

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
					<i>Mayor</i>	



AGENDA

Meeting of the Twin Falls City Council
 Monday, March 30, 2015
 City Council Chambers - 305 3rd Avenue East - Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATIONS: Organ, Eye, and Tissue Donation Month – Stephanie Buckley, Public Educator
Fair Housing Month - Mandi Thompson, Grant Writer

GENERAL PUBLIC INPUT

AGENDA ITEMS

	<u>Purpose:</u>	<u>By:</u>
I. <u>CONSENT CALENDAR:</u>		
1. Request to approve the Accounts Payable for: March 17-30, 2015, \$2,952,095.36, March 19, 2015, Prepay: \$26,368.50, March 27, 2015, Payroll: \$131,928.35.	Action	Sharon Bryan
2. Request to approve the March 9th and 16th, 2015, City Council Minutes.	Action	Leila A. Sanchez
3. Request to approve a Curb, Gutter, and Approach Improvement Deferral Agreement for Justin and Bobbi Bohrn for property located at 347 Locust Street South.	Action	Troy Vitek
4. Request to approve a final plat for Sackett Farms Subdivision No. 2 on property located at the 600 block of Hankins Road North on behalf of Twin Falls School District #411.	Action	Renee Carraway-Johnson
5. Request to approve a final plat for Wild Rose Subdivision No. 4 on property located one-half mile north and east of the intersection of Falls Avenue East and 3300 East Road on behalf of Wild Rose Land Holdings, LLC/Jerry Moore.	Action	Renee Carraway-Johnson
6. Request to approve the following Findings of Fact, Conclusions of Law and Decision for:	Action	Renee Carraway-Johnson
a. Zoning District Change & Zoning Map Amendment for the Twin Falls School District #411		
b. Final Plat for Benno's Point Subdivision # 2		
c. Final Plat for Northern Passage Subdivision #5		
d. Conveyance Plat for Sunway Conveyance		
e. Vacation for Northern Passage #3 and #4		
f. Final Plat for Morning Sun Subdivision #8		

II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Request to reappoint Calvin Palmer as a continuing board member for the Twin Falls Housing Authority.	Action	Penny Earl
2. Request to confirm the appointments of Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committee.	Action	Mayor Don Hall
3. Request to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street.	Action	Jonathan Spendlove Chris Binford
4. Request to approve a resolution to destroy semipermanent and temporary records.	Action	Sharon Bryan
5. Request to approve the Twin Falls City Youth Council's "Take a Stand with Your Local Policeman" concept.	Action	Jonah Ruf TF Youth Council
6. Update on Main Avenue Redesign progress by Mandi Roberts, Otak.	Update	Mandi Roberts

7. Request to approve First Amendment to the Clif Bar Development Agreement.	Action	Melinda Anderson
8. Request to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar.	Action	Melinda Anderson Fritz Wonderlich
9. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.		
1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for 7.5 (+/-) acres of undeveloped land located on the north side of the 2400 block of Addison Avenue East c/o Dave Thibault on behalf of Joe Russell.	PH/Action	Joe Russell
2. Request to Vacate a 15' x 128' platted but undeveloped Drainage and Non-Vehicular (Ped Path) Access Easement located between Lots 41 & 42, Block 1 of Settler's Ridge Subdivision No. 3 c/o Lance Fish on behalf of Settler's Ridge, LLC.	PH/Action	Lance Fish
V. <u>ADJOURNMENT:</u>		

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

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.

*Office of the Mayor
City of Twin Falls, Idaho*

Proclamation



Organ, Eye, and Tissue Donation Month

WHEREAS, spring is a season of promise and renewal, and nothing could be more fitting during this time than to reflect on the abundant miracles of life and growth; organ and tissue donation presents an opportunity to share in these miracles. Medical technology has made it possible for thousands of Americans to benefit from organ and tissue transplantation. Sometimes this means restored vision or help for severe burns; sometimes a heart, liver or bone marrow transplant, and

WHEREAS, more and more Americans are aware of organ and tissue donation, thanks to widespread education about this worthy cause, and

WHEREAS, it is each American family and each citizen that makes organ and tissue donation work. The generosity of organ and tissue donation can save nine lives and improve over fifty lives, and

WHEREAS, there is still a critical need. Over 123,000 people are on the national waiting list; locally over 700 people wait; nationally, about 18 people die every day while waiting; another name is added to the national waiting list every 12 minutes; please mark yes on your driver license and tell your family, and

WHEREAS, April is National Donate Life Month, a month dedicated to educating people about the need for donation,

NOW, THEREFORE, I, Don Hall, Mayor of Twin Falls, Idaho, do hereby declare the Month of April as

Organ, Eye, and Tissue Donation Month

in Twin Falls, Idaho, and recognize the efforts and involvement of the Yes Idaho Coalition and our many donor families, and encourage all the citizens of Twin Falls to participate in this program by registering on the Idaho Donor Registry.

*In witness whereof I have hereunto set my
hand and caused this seal to be affixed.*

Mayor Don Hall

Deputy City Clerk Leila A. Sanchez

Date: March 30, 2015



P.O. Box 1907

321 Second Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

FAIR HOUSING MONTH PROCLAMATION

WHEREAS, April 2015 marks the 47th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

WHEREAS, equal opportunity for all-regardless of race, color, religion, sex, disability, familial status or national origin-is a fundamental goal of our nation, state and city; and

WHEREAS, equal access to housing is an important component of this goal-as fundamental as the right to equal education and employment; and

WHEREAS, housing is a critical component of family and community health and stability and

WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;

*NOW, THEREFORE, I, Don Hall, Mayor of the City of Twin Falls, do hereby proclaim April 2015 to be **FAIR HOUSING MONTH** in the City of Twin Falls, State of Idaho.*

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Mayor Don Hall

Deputy City Clerk Leila A. Sanchez

Date: March 30, 2015

COUNCIL MEMBERS:

Suzanne Hawkins <i>Vice Mayor</i>	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall <i>Mayor</i>	Rebecca Mills Sojka
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MINUTES

Meeting of the Twin Falls City Council
Monday, March 9, 2015

City Council Chambers - 305 3rd Avenue East - Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
 PROCLAMATION: **Girl Scout Week 2015 – Request made by Nancy Staffen, Girl Scouts Silver Sage Council**

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Accounts Payable for March 3 – 9, 2015, total: \$2,087,479.56.	Action	Sharon Bryan
2. Consideration of a request to approve a Beer and Wine License for Leslie Coopersmith dba Coop's at 1703 Addison Avenue East.	Action	Sharon Bryan
3. Consideration of a request to approve the February 17 and 23, 2015, City Council Minutes.	Action	Leila A. Sanchez
4. Consideration of a request to grant additional time for the use of amplified noise for the Lighthouse Church Service to be held outdoors on Easter Sunday, April 5, 2015.	Action	Dennis Pullin
5. Consideration of a request for The Church to hold an Easter church service in the Twin Falls City Park on Sunday, April 5, 2015, from 10:00 a.m. to 1:30 p.m.	Action	Dennis Pullin
6. Consideration of a request to approve the Final Plat for the Benno's Point Subdivision No. 2 consisting of 16.8 (+/-) acres with eighty-four (84) residential lots on property located at the northeast corner of Park Avenue and Harrison Street South for Gary Storrer.	Action	Rene'e V. Carraway-Johnson
7. Consideration of a request to approve the Final Plat for the Morning Sun Subdivision No. 8, consisting of 30.47 (+/-) acres to develop 91 single family residential lots and 1 Tract on property located at the northeast corner of Meadowview Lane and Stadium Blvd., excluding the Boy Scout Property in care of EHM Engineers, Inc.	Action	Rene'e V. Carraway-Johnson

II. ITEMS FOR CONSIDERATION:

	<u>Purpose:</u>	<u>By:</u>
1. A presentation of the City of Twin Falls' 2014 audited financial statements by Mahlke Hunsaker & Company, PLLC.	Presentation	Lorie Race Scott Hunsaker
2. Consideration of a request to approve revisions to the Licensed Backflow Assemblies Testers list.	Action	Robert Bohling
3. Consideration of a request to approve the Sunway Conveyance Plat consisting of 2 lots on 93 (+/-) acres located at 2705 East 4025 North within the Area of Impact for the Twin Falls School District.	Action	Rene'e V. Carraway-Johnson
4. Consideration of a request to negotiate with Hummel Architects a scope of work to include remodeling and renovating the Banner Furniture Building, the current City Hall, Police Station and possibly Fire Station #1.	Action	Brian Pike
5. Appointment of Suzanne Hawkins as City Council Liaison to the Twin Falls Library Board.	Action	Don Hall
6. Update on pending Legislative Issues.	Update	

7. Public input and/or items from the City Manager and City Council.		Travis Rothweiler <i>(continued on next page)</i>
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None		
V. <u>ADJOURNMENT:</u>		

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MINUTES

Monday, March 9, 2015

Page 3 of 8

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Chris Talkington, Rebecca Mills Sojka

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Chief Finance Officer Lorie Race, Water Superintendent Robert Bohling, Zoning & Development Manager Rene'e V. Carraway-Johnson, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested to move Item 1.2. to the Items for Consideration. *Consideration of a request to approve a Beer and Wine License for Leslie Coopersmith dba Coop's at 1703 Addison Avenue East.*

City Manager Rothweiler stated the February 23, 2015, City Council Minutes have been corrected and are ready for Council approval

MOTION:

Councilmember Lanting moved to approve the amendments to the agenda as presented. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion.

PROCLAMATION: Girl Scout Week 2015 – Request made by Nancy Staffen, Girl Scouts Silver Sage Council

Mayor Hall read the proclamation and presented it to Nancy Staffen, Girl Scouts Silver Sage Council.

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for March 3 – 9, 2015, total: \$2,087,479.56.
2. Consideration of a request to approve a Beer and Wine License for Leslie Coopersmith dba Coop's at 1703 Addison Avenue East. *(Placed on the Items for Consideration.)*
3. Consideration of a request to approve the February 17, 2015 City Council Minutes and the February 23, 2015, Amended City Council Minutes.
4. Consideration of a request to grant additional time for the use of amplified noise for the Lighthouse Church Service to be held outdoors on Easter Sunday, April 5, 2015.
5. Consideration of a request for The Church to hold an Easter church service in the Twin Falls City Park on Sunday, April 5, 2015, from 10:00 a.m. to 1:30 p.m.
6. Consideration of a request to approve the Final Plat for the Benno's Point Subdivision No. 2 consisting of 16.8 (+/-) acres with eighty-four (84) residential lots on property located at the northeast corner of Park Avenue and Harrison Street South for Gary Storrer. *(Removed from the Consent Calendar and to be heard separately.)*
7. Consideration of a request to approve the Final Plat for the Morning Sun Subdivision No. 8, consisting of 30.47 (+/-) acres to develop 91 single family residential lots and 1 Tract on property located at the northeast corner of Meadowview Lane and Stadium Blvd., excluding the Boy Scout Property in care of EHM Engineers, Inc. *(Removed from the Consent Calendar and to be heard separately.)*

MOTION:

Councilmember Mills Sojka moved to hear Items I.6 and I.7. separately. The motion was seconded by Councilmember Munn. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

MINUTES

Monday, March 9, 2015

Page 4 of 8

MOTION:

Councilmember Barigar moved to approve the balance of the Consent Calendar. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Item I.6.

Consideration of a request to approve the Final Plat for the Benno's Point Subdivision No. 2 consisting of 16.8 (+/-) acres with eighty-four (84) residential lots on property located at the northeast corner of Park Avenue and Harrison Street South for Gary Storrer.

Councilmember Lanting asked how CC&R's are enforced and if the architecture committee is still active.

Gerald Martens, EHM Engineers, explained that Mr. Storrer, the developer, is to assure the recorded CC&R's are implemented. There is a concern that landscaping was not installed on two lots. Mr. Storrer contacted the builder and the builder stated he would follow up with the homeowner. In addition, a homeowners association has been created but he is not sure if they are active. He explained the formation of a board of directors.

Councilmember Mills Sojka stated the subdivision is in the Canyon Rim Overlay and asked if a trail will be required along the Rock Creek Canyon Rim. Deputy City Manager Humble explained that the City will require a trail if shown on the Trail Master Plan.

Councilmember Barigar stated the next Parks & Recreation Master Plan Steering Committee will meet on Thursday, March 19, 2015, at 6:00 p.m. in the Council Chambers.

Gerald Martens clarified that the developer is responsible for the enforcement of the CC&R's. The homeowners association is structured to deal with issues through peer pressure, assessments, or the court system.

MOTION:

Councilmember Lanting moved to approve the Final Plat for the Benno's Point Subdivision No. 2 as presented. The motion was seconded by Councilmember Talkington.

Deputy City Manager Humble explained that the trail in the Trail Master Plan is in the canyon and not on the rim. Deputy City Manager Humble showed on overhead projection the existing Rock Creek Canyon trail. A trail was not required.

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

Item I.7.

Consideration of a request to approve the Final Plat for the Morning Sun Subdivision No. 8, consisting of 30.47 (+/-) acres to develop 91 single family residential lots and 1 Tract on property located at the northeast corner of Meadowview Lane and Stadium Blvd., excluding the Boy Scout Property in care of EHM Engineers, Inc.

Councilmember Barigar recused himself from discussion and voting on this item due to a possible conflict of interest.

MOTION:

Councilmember Lanting moved to approve the Final Plat for the Morning Sun Subdivision No. 8, consisting of 30.47 (+/-) acres to develop 91 single family residential lots and 1 Tract on property located at the northeast corner of Meadowview Lane and Stadium Blvd., excluding the Boy Scout Property in care of EHM Engineers, Inc. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0. 1 abstained.

II. ITEMS FOR CONSIDERATION:

Consideration of a request to approve a Beer and Wine License for Leslie Coopersmith dba Coop's at 1703 Addison Avenue East. (Placed on the Items for Consideration.)

Deputy City Manager Humble explained the alcohol permit process. In the zoning ordinance a restaurant that will be selling alcohol for onsite consumption and within 300' of residences requires a Special Use Permit. There is not a SUP that is in force and active on the property for that use. In 2011 the Planning & Zoning Commission approved a SUP for a different restaurant located at 1703 Addison Avenue East, which the applicant did not use because the applicant did not receive an alcohol license. The Planning & Zoning Commission will discuss this request on Tuesday, March 10, 2015 and can decide to reinstate the 2011 SUP or require the applicant go through the public hearing process. Tonight, the City Council may approve the request subject to the decision made by the Planning & Zoning Commission tomorrow evening.

MOTION:

Councilmember Barigar moved to approve the Beer and Wine License for Leslie Coopersmith dba Coop's at 1703 Addison Avenue East contingent upon a Special Use Permit by the Planning & Zoning Commission's decision on March 10, 2015. The motion was seconded by Councilmember Talkington.

Discussion followed.

-Applicant has been notified.

Councilmember Munn stated that the Special Use Permit was issued four years ago, which required the notification of surrounding property owners. New residents in the area have not been contacted, which is his concern.

MOTION:

Councilmembers Barigar, Talkington, Lanting, Hall and Mills Sojka voted in favor of the motion. Councilmembers Hawkins and Munn voted against the motion. Approved 5 to 2.

1. A presentation of the City of Twin Falls' 2014 audited financial statements by Mahlke Hunsaker & Company, PLLC. Chief Finance Officer Race explained that the finance team, led by Brent Hyatt, prepared an audit plan for 2014. Susan Klein began field work in late December 2014. Their work was completed by mid-February 2015, and statements were issued February 19, 2015.

