basic Certificate – Officer Tyler Rudkin
2. Copy of POST Basic Certificate – Officer Christopher Ehardt
3. Copy of POST Basic Certificate – Officer Shawn Applewhite
4. Copy of POST Intermediate Certificate – Officer Dallas Garner
5. Copy of POST Level III Communications Specialist Certificate – Dispatcher Tina Kelley

aed

# State of Idaho

*The Peace Officer Standards  
& Training Council*

*hereby awards the*

*Basic Certificate*

*to*

*Tyler Z. Rudkin*

*Twin Falls Police Department*

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace  
Officer Standards & Training Council on the 20th day of March, 2013.*

  
Chairman

  
Division Administrator

# State of Idaho

*The Peace Officer Standards  
& Training Council*

*hereby awards the*

*Basic Certificate*

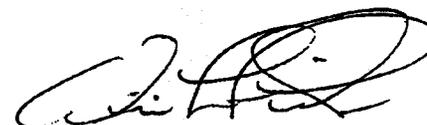
*to*

*Christopher J. Ehardt*

*Twin Falls Police Department*

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace  
Officer Standards & Training Council on the 17th day of April, 2013.*

  
Chairman

  
Division Administrator

# State of Idaho

*The Peace Officer Standards  
& Training Council*

*hereby awards the*

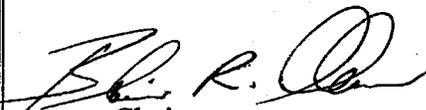
*Basic Certificate*

*to*

*Shawn C. Applewhite*

*Twin Falls Police Department*

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace  
Officer Standards & Training Council on the 30th day of April, 2013.*

  
Chairman

  
Division Administrator

# State of Idaho

*The Peace Officer Standards  
& Training Council*

*hereby awards the*

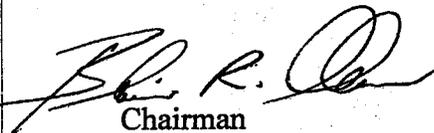
*Intermediate Certificate*

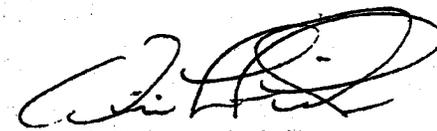
*to*

*Dallas L. Garner*

*Twin Falls Police Department*

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace  
Officer Standards & Training Council on the 2nd day of April, 2013.*

  
Chairman

  
Division Administrator

# State of Idaho

## The Peace Officer Standards & Training Council

hereby awards the  
*Level III Communications Specialist Certificate*

to

*Tina M. Kelley*

*Twin Falls Police Department*

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace Officer Standards & Training Council on the 9th day of May, 2013.*

  
Chairman

  
Division Administrator



**Date:** Monday, June 17, 2013, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Sergeant Ryan Howe, Twin Falls Police Department

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**Request:**

Consideration of a request by Ramiz Duratovic, a representative of the Mladi Behar Group, to provide a Bosnian Dancing Event at the Senior Center, located at 530 Shoshone Street West, on June 29, 2013.

**Time Estimate:**

With this being the first time for this event and alcohol being served, we request approximately five (5) minutes for the presentation with additional time needed to answer any questions the Council may have.

**Background:**

On June 5, 2013, I received a Special Events Application from Ramiz Duratovic requesting to hold an event with a youth organization, the Mladi Behar Group, performing traditional Bosnian dances. Partners of Mladi Behar from Salt Lake City, Utah, will also participate. With Council approval, this event will be held at the Twin Falls Senior Center on June 29, 2013, from 5:00 p.m. until 12:00 a.m. (midnight).

Participants of all ages, from children to adults, will be attending the event. It is anticipated that 120 people will be in attendance. There will be traditional Bosnian pastries and other food sold to help with the financing of the event.

Due to the fact that alcohol will be served, this event rises to the level of the Special Event process. Alcohol will be served from the hours of 7:00 p.m. until 12:00 a.m. (midnight). A non-profit alcohol permit will be obtained from the State of Idaho for the Mladi Behar Event. Identification checks will be required, as well as wrist bands, for those purchasing and consuming alcohol.

Due to the nature of this event and the small number of people estimated to attend, security will not be required for the event.

Because the Senior Center is owned by the City of Twin Falls, a current Certificate of Liability Insurance will be required to hold the event.

**Approval Process:**

Consent of the Council

**Budget Impact:**

N/A

Agenda Item for June 17, 2013  
From Sergeant Ryan Howe  
Page Two

**Regulatory Impact:**

N/A

**Conclusion:**

Based on the above information, Twin Falls Police Department Staff and relevant members of the City of Twin Falls recommend approval of the Mladi Behar Special Event request with the proviso that, should the amplified music generate complaints from the neighborhood, the Patrol Supervisor will be advised to contact a representative of the Mladi Behar Event to have the volume decreased. If the noise complaints or calls for service become habitual, the Patrol Supervisor shall be granted the authority to order the live music to be terminated.

**Attachments:**

None

DP:aed



**Date:** Monday, June 17, 2013, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Sergeant Ryan Howe, Twin Falls Police Department

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**Request:**

Consideration of a request by Sam Saltaga, owner of the Europe Bar & Deli, to approve a July 4<sup>th</sup> Celebration to be held in the parking lot of 677 and 679 Filer Avenue on July 4, 2013, from 6:00 p.m. to 10:00 p.m.

**Time Estimate:**

With this being the first time for this event, we estimate the presentation will take approximately five (5) minutes, with additional time needed to answer questions the Council may have.

**Background:**

On approximately May 20, 2013, Sam Saltaga requested to hold a 4<sup>th</sup> of July Celebration in the parking lot of the Europe Bar & Deli, located at 677, and the Magic Valley Shopping Center, LLC, 679 Filer Avenue, near the intersection of Filer Avenue and Fillmore Street. With the Council's approval of this event, Mr. Saltaga hopes to bring more attention to this specific business area and the local shops in this mall.

Due to the fact live music will be played, this event rises to the level of the special event process. Live music will be played in the parking lot at a moderate volume level from 6:00 p.m. until 9:00 p.m. Alcohol will not be served in the event area, and Mr. Saltaga will post signs in the event area stating that no alcohol will be allowed in the parking lot. Mr. Saltaga hopes those participating will enjoy the evening and then either watch the CSI fireworks from this location or be able to travel to CSI for the fireworks show.

Once the event concludes at 9:00 p.m., a cleanup plan is in place to conclude by 10:00 p.m. Mr. Saltaga has advised he is the property manager for several of the businesses located in this mall. He has contacted the businesses and has received written permission and approval of the event from the proprietors.

**Approval Process:**

Consent of the Council

**Budget Impact:**

Due to alcohol not being served or allowed at this event, security will not be required. Therefore, the Council's approval of this request will not impact the City budget. Mr. Saltaga does understand that if continued police responses occur, Mr. Saltaga may be billed for the use of extraordinary resources from responding agencies, pursuant to City Ordinance 3-6-7 D.

**Regulatory Impact:**

N/A

Agenda Item for June 17, 2013  
From Sergeant Ryan Howe  
Page Two

**Conclusion:**

All entrance/exit points to the parking lot and fire lanes must be kept open to allow for an emergency response by the Twin Falls Fire Department.