Idaho Code 67-450B states "The governing body of a local governmental entity whose annual expenditures (from all sources) exceed two hundred fifty thousand dollars (\$250,000) shall cause a full and complete audit of its financial statements to be made each fiscal year."

Scott Hunsaker gave a summarization of the Independent Auditor's Report and Management's Discussion and Analysis.

Council discussion followed.

-Process of receipting of cash

-Additional risk controls

Scott Hunsaker explained the control structure, receipting process, financial position of the City, and additional internal controls their firm provides.

2. Consideration of a request to approve revisions to the Licensed Backflow Assemblies Testers list.

Water Superintendent Bohling explained the request. Last year the Council approved a list of testers residing in Twin Falls County. Staff is requesting to expand the list and include all those interested. This will allow testing to be done in a timely manner and will give a better response time to our citizens trying to comply with the testing of lawn sprinkler systems.

Council discussion followed.

MOTION:

MINUTES

Monday, March 9, 2015

Page 6 of 8

Councilmember Barigar moved to authorize the Water Department to expand the list back to the way it used to be to provide more opportunity for citizens to comply with the testing of lawn sprinkler systems. The motion was seconded by Vice Mayor Hawkins.

Water Superintendent Bohling stated that those on the list are required to be licensed and their backflow device tested.

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

3. Consideration of a request to approve the Sunway Conveyance Plat consisting of 2 lots on 93 (+/-) acres located at 2705 East 4025 North within the Area of Impact for the Twin Falls School District.

Zoning & Development Manager Carraway-Johnson explained the request. In 2007 the platting option of a conveyance plat was adopted by the City Council. A conveyance plat allows for the subdivision of land into two parcels for the purpose of selling one or the other lot and dedication of all rights of way and easements. A conveyance plat does not allow for development of either lot. May 2001 a Special Use Permit was granted to allow the development of the Soccer Complex. No further known zoning action has been approved at this site. The area is located in the City's area of impact.

Approval of this request will allow the applicant to proceed with the recordation of the conveyance plat and the selling/deeding of the property as 2 lots. A conveyance plat does not constitute approval for development of the property and is not intended for immediate development. A conveyance plat is an interim step in the subdivision and development of land.

As this property is located within the City's Area of Impact final approval shall require a recommendation by the City Council followed by a decision by the Board of County Commissioners. The Board of County Commissioners may approve the application as recommended by the city council, deny the application or remand the application back to the city for further proceedings. " Approval of the conveyance plat will allow the plat to be recorded and only then may the sale or deeding of property occur.

Because the dedication that will be on the conveyance plat, at the corner of Sunway and Falls, may need to have some additional right of way and/or easements at the time of platting and development of the property, City Engineer Jaqueline Fields requested an additional recommendation.

Staff recommends the City Council recommend approval of the Sunway Conveyance Plat, as presented, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way, as shown on the plat, being dedicated prior to recordation.
3. Subject to reevaluation of the right of way dedication located at the Sunway and Falls intersection at the time of platting for development.

MOTION:

Councilmember Barigar so moved to approve the Sunway Conveyance Plat as presented and subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way, as shown on the plat, being dedicated prior to recordation.
3. Subject to reevaluation of the right of way dedication located at the Sunway and Falls intersection at the time of platting for development.

The motion was seconded by Councilmember Lanting.

Discussion followed on the development of the road.

Deputy City Manager Humble explained that Sunterra #4 will be responsible for a portion of the construction of the road. The right of way of the School District's half is being dedicated and at some point development will trigger the construction of the road by the School District and/or the City of Twin Falls.

MINUTES

Monday, March 9, 2015

Page 7 of 8

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

4. Consideration of a request to negotiate with Hummel Architects a scope of work to include remodeling and renovating the Banner Furniture Building, the current City Hall, Police Station and possibly Fire Station #1.

City Manager Rothweiler explained that he formed a selection committee to review the responses and determine which firm would represent the professional skill set necessary to construct and remodel city facilities we could all be proud of. The selection committee included the City Manager, Mayor Don Hall, Vice Mayor Suzanne Hawkins, Deputy City Manager Mitch Humble, Deputy City Manager Brian Pike, and CFO Lorie Race. The committee confirmed their selection and scoring and Hummel Architects was selected as the finalist.

The request is to allow City Staff to negotiate with Hummel Architects a scope of work to include the remodeling and renovating of the Banner Furniture Building, the current City Hall, Police Station and possibly Fire Station #1.

Discussion followed on Hummel's:

- Experience with LEED certified buildings
- Ability to handle the workload of various projects.
- Calendar of the Scope of Work.
- Coordination with the URA's downtown projects.
- Coordinate with other community events.

City Manager Rothweiler stated that all of the firms interviewed believed that LEED certification would be an achievable standard. Clint Sievers, the Project Lead, indicated in the interview process that the project would work nicely into their schedule and in addition they have 30 design professionals in their firm.

The next phase is to define the scope, timeline and the contract and fees for service. This will be brought back to the Council.

Vice Mayor Hawkins stated that Clint Sievers has stated that his current project was finishing up and he looked forward to another job and has full time commitments to this project.

MOTION:

Vice Mayor Hawkins moved to proceed to enter into negotiations with Hummel Architects for a scope of work to include remodeling and renovating the Banner Furniture Building, the current City Hall, Police Station and possibly Fire Station #1. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion.

1. Appointment of Suzanne Hawkins as City Council Liaison to the Twin Falls Library Board.

Mayor Hall explained the appointment and read a portion of Idaho Statute Title 33-2604. BOARD OF DIRECTORS – APPOINTMENT --- TERM OF OFFICE – COMPENSATION. "A member of the city council shall not be one (1) of the five (5) appointed trustees of the library board, but each year the council shall appoint one (1) of its members to be a liaison to the board, without voting rights."

The request is to appoint Suzanne Hawkins as City Council Liaison to the Library Board.

MOTION:

Councilmember Barigar moved to approve the appointment of Suzanne Hawkins as City Council Liaison to the Twin Falls Library Board. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Update on pending Legislative Issues.

City Manager Rothweiler gave an update on the following:

- Annexation Bill

➤ Miscellaneous URA Bills

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

Penny Alpose, 236 Taylor, recommended her choice of Matt Hicks as Police Chief. .

City Manager Rothweiler stated that the March 23, 2015, City Council meeting has been cancelled.

Vice Mayor Hawkins explained that she was approached by Paint Magic requesting the City of Twin Falls form a paint team of 15. The City Council is in agreement for her to move forward.

Councilmember Talkington requested staff review the solid waste fees on how they apply to elderly seniors and single family homes. The City Council agreed.

Councilmember Lanting gave an update on the Urban Renewal Agency meeting held on March 9, 2015. Discussion was made on the OTAK Downtown Project. In addition, individual members of the URA Board asked if the City would like to share in the cost of repaving Main Street. City Manager Rothweiler stated that the URA and the City have been partners on several projects but explained that the City with its resources needs to prioritize projects it needs to advance and move forward with. He explained the importance of refraining from making firm commitments until a conversation can be made on all City projects and the Council has the opportunity to fully vet and prioritize city projects.

Councilmember Mills Sojka encouraged the URA to keep their eye on the budget. She was part of the committee that reviewed all the infrastructure projects. URA has a limited amount of funds of approximately \$16,800,000 to \$16,900,000. \$500,000 was spent on the Rogerson building and it was discovered there is more work to be done with moving a water line, reinforcing a wall, etc. The URA went into Executive Session today on acquiring property and she wasn't sure if it had to do with the downtown project, but URA needs to keep their eye on those underground infrastructure projects because those are the projects that will help relocate businesses downtown.

Councilmember Lanting stated that infrastructure is the URA's priority. For clarification he stated that the plaza will also be paid by a community component.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT: 6:32 p.m.

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	



MINUTES

Meeting of the Twin Falls City Council
Monday, March 16, 2015
City Council Chambers - 305 3rd Avenue East
Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION:

Welcome Home Vietnam Veterans Day - Proclamation to be presented to Vietnam Veteran Pat Branch, a helicopter door gunner in the battle of Khe Sanh, a veteran's advocate, and a College of Southern Idaho Veteran's Services Committee member.

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for March 10-16, 2015, totals: \$283,547.68 and March 13, 2015, Payroll total: \$134,348.03.
2. Consideration of a request to approve the March 2, 2015, City Council Minutes.
3. Consideration of a request to approve the Youth/Young Adults Ministry Event sponsored by Amazing Grace Fellowship to be held outdoors at the Amazing Grace Fellowship located at 1061 Eastland Drive North on June 7, 2015.
4. Consideration of a request to approve the annual Battle of the Bands event sponsored by the Amazing Grace Fellowship to be held at the Twin Falls City Park on Friday, June 5, 2015.

Purpose

Action
Action
Action
Action

By:

Sharon Bryan
Leila A. Sanchez
Dennis Pullin
Dennis Pullin

II. ITEMS FOR CONSIDERATION:

1. Presentation of Twin Falls Fire Department Level III Firefighter Certifications to Andy Stephenson and Fred McDonald.
2. Presentation of a service plaque to Brett Semple in recognition of his service on the Golf Advisory Commission.
3. Consideration of a request to approve a contract amendment with CSHQA architects for additional design services related to the airport terminal modification project.
4. Update on the Police Department's implementation of Ford Utility Interceptor Patrol vehicles.
5. Update on pending Legislative Issues.
6. Public input and/or items from the City Manager and City Council.

Purpose:

Presentation
Presentation
Action
Update
Update

By:

Ron Clark
Dennis Bowyer
Bill Carberry
Anthony Barnhart
Travis Rothweiler

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Consideration of a request for the establishment of a \$25.00 Special Event Application fee and to adopt the Special Events and Parades Ordinance Amendments.

PH/Action

Dennis Pullin

V. ADJOURNMENT:

1. Executive Session 67-2345(1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Chris Talkington, Rebecca Mills Sojka

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Brian Pike, Fire Chief Ron Clark, Zoning & Development Manager Rene'e V. Carraway-Johnson, Staff Sergeant Dennis Pullin, Captain Anthony Barnhart, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATION: **Welcome Home Vietnam Veterans Day** - Proclamation to be presented to Vietnam Veteran Pat Branch, a helicopter door gunner in the battle of Khe Sanh, a veteran's advocate, and a College of Southern Idaho Veteran's Services Committee member.

Pat Branch accepted the proclamation.

Richard Neu stated that a documentary on the Battle of Khe Sanh will be showing shown at 6 p.m. Tuesday, March 31 in CSI's Fine Arts Recital Hall.

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for March 10-16, 2015, totals: \$283,547.68 and March 13, 2015, March 13, 2015, Payroll total: \$134,348.03, March 16, 2015, Prepay total: \$187,442.01.
2. Consideration of a request to approve the March 2, 2015, City Council Minutes.
3. Consideration of a request to approve the Youth/Young Adults Ministry Event sponsored by Amazing Grace Fellowship to be held outdoors at the Amazing Grace Fellowship located at 1061 Eastland Drive North on June 7, 2015.
4. Consideration of a request to approve the annual Battle of the Bands event sponsored by the Amazing Grace Fellowship to be held at the Twin Falls City Park on Friday, June 5, 2015.

MOTION:

Councilmember Talkington moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of Twin Falls Fire Department Level III Firefighter Certifications to Andy Stephenson and Fred McDonald.

Fire Chief Clark gave the presentation. This advanced fire service training includes classes and coursework on various subjects including a three-part series in Managing Company Tactical Operations, Incident Command System, Fire Cause Determination, and obtaining their State Fire Inspector Certification.

The certificates were presented by Mayor Hall to Andy Stephenson and Fred McDonald.

2. Presentation of a service plaque to Brett Semple in recognition of his service on the Golf Advisory Commission.

Councilmember Lanting gave the presentation.

Brett Semple served two terms on the Commission and served as Chairperson of the Commission for the past year. Brett and all his hard work will be missed by the Commission, the golf course, and City staff.

The plaque was presented by Mayor Hall and Councilmember Lanting to Brett Semple.

3. Consideration of a request to approve a contract amendment with CSHQA architects for additional design services related to the airport terminal modification project.

Airport Manager Carberry explained the request.

In July the City Council reviewed the results of the Terminal Phase I Feasibility Study and gave staff direction to move forward with developing a contract with the Architect, Martin Hahle of CSHQA, for the remaining phases of the project to include the design, bidding, and construction services. On September 2nd the City Council, in conjunction with accepting an FAA Grant offer, approved a contract with CSHQA for design, bidding, and construction management services.

During the design development the last six months, additional requirements were identified requiring additional service by the architect team. Some of the additional considerations included: security access control modifications and surveillance; improvements to meet fire code provisions; expanded design elements requested by the airline for office and ramp area operations; improvements to accommodate upgrades to the City IT department's infrastructure.

The contract amendment has been reviewed with our FAA project manager and he finds it reasonable and has no objections with including it in the project costs. With the \$28,500 cost of the amendment, CSHQA contract's total cost will increase from \$386,886 to \$415,386 (7%).

Staff recommends that the Council approve the contract amendment with CSHQA for \$28,500 and authorize the Mayor to sign the agreement.

Discussion followed.

Airport Manager Carberry reported that SkyWest Airlines added an additional flight between Twin Falls and Salt Lake City beginning in May through August.

MOTION:

Councilmember Barigar moved to approve the contract amendment with CSHQA for \$28,500 as presented and authorize the Mayor to sign the agreement. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Update on the Police Department's implementation of Ford Utility Interceptor Patrol vehicles.

Captain Barnhart explained the benefits in making the transition from the Dodge Charger to the Ford Utility Interceptor in Fiscal Year 2012. Benefits include an overall improved working environment, more interior room, improved winter driving with all-wheel drive, better field of view from the windows, backup camera, safer to transport people to jail, purpose-built vehicle with room for equipment, hands stay on the steering wheel while driving with lights and siren on, officers are able to manipulate both from the steering wheel, field training officers are better able to fit in the passenger seat, and officers satisfaction is high.

Discussion followed:

Norm Hatke, City Shop, explained the cost savings of servicing and maintaining the Ford Utility Interceptor.

Captain Barnhart explained that Ford produces two police vehicles, a utility and sedan.

Police Officer Josh Hayes explained the benefits of the Ford Utility Interceptor.

5. Update on pending Legislative Issues.

City Manager Rothweiler reported on Senate Bill 1044 – Power and Use of Eminent Domain and House Bill 216 – Relating to Elections – Repeals, amends and adds to existing law to provide initiative and referendum procedures for cities.

Councilmember Lanting gave an update on House Bill 111 – Relating to increase of registration fees for specific projects for highway districts.

City Manager Rothweiler gave an update on the three transportation bills relating to transportation funding and education funding.

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

Derrick Wadsworth and Anthony Vega, students from Kimberly High School, were in attendance.

City Manager Rothweiler stated the March 23, 2015, City Council Meeting is cancelled.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Vice Mayor Hawkins participated in Meals on Wheels with the Twin Falls Senior Citizen Center and gave an update.

Councilmember Barigar stated that the Youth Council received 3rd Place in the St. Patrick's Day parade.

Councilmember Lanting reported on the Clif Bar Groundbreaking held on March 12, 2015.

Mayor Hall requested the following item be heard at this time:

1. Executive Session 67-2345(1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

MOTION:

Councilmember Lanting moved to adjourn to Executive Session 67-2345(1) (a) as presented. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Adjourned at 5:57 p.m.