Based on the above information, Twin Falls Police Department Staff and relevant members of the City of Twin Falls recommend approval of Mr. Saltaga's Special Event request with the proviso that, should the amplified music generate complaints from the neighborhood, the Patrol Supervisor will be advised to contact a representative from the Europe Bar & Deli to have the volume decreased. If the noise complaints become habitual, the Patrol Supervisor shall be granted the authority to order the live music to be terminated.

**Attachments:**

1. Written permission from surrounding businesses

DP:aed



**June 17, 2013 City Council Meeting**

**To:** Honorable Mayor and City Council

**From:** Bill Carberry, Airport Manager

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**Request:** Consideration of Awarding a Bid to Western Construction, Inc. for FAA AIP-35; Airport Ramp & Taxi-lane Reconstruction Project.

**Time Estimate:** The staff presentation will take approximately 5-10 minutes with some time for questions and answers following.

**Background:** In addition to the runway seal coat and re-marking project this year, the airport has been working with the FAA since 2010 to bid this second project. The project concept is to rehabilitate the last of the poor pavement sections in the airport ramp areas to include 4 hangar taxi-lanes; the east ramp tie-down area; and the airline terminal ramp parking area. The pavement rehabilitation projects are listed in the airport's capital improvement plan with the Federal Aviation Administration. The scope and cost of the work is significant, and with guidance provided by the FAA, the airport bid the project this spring with the possibility the FAA will assist the airport through an additional discretionary grant offer.

On June 6th bids were opened for the project and the bid summary is as follows:

<b>Apron and Taxi-lane Reconstruction/Mill and Overlay Apron/Construct Apron Project</b>	
<b>Contractor</b>	<b>Total Bid</b>
Western Construction, Inc.	\$2,541,111.00
Kloepfer, Inc., Inc.	\$3,332,442.15
Idaho Sand and Gravel, Inc.	\$3,559,284.50
<i>Engineer's Estimate</i>	<i>\$3,062,190.00</i>

**Budget Impact:** The cost of the project will be financed with an FAA grant at 93.75% federal participation and a local 6.25% City/County match. The airport will utilize the remaining balance in its FAA entitlement account (approx.\$750K) and request the FAA fund the difference with a discretionary grant offer (approx.\$2M) The airport has worked with the FAA for 3 years planning to accelerate the pavement rehabilitation through a request for FAA discretionary grant funds. If the discretionary funds are not offered this year for the project then the work schedule will have to be decelerated, with some work moving forward this year and/or possibly re-bidding work next year.

The City/County has matching funds for the FAA grants in the Airport Construction Fund.

**Regulatory Impact:** The project will be subject to the standard terms and conditions of FAA grant projects.

**Conclusion:** After review of the low bid, it has been determined by our Airport Engineer, Riedesel that the bid is responsive and the contractor is qualified to complete the work and there is no obvious imbalance within the bid.

Staff recommends the City Council award the bid to Western Construction Inc. for the bid amount of \$2,541,111.00, and authorize the Mayor to sign the pending contract with Western Construction Inc., contingent on concurrence and funding from the Federal Aviation Administration.

**Attachments:** Riedesel Engineering's Recommendation of Award; Bid Summary; Project Description



June 7, 2013

Bill Carberry, Airport Manager  
Joslin Field, Magic Valley Regional Airport  
City of Twin Falls  
PO Box 1907  
Twin Falls, ID 83303-1907

RE: Magic Valley Regional Airport  
Apron and Taxilane Reconstruction/Mill and Overlay Apron/Construct Apron Project  
Bid Results and Recommendation of Award

Dear Mr. Carberry,

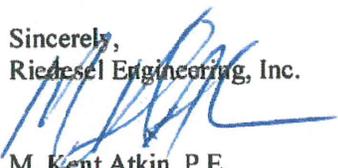
Bids were opened for the Apron and Taxilane Reconstruction/Mill and Overlay Apron/Construct Apron Project on June 6, 2013. Nine contractors, including both prime and subcontractors, obtained plan sets and three bids were received. The following is a recap of the bids along with the Engineers' Estimate.

<b>Apron and Taxilane Reconstruction/Mill and Overlay Apron/Construct Apron Project</b>	
<b>Contractor</b>	<b>Total Bid</b>
Western Construction, Inc.	\$2,541,111.00
Kloepfer, Inc., Inc.	\$3,332,442.15
Idaho Sand and Gravel, Inc.	\$3,559,284.50
<i>Engineer's Estimate</i>	<i>\$3,062,190.00</i>

We have further reviewed the apparent low bid submitted by Western Construction, Inc. and found it to be complete and responsive. Therefore, we recommend that the City and County of Twin Falls accept the bid of Western Construction, Inc. in the amount of \$2,541,111.00, contingent upon the available funding and concurrence of the Federal Aviation Administration.

Please do not hesitate to contact us with any questions you have regarding the enclosed information or our recommendation of award of the contract to Western Construction, Inc.

Sincerely,  
Riedesel Engineering, Inc.

  
M. Kent Atkin, P.E.  
Project Manager

Enc: Project Bid Tabulation, Western Construction, Inc. Bid

Cc: Jackie Fields, City of Twin Falls  
Andrew Edstrom, FAA

202 Falls Avenue  
Twin Falls, ID 83301  
208/733-2446  
Fax 208/734-2748

850 E. Franklin, Suite 403  
Meridian, ID 83642  
208/898-9165  
Fax 208/734-2748

77 Southway, Suite C  
Lewiston, ID 83501  
208/743-3818  
Fax 208/743-3819

1845 Terminal Drive, Suite 150  
Richland, WA 99352  
509/946-3559  
Fax 509/946-3554

## **Joslin Field, Magic Valley Regional Airport**

### **Apron and Taxilane Reconstruction / Mill and Overlay Apron / Construct Apron Project AIP Project No. 3-16-0036-035**

#### **Project Description**

The project will complete improvements to the Terminal Apron, Tie-down Apron, and Hangar Taxilanes. These improvements are included in separate bid schedules as follows:

##### BID SCHEDULE A: Mill and Overlay and Reconstruct Tiedown Apron:

The schedule will include the rehabilitation of the existing tiedown area designated as ATERM-03 and ATERM-04. The area is designated for parking of aircraft and fueling of general aviation aircraft. Block cracking has necessitated rehabilitation. The area designated as ATERM -04 will be reconstructed. The existing asphalt of ATERM-03 will be removed and the existing base course will be compacted in place prior to repaving and remarking.

##### BID SCHEDULE B: Mill and Overlay and Reconstruct Terminal Apron:

The schedule will include the reconstruction of the east terminal area, designated ATERM-02, and the rehabilitation of the existing terminal area designated as ATERM-01. Construction of ATERM -02 will include the removal of the asphalt pavement, excavation and removal of the existing aggregate section, placement of aggregate subbase and base materials, construction of drainage improvements, asphalt paving, and pavement markings. Construction of ATERM -01 will include rotomilling approximately 4.5 inches and then replacing with new asphalt and any required markings.