Reconvened at 6:07 p.m.

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

1. Consideration of a request for the establishment of a \$25.00 Special Event Application fee and to adopt the Special Events and Parades Ordinance Amendments.

Deputy City Manager Pike explained the request.

On February 17, the Twin Falls City Council approved the new Special Event Application packet and process. During the meeting the City Council approved the recommendation for a \$25 fee to be attached to all Special Event Applications after public notifications is made. The \$25 is currently in place for parade applications, but not for special events applications. Notice of a Public Hearing was provided by the City of Twin Falls for publication.

Mayor Hall opened the public testimony portion of the hearing with no input.

MOTION:

Councilmember Talkington moved to suspend the rules and place Ordinance 3092 on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the Ordinance by title only: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING DEFINITIONS, ESTABLISHING APPLICATION FEE, AND ESTABLISHING CONDITIONS FOR ACCEPTANCE OR DENIAL OF APPLICATION, CHAPTER 6 OF TITLE 3 OF THE TWIN FALLS CITY CODE.

MOTION:

Vice Mayor Hawkins moved to adopt Ordinance 3092 as presented. The motion was seconded by Councilmember Munn.

Council discussion followed:

Councilmember Mills Sojka stated she is hesitant on creating a new fee for these events because a majority of the events are for the benefit of the community. They are family events, fundraisers or some sort of quality of life event. Historically the City has provided this public safety service that is paid for through tax dollars. If costs need to be recovered other areas should be looked at in the public safety budget. She does not support a \$25 fee on all applicants. She understands it for a for profit commercial event. She does not want to burden nonprofits and fundraisers with an additional fee from government.

Vice Mayor Hawkins explained that a fair amount of staff time is spent organizing events and occasionally the applicant does not follow through the process. The \$25 fee paid by the applicant shows he or she is taking the request seriously.

Mayor Hall clarified that the Council may waive the \$25 application fee for special circumstances.

Roll call vote showed Councilmembers Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the motion. Councilmember Mills Sojka voted against the motion. Approved 6 to 1.

MOTION:

Councilmember Barigar moved to suspend the rules and place Ordinance 3093 on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the Ordinance by title only:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING REQUIREMENTS FOR FILING A PARADE PERMIT APPLICATION; ESTABLISHING APPLICATION FEE; REPEAL OF DENIAL AND/OR REVOCATION OF PERMIT, APPEAL PROCEDURE, AND ALTERNATIVE PERMIT PROCEDURES; AND PROVIDING PENALTY FOR FAILURE TO COMPLY WITH REGULATIONS, CHAPTER 13 OF TITLE 9 OF THE TWIN FALLS CITY CODE.

MOTION:

Councilmember Barigar moved to adopt Ordinance 3093 as presented. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed Councilmembers Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the motion. Councilmember Mills Sojka voted against the motion. Approved 6 to 1.

V. **ADJOURNMENT:** The meeting adjourned at 6:17 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



Date: Monday, March 16, 2015
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to approve a Curb, Gutter, and Approach Improvement Deferral Agreement for property located at 347 Locust Street South on behalf of Justin and Bobbi Bohrn.

Time Estimate:

The presentation will take approximately 5 minutes.

Background:

Justin and Bobbi Bohrn recently improved the existing business located at 347 Locust Street South. As part of the improvement code requires installation of curb and gutter and development of an approach across their frontage.

Approval Process:

City Code 10-11-5 (B) states the City Engineer may defer construction if the improvement would create a traffic hazard or unusual drainage problem. Staff believes construction of this portion will create a drainage problem due to no other development of curb and gutter in the vicinity.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the owner to defer construction until the City Engineer requires construction.

Conclusion:

Staff recommends that the Council approve the request as presented.

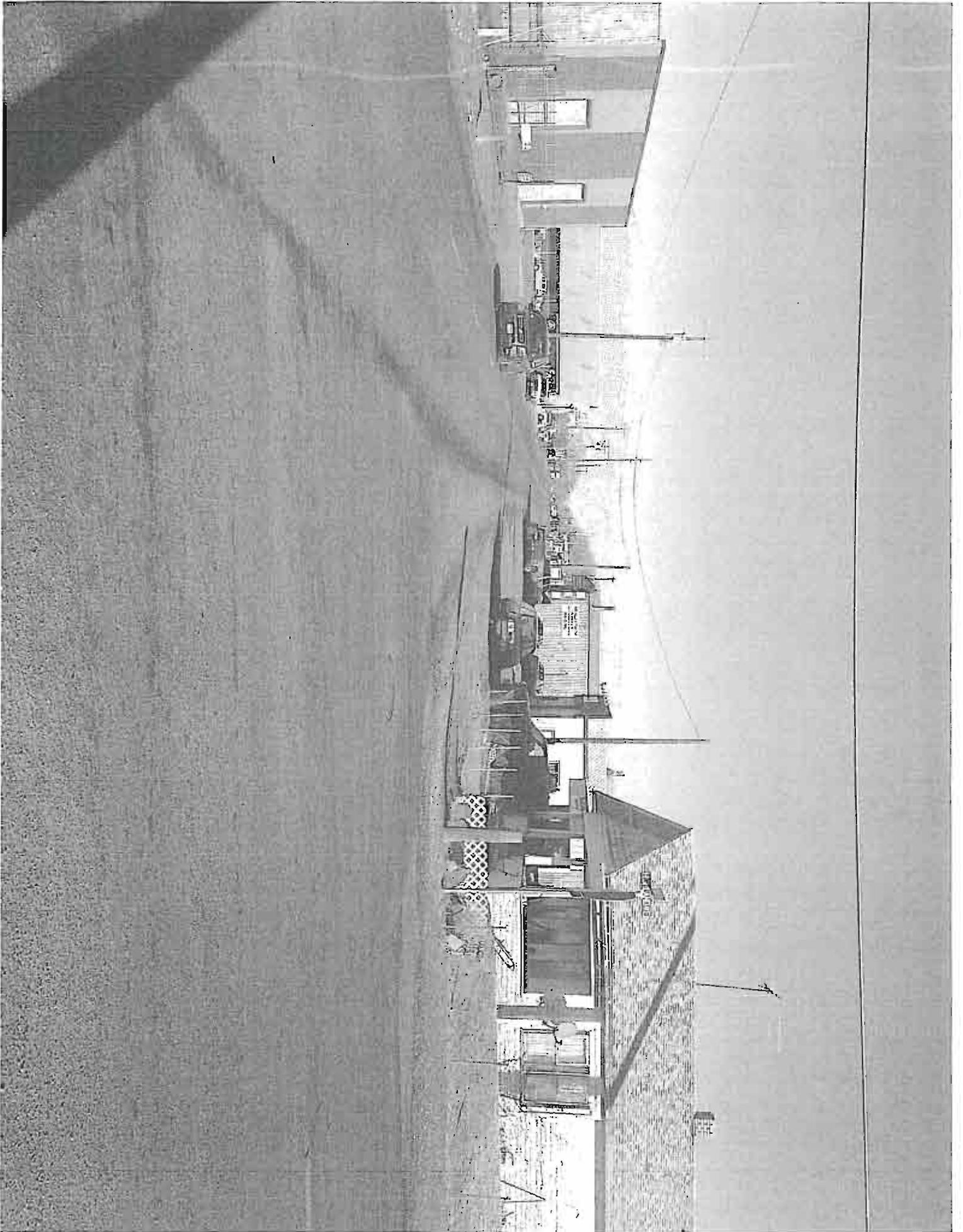
Attachments:

1. Location maps
2. Site Photos
3. Curb-Gutter and Approach Deferral Agreement
4. Warrantee Deed









CURB-GUTTER AND APPROACH IMPROVEMENT DEFERRAL AGREEMENT

This Agreement made and entered into this _____ day of _____, 20____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City", and Justin L. Bohrn and Bobbi J. Bohrn, hereinafter called "Developer", for the purpose of constructing certain improvements on property sought to be developed at 347 Locust Street South.

WHEREAS, Developer certifies that he is the owner in fee simple or the authorized agent of the owner in fee simple of the real property described on the attached Exhibit "A"; and,

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the above described real property, marked Exhibit "A", showing ownership of said real property to be in Developer, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner; and,

WHEREAS, Developer desires to develop said real property in the following manner: New Building; and,

WHEREAS, the Developer is obligated to construct certain improvements, namely curb-gutter, pursuant to Title 10, Chapter 11 of the Twin Falls City Code; and,

WHEREAS, the City is authorized, pursuant to Twin Falls City Code Section 10-11-5(B)(2) to defer said improvements; and,

WHEREAS, the City Council on _____ agreed to defer construction of the aforementioned improvements,

WITNESSETH, that for and in consideration of the mutual promises, conditions and covenants contained herein, the parties agree as follows:

I.

City agrees: 1) to defer construction of the required curb, gutter and approach until _____, or until such time as the obligation of curb-gutter construction on adjacent property or properties allows the City Engineer to require construction under the conditions specified in City Code Section 10-11-5(B)(2).

II.

Developer agrees to: 1) complete construction of curb-gutter and approach on the real property described above when required by the City Council.

III.

Developer further agrees that in the event the Developer fails to complete the aforementioned construction, the City may complete the construction at the City's expense and may file a lien against the aforementioned property for expenses incurred by the City in said construction.

IV.

Developer agrees to pay the total actual cost of all materials, labor and equipment necessary to completely construct all of the improvements required herein and to construct or contract for the construction of all such improvements.

RECEIVED

DEC 17 2014

CITY OF TWIN FALLS
BUILDING DEPT.

V.

Developer agrees to request in writing that the City Engineer and any other required department of the City make the following inspections and to not proceed with construction until the required inspection is complete and the work has been approved in writing by the City Engineer or his authorized inspector. All such inspections shall be scheduled fifteen (15) days prior to beginning work and the request for an inspection shall be made one working day before the required inspection. Developer agrees to apply all costs resulting from his failure to properly schedule and request a required inspection or from proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials all as required by the City Engineer.

Required inspections shall include: 1) approval of all materials before inspection; 2) approval of forms and gravel base before pouring any concrete curb-gutter; and 3) approval of finished curb-gutter.

VI.

The Developer agrees to: 1) allow the City full and complete access to the construction; 2) provide all materials necessary to conduct all tests; and 3) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

VII.

Developer agrees to obtain any necessary permits from the Twin Falls Highway District or the State of Idaho Department of Highways prior to construction improvements on their respective rights-of-way if said permits are required by the aforementioned agencies. A certified copy of said permit or the original of said permit shall be submitted to the City prior to beginning construction thereon.

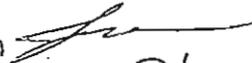
This Agreement shall be recorded and shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.

In the event of a breach of this Agreement, or should legal action of any kind be taken to enforce the provisions hereof, the prevailing party shall be entitled to reasonable attorney fees and cost awarded by the Court.

CITY OF TWIN FALLS, IDAHO

BY _____
Mayor

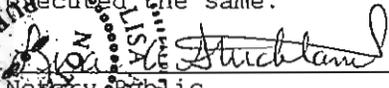
DEVELOPER

Justin L Bohrn 
Bobbi J Bohrn 

STATE OF IDAHO

On this 11 day of December, 2014, before me a notary public in and for said State, personally appeared Justin L Bohrn and Bobbi J. Bohrn known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing in


Idaho County
8/23/18

STATE OF IDAHO

On this ___ day of _____, 20___, before me a notary public in and for said State, personally appeared _____ known to me to be the person who name subscribed to the within instrument, and acknowledged to me that _____ executed the same.

Notary Public

Residing in _____

Expires _____



Public Meeting: MONDAY MARCH 30, 2015

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager

ITEM I-

Request: Request for approval of a Final Plat for Sackett Farms Subdivision No. 2 approximately 53.61 (+/-) acres consisting of 4 lots on property located at the 600 Block of Hankins Road North (aka 3200 East Road) c/o Tim Vawser on behalf of the Twin Falls School District #411

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 53.61 (+/-) acres
Pillar Falls Elementary Twin Falls School District #411 201 Main Ave W Twin Falls, ID 83301 208-733-6900	Current Zoning: R-2	Requested Zoning: Approval of the Sacket Farm Subdivision No. 2 Final Plat
	Comprehensive Plan: Medium Density	Lot Count: 4 Lots
	Existing Land Use: Agricultural Farm	Proposed Land Use: Public Elementary School and Residential Development
Representative:	Zoning Designations & Surrounding Land Use(s)	
Tim Vawser EHM Engineers 621 N College Rd #100 Twin Falls ID 83301 tvawser@ehminc.com 208-734-4888	North: R-1 VAR in Aol; Residential	East: R-1 VAR in Aol; Agricultural
	South: R-1 VAR in Aol; Residential	West: Hankins Road North, R-1 VAR Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

As per Twin Falls City Code 10-12-2.4 Action on Final Plat:

- (A) **Application:** After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof, to be surveyed, and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the administrator three (3) copies of the final plat. (Ord. 2012, 7-6-1981)
- (F) **Council Action:** The council, at its next meeting following receipt of the administrator's report, shall consider the commission's findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify what if any conditions shall apply prior to recordation or development of the site.

Budget Impact:

Approval and recordation of a final plat will allow the site to be developed as approved. Development of the site will have a positive impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

The Twin Falls School District purchased the property in 1990 from Melvin Sackett. The land has since been leased for agricultural purposes. In June 2008 the Sacket Farm Conveyance Plat went through the public hearing process and was recorded. This conveyance plat was for the purpose of selling a 2 acre lot to the City for development of a regional pressurized irrigation pump station. In August 2014, this entire site (53.61 +/- acres) was accepted for annexation. In November 2014, a Comprehensive Plan Amendment was approved amending the Future Land Use Map for this area from Agricultural to Medium Density, and a Water Service Boundary change to include this area. On February 9, 2015, the City Council approved a Zoning District and Zoning Map Amendment that changed this property from an R-1 VAR Zoning District to an R-2 Zoning District.

Analysis:

This is a request for a final plat of the Sackett Farm Subdivision No. 2, consisting of 53.61 +/- acres divided into 4 lots. The site is undeveloped and is located on Stadium Blvd East Extended. The purpose of the plat is to facilitate the development of the new Pillar Falls Elementary School which shall include the construction of Stadium Blvd and a signalized intersection at Stadium Blvd and Hankins Road North. A subsequent re-plat of the remaining lots will be required prior to residential development occurring. Such re-platting will be required to conform to the standards and requirements in City Code at that time.

The process for approval of a subdivision is: A preliminary plat is presented to the Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. Upon approval of a preliminary plat a final plat that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

The Sackett Farm Subdivision No. 2 plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for medium density use.

On February 24, 2015 the Commission held a public meeting regarding the preliminary plat of the Sackett Farms No. 2 Subdivision. There was one person who asked for clarification on three issues; sidewalk along Hankins Rd, whether the lateral will be piped and if there will be dust control during development. Mr. Vawser/EHM Engineer representative addressed all three comments. He said there will be sidewalk along the north side of Hankins Rd, dust abatement is required, and there will not be anything done at this time as for piping of the major lateral.

Upon closing the public portion the Commission deliberated without any concerns. Commissioner Grey made a motion to approve the preliminary plat of Sackett Farms No 2 preliminary plat, as presented and subject to the following condition:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.

Commissioner Higley seconded the motion and upon roll call vote all members voted in favor of the motion.