##### BID SCHEDULE C: Reconstruct Taxilanes:

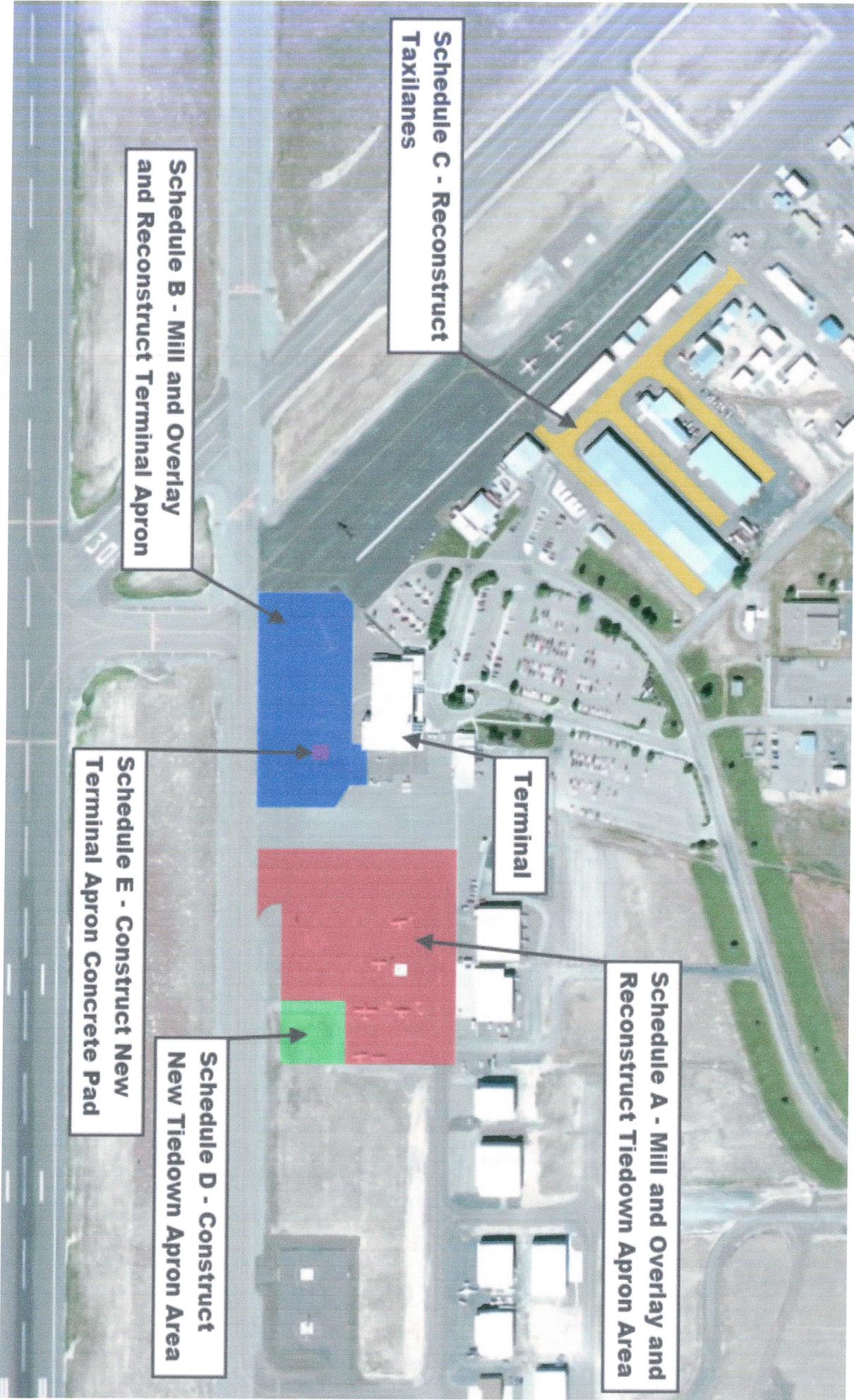
The schedule will include the reconstruction of hangar taxilanes northeast of the terminal. Work will include the removal of the asphalt pavement, excavation and removal of the existing aggregate section, installation of placement of aggregate subbase and base materials, construction of drainage improvements, asphalt paving, and pavement markings.

##### BID SCHEDULE D: Construct New Tiedown Apron Area:

The schedule will include the construction of additional tiedown apron located southeast of the current tiedown apron area. This area is approximately 150 by 150 feet and will allow the expansion of the tiedown apron needed in accordance with the latest airport master plan. Construction will include earthwork excavation of approximately 24 inches and replacement with new subbase, base and asphalt surface course, underdrain piping, and pavement markings.

##### BID SCHEDULE E: Construct New Terminal Apron Concrete Pad:

The schedule will include the construction of a concrete pad suitable for parking of Embraer aircraft and the regional jets forecasted by the master plan to be the common aircraft using the terminal. Construction will include removal of the existing asphalt to an approximate 6 inch depth and replacing the asphalt with six inches of PCCP concrete.



**Schedule C - Reconstruct Taxiways**

**Schedule B - Mill and Overlay and Reconstruct Terminal Apron**

**Terminal**

**Schedule A - Mill and Overlay and Reconstruct Tiedown Apron Area**

**Schedule E - Construct New Terminal Apron Concrete Pad**

**Schedule D - Construct New Tiedown Apron Area**

Quantities and Engineer's Estimate

Joslin Field, Magic Valley Regional Airport  
2013 Apron & Taxiway Reconstruct/Mill&Overlay Apron/Construct Apron Project  
AIP 3-16-0036-035

Riedesel Engineering, Inc.  
202 Falls Avenue  
Twin Falls, ID 83301

Bid Opening June 6, 2013 @ 2:00 p.m.

BASE BID - SCHEDULE 'A'

Item	Description of Item	Unit	Quantity	Engineer's Estimate		Western Construction, Inc.		Kloepfer, Inc.		Idaho Sand & Gravel	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-152-1	Unclassified Excavation	CY	11865	\$ 8.00	\$ 94,920.00	\$ 4.50	\$ 53,392.50	\$ 14.47	\$ 171,686.55	\$ 10.00	\$ 118,650.00
P-152-2	Rock Excavation	CY	10	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 250.00	\$ 2,500.00	\$ 252.00	\$ 2,520.00
P-152-3	Existing Pavement Removal - 2.5 to 3.5 inc	SY	22280	\$ 2.00	\$ 44,560.00	\$ 2.10	\$ 46,788.00	\$ 2.03	\$ 45,228.40	\$ 2.10	\$ 46,788.00
P-152-6	Pavement Saw Cutting	LF	1250	\$ 0.50	\$ 625.00	\$ 0.50	\$ 625.00	\$ 0.75	\$ 937.50	\$ 2.80	\$ 3,500.00
P-152-7	Unsuitable Overdepth Excavation	CY	500	\$ 10.00	\$ 5,000.00	\$ 15.00	\$ 7,500.00	\$ 16.00	\$ 8,000.00	\$ 11.00	\$ 5,500.00
P-154-1	Subbase Course	CY	4800	\$ 25.00	\$ 120,000.00	\$ 24.00	\$ 115,200.00	\$ 40.51	\$ 194,448.00	\$ 42.00	\$ 201,600.00
P-208-1	Crushed Aggregate Base Course	CY	3340	\$ 30.00	\$ 100,200.00	\$ 24.00	\$ 80,160.00	\$ 51.20	\$ 171,008.00	\$ 64.00	\$ 213,760.00
P-208-2	Shoulder Crushed Aggregate Base Course	CY	110	\$ 25.00	\$ 2,750.00	\$ 30.00	\$ 3,300.00	\$ 95.14	\$ 10,465.40	\$ 74.00	\$ 8,140.00
P-401-1	Bituminous Surface Course (50 Blow)	TON	7000	\$ 95.00	\$ 665,000.00	\$ 89.00	\$ 623,000.00	\$ 111.64	\$ 781,480.00	\$ 113.00	\$ 791,000.00
P-620-1	Temporary Pavement Markings	SF	4400	\$ 0.70	\$ 3,080.00	\$ 0.40	\$ 1,760.00	\$ 0.40	\$ 1,760.00	\$ 0.55	\$ 2,420.00
P-620-2	Permanent Pavement Markings	SF	4400	\$ 0.50	\$ 2,200.00	\$ 0.40	\$ 1,760.00	\$ 0.42	\$ 1,848.00	\$ 0.60	\$ 2,640.00
P-620-3	Fed Ex Markings	EA	2	\$ 150.00	\$ 300.00	\$ 420.00	\$ 840.00	\$ 440.00	\$ 880.00	\$ 768.00	\$ 1,536.00
D-705-1	4-inch PVC Pipe Underdrain	LF	250	\$ 16.00	\$ 4,000.00	\$ 30.00	\$ 7,500.00	\$ 26.00	\$ 6,500.00	\$ 18.50	\$ 4,625.00
D-751-1	Remove and Replace Inlet	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 6,500.00	\$ 6,500.00	\$ 4,000.00	\$ 4,000.00	\$ 7,650.00	\$ 7,650.00
D-751-2	Adjust Inlet	EA	1	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 2,800.00	\$ 2,800.00	\$ 2,700.00	\$ 2,700.00
D-751-3	Adjust Manhole	EA	2	\$ 1,000.00	\$ 2,000.00	\$ 2,100.00	\$ 4,200.00	\$ 750.00	\$ 1,500.00	\$ 3,100.00	\$ 6,200.00
D-754-1	Remove Existing Valley Gutter	LF	140	\$ 10.00	\$ 1,400.00	\$ 14.00	\$ 1,960.00	\$ 49.42	\$ 6,918.80	\$ 7.40	\$ 1,036.00
D-754-2	Install Four-foot Valley Gutter	LF	140	\$ 60.00	\$ 8,400.00	\$ 32.00	\$ 4,480.00	\$ 40.00	\$ 5,600.00	\$ 9.70	\$ 1,358.00
T-901-1	Seeding	AC	2	\$ 2,500.00	\$ 5,000.00	\$ 3,300.00	\$ 6,600.00	\$ 4,225.00	\$ 8,450.00	\$ 9,000.00	\$ 18,000.00
SP-100-1	Mobilization	LS	1	\$ 80,000.00	\$ 80,000.00	\$ 84,695.00	\$ 84,695.00	\$ 55,370.00	\$ 55,370.00	\$ 52,500.00	\$ 52,500.00
SP-101-1	Project Quality Control	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 33,600.00	\$ 33,600.00	\$ 34,000.00	\$ 34,000.00	\$ 33,000.00	\$ 33,000.00
SP-103-1	Construction Surveying	LS	1	\$ 28,000.00	\$ 28,000.00	\$ 15,200.00	\$ 15,200.00	\$ 16,000.00	\$ 16,000.00	\$ 20,500.00	\$ 20,500.00
SP-107-1	Adjust Valve Box	EA	1	\$ 300.00	\$ 300.00	\$ 330.00	\$ 330.00	\$ 600.00	\$ 600.00	\$ 1,600.00	\$ 1,600.00
SP-110-1	Install Tie Down Anchors	EA	90	\$ 200.00	\$ 18,000.00	\$ 320.00	\$ 28,800.00	\$ 350.00	\$ 31,500.00	\$ 387.00	\$ 34,830.00
SP-110-2	Remove Existing Tie-Down Anchor	EA	132	\$ 80.00	\$ 10,560.00	\$ 50.00	\$ 6,600.00	\$ 60.00	\$ 7,920.00	\$ 53.00	\$ 6,996.00
SP-208-1	Prepare Existing Base Course	SY	7050	\$ 10.00	\$ 70,500.00	\$ 2.50	\$ 17,625.00	\$ 1.31	\$ 9,235.50	\$ 1.90	\$ 13,395.00
Schedule Total				\$	\$ 1,304,295.00	\$	\$ 1,155,415.50	\$	\$ 1,580,636.15	\$	\$ 1,602,444.00

SCHEDULE 'B'