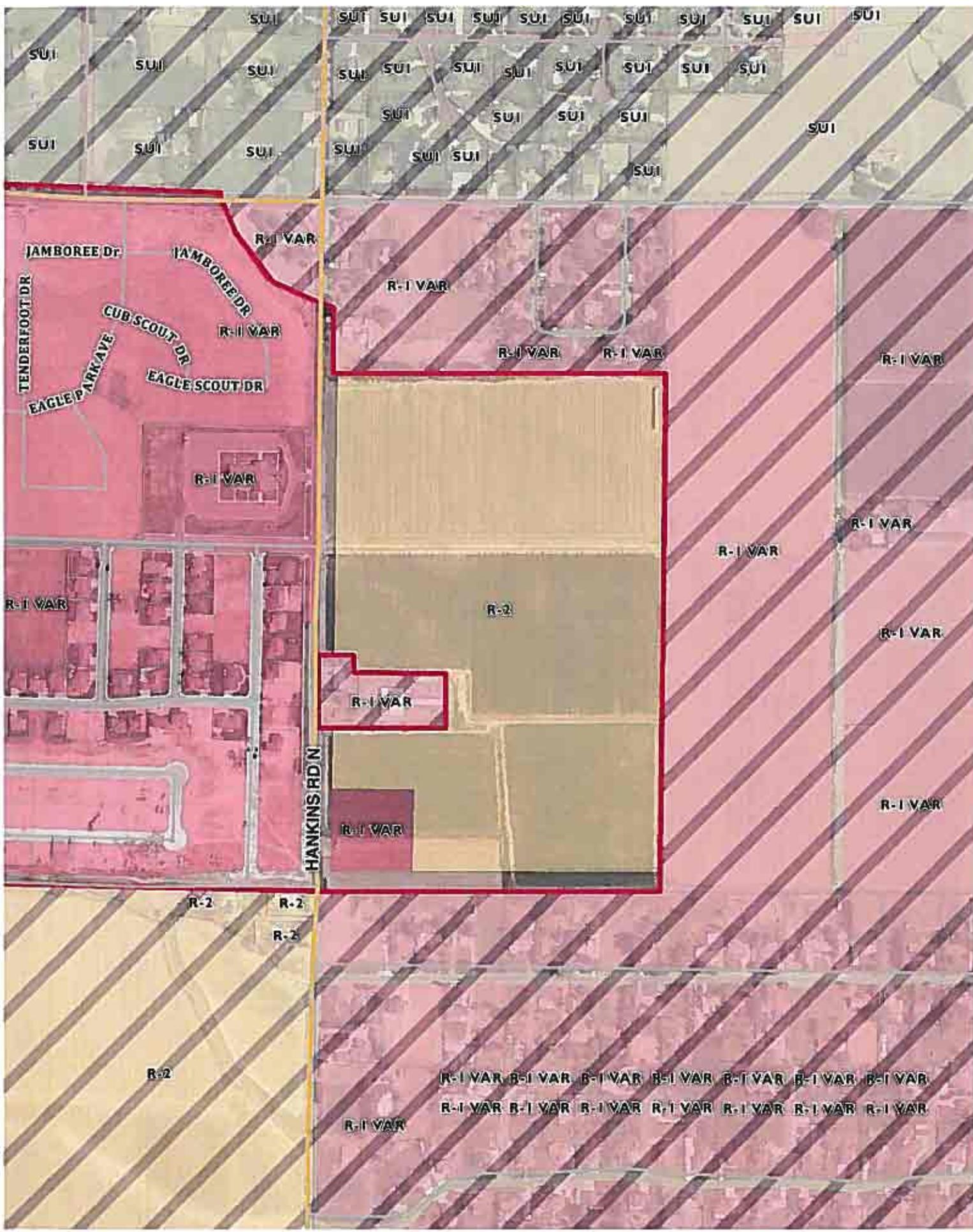
Conclusion:

Staff recommends the Council approve the final plat of the Sackett Farm Subdivision No. 2, 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.

Attachments:

1. Area Map
2. Approved Preliminary Plat
3. Final Plat
4. Portion of the Feb 24, 2015 P&Z minutes



Preliminary Plat
 No. **2**
Sechoct Farm Subd. No. 2

Located in
 Lot 1, Sechoct Farm Subdivision
 in
 A Portion of
 NW 1/4, Section 13
 Township 10 South, Range 11 East
 Boone Meridian
 Twin Falls County, Idaho
 2015

- Legend**
- 1. 1/2" = 1' Scale
 - 2. 1/4" = 1' Scale
 - 3. 1/8" = 1' Scale
 - 4. 1/16" = 1' Scale
 - 5. 1/32" = 1' Scale
 - 6. 1/64" = 1' Scale
 - 7. 1/128" = 1' Scale
 - 8. 1/256" = 1' Scale
 - 9. 1/512" = 1' Scale
 - 10. 1/1024" = 1' Scale
 - 11. 1/2048" = 1' Scale
 - 12. 1/4096" = 1' Scale
 - 13. 1/8192" = 1' Scale
 - 14. 1/16384" = 1' Scale
 - 15. 1/32768" = 1' Scale
 - 16. 1/65536" = 1' Scale
 - 17. 1/131072" = 1' Scale
 - 18. 1/262144" = 1' Scale
 - 19. 1/524288" = 1' Scale
 - 20. 1/1048576" = 1' Scale
 - 21. 1/2097152" = 1' Scale
 - 22. 1/4194304" = 1' Scale
 - 23. 1/8388608" = 1' Scale
 - 24. 1/16777216" = 1' Scale
 - 25. 1/33554432" = 1' Scale
 - 26. 1/67108864" = 1' Scale
 - 27. 1/134217728" = 1' Scale
 - 28. 1/268435456" = 1' Scale
 - 29. 1/536870912" = 1' Scale
 - 30. 1/1073741824" = 1' Scale
 - 31. 1/2147483648" = 1' Scale
 - 32. 1/4294967296" = 1' Scale
 - 33. 1/8589934592" = 1' Scale
 - 34. 1/17179869184" = 1' Scale
 - 35. 1/34359738368" = 1' Scale
 - 36. 1/68719476736" = 1' Scale
 - 37. 1/137438953472" = 1' Scale
 - 38. 1/274877906944" = 1' Scale
 - 39. 1/549755813888" = 1' Scale
 - 40. 1/1099511627776" = 1' Scale
 - 41. 1/2199023255552" = 1' Scale
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 - 43. 1/8796093022208" = 1' Scale
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SACKETT FARM SUBDIVISION NO. 2

A Re-Subdivision and Re-Numbering of Lot 1 and Lot 2
 Conveyance Plat Sackett Farms Subdivision

Located In a Portion of
 S² NW⁴ NW⁴ and a Portion of SW⁴ NW⁴ of
 Section 12

Township 10 South, Range 17 East Boise Meridian
 Twin Falls County, Idaho
 2015

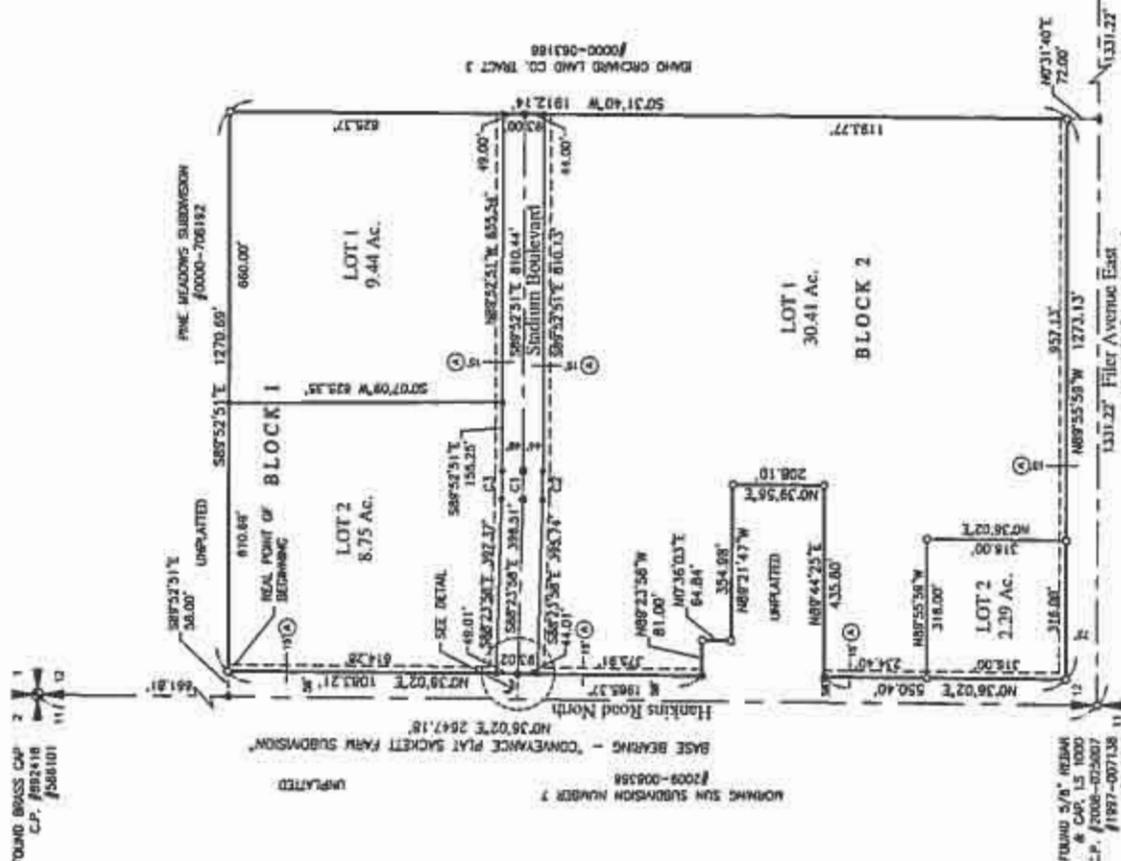
Legend

- SURROUNDING BOUNDARY LINE
- SECTION LINE
- QUARTER SECTION LINE
- EASEMENT LINE (SEE EASEMENT TABLE)
- ADJACENT PROPERTY LINE
- CENTERLINE OF STREET
- LOT LINE
- △ CALCULATED POINT (NOT SET)
- ⊙ FOUND BRASS CAP
- FOUND 5/8" REBAR & CAP, LS 8077 OR AS NOTED
- SET 5/8" x 24" REBAR & CAP - LS 10110
- SET 1/2" x 24" REBAR & CAP - LS 10110

Easement

⊙ 15' WIDE LANDSCAPE, UTILITY, ACCESS, SIDEWALK AND DRAINAGE

Table



Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BIC
C1	178°53'	2500.00'	64.64'	84.84'	32.37'	58708'25"E
C2	178°53'	2544.00'	85.76'	85.77'	33.85'	58708'25"E
C3	178°53'	2451.00'	83.37'	83.37'	31.69'	58708'25"E

Survey References

#1008-014153
 #1000-876425

EHM Engineers, Inc.



CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNERS, OR REPRESENTATIVES OF THE OWNERS, IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY LOCATED IN A PORTION OF SW 1/2 NW 1/4 NW 1/4 AND A PORTION OF THE SW 1/4 NW 1/4 OF SECTION 12, TOWNSHIP 12, RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO. SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, SAID POINT BEES 800°36'02"E 2647.18 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 12;

THENCE SOUTH 00°36'02" WEST 841.81 FEET ALONG THE WEST BOUNDARY OF SAID SECTION 12 TO THE NORTHWEST CORNER OF THE "CONVEYANCE PLAT, SACKETT FARM SUBDIVISION", RECORDED JUNE 20, 2006, AS INSTRUMENT NO. 2006-011153, IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY;

THENCE SOUTH 89°52'51" EAST 54.00 FEET ALONG THE NORTH BOUNDARY OF SAID "CONVEYANCE PLAT, SACKETT FARM SUBDIVISION" TO THE NORTHWEST CORNER OF LOT 1 AS SHOWN ON SAID "CONVEYANCE PLAT, SACKETT FARM SUBDIVISION", AND BEING THE REAL POINT OF BEGINNING;

THENCE SOUTH 89°52'51" EAST 1270.89 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00°31'40" WEST 1812.14 FEET ALONG THE EAST BOUNDARY OF SAID LOT 1 TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 89°56'59" WEST 1273.13 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 1;

THENCE NORTH 00°36'02" EAST 550.40 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 89°44'25" EAST 435.80 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 00°39'56" EAST 208.10 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 89°21'41" WEST 354.98 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 00°36'02" EAST 64.84 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 87°23'56" WEST 81.00 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1;

THENCE NORTH 00°36'02" EAST 1082.21 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1 AND TO THE REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 53.81 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT, THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT, AND STRUCTURE EASEMENTS OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE EXERCISED WITHIN THE LINES OF SAID EASEMENTS.

PURSUANT TO IDAHO CODE 30-1334, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE LOTS ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF TWIN FALLS MUNICIPAL WATER SYSTEM.

PURSUANT TO IDAHO CODE 31-3805, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT AND THE ASSESSMENT OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS AND THAT A SATISFACTORY IRRIGATION WATER DELIVERY SYSTEM IS PROVIDED FOR AND HAS BEEN APPROVED BY THE TWIN FALLS CITY COUNCIL. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE TWIN FALLS IRRIGATION DISTRICT AND/OR CANAL COMPANY.

TWIN FALL SCHOOL DISTRICT #411
A GOVERNMENTAL SUBDIVISION OF THE STATE OF IDAHO, A BODY POLITIC CORPORATE

BY: WILLY DOBBS, PH. D. - SUPERINTENDENT

CITY OF TWIN FALLS
A GOVERNMENTAL SUBDIVISION OF THE STATE OF IDAHO, A BODY POLITIC CORPORATE

BY: DON HALL - MAYOR

ACKNOWLEDGMENT

STATE OF }
COUNTY OF }

ON THIS DAY OF 2015, AT M. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED WILLY DOBBS, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE ONE OF THE SUPERINTENDENT OF TWIN FALL SCHOOL DISTRICT #411, AND THE MEMBER WHO SUBSCRIBED SAID COMPANY NAME TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID COMPANY NAME. IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC
RESIDING AT
COMMISSION EXPIRES

ACKNOWLEDGMENT

STATE OF }
COUNTY OF }

ON THIS DAY OF 2015, AT M. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DON HALL, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE MAYOR OF THE CITY OF TWIN FALLS, AND THE PERSON WHO SUBSCRIBED SAID CITY NAME TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID COMPANY NAME IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC
RESIDING AT
COMMISSION EXPIRES



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HARMON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND DIRECTION.



APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS _____ DAY OF _____, 2015.

MAYOR _____ CITY CLERK _____

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

JACQUELINE FIELDS, CITY ENGINEER _____ ATTEST _____

COUNTY SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RICHARD H. CARLSON, HAS CHECKED THE FOREGOING PLAT AND COMPUTATIONS FOR MAKING THE SAME AND HAS DETERMINED THAT THEY COMPLY WITH THE LAWS OF THE STATE OF IDAHO AND THE COUNTY OF TWIN FALLS RELATED THEREIN. DATED THIS _____ DAY OF _____, 2015.