Item	Description of Item	Unit	Quantity	Engineer's Estimate		Western Construction, Inc.		Kloepfer, Inc.		Idaho Sand & Gravel	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-152-1	Unclassified Excavation	CY	1600	\$ 12.00	\$ 19,200.00	\$ 5.20	\$ 8,320.00	\$ 14.47	\$ 23,152.00	\$ 11.00	\$ 17,600.00
P-152-2	Rock Excavation	CY	10	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 250.00	\$ 2,500.00	\$ 268.00	\$ 2,680.00
P-152-4	Existing Pavement Removal - 4.5 Inches fr	SY	8700	\$ 3.50	\$ 30,450.00	\$ 2.15	\$ 18,705.00	\$ 3.32	\$ 28,884.00	\$ 3.30	\$ 28,710.00
P-152-5	Existing Pavement Removal - 14 Inches	SY	4680	\$ 6.00	\$ 28,080.00	\$ 4.30	\$ 20,124.00	\$ 9.73	\$ 45,536.40	\$ 11.00	\$ 51,480.00
P-152-6	Pavement Saw Cutting	LF	1680	\$ 0.50	\$ 840.00	\$ 0.50	\$ 840.00	\$ 0.75	\$ 1,260.00	\$ 2.90	\$ 4,872.00
P-152-7	Unsuitable Overdepth Excavation	CY	250	\$ 10.00	\$ 2,500.00	\$ 15.00	\$ 3,750.00	\$ 16.00	\$ 4,000.00	\$ 15.00	\$ 3,750.00
P-154-1	Subbase Course	CY	520	\$ 25.00	\$ 13,000.00	\$ 28.00	\$ 14,560.00	\$ 40.51	\$ 21,065.20	\$ 42.50	\$ 22,100.00
P-209-1	Crushed Aggregate Base Course	CY	780	\$ 35.00	\$ 27,300.00	\$ 26.00	\$ 20,280.00	\$ 66.80	\$ 52,104.00	\$ 73.00	\$ 56,940.00
P-401-2	Bituminous Surface Course (75 Blow)	TON	6100	\$ 95.00	\$ 579,500.00	\$ 89.00	\$ 542,900.00	\$ 111.64	\$ 681,004.00	\$ 126.50	\$ 771,650.00
P-620-1	Temporary Pavement Markings	SF	5200	\$ 0.70	\$ 3,640.00	\$ 0.40	\$ 2,080.00	\$ 0.40	\$ 2,080.00	\$ 0.50	\$ 2,600.00
P-620-2	Permanent Pavement Markings	SF	5200	\$ 0.50	\$ 2,600.00	\$ 0.40	\$ 2,080.00	\$ 0.42	\$ 2,184.00	\$ 0.60	\$ 3,120.00
P-620-4	TSA Marking	LF	350	\$ 2.00	\$ 700.00	\$ 4.07	\$ 1,424.50	\$ 4.25	\$ 1,487.50	\$ 6.20	\$ 2,170.00
D-701-1	24-Inch CMP Pipe Culvert	LF	215	\$ 50.00	\$ 10,750.00	\$ 65.00	\$ 13,975.00	\$ 54.00	\$ 11,610.00	\$ 70.00	\$ 15,050.00
D-705-1	4-inch PVC Pipe Underdrain	LF	680	\$ 17.00	\$ 11,560.00	\$ 92.00	\$ 62,560.00	\$ 53.00	\$ 36,040.00	\$ 19.50	\$ 13,260.00
D-751-2	Adjust Inlet	EA	1	\$ 500.00	\$ 500.00	\$ 1,600.00	\$ 1,600.00	\$ 2,800.00	\$ 2,800.00	\$ 3,150.00	\$ 3,150.00
D-751-4	Install Inlet	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 4,700.00	\$ 4,700.00	\$ 3,500.00	\$ 3,500.00	\$ 7,650.00	\$ 7,650.00
D-754-1	Remove Existing Valley Gutter	LF	215	\$ 25.00	\$ 5,375.00	\$ 15.00	\$ 3,225.00	\$ 49.42	\$ 10,625.30	\$ 4.50	\$ 967.50
SP-100-1	Mobilization	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 35,000.00	\$ 35,000.00	\$ 34,915.00	\$ 34,915.00	\$ 39,500.00	\$ 39,500.00
SP-101-1	Project Quality Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 11,500.00	\$ 11,500.00	\$ 16,500.00	\$ 16,500.00
SP-103-1	Construction Surveying	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 10,600.00	\$ 10,600.00	\$ 11,110.00	\$ 11,110.00	\$ 15,000.00	\$ 15,000.00
SP-105-1	Trench Drain	LF	215	\$ 250.00	\$ 53,750.00	\$ 250.00	\$ 53,750.00	\$ 210.00	\$ 45,150.00	\$ 131.00	\$ 28,165.00
Schedule Total				\$	\$ 881,245.00	\$	\$ 849,273.50	\$	\$ 1,032,507.40	\$	\$ 1,106,914.50

Quantities and Engineer's Estimate

Joslin Field, Magic Valley Regional Airport  
2013 Apron & Taxilane Reconstruct/Mill&Overlay Apron/Construct Apron Project  
AIP 3-16-0036-035

Riedesel Engineering, Inc.  
202 Falls Avenue  
Twin Falls, ID 83301

Bid Opening June 6, 2013 @ 2:00 p.m.

SCHEDULE 'C'				Engineer's Estimate		Western Construction, Inc.		Kloepfer, Inc.		Idaho Sand & Gravel	
Item	Description of Item	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-152-1	Unclassified Excavation	CY	5100	\$ 8.00	\$ 40,800.00	\$ 4.50	\$ 22,950.00	\$ 14.47	\$ 73,797.00	\$ 15.00	\$ 76,500.00
P-152-2	Rock Excavation	CY	10	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 250.00	\$ 2,500.00	\$ 268.00	\$ 2,680.00
P-152-3	Existing Pavement Removal - 2.5 to 3.5 in	SY	8300	\$ 2.00	\$ 16,600.00	\$ 2.10	\$ 17,430.00	\$ 2.08	\$ 17,264.00	\$ 2.70	\$ 22,410.00
P-152-6	Pavement Saw Cutting	LF	2900	\$ 0.50	\$ 1,450.00	\$ 0.50	\$ 1,450.00	\$ 0.75	\$ 2,175.00	\$ 2.90	\$ 8,410.00
P-152-7	Unsuitable Overdepth Excavation	CY	200	\$ 10.00	\$ 2,000.00	\$ 20.00	\$ 4,000.00	\$ 16.00	\$ 3,200.00	\$ 16.50	\$ 3,300.00
P-154-1	Subbase Course	CY	4040	\$ 25.00	\$ 101,000.00	\$ 28.00	\$ 113,120.00	\$ 40.51	\$ 163,660.40	\$ 42.00	\$ 169,680.00
P-208-1	Crushed Aggregate Base Course	CY	920	\$ 30.00	\$ 27,600.00	\$ 24.00	\$ 22,080.00	\$ 51.20	\$ 47,104.00	\$ 61.00	\$ 56,120.00
P-401-1	Bituminous Surface Course (50 Blow)	TON	1210	\$ 115.00	\$ 139,150.00	\$ 95.00	\$ 114,950.00	\$ 111.64	\$ 135,084.40	\$ 117.00	\$ 141,570.00
P-620-1	Temporary Pavement Markings	SF	2400	\$ 0.70	\$ 1,680.00	\$ 0.40	\$ 960.00	\$ 0.42	\$ 1,008.00	\$ 0.70	\$ 1,680.00
P-620-2	Permanent Pavement Markings	SF	2400	\$ 0.50	\$ 1,200.00	\$ 0.50	\$ 1,200.00	\$ 0.53	\$ 1,272.00	\$ 0.80	\$ 1,920.00
D-701-2	8-Inch CMP Pipe Culvert	LF	230	\$ 30.00	\$ 6,900.00	\$ 29.40	\$ 6,762.00	\$ 47.75	\$ 10,982.50	\$ 20.00	\$ 4,600.00
SP-100-1	Mobilization	LS	1	\$ 32,000.00	\$ 32,000.00	\$ 7,200.00	\$ 7,200.00	\$ 16,685.00	\$ 16,685.00	\$ 14,500.00	\$ 14,500.00
SP-101-1	Project Quality Control	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 5,500.00	\$ 5,500.00	\$ 8,900.00	\$ 8,900.00	\$ 10,000.00	\$ 10,000.00
SP-103-1	Construction Surveying	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 8,700.00	\$ 8,700.00	\$ 9,185.00	\$ 9,185.00	\$ 12,000.00	\$ 12,000.00
SP-107-1	Adjust Valve Box	EA	1	\$ 300.00	\$ 300.00	\$ 1,500.00	\$ 1,500.00	\$ 600.00	\$ 600.00	\$ 3,150.00	\$ 3,150.00
Schedule Total				\$	\$ 402,180.00	\$	\$ 329,302.00	\$	\$ 493,417.30	\$	\$ 528,520.00

SCHEDULE 'D'				Engineer's Estimate		Western Construction, Inc.		Kloepfer, Inc.		Idaho Sand & Gravel	
Item	Description of Item	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-152-1	Unclassified Excavation	CY	1670	\$ 12.00	\$ 20,040.00	\$ 5.00	\$ 8,350.00	\$ 14.47	\$ 24,164.90	\$ 27.50	\$ 45,925.00
P-152-2	Rock Excavation	CY	10	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 250.00	\$ 2,500.00	\$ 268.00	\$ 2,680.00
P-152-7	Unsuitable Overdepth Excavation	CY	100	\$ 10.00	\$ 1,000.00	\$ 20.00	\$ 2,000.00	\$ 16.00	\$ 1,600.00	\$ 35.50	\$ 3,550.00
P-154-1	Subbase Course	CY	800	\$ 25.00	\$ 20,000.00	\$ 28.00	\$ 22,400.00	\$ 40.51	\$ 32,408.00	\$ 42.50	\$ 34,000.00
P-208-1	Crushed Aggregate Base Course	CY	560	\$ 30.00	\$ 16,800.00	\$ 28.00	\$ 15,680.00	\$ 51.20	\$ 28,672.00	\$ 66.50	\$ 37,240.00
P-208-2	Shoulder Crushed Aggregate Base Course	CY	60	\$ 25.00	\$ 1,500.00	\$ 28.00	\$ 1,680.00	\$ 95.14	\$ 5,708.40	\$ 77.50	\$ 4,650.00
P-401-1	Bituminous Surface Course (50 Blow)	TON	700	\$ 120.00	\$ 84,000.00	\$ 95.00	\$ 66,500.00	\$ 111.64	\$ 78,148.00	\$ 128.00	\$ 88,200.00
P-501-1	Portland Cement Concrete Pavement	SY	100	\$ 350.00	\$ 35,000.00	\$ 120.00	\$ 12,000.00	\$ 77.00	\$ 7,700.00	\$ 132.00	\$ 13,200.00
P-620-1	Temporary Pavement Markings	SF	400	\$ 1.00	\$ 400.00	\$ 1.00	\$ 400.00	\$ 1.10	\$ 440.00	\$ 2.70	\$ 1,080.00
P-620-2	Permanent Pavement Markings	SF	400	\$ 1.00	\$ 400.00	\$ 1.00	\$ 400.00	\$ 1.20	\$ 480.00	\$ 2.70	\$ 1,080.00
SP-100-1	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 9,000.00	\$ 9,000.00	\$ 6,700.00	\$ 6,700.00	\$ 13,000.00	\$ 13,000.00
SP-101-1	Project Quality Control	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 4,800.00	\$ 4,800.00	\$ 4,530.00	\$ 4,530.00	\$ 15,500.00	\$ 15,500.00
SP-103-1	Construction Surveying	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,280.00	\$ 5,280.00	\$ 7,900.00	\$ 7,900.00
Schedule Total				\$	\$ 216,640.00	\$	\$ 149,710.00	\$	\$ 198,331.30	\$	\$ 268,005.00

SCHEDULE 'E'				Engineer's Estimate		Western Construction, Inc.		Kloepfer, Inc.		Idaho Sand & Gravel	
Item	Description of Item	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-152-6	Pavement Saw Cutting	LF	220	\$ 1.50	\$ 330.00	\$ 0.50	\$ 110.00	\$ 0.75	\$ 165.00	\$ 4.20	\$ 924.00
P-501-1	Portland Cement Concrete Pavement	SY	320	\$ 550.00	\$ 176,000.00	\$ 160.00	\$ 51,200.00	\$ 77.00	\$ 24,640.00	\$ 132.00	\$ 42,240.00
SP-100-1	Mobilization	LS	1	\$ 60,000.00	\$ 60,000.00	\$ 3,500.00	\$ 3,500.00	\$ 930.00	\$ 930.00	\$ 7,550.00	\$ 7,550.00
SP-101-1	Project Quality Control	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 1,400.00	\$ 1,400.00	\$ 605.00	\$ 605.00	\$ 637.00	\$ 637.00
SP-103-1	Construction Surveying	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 1,200.00	\$ 1,200.00	\$ 1,210.00	\$ 1,210.00	\$ 2,050.00	\$ 2,050.00
Schedule Total				\$	\$ 257,830.00	\$	\$ 57,410.00	\$	\$ 27,550.00	\$	\$ 53,401.00

Accuracy of Bid

Item	Engineer's Estimate	Western Construction, Inc.	Kloepfer, Inc.	Idaho Sand & Gravel
Acknowledged Addendums	n/a	Y	Y	Y
Bid Signed and Complete	n/a	Y	Y	Y
Non-collusion Affidavit	n/a	Y	Y	Y
Statement on Previsous EEO Clause	n/a	Y	Y	Y
Non-Segregated Facilities	n/a	Y	Y	Y
Buy American	n/a	Y	Y	Y
Restrictions on Public Works Contracts	n/a	Y	Y	Y
Bid Schedule Complete and Filled Out Properly	n/a	Y	Y	Y
Subcontractor List	n/a	Y	Y	Y
Certification Regarding Debarment, Suspension, and other Responsible Matters	n/a	Y	Y	Y
Bid Bond	n/a	Y	Y	Y



**Date:** June 17, 2013, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Ron Clark, Fire Chief/ Chief Ron Aguirre

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**Request:**

Discussion and possible action on the on the disposal of a 1994 E-1 Pumper.

Twin Falls Fire Department Chief Ron Clark and Battalion would like to discuss disposal of one of the department's reserve fire trucks.

**Time Estimate:**

Chief Clark and B.C. Aguirre will take approximately Five (5) minutes in addition to time needed for discussion and to answer any questions.

**Background:**

The city shop has assessed and recommends we dispose of the 1994 E-1 Pumper, due to extensive engine repair costs to keep apparatus in service. This engine is currently housed at Station #2 and is no longer in service.

**Approval Process:**

Informational Purposes

**Budget Impact:**

No Budget Impact

NONE

**Regulatory Impact:**

**Conclusion:**

NONE

**Attachments:**

NONE



MONDAY JUNE 17, 2013

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Director

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ITEM II

**REQUEST:**

Consideration of a request to approve Ordinance 3052 for the Vacation of 15' x 125' alley located west of 303 Shoshone Street North on behalf of First Federal Savings Bank.

**TIME ESTIMATE:**

Staff presentation will be approximately five (5) minutes.

**APPROVAL PROCESS:**

**Vacation:**

City Code: 10-16-1: PETITION PROCEDURE:

(F) Action by Council: The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the COUNCIL SHALL PROVIDE adjacent property owners with a QUIT CLAIM DEED for the vacated rights of way in such proportions as are prescribed by law.

Idaho Code: 50-1324(2)

**BUDGET IMPACT:**

Approval of this request will not impact the City budget.

**REGULATORY IMPACT:**

The Council's adoption of the ordinance will allow for the vacation of public right-of-way which will allow for the property owner to redevelop the site.

**HISTORY:**

On May 14, 2013 the Commission held a public hearing on the Request for the Vacation of a 15' x 125' alleyway (1875 sq. ft.), located west of 303 Shoshone Street North which was unanimously approved 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.
- 2) Subject to an easement being recorded for the relocated utilities.

On June 10, 2013 the Request for the Vacation of a 15' x 125' alleyway (1875 sq. ft.), located west of 303 Shoshone Street North was unanimously approved by the City Council as presented subject to the conditions as recommended by the Commission.

**CONCLUSION:**

Staff recommends that the Council adopt the attached ordinance as submitted which will allow the developer/engineer to redevelop the site.