ACTING COUNTY SURVEYOR _____

ACKNOWLEDGMENT

STATE OF _____ } COUNTY OF _____ }

ON THIS _____ DAY OF _____, 2015, AT _____, I, _____, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC _____ RESIDING AT _____ COMMISSION EXPIRES _____

COUNTY TREASURER'S CERTIFICATE

I, _____, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO PER THE REQUIREMENTS OF IDAHO CODE 50-1303, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER _____ DATE _____

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. _____ STATE OF IDAHO } COUNTY OF TWIN FALLS } IN _____ DAY OF _____, 2015, AT _____, I, _____, THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DAILY RECORDED IN PLAT BOOK _____ ON PAGE _____.

DEPUTY _____ EX-OFFICIO RECORDER _____





MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
FEBRUARY 24, 2015 6:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Muñoz Christopher Reid Jolinda Tatum
Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

<u>Present</u>	<u>Absent</u>
Boyd	Derricott
Frank	Tatum
Grey	
Muñoz	
Reid	

AREA OF IMPACT MEMBERS

<u>Present</u>	<u>Absent</u>
Higley	
Woods	

CITY COUNCIL LIAISON(S): Mills Sojka

CITY STAFF: Carraway-Johnson, Nope, Spendlove, Strickland, Vitek, Wonderlich

I. CALL MEETING TO ORDER:

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

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): ~~January 27, 2015PH~~ & ~~February 10, 2015PH~~
2. Approval of Findings of Fact and Conclusions of Law:
 - Morning Sun Subd. #8 (Pre-plat 02-10-15) • Canyon Village Subd, A PUD (Pre-plat 02-10-15)
 - Auto Oil (SUP 02-10-15) • Wal-mart Stores (SUP 02-10-15) • Mardi Catz Fun (SUP 02-10-15)
 - Twin Falls BLM (SUP 02-10-15) • Mountain America CU (SUP 02-10-15)

Motion:

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

Unanimously Approved

III. ITEMS OF CONSIDERATION:

1. Request for approval of a Preliminary Plat for Sackett Farms Subdivision No. 2, 51.32 (+/-) acres consisting of 3 lots on property located east of the 500, 600, & 700 Blocks of Hankins Road North (aka 3200 East Road) c/o Tim Vawser on behalf of the Twin Falls School District #411

**Planning & Zoning Commission Minutes
February 24, 2015**

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing the applicant stated for clarification there is a City lot that should be included in this plat. The property is located east of the 500, 600, & 700 Hankins Road North. This will allow for the construction of a new elementary school.

Staff Analysis:

Planner I Spendlove reviewed the request and stated the Twin Falls School District purchased the property in 1990 from Melvin Sackett. The land has since been leased for agricultural purposes. The Sacket Farm Conveyance Plat went through the public hearing process and was recorded in June 2008. This conveyance plat was for the purposes of selling a 2 acre lot to the City for a regional pressurized irrigation pump station. In August 2014, this area was accepted for annexation. In November 2014, this area was approved for a Comprehensive Plan Amendment from Agricultural to Medium Density, and a Water Service Boundary change to include this area. On February 9, 2015, the City Council approved a Zoning District and Zoning Map Amendment that changed this property from the R-1 VAR to R-2 Zoning District.

This is a request for a preliminary plat of the school district owned Sackett Farm Subdivision No. 2, consisting of 51 acres divided into 4 lots. The site is undeveloped and is located on Stadium Blvd East Extended. The purpose of the plat only containing three (4) lots is to facilitate the development of the Elementary School, and the building of Stadium Blvd East. A subsequent re-plat of the remaining lots will be required prior to residential development occurring. Such re-platting will be required to conform to the standards and requirements in City Code at that time.

This is the first step of the plat approval process. A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for medium density residential use.

Planner I Spendlove stated upon conclusion should the Commission approve the preliminary plat of the Sackett Farm Subdivision No. 2, as presented, and staff recommends 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.

Public Comment: Opened

- Ray Boling, Highlawn Drive, stated he has three concerns, one is no sidewalks along Hankins Road, will the lateral be piped, and dust control while this construction takes place.

Public Comment: [Closed](#)

Closing Statements:

Mr. Vawser said there will be sidewalk along the north side and there will be a control light, dust abatement is required, and there will not be anything done as for piping of the major lateral.

Deliberations Followed: [Without Concerns](#)

Motion:

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

[Approved, As Presented, With The Following Conditions](#)

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.



Public Meeting: **MONDAY, MONDAY 30, 2015**

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager.

ITEM I

Request: Request for approval of a Final Plat for the Wild Rose Subdivision No. 4 consisting of 45.98 (+/-) acres with thirty-eight (38) single family residential lots on property located ½ mile north and east of the intersection of Falls Avenue East and 3300 East Road c/o Gerald Martens/EHM Engineers on behalf of Wild Rose Land Holdings, LLC/Jerry Moore.

Time Estimate:

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

Background:

Applicant: Wild Rose Land Holdings, LLC Jerry Moore c/o Gerald Martens EHM Engineers, Inc. 621 North College Road, Suite 100 Twin Falls, Idaho 83301 734-4888 gmartens@ehminc.com	Status: Owner/Developer	Size: 45.98 (+/-) acres
	Zoning: SUI within the Area of Impact	Requested Zoning: Approval of the final plat of Wild Rose Estates, Phase III
	Comprehensive Plan: Rural Residential	Lot Count: 38 s/f residential lots
	Existing Land Use: vacant land	Proposed Land Use: residential subdivision
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 10-8-4(D), 10-12-2.4	
Zoning Designation & Surrounding Land Use(s)	North: SUI AoI; agricultural	East: SUI AoI; agricultural/residential
	South: SUI AoI; agricultural/residential	West: SUI AoI; 3300 East Road agricultural/residential

Approval Process:

As per: 1- Twin Falls City Code 10-12-2.4 Action on Final Plat:

(A) Application: After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof, to be surveyed, and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the administrator three (3) copies of the final plat. (Ord. 2012, 7-6-1981)

2-TF City Code Title 10; Chapter 8-AREA OF IMPACT; Section 4 (D):

(D) All applications for preliminary plats of subdivisions, vacations, rezones, special use permits and variances shall be submitted to the city planning and zoning commission. All applications for final and conveyance plats of subdivisions, for vacations and for the rezoning of property within the area of city impact shall be submitted to the city council for their recommendation, prior to submission to the board of county commissioners. The board of county commissioners may approve the application as recommended by the city council, deny the application or remand the application to the city for further proceedings. (Ord. 2922, 10-22-2007)

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop a Final Plat that shall be in conformance with the approved Preliminary Plat and any conditions placed on that approval.

History:

Prior to 2004 this property was located within the Twin Falls County's jurisdiction. In 2004 Twin Falls City Council and the Twin Falls County Commissioners approved an amended Area of Impact Agreement and Area of Impact Map. As a result this area was incorporated into the City's Area of Impact.

In December 2002 the Twin Falls County Planning & Zoning Commission approved a request for a Conditional Use and the Preliminary Plat of Wild Rose Estates Subdivision. The preliminary plat consisted of 116 acres (+/-) and 85 residential lots. In May 2003 Twin Falls County approved the final plat of Wild Rose Estates, Phase I, which consisted of 35 acres (+/-) and 17 residential lots. On January 17, 2006 the City Council approved a request by the developer of Wild Rose Estates, Phase II for one private driveway within the project that exceeds 300 feet in length and on April 10, 2006 the Twin Falls County Board of Commissioners approved the final plat of Wild Rose Estates, Phase II, consisting of 28 acres (+/-) and 13 residential lots. Wild Rose Estates, Phase III was approved by the TF County on August 1, 2007, consisting of 13 acres (+/-) and 9 single family residential lots. The approved preliminary plat indicates the developer plans to complete this subdivision in 4 phases.

This is a request for approval of the final plat for the final phase of the Wild Rose Estates Subdivision. The site is located north and east of Falls Ave East and 3300 East Road and is zoned SUI within the City's Area of Impact. The SUI Zone allows a minimum 1 acre lot or as determined by the South Central District Health Department, whichever is greater. The SUI zone may allow wells & septic systems with approval from the South Central District Health Department and Department of Water Resources. A building permit will not be issued without those approvals. The lot sizes as shown on the plat meet or exceed the requirements of the SUI Zone.

The process for approval of a subdivision within the City's Area of Impact is as follows:

A preliminary plat is presented to the City's Planning & Zoning Commission. The Commission may approve the preliminary plat, deny it or approve it with conditions. The preliminary plat only goes to the City Council upon appeal. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. The City Council makes a recommendation and it automatically goes to the Board of County Commissioners for approval. Only then may the plat be recorded and lots be sold for development.

This plat is consistent with the other three phases of Wild Rose Estates development and is in conformance with the Comprehensive Plan which designates this area as appropriate for Rural Residential development.

Conclusion:

In December 2002, April 2006 AND August 2007 the Twin Falls County Board of County Commissioners approved the final plats of Wild Rose Estates, Phase I, Phase II and Phase III subject to the following condition:

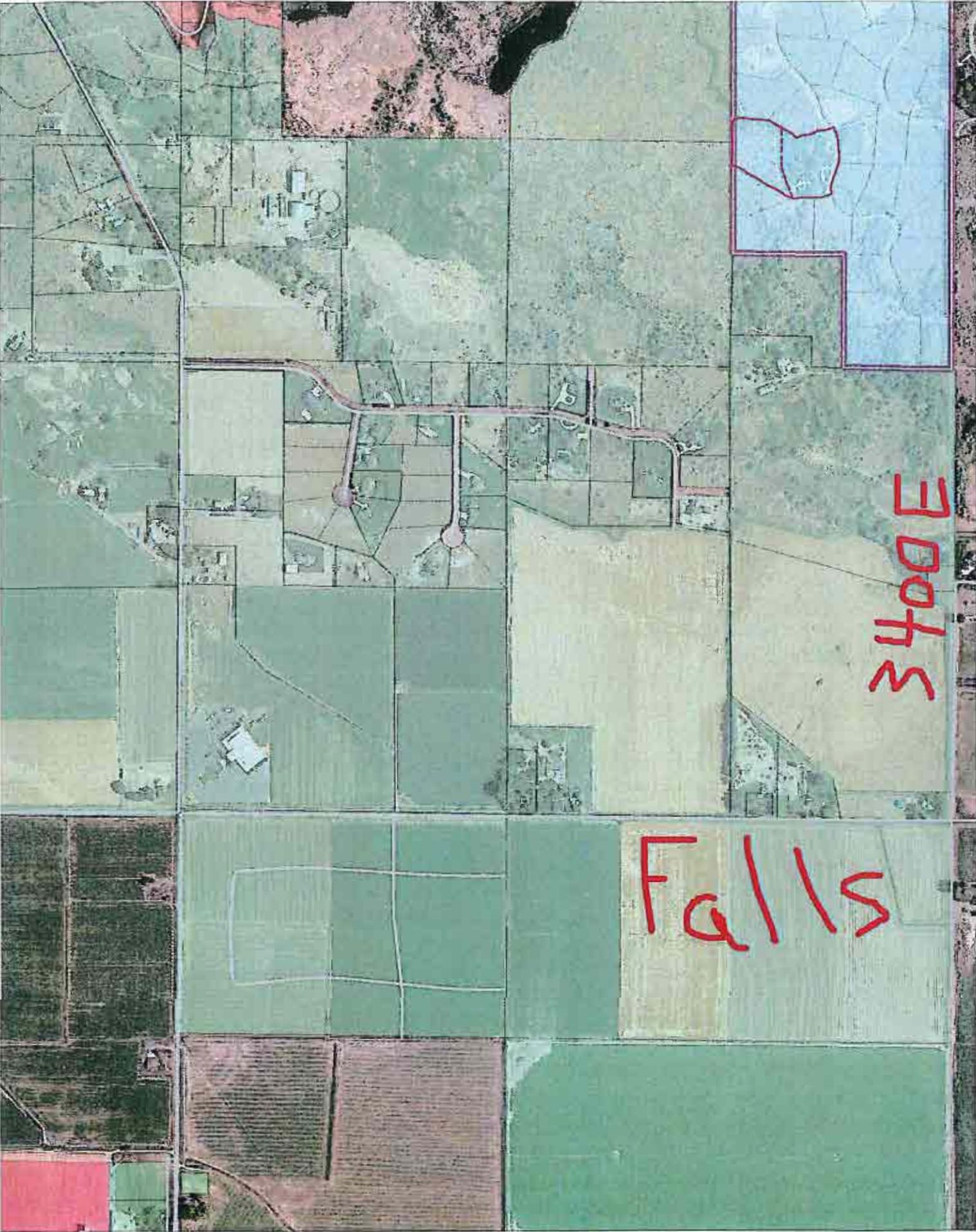
1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Staff feels a recommendation of approval to the Board of County Commissioners is appropriate subject to the following condition:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Attachments:

1. Area Zoning Map
2. Preliminary Plat
3. Final Plat, Phase 4



34045

Falls

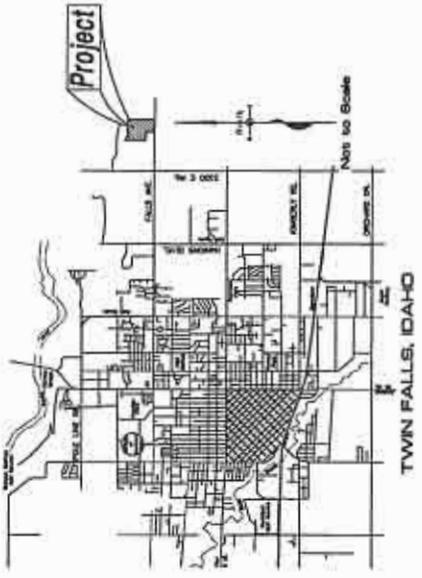
WILD ROSE PLANTING

SUBMISSION NO. 4

CURVE DATA TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	18°50'05"	175.00'	51.47'	51.07'	25.40'	S 07°23'14" E
C2	18°50'05"	200.00'	58.76'	58.55'	28.60'	S 07°23'14" E
C3	18°50'01"	225.00'	66.11'	65.87'	33.25'	S 07°23'15" E
C4	18°17'34"	275.00'	78.20'	77.94'	38.37'	N 07°49'05" W
C5	15°50'55"	300.00'	83.69'	83.41'	42.11'	N 07°49'05" W
C6	04°51'02"	325.00'	97.51'	97.51'	1.77'	N 13°23'08" W
C7	11°07'53"	325.00'	63.14'	63.04'	31.67'	N 05°23'37" W
C8	09°41'21"	20.00'	31.31'	28.21'	18.88'	N 45°19'28" E
C9	09°00'00"	20.00'	31.42'	28.20'	20.00'	S 44°49'42" E
C10	02°23'41"	20.00'	23.28'	20.42'	40.74'	N 30°01'32" W
C11	01°19'43"	20.00'	14.35'	11.38'	21.41'	S 89°10'14" W
C12	02°23'35"	20.00'	21.34'	18.29'	38.12'	S 29°22'04" W
C13	35°24'42"	70.00'	71.36'	68.31'	35.13'	S 29°02'03" E
C14	37°37'46"	70.00'	38.64'	38.15'	18.83'	S 74°03'17" E
C15	09°00'00"	20.00'	31.42'	28.20'	20.00'	N 44°49'42" W
C16	09°00'00"	20.00'	31.42'	28.20'	20.00'	N 45°10'16" E
C17	50°00'00"	20.00'	31.42'	28.20'	20.00'	N 45°10'16" E
C18	09°00'00"	20.00'	31.42'	28.20'	20.00'	N 44°49'41" E
C19	09°00'00"	20.00'	31.42'	28.20'	20.00'	S 44°49'41" E
C20	09°00'00"	20.00'	31.42'	28.20'	20.00'	N 45°10'16" E
C21	09°00'00"	20.00'	31.42'	28.20'	20.00'	S 89°49'43" E
C22	20°02'38"	20.00'	20.84'	20.00'	11.55'	N 63°32'25" W
C23	08°14'02"	70.00'	107.89'	97.48'	61.80'	S 77°37'49" W
C24	09°03'59"	70.00'	83.16'	78.35'	47.27'	S 00°11'11" E
C25	07°31'04"	70.00'	106.92'	86.63'	65.03'	S 77°58'42" E
C26	28°05'28"	70.00'	34.32'	33.89'	17.51'	N 44°13'02" E
C27	60°00'00"	20.00'	20.84'	20.00'	11.55'	S 60°10'19" W
C28	09°00'00"	20.00'	31.42'	28.20'	20.00'	N 44°49'42" W
C29	09°52'30"	20.00'	31.27'	28.50'	25.31'	N 45°16'33" E
C30	09°07'30"	20.00'	31.11'	28.07'	19.76'	S 44°23'27" E

VICINITY SKETCH



LOCATED IN
A PORTION OF
SECTION 6,
TOWNSHIP 10 SOUTH, RANGE 18 EAST,
BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO
2015

SHEET INDEX

1 OF 4	LINE AND CURVE TABLE
2 OF 4	PLAT FACE
3 OF 4	CERTIFICATE OF OWNER
4 OF 4	ACKNOWLEDGEMENTS

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	S 01°01'28" W	14.78'
L2	S 87°17'21" E	25.79'
L3	S 01°01'28" W	18.10'
L4	S 87°17'21" E	25.79'
L5	S 00°10'18" W	46.30'
L6	S 47°07'42" E	68.36'
L7	S 49°55'35" W	30.60'
L8	N 40°24'50" W	30.60'

HEALTH CERTIFICATE

SAFETY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SAFETY RESTRICTIONS MAY BE REMOVED, IN ACCORDANCE WITH IDAHO CODE TITLE 50, CHAPTER 13, SECTION 50-1326, BY THE ISSUANCE OF A CERTIFICATE OF APPROVAL.

DISTRICT HEALTH DEPARTMENT, IDHS _____

DATE _____



CERTIFICATE

OF

OWNER

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, LOCATED IN A PORTION OF SE⁴ SECTION 6, TOWNSHIP 10 SOUTH, RANGE 18 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO; SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 6, SAID POINT LES 800'30"04"W 26432.96 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 6; THENCE S89°57'15"E 1824.03 FEET ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST QUARTER TO THE SOUTH QUARTER CORNER OF SAID SECTION 6; THENCE N00°08'59" E 534.35 FEET TO THE REAL POINT OF BEGINNING.

- THENCE, N 00°08'59" E 1325.44 FEET ALONG THE WEST BOUNDARY OF SAID SE⁴ TO A POINT ON THE SOUTH BOUNDARY OF "WLD ROSE ESTATES SUBDIVISION NO. 2";
- THENCE, S 68°32'55" E 422.12 FEET ALONG SAID SOUTH BOUNDARY OF "WLD ROSE ESTATES SUBDIVISION NO. 2";
- THENCE, S 89°46'42" E 481.66 FEET ALONG SAID SOUTH BOUNDARY OF "WLD ROSE ESTATES SUBDIVISION NO. 2";
- THENCE, N 01°01'28" E 21.92 FEET ALONG SAID BOUNDARY OF "WLD ROSE ESTATES SUBDIVISION NO. 2";
- THENCE, S 80°17'21" E 355.11 FEET ALONG SAID SOUTH BOUNDARY OF "WLD ROSE ESTATES SUBDIVISION NO. 2";
- THENCE, S 00°10'18" W 1676.36 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SE⁴ OF SAID SECTION 6;
- THENCE, N 88°57'12" W 807.29 FEET ALONG SAID SOUTH BOUNDARY OF THE SE⁴ OF SECTION 6;
- THENCE, LEAVING SAID SOUTH BOUNDARY N 00°08'59" E 534.35 FEET;
- THENCE, N 88°57'12" W 511.00 FEET PARALLEL WITH SAID SOUTH BOUNDARY OF THE SE⁴ OF SECTION 6 TO THE REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 45.86 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT, THAT THE UNDERSIGNED BY THESE PRESENTS DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE ROAD RIGHT OF WAYS AS SHOWN ON THIS PLAT. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT. NO STRUCTURE OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

THE INDIVIDUAL LOTS ON THIS PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS (I.C. 59-1334).

PURSUANT TO IDAHO CODE 31-2906, I, THE UNDERSIGNED, AS OWNER, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPLICABLE TO THE LOTS AND THE SUBSEQUENT DIVISION OF THE LANDS ON THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS AND THAT SAID IRRIGATION WATER RIGHTS ARE NOT SUBJECT TO ANY CLAIM FOR AND HAS BEEN APPROVED BY THE TWIN FALLS COUNTY COMMISSIONERS. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE IRRIGATION DISTRICT AND/OR CANAL COMPANY.

WLD ROSE LAND HOLDINGS, LLC.

BY: JARREL C. MOORE, MANAGING MEMBER

DATE:

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ }

ON THIS _____ DAY OF _____ 2015, AT _____, MOORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF _____, PERSONALLY APPEARED _____, C. MOORE PERSONALLY APPEARED TO ME AND BECAME A WITNESS WHEREOF, I HAVE HERELINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

RESIDING AT _____

COMMISSION EXPIRES _____



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HAMILSON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND DIRECTION.



COUNTY SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RICHARD H. CARLSON, HAS CHECKED THE FOREGOING PLAT AND COMPUTATIONS FOR MAKING THE SAME AND HAS DETERMINED THAT THEY COMPLY WITH THE LAWS OF THE STATE OF IDAHO AND THE COUNTY OF TWIN FALLS RELATED THEREIN, DATED THIS _____, DAY OF _____, 2015.

ACTING COUNTY SURVEYOR

ACKNOWLEDGMENT

STATE OF _____ } ss
COUNTY OF _____

ON THIS _____ DAY OF _____, 2015, AT _____, M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED RICHARD H. CARLSON, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIRMED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC _____

RESIDING AT _____

COMMISSION EXPIRES _____

APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THE _____ DAY OF _____, 2015.

MAYOR _____

CITY CLERK _____

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER _____ ATTEST _____

TWIN FALLS HIGHWAY DISTRICT

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE TWIN FALLS HIGHWAY DISTRICT BOARD OF COMMISSIONERS BUT IN NO WAY OBLIGATES THE TWIN FALLS HIGHWAY DISTRICT UNTIL THE TRAVEL WAYS ARE OFFICIALLY APPROVED AND DECLARED OPEN. DATED THIS _____, DAY OF _____, 2015.

CHAIRMAN _____ ATTEST _____

COUNTY TREASURER'S CERTIFICATE

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

COUNTY TREASURER _____ DATE _____

COUNTY COMMISSIONER'S APPROVAL

THE FOREGOING PLAT HAS BEEN ACCEPTED AND APPROVED BY THE BOARD OF COMMISSIONERS OF TWIN FALLS COUNTY, IDAHO. DATED THIS _____, DAY OF _____, 2015.

CHAIRMAN _____ ATTEST _____

COUNTY RECORDERS' CERTIFICATE

INSTRUMENT NO. _____
STATE OF IDAHO } ss
COUNTY OF TWIN FALLS }
ON THIS _____ DAY OF _____, 2015, AT _____, M., THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK _____, ON PAGE _____.

DEPUTY _____ EX-OFFICIO RECORDER _____





BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Zoning District Change & Zoning Map Amendment,</u>)	FINDINGS OF FACT,
Application,)	
)	CONCLUSIONS OF LAW,
<u>Twin Falls School District #411</u>)	
<u>c/o Brad Wills</u>)	AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on February 9, 2015 for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2 for 51 acres (+/-) located on the east side of the 500, 600 and 700 blocks of Hankins Road North and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2 for 51 acres (+/-) located on the east side of the 500, 600 and 700 blocks of Hankins Road North 2.

All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: December 25, 2014 & January 22, 2015

3. The property in question is zoned R-1 VAR pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Residential; to the east, Agricultural; to the west, Hankins Road/Residential.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2 for 51 acres (+/-) located on the east side of the 500, 600 and 700 blocks of Hankins Road North is consistent with the purpose of the R-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-3, 10-4-4, 10-14-1 through 6 of the Twin Falls City Code.

3. The proposed use is proper use in the R-2 Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. A rezone of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2 for 51 acres (+/-) located on the east side of the 500, 600 and 700 blocks of Hankins Road North should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2 for 51 acres (+/-) located on the east side of the 500, 600 and 700 blocks of Hankins Road North is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

APPLICATION #: 2694



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
))
Final Plat Application,) FINDINGS OF FACT,
))
Bennos Point Subdivision No. 2) CONCLUSIONS OF LAW,
c/o EHM Engineers, Inc.))
Applicant(s).))
)) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on March 9, 2015 for consideration of the final plat of the Bennos Point Subdivision No. 2, approximately 16.8 (+/-) acres to develop 84 residential lots located at the northeast corner of Park Avenue and Harrison Street South, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Bennos Point Subdivision No. 2, approximately 16.8 (+/-) acres to develop 84 residential lots located at the northeast corner of Park Avenue and Harrison Street South.

2. The property in question is zoned R-4 & R-4 PRO pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Urban Village/Urban Infill in the duly adopted Comprehensive Plan of the City of Twin Falls.

3. The existing neighboring land uses in the immediate area of this property are: to the north, Creek Canyon/Highland Avenue/Residential; to the south, Park Avenue/Oregon Trail Elementary School/Residential; to the east, Agricultural/Rock Creek Canyon; to the west, Harrison Street South-extended/Residential/LDS Softball Fields.

4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Bennos Point Subdivision No. 2, approximately 16.8 (+/-) acres to develop 84 residential lots located at the northeast corner of Park Avenue and Harrison Street South is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Bennos Point Subdivision No. 2, approximately 16.8 (+/-) acres to develop 84 residential lots located at the northeast corner of Park Avenue and Harrison Street South is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
Final Plat Application,) FINDINGS OF FACT,
)
Northern Passage Subdivision #5) CONCLUSIONS OF LAW,
c/o EHM Engineers, Inc. Tim Vawser)
 Applicant(s).)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on February 9, 2015 for consideration of the final plat of Northern Passage Subdivision #5, consisting of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 –this is a replat with 16 residential lots to allow for the development of single family residential and a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North located at the northeast corner of Federation Road (extended) and Grandview Drive North, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Northern Passage Subdivision #5, consisting of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 –this is a replat with 16 residential lots to allow for the development of single family residential and a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North

2. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls.

The property is designated as Medium Density in the duly adopted Comprehensive Plan of the City of Twin Falls.

3. The existing neighboring land uses in the immediate area of this property are: to the north, Northern Passage Subdivision Undeveloped; to the south, Federation Road (extended)/Grandview Estates Subdivision Undeveloped; to the east, Northern Passage Subdivision/Undeveloped; to the west, Grandview Drive North/Agricultural/Residential

4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Northern Passage Subdivision #5, consisting of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 –this is a replat with 16 residential lots to allow for the development of single family residential and a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Northern Passage Subdivision #5, consisting of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 –this is a replat with 16 residential lots to allow for the development of single family residential and a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

“EXHIBIT NO. A”

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt to current City standards upon development or change of use of the property.
3. Subject to approval and publication of an ordinance for the Vacation of the requested portion on Northern Passage Subdivisions #3 & #4.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Conveyance Plat</u> Application,)	FINDINGS OF FACT,
)	
<u>Sunway Conveyance</u>)	CONCLUSIONS OF LAW,
<u>c/o EHM Engineers, Inc.</u>)	
Applicant(s).)	
)	AND DECISION

This matter having come before the Twin Falls City Council Twin Falls, Idaho on March 9, 2015 for hearing of approval of the Sunway Conveyance Plat consisting of 2 lot on 93 (+/-) acres for property located at 2705 East 4025 North, and with the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has request approval of the conveyance plat for the Sunway Conveyance Plat consisting of 2 lot on 93 (+/-) acres for property located at 2705 East 4025 North the property is designated as Medium Density Residential/Open Space by the Comprehensive Plan, and is zoned R-1 VAR CRO (Aol). The proposed lot sizes and development are in conformance with the R-1 VAR CRO (Aol) zone.
2. The existing neighboring land uses in the immediate area of this property are: to the north, North College Road West/Undeveloped/Agricultural; to the south, Bradshaw Subdivision/Residential/Falls Avenue West/Rim View Subdivision/Residential; to the east, Platted/Undeveloped/Sunterra Residential Subdivision/Agricultural; to the west, Sunway Drive North/2700 East Road/Agricultural/Residential.
3. The City Engineering Office has reviewed the conveyance plat and has approved the proposed dedications. The proposed subdivision includes dedication of additional right-of-way in compliance with the Master Street Plan.

4. Specifically, the following conditions exist: The proposed subdivision does not exceed two (2) lots; no part of the land will be used for land development; the purpose of the plat is to record the remainder of a tract created by the final platting of a portion of the property provided that the remainder is not intended for immediate development; The purpose of the plat is to record the subdivision of property into parcels not intended for immediate development, but providing for the dedication of all public right of way and easements, with all abutting streets and utilities to be installed and accepted by the City at the time of building permitting or development stage, whichever comes first; and if either parcel develops or is built on, the street and utility improvements will be required on both parcels; all as required by Twin Falls City Code §10-12-2.5(B).

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Twin Falls City Council hereby makes the following

CONCLUSIONS OF LAW

1. The conveyance plat of the Sunway Conveyance Plat consisting of 2 lot on 93 (+/-) acres for property located at 2705 East 4025 North is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Council Code §10-1-4.
2. The approval of the conveyance plat does not constitute approval for development of the property and is not intended for immediate development as provided in Twin Falls City Code §10-12-2.5.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the conveyance plat of Sunway Conveyance Plat consisting of 2 lot on 93 (+/-) acres for property located at 2705 East 4025 North is hereby granted, subject to the conditions which are attached as "Exhibit No. A" and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"Exhibit No. A"

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way, as shown on the plat, being dedicated prior to recordation.

3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Northern Passage Subdivision Undeveloped; to the south, Federation Road (extended)/Grandview Estates Subdivision Undeveloped; to the east, Northern Passage Subdivision Undeveloped to the west, Grandview Drive North/Agricultural/Residential

Based on the foregoing Findings of Fact, the City Council of the City of Twin Falls hereby makes the following

CONCLUSIONS OF LAW

1. The application for Vacation of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 , consisting of 46 single family lots and adjacent rights of way and easements to allow for the development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North is consistent with the purpose of the R-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, 10-12-1 through 4 Twin Falls City Code.

3. The proposed use is proper use in the R-2 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. The application for Vacation of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4 , consisting of 46 single family lots and adjacent rights of way and easements to allow for the development of a new elementary school on property located at the northeast corner

of Federation Road (extended) and Grandview Drive North should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

Based on the foregoing Conclusions of Law, the City Council of the City of Twin Falls hereby enters the following

DECISION

1. The application Vacation of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivision #3 and #4, consisting of 46 single family lots and adjacent rights of way and easements to allow for the development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to the site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to submittal of all utility letters and any conditions that may be required prior to adoption of the ordinance.