**ATTACHMENTS:**

- |     |                                  |     |                  |
|-----|----------------------------------|-----|------------------|
| 1 . | Proposed Ordinance # <u>3052</u> | 3 . | <u>GIS Map</u>   |
| 2 . | <u>Vicinity Map</u>              | 4 . | <u>Site Plan</u> |

**ORDINANCE NO.**

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

WHEREAS, First Federal Savings Bank has made application for vacation of property located west of Shoshone Street North in the City of Twin Falls; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 13th day of May, 2013, to consider the vacation of the real property below described; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 10th day of June, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property be and the same is hereby VACATED:

**SEE ATTACHMENT "A"**

SECTION 2. That title to the real property by this Ordinance vacated be divided among the adjoining property owners in the portions here below described to the persons named below:

NAME: First Federal Savings Bank  
ADDRESS: 383 Shoshone Street North, Twin Falls, Idaho  
83301  
PROPERTY: See Attachment "A"

SECTION 3. That the City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's Office for indexing and recording, in the same manner as other instruments affecting the title to real property, as required by Idaho Code 50-1324(2).

PASSED BY THE CITY COUNCIL , 2013

SIGNED BY THE MAYOR , 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

PUBLISH:

## ATTACHMENT "A"

The alley adjacent to Lots 27 thru 32, Block 57, "Twin Falls Townsite," according to the official plat thereof recorded in the office of the Twin Falls County Recorder.

Said parcel of land being more particularly described as follows:

Commencing at the Westerly corner of Lot 32, Block 57 being the REAL POINT OF BEGINNING.

Thence, North 45°23'50" West, 15.00 feet along the Northerly right of way of Third Avenue North.

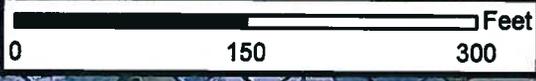
Thence, North 44°36'29" East, 125.06 feet, along the Easterly lot line of Lot 27, Block 57, to the Easterly corner thereof.

Thence, South 45°23'56" East, 15.00 feet, to the Northerly corner of Lot 28, Block 57.

Thence, South 44°36'29" West, 125.06 feet, to the REAL POINT OF BEGINNING.

Containing approximately 1,876 square feet.

# Zoning Vicinity Map



# Site Map



425 SHOSHONE

GOODING STN

163 4TH AV

156 3RD AV

142 3RD AV

323 SHOSHO

3RD AVENUE

172 3RD AV

SHOSHONE STN

3RD AVENUE

325 SHOSHO

303 SHOSHO

SHOSHONE STE

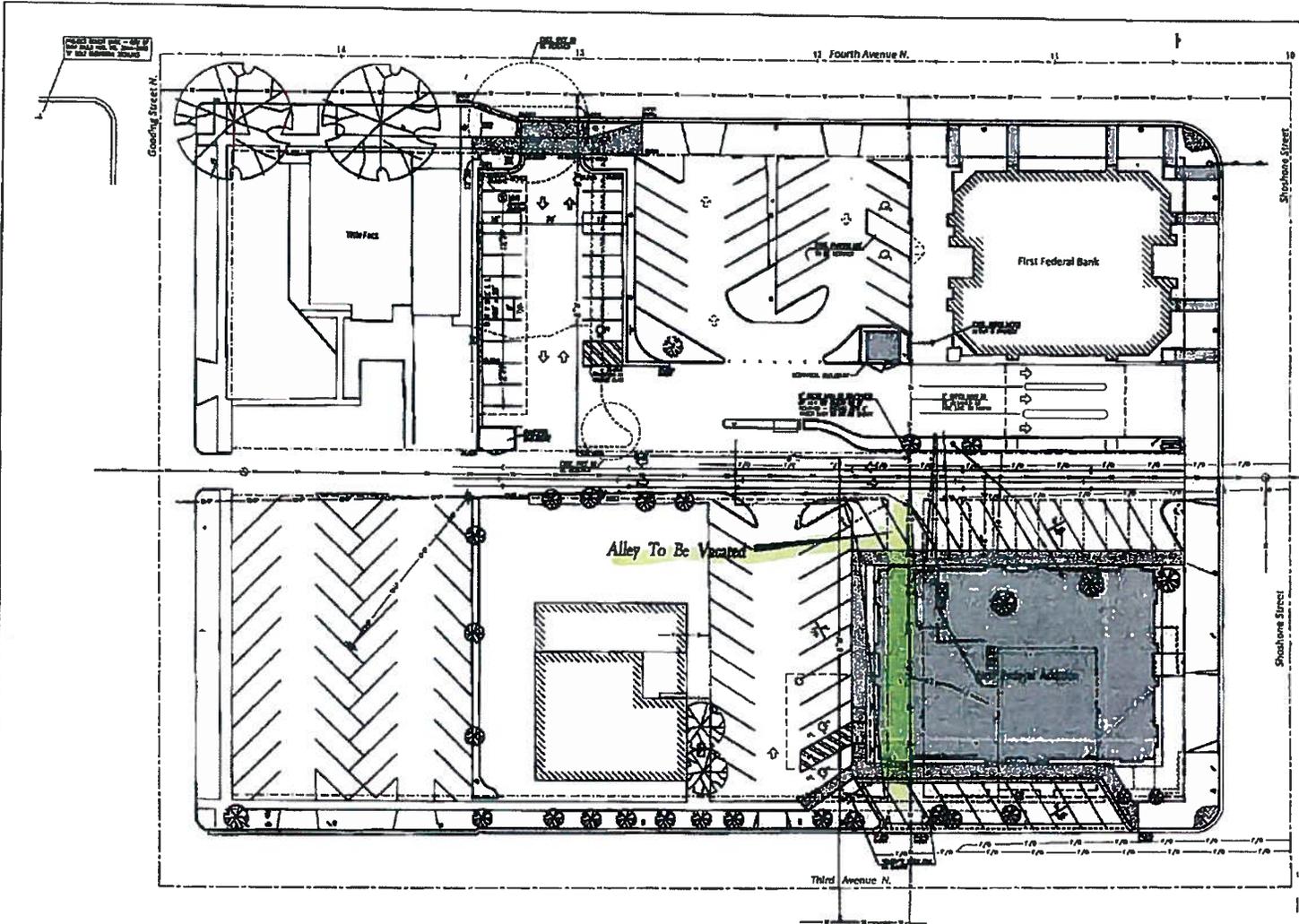
241 SHOSHO

360 SHOSHO

312 SHOSHO

308 SHOSHO





**Legend**

SYMBOL	DESCRIPTION
--- (dashed line)	PROPERTY LINE
--- (solid line)	STREET SIDEWALK
--- (dotted line)	SEWER MAIN AND BRANCH
--- (dashed line)	WATER MAIN
--- (dotted line)	PHONE MAIN (SEE PER NOTES)
--- (dotted line)	SEWER LINE
--- (dotted line)	SEWER SERVICE
--- (dotted line)	SEWER DROP
--- (dotted line)	POW. PIPE
--- (dotted line)	SEWER MAIN LINE
--- (dotted line)	SEWER SERVICE
--- (dotted line)	TELEPHONE
--- (dotted line)	ELECTRICAL SERVICE
--- (dotted line)	LANDSCAPE BRUSHES
--- (dotted line)	LANDSCAPE PLANT PLAN
--- (dotted line)	PAVEMENT
--- (dotted line)	PAVEMENT (CONCRETE)
--- (dotted line)	PAVEMENT (ASPHALT)
--- (dotted line)	PAVEMENT (GRAVEL)
--- (dotted line)	PAVEMENT (DIRT)
--- (dotted line)	PAVEMENT (GRAVEL)
--- (dotted line)	PAVEMENT (DIRT)
--- (dotted line)	PAVEMENT (GRAVEL)
--- (dotted line)	PAVEMENT (DIRT)

**Notes**

ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF CONCRETE, OR TOP OF CURB AS NOTED.