APPLICATION #: 2695



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
))
Final Plat Application,) FINDINGS OF FACT,
))
Morning Sun Subd No. 8))
c/o EHM Engineers, Inc.) CONCLUSIONS OF LAW,
Applicant(s).))
)) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on March 9, 2015 for consideration of the final plat of the Morning Sun Subdivision No. 8 approximately 30.47 (+/-) acres to develop 91 residential lots and 1 tract located at the southwest corner of Falls Avenue and Hankins Road North , and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Morning Sun Subdivision No. 8 approximately 30.47 (+/-) acres to develop 91 residential lots and 1 tract located at the southwest corner of Falls Avenue and Hankins Road North
2. The property in question is zoned R-1 VAR pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Falls Avenue East/Residential; to the south, Stadium Boulevard/LDS Stakehouse/Residential; to the east, Hankins Road North/Boy Scout Office/Residential/Undeveloped; to the west, Meadowview Lane North/Residential.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The

developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Morning Sun Subdivision No. 8 approximately 30.47 (+/-) acres to develop 91 residential lots and 1 tract located at the southwest corner of Falls Avenue and Hankins Road North is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Morning Sun Subdivision No. 8 approximately 30.47 (+/-) acres to develop 91 residential lots and 1 tract located at the southwest corner of Falls Avenue and Hankins Road North is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

TWIN FALLS HOUSING AUTHORITY

200 NORTH ELM ♦ PHONE 208/733-5765 - 733-5878 TDD
TWIN FALLS, IDAHO
83301

March 10, 2015

Honorable Mayor and City Council:

I am supplying a brief narrative concerning the reappointment of Calvin Palmer as a continuing board member for the Twin Falls Housing Authority. Mr. Palmer has served one term, and since board members are allowed to serve two consecutive terms, Mr. Palmer has expressed an interest in serving another term.

We are required, as part of our contract with HUD, to have a resident board member unless we have no residents that are willing to serve after having provided reasonable notice. We encourage our residents to participate because we feel it is advantageous to have one of our tenants serve on the board in order to represent the tenants. We value the input of our residents.

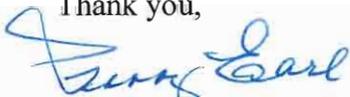
A ballot was mailed to our 196 households and Calvin Palmer was elected to become the new Resident Board Member.

In addition to serving a 5 year term already, Mr. Palmer has a resume as follows:

Served in the Idaho National Guard from November, 1956 to September 1958
Served and retired from the U S Navy from September, 1958 to December 1978.
Managed the Twin Falls and Burley Checker Auto Parts February, 1979 to July 1987
Worked as a maintenance employee for a short period at the Twin Falls Housing Authority
From August, 1987 to December 1988.
Managed Abbott's Auto Parts January, 1989 to October, 1991
Managed Lewis Auto Parts in Gooding, October, 1991 to May, 2001

Retired due to his wife's illness in 2001 and became a resident of the Twin Falls Housing Authority residing at Pioneer Square at that time. He has been a great resident of the Housing Authority, he is very community minded and will represent the tenants as a whole.

Thank you,



Penny Earl
Executive Director

OATH OF COMMISSIONER OF
TWIN FALLS HOUSING AUTHORITY
TWIN FALLS, IDAHO

I, Calvin D. Palmer, do solemnly swear that, I will support the Constitution of the United States, and the Constitution and Laws of this State; that I will faithfully discharge all of the duties of the Office of Commissioner of the Twin Falls Housing Authority of Twin Falls, Idaho according to the best of my ability, SO HELP ME GOD.

Calvin D. Palmer

STATE OF IDAHO

COUNTY OF TWIN FALLS, SS

I, Karin Heinmiller, Notary Public in and for the County of Twin Falls, State of Idaho, hereby certify that Calvin D. Palmer, to me personally known and by me known to be one of the Commissioners of the Twin Falls Housing Authority of Twin Falls, Idaho, appeared before me on the 10th day of March, 2015.

And made the above oath.



Karin Heinmiller

Notary Public
Residing in Twin Falls, Idaho

My Commission expires

9/26/2020

9

CERTIFICATE OF REAPPOINTMENT OF
COMMISSIONER CALVIN PALMER
TERM EXPIRES MARCH 10, 2020

WHEREAS, THE TERM OF Calvin Palmer, one of the members of the Board of Commissioners of the Twin Falls Housing Authority expired March 8, 2015.

NOW THEREFORE, pursuant to the provisions of Section 5 of the Housing Authorities Law of the State of Idaho, and by virtue of my office as Mayor of the City of Twin Falls, Idaho I hereby appoint Calvin Palmer to serve an additional five years, from the 10th day of March, 2020.

IN WITNESS WHEREOF, I have hereunto signed my name as Mayor of the City of Twin Falls, Idaho and caused the official seal of said City to be attached hereto.

Mayor

Date _____, 2015

ATTEST:

City Clerk

I, _____, Mayor of the City of Twin Falls, Idaho do hereby certify that the foregoing certificate was duly filed in the office of the Clerk of the City of Twin Falls, Idaho on the _____ day of _____, 2015.

Mayor of the City of Twin Falls, Idaho

Date _____, 2015

SEAL:

CERTIFICATE

I, _____, the duly appointed, qualified City Clerk of the City of Twin Falls, Idaho, do hereby certify that the attached copy of the Certificate of Appointment of Commissioner Calvin D. Palmer is a true and correct copy of the Certificate of Appointment of Commissioner Calvin D. Palmer on file and of record in the office of the City Clerk.

AND I DO FURTHER CERTIFY that the attached copy of the Oath of Commissioner Calvin D. Palmer of the Twin Falls Housing Authority , Twin Falls, Idaho is a true and correct copy of the Oath of Commissioner Calvin D. Palmer on file and of record in the office of the City Clerk.

AND I DO FURTHER CERTIFY THAT the recently appointed Commissioner Calvin D. Palmer by the Honorable Mayor Don Hall to the Twin Falls Housing Authority Board of Commissioners, is not now an officer or employee of the City of Twin Falls, Idaho.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the City of Twin Falls, Idaho this _____ day of _____, 2015.

City Clerk

SEAL:



Date: Monday, March 30th, 2015
To: City Council
From: Mayor Don Hall

Request:

Consideration of a request to confirm the appointments of Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committee.

Time Estimate:

The presentation will take approximately 3 minutes. Following the presentation, additional time may be necessary for questions.

Background:

The City's Building Department Advisory Committee consists of (9) voting members. Three of the members had their terms expire in February of this year. Two of these members applied for re-appointments, while one asked to be removed from the committee. The one member who was asked to be removed held the "architectural profession" seat. Fortunately, the City did receive application from another interested architect meeting the qualifications. The applicant for the new appointment was Colby Ricks. The two other members who applied for re-appointments are Scott McClure and Sean Knutz. Mr. McClure served as the "engineering profession" member, and Mr. Knutz served as the "electrical construction" member. Both of these members have had good attendance and participation on the committee.

An interview panel composed of Mayor Don Hall, Building Department Liaison Shawn Barigar and the Building Official Jarrod Bordi interviewed Colby Ricks, the new appointment applicant, earlier this month. Mr. Ricks revealed a strong interest in serving as the architect for this committee. He lives in the city limits and is part owner of Laughlin & Associates Architects firm.

Approval Process:

City Code 2-6-3 states that the Building Department Advisory Committee members are appointed by the Mayor and confirmed by the City Council.

Budget Impact:

N/A

Regulatory Impact:

Approval of this request will maintain full membership on the Building Department Advisory Committee.

Conclusion:

I request that the Council confirm my appointments of Colby Rick, Scott McClure and Sean Knutz to the Building Department Advisory Committee.



Date: Monday, March 30, 2015

To: Honorable Mayor and City Council

From: Jonathan Spendlove, Community Development Department

Request:

Consideration of a request from Chris Binford to waive the non-conforming building expansion permit process for a home located at 728 Locust Street.

Time Estimate:

Staff presentation may take five (5) minutes. Applicant or representative will be available to answer any questions.

Background:

Attached is a request from Chris Binford who is asking to be allowed to build an addition onto their residence located at 728 Locust Street. The home is located in the R-4 Zoning District. Locust Street is identified as a major collector and has a minimum building setback of 62' from centerline. The existing home, built around 1939, is located within the centerline setback (see Attachment #2 for detail). Per City Code Title 10; Chapter 4; Section 5.3 the current structure is nonconforming as it stands at +/-59' from centerline, thus encroaching approximately 3'.

Mr. Binford applied for a building permit to demolish the current entrance and build a new 84 sq. ft. entrance onto the front of the home – expanding the covered porch area. During the review process it was determined parts of the existing home sit 59'4" from the Centerline of Locust Street. The proposed addition will maintain that same distance while expanding the porch to the South-West Corner of the house. The addition will not be further encroaching into the Centerline Setback.

City Code Section 10-3-4 deals with non-conforming buildings and uses. Section 10-3-4(D) provides for a process to allow a legal non-conforming building expansion permit, which requires a hearing before the Planning and Zoning Commission. The last sentence of the first paragraph of Section 10-3-4 states:

“The requirements of this section may be waived for residences and residential uses by motion and minute entry of the City Council.”

If the Council wishes, it may waive the requirements of Section 10-3-4, the applicant would continue through the building permit process. This will allow Mr. Stinson to proceed with the addition without a public hearing.

If the Council feels that Mr. Binford should go through the non-conforming building expansion permit process, an application would be required and a public hearing shall be held before the Commission. The process takes about 30-45 days from the date of application. Appeals could extend the time another 30-45 days.

The proposed expansion meets the required side setbacks. The Council has historically approved similar requests to waive the hearing process for residential requests that do add to the existing non-conformance.

Conclusion:

Staff recommends that the Council review and act on the attached request to waive the non-conforming building expansion permit process for a home located at 728 Locust Street.

Attachments:

1. Narrative
2. Area/GIS Map Exhibit (1)
3. Applicant Submitted Site Plan

Chris Binford - 728 Locust St

A reason) new porch w/roof - changing from a step + landing w/roof of 30 sq ft to 84 sq ft

B why) The front of the existing structure is 59'4" to centerline of Locust instead of the required 62'

C. effects) No effect at all - except the improvement will increase the neighbors property value

D. feel) The covered porch is a vast improvement over the old deteriorated step thus improving curb appeal for everyone

Thank you for your attention / consideration of this request

~~ETC~~

Non-Conforming Exhibit

Reference Only



747 LOCUST

761 JUNIPE

749 JUNIPE

LOCUST ST

738 LOCUST

Approximate Existing Front Building Line

725 LOCUST

739 JUNIPE

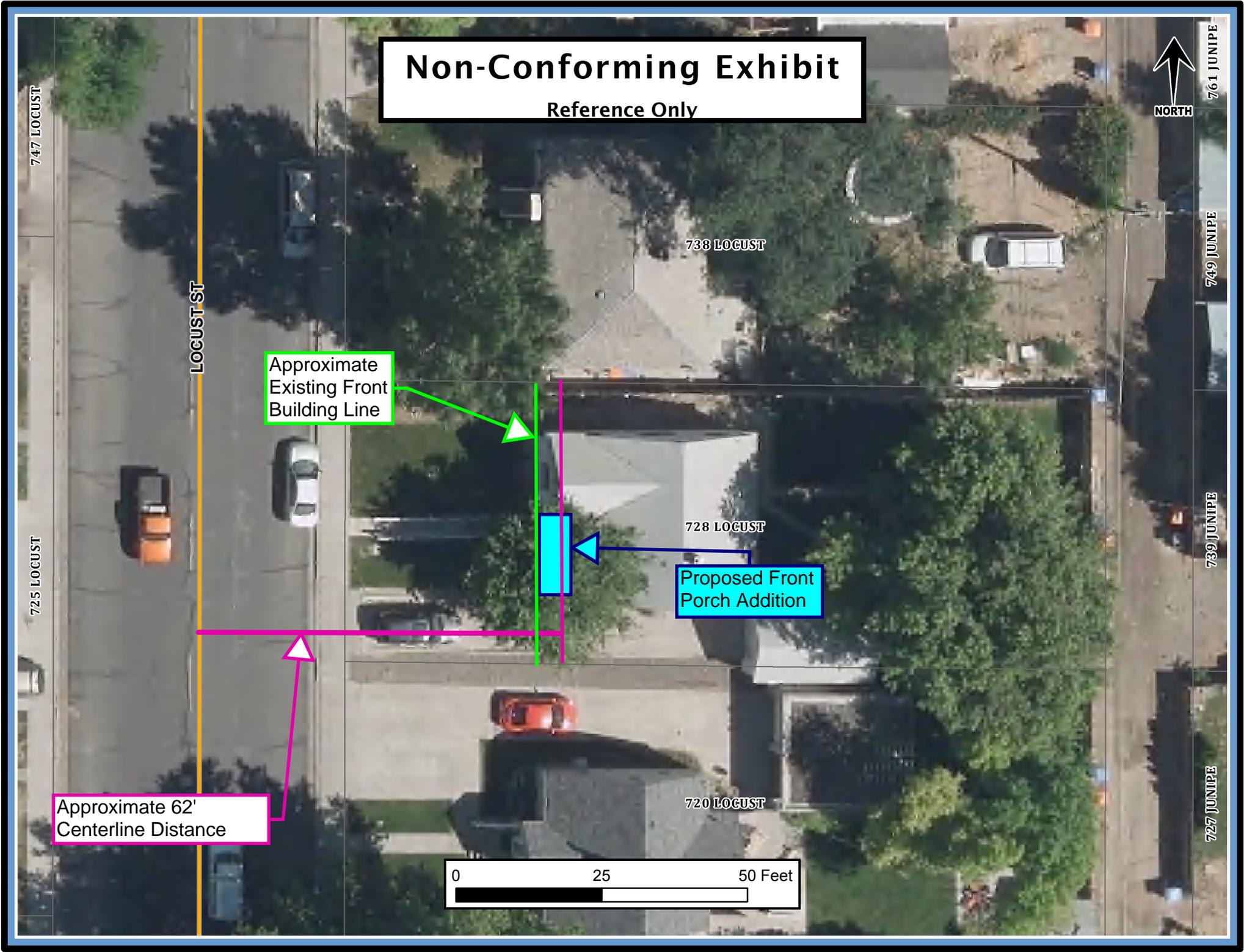
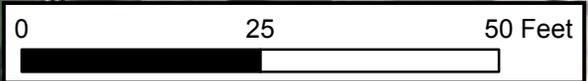
728 LOCUST

Proposed Front Porch Addition

Approximate 62' Centerline Distance

727 JUNIPE

720 LOCUST



PROPERTY LINE

SITE PLAN

728 LOCUST ST
TWIN FALLS ID 83301

Property 49 x 132.8

Garage
160 sq'