CONSTRUCTION AND FINISH OF ASPHALT DRIVEWAYS IN RELATION TO CURB GRADIENTS ARE AS FOLLOWS:

TOP OF ASPHALT TO TOP OF CURB IS GREEN - 0.5% UP OF CURB TO ASPHALT - 1.0% UP OF CURB TO ASPHALT - 1.0% UP OF CURB TO ASPHALT

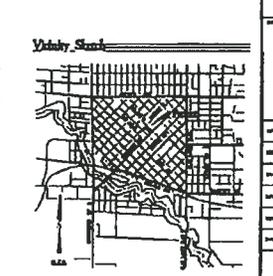
FINISHING OF CONCRETE DRIVE WAYS IN ALL DIRECTIONS SHALL BE NECESSARY AT CORNERING POINTS.

**Elevation Key**

--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF CURB	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00
--- (dotted line)	FINISH OF ASPHALT	0.00

**Sheet Index**

SITE PLAN	SHT. C-1
SITE DETAILS	SHT. C-2
CON. DETAILS	SHT. C-3
PAVEMENT PLAN	SHT. C-4



**EFIM Engineers Inc.**  
 ENGINEERS/SURVEYORS/PLANNERS  
 221 North College Road, Ste. 100  
 Twin Falls, Idaho 83401  
 (208) 734-4000

**SITE PLAN FOR  
 FIRST FEDERAL SAVINGS BANK - MAIN BRANCH  
 TWIN FALLS, IDAHO**

**NO NET SCALE DRAWINGS**  
 DIMENSIONS SHALL BE TAKEN FROM THE ORIGINAL DRAWING OR FROM THE ORIGINAL PHOTOGRAPHY OR SURVEY DATA. DIMENSIONS SHALL BE TAKEN FROM THE ORIGINAL DRAWING OR FROM THE ORIGINAL PHOTOGRAPHY OR SURVEY DATA.

DESIGNER	C. Markson
CHECKER	J. Vetter
DATE	December, 2012
NO.	348-11

# ALLEY VACATION SITE LAYOUT



DATE: MONDAY -- JUNE 17, 2013  
To: Honorable Mayor and City Council  
From: Mitch Humble, Community Development Director

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## ITEM II

### Request:

Consideration of a request to approve Ordinance 3053 for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 PUD (Westpark Commercial #7 PUD).

### Time Estimate:

Staff presentation may be approximately five (5) minutes.

### Approval Process:

#### Rezone:

State Code: Idaho Code 67-6509

City Code: Title 10; Chapter 14; Zoning Amendments

#### 10-14-7: ACTION BY COUNCIL:

The Council, prior to adopting, revising or rejecting the amendment to this Title as recommended by the Commission shall conduct at least one public hearing using the same notice and hearing procedures as the Commission. Following the Council hearing, if said Council makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Council adopts the amendment.

Upon granting or denying an application to amend this Title, the Council shall specify:

- (A) The regulations and standards used in evaluating the application.
- (B) The reasons for approval or denial.
- (C) The actions, if any, that the applicant could take to obtain a permit.

In the event the Council shall approve an amendment, such amendment shall thereafter be made a part of this Title upon the preparation and passage of an ordinance. (Ord. 2012, 7-6-1981)

### Budget Impact:

Approval of this request may impact the City budget as upon development could impact the tax base.

### Regulatory Impact:

The Council's adoption of the ordinance(s) will allow WESTPARK COMMERCIAL property to be rezoned and developed as approved.

### History:

On April 23, 2013 there was a Preliminary PUD Presentation on this request made to the Commission at a public meeting followed by a public hearing on May 14, 2013. The request was for a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)

On June 10, 2013 the City Council approved the rezone of this site, 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.**

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 Landscaping Being Consistent And Meeting Or Exceeding The Presented Master Development Plan, As Well As City Codes 10-4-8.3(F) And 10-7-12, Whichever Is Greater.**
4. **Should The Monument Sign Need To Be Placed In A Utility Easement, The Property Owner Shall Demonstrate That There Is No Other Viable Location For A Sign, Provide Written Approval From The Utility Company Or Companies And Provide A Recorded Document Releasing The City Of Any Liability For Repair Or Replacement Of A Sign Damaged By Work Occurring Within The Utility Easement, As Per 10-9-5(D)2.**

A request for consideration of approval of the PUD Agreement is on the City Council Agenda tonight as well.

**Analysis:**

The ordinance has been prepared as directed by the Council and is recommended for adoption as submitted.

**Conclusion:**

Staff recommends that the Council adopt the attached ordinance as submitted.

**Attachments:**

1. Ordinance 3053 & Attachment

**ORDINANCE NO.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENTS TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP.

WHEREAS, Westpark Partners, LLC, c/o Gerald Martens, made application for a Zoning District Change and Zoning Map Amendment for properties located at 1810 Washington Street North in the City of Twin Falls; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 14th day of May, 2013, to consider the Zoning Designation and necessary Zoning Map Amendment upon a REZONE of the real property below described; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 10th day of June, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property located at 1810 Washington Street North, Twin Falls, Idaho, is the subject of a Zoning District Change and Zoning Map amendment from C-1 R-4 to C-1 PUD:

**See Attachment "A"**

SECTION 2. That the Area of Impact and Zoning Districts

Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the rezoning of the real property above described.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

PASSED BY THE CITY COUNCIL , 2013

SIGNED BY THE MAYOR , 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

PUBLISH:

## ATTACHMENT "A"

The following described property located within Lot 4, Block 2, Westpark Commercial Subdivision No.3, Twin Falls County, Idaho.

Beginning at the Northwest corner of said Lot 4 being the Real Point of Beginning.

Thence North  $89^{\circ}34'43''$  East, 257.89 feet, along the North boundary of said Lot 4.

Thence South  $00^{\circ}00'00''$  East, 444.93 feet,

Thence South  $89^{\circ}34'43''$  West, 240.00 feet along the South boundary of said Lot 4.

Thence along a curve:

□ -  $02^{\circ}30'26''$

R – 8257.86 feet

A – 361.34 feet

C – 361.31 feet

T – 180.70 feet

LCB – North  $02^{\circ}07'20''$  West a distance of 361.34 feet

Thence along a curve:

□ -  $00^{\circ}35'23''$

R – 8146.31 feet

A – 83.85 feet

C – 83.85 feet

T – 41.93 feet

LCB – North  $03^{\circ}04'51''$  West. A distance of 83.85 feet to the Real Point of Beginning.