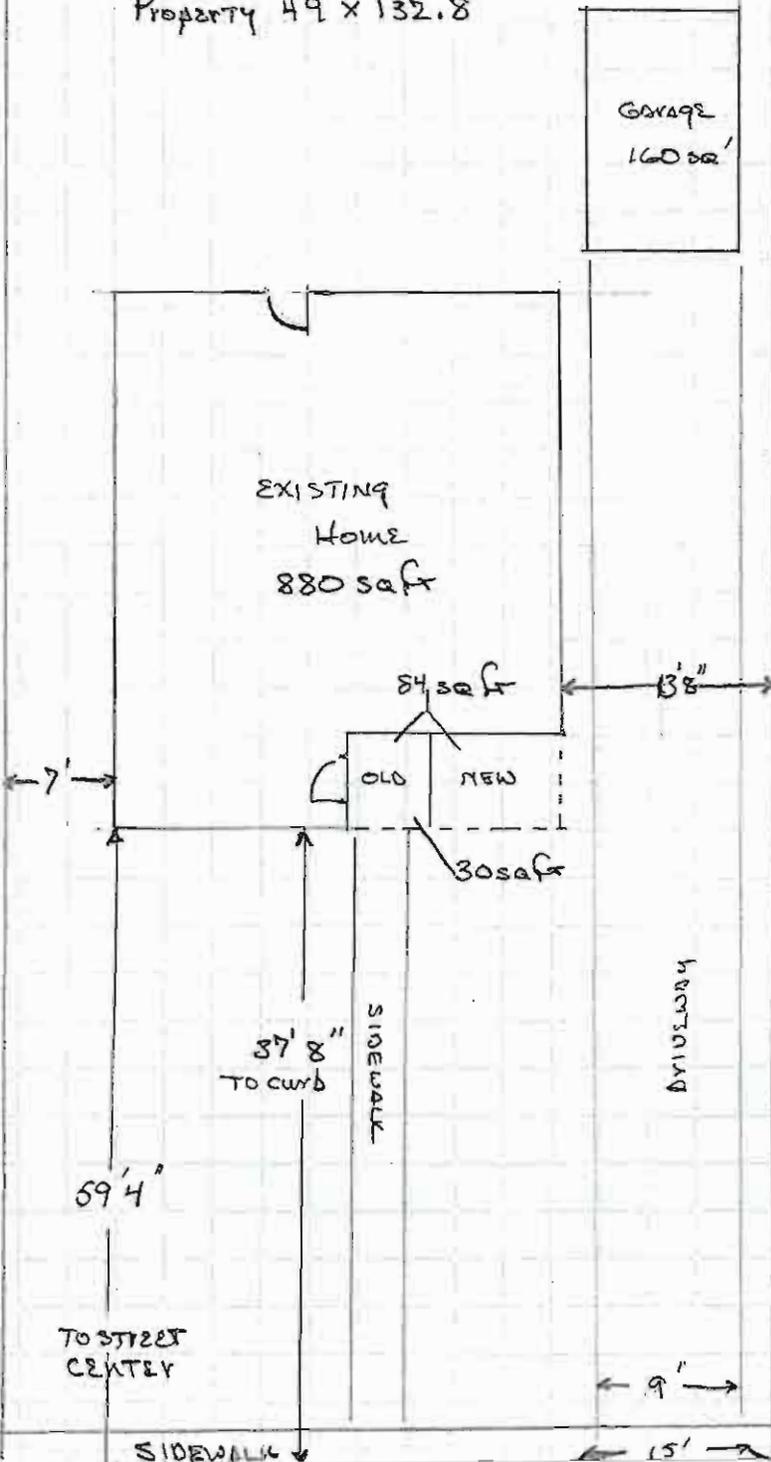
CHRIS BINFORD
2526 EASTGATE
TWIN FALLS, ID.
208-315-1192

HOUSE TO CENTER OF STREET
59'4"

Code - 62'

OLD STEP/ROOF 5'x6' 30sq

PROPOSED 6'x14' 84sq



N

1/4" = 3' SCALE



March 30, 2015 City Council Meeting

To: Mayor and City Council

From: Sharon Bryan, Deputy City Clerk

Request:

Consideration of a request to destroy semipermanent and temporary records.

Background:

Destruction of semipermanent and temporary records.

Budget Impact:

The Council's approval of this request will not impact the City budget.

Regulatory Impact:

The Council's approval of this request will comply with Idaho State Code 50-907 requiring that before the City can destroy any semipermanent or temporary records we need to get City Attorney and City Council approval as well as notify the Idaho State Historical Society before destruction of any records. This needs to be done by resolution. (See attached)

State Code 50-907

Semipermanent records shall be kept for not less than five (5) years after the date of issuance or completion of the matter contained within the record.

- (3) "Temporary records" shall consist of:
- (a) Building applications, plans, and specifications for noncommercial and nongovernment projects after the structure or project receives final inspection and approval;
 - (b) Cash receipts subject to audit;
 - (c) Election ballots and duplicate poll books; and
 - (d) Other documents or records as may be deemed of temporary nature by the city council.

Temporary records shall be retained for not less than two (2) years, but in no event shall financial records be destroyed until completion of the city's financial audit as provided in section 67-450B, Idaho Code.

(4) Semipermanent and temporary records may only be destroyed by resolution of the city council, and upon the advice of the city attorney. Such disposition shall be under the direction and supervision of the city clerk.

The resolution ordering destruction shall list in detail records to be destroyed. Prior to destruction of semipermanent records, the city clerk shall provide written notice, including a detailed list of the semipermanent records proposed for destruction, to the Idaho state historical society thirty (30) days prior to the destruction of any records.

Conclusion:

Staff recommends that the Council pass the resolution.

Attachments: Resolution

RESOLUTION NO. _____

Authorizing Destruction of Records.

Whereas, Idaho Code 50-907 (4) requires the City Council to authorize destruction of public records no longer required by law or for city business, and

Whereas, the Deputy City Clerk of the City of Twin Falls, Idaho have requested that certain records be authorized for destruction in order to dispose of them,

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Twin Falls, Idaho as follows:

FINANCE DEPT. (SEMIPERMANENT RECORDS)

- AP invoices 2008/2009
- Payroll Timecards for 2008
- Payroll reconciliations for 2008
- Payroll – check register 2008
- Payroll check proof list for 2008
- Payroll AP distribution 2008
- Payroll GL Distribution 2008
- I9 – 2008
- Personnel files up to 2001

POLICE DEPT. (SEMIPERMANENT RECORDS)

- 2004 Case Reports (excluding NCIC files; homicide reports, sexual abuse reports; officer-involved shooting reports; fatal traffic accidents; and all death reports.
- No trespass orders that are expired or past one year (2013)
- 2009 Accident Reports
- 2009 Citations
- 2009 Pawns
- 2009 Travel & Training Requests
- 2009 Overtime Slips/Leave Requests
- 2009 Towed Vehicle Slips
- 2009 False Alarm Reports
- 2013 FI Cards
- 2009 House Check Forms
- 2009 Parking tickets
- 2009 Cash receipt books
- 2013 Criminal History Logs (NCIC)

FIRE DEPT. (SEMIPERMANENT RECORDS)

- Duplicate Examine/Copy Public Records all of 2013
- Duplicate Claims from October 1, 2008 – September 30, 2009
- Burn Permits from 2012
- Monthly Training Reports from 2004
- Calendar Of Events Logs 2012, 2013
- Carbon Monoxide Detector Activation and Checklist for Carbon Monoxide 2013
- Inventory of Station Supplies 2013

- Monthly Truck Logs from 2013
- Mako Air Compressor Logs 2012, 2013
- Daily Generator Logs 2012, 2013
- Miscellaneous Training Paperwork from 1970's, 1980's, 1990's – (Mostly all from employee's that are no longer employed with city.)
- Public Fire Education Program Schedules 2011, 2012
- All Fire Safety Inspection Forms (Mobile Fuelers, Aircraft Fueling System, Bulk Plant Loading & Unloading Facilities) from 1990 to 2009

WATER DEPT (SEMIPERMANENT RECORDS)

- Chemical Analyses – 2002
- Violations – 2002-2009
- Expired Bid Documents/Contracts 1997-1998
- Budget prep-work 1996-2006
- Departmental records 1992-1999, 2005-2009
- Diglines 2006-2009
- Meter Installs 2009-2010
- Payable invoice copies 2009-2010
- Service Calls 2009-2010

UTILITY SERVICES (SEMIPERMANENT RECORDS)

- 2010 – Oct, Payment stubs from billing statements; received over the counter during the month.
- 2012 – Feb, March, April, May, June, July, August, Sept., Oct., Nov, and Dec. – Payment stubs from billing statements; received over the counter and/or in the mail during the month
- 2013–Jan, Feb & March - Payment stubs from billing statements; received over the counter and/or in the mail during the month.

The administrative staff of the City is authorized to take all necessary steps to carry out the authorization provided by this Resolution.

PASSED BY THE CITY COUNCIL
SIGNED BY THE MAYOR

, 2015
, 2015

Mayor Don Hall

Attest:

Sharon Bryan, Deputy City Clerk



Date: Monday, March 30, 2015, Council Meeting

To: Honorable Mayor and City Council

From: Jonah Ruf, City of Twin Falls Youth Council

Request:

Jonah Ruf, President of the City of Twin Falls Youth Council, would like to address the City Council and present the group's concept of their "Take a Stand with Your Local Policeman" program.

Time Estimate:

Approximately 15 minutes

Background:

The members of the City of Twin Falls Youth Council have recently recognized that they can play an active role in educating the youth of our community about the positive impact that law enforcement officers have in our society. In order to encourage teens and officers to approach and develop relationships with each other, the Youth Council has developed the "Take a Stand with Your Local Policeman" program.

The program's goals include:

- To encourage our community to take a public stand with our Police Department
- To inspire the community to relate to our officers in a friendly and supportive manner
- To educate everyone that our Police Department is made up of real people who are also sons and daughters, fathers and mothers, brothers and sisters, friends and neighbors

The program's plans include:

- To invite the citizens in our community to take "selfies" with our officers when the opportunity is provided and only at appropriate times
- To request that the photographs taken with our officers be shared with social networking websites such as Facebook and Instagram
- To request that the Times-News allow the "selfies" to be sent in by our community and for at least one photograph to be published either weekly or monthly. The winning picture would be judged by the Youth Council on criteria such as the most creative, highest quality, greatest number of officers in one photo, etc.
- To suggest that the photographs submitted would also include a short biography of the officer, if possible
- To lease space on a local billboard for an advertisement announcing the start of this campaign and our partnership with the Twin Falls Police Department

Agenda Item for March 30, 2015
From Jonah Ruf, City of Twin Falls Youth Council
Page Two

Approval Process:

None

Budget Impact:

None

Regulatory Impact:

None

Conclusion:

The City of Twin Falls Youth Council would like to present their concept of the “Take a Stand with Your Local Policeman” program and would like to ask for the City Council’s support.

Attachments:

None

JR:aed



MONDAY March 30, 2015
To: Honorable Mayor and City Council
From: Melinda Anderson, Economic Development Director

Request:

Update on Main Avenue Redesign progress by Mandi Roberts, Otak.

Time Estimate:

The presentation will take approximately 20 minutes with additional time for questions.

Background:

Mandi Roberts will provide an update to Council regarding progress on the Main Avenue Redesign project.

Process:

No approvals are requested.

Budget Impact:

No impact to the City budget.

Regulatory Impact:

None.

Conclusion:

None..

Attachments:

None



MONDAY March 30, 2015

To: Honorable Mayor and City Council

From: Melinda Anderson, Economic Development Director

Request:

Consideration of a request to approve First Amendment to the Clif Bar Development Agreement.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

On October 17, 2013 City Council, along with the Twin Falls URA, approved a development agreement with Clif Bar & Co to build a new bakery in Twin Falls. The development agreement included a timeline and a deal sheet. The deal sheet showed estimated costs for infrastructure, land acquisition, and site development work to be paid for through various local and state funds. At that time Clif estimated it would spend \$90 million in the first phase of their development and up to \$168 million over the next few years and would employ up to 450 employees at full build out.

Fast forward to March 2015. Clif Bar has just held their groundbreaking ceremony and will begin construction in early April. They expect to open in April 2016 with more than 200 employees. Over the next 10-15 years Clif Bar expects to invest up to \$225 million and hire up to 500 employees at full build out.

Infrastructure and site development costs have been refined to provide more accurate costs and timelines have been changed to reflect reality as well. TIF financing has increased from \$18.9 million to \$21.3 million.

As Clif Bar would like to have tax exempt financing for the long-term debt (pay off the Line of Credit) Sect 2.5 has been changed to show that TFURA will be limited to paying the annual bond debt only to the amount of property tax income it receives from RAA 4-4.

At their March 18, 2015 meeting, TFURA board approved this development agreement amendment. Attached is the amendment, the redlined version of the original development agreement, the revised timeline, and the new deal sheet.

Process:

A majority vote of the Council in open meeting is needed to approve this request.

Budget Impact:

No impact to the City budget

The project will be increasing the RAA 4-4 TIF financing from \$18.9 to ~\$21.3 million. The projected investment by Clif Bar is expected to be able to cover the bond debt annually for the next 20 years.

Regulatory Impact:

None.

Conclusion:

Staff recommends the Council approve the First Amendment to the Clif Bar Development Agreement.

Attachments:

1. Development Agreement

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“First Amendment”) is made effective as of the ____ day of March 2015 (“Effective Date”), by and between the City of Twin Falls, an Idaho municipal corporation (“City”); the Urban Renewal Agency of the City of Twin Falls, an independent public body corporate and politic of the State of Idaho (“URA”); and Clif Bar and Company, a California corporation (“Clif Bar”); collectively, the “parties”.

Recitals

A. City, URA, and Clif Bar entered into that certain Development Agreement dated October 17, 2013 (“Development Agreement”). The Development Agreement sets forth certain Project costs that are to be paid with TIF and other public funds, and otherwise sets forth the parties’ rights and obligations with respect to the Project and the Site. The parties have updated Project cost estimates and completion dates, and the parties have identified additional Project improvements that are eligible to be paid with TIF.

B. The parties desire to amend the Development Agreement to reflect the updated and additional Projects costs, to align with anticipated financing, and to provide for utility access easements.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Project Improvements.

(a) Section 5.1 of the Development Agreement is hereby amended, in relevant part, by deleting Section 5.1.5 and replacing it with the following:

5.1.5 Site Improvements. URA shall remove a portion, or all, of the existing improvements on the Site, perform site grading, and install site improvements necessary for soil retention, erosion control, dust abatement, and storm water retention, as directed by Clif Bar and in accordance with the Timeline.

(b) Section 5.1 of the Development Agreement is hereby amended in relevant part by adding the following new sections:

5.1.8 Storm Water. URA shall clear, grub, and excavate a storm water retention pond at the Site and shall excavate, trench, and install underground piping and above ground swales to direct storm water to the storm water retention pond as directed by Clif Bar in accordance with the Timeline.

5.1.9 Sanitary Sewer. URA shall connect the Project, no further than five (5) feet from the building, with City's sanitary sewer system located at the northwest corner of the Site as directed by Clif Bar and in accordance with the Timeline.

(c) Section 5.2 of the Development Agreement is hereby amended, in relevant part, by deleting from the first sentence: "Upon completion of all of the site preparation activities indentified in the preceding section" and replacing it with: "Upon the approval of the Twin Falls City Council and in accordance with the Timeline".

(d) Section 6.2 of the Development Agreement is hereby amended in relevant part by adding at the end of the first sentence of Section 6.2.1: ", including without limitation water lines for process water, domestic water and fire suppression."

(e) Section 6.2 of the Development Agreement is hereby amended in relevant part by adding the following new section:

6.2.4 Mechanical Equipment Yard. URA shall install a masonry screen wall to enclose mechanical equipment in the location shown on the Site Plan, in Exhibit E attached hereto, as directed by Clif Bar and in accordance with the Timeline. This improvement will be funded with URA Financing in accordance with the Deal Sheet.

(f) Exhibit B (Timeline) to the Development Agreement is hereby deleted in its entirety and replaced with the new Exhibit B attached hereto as Attachment 2.

(g) Exhibit C (Deal Sheet) to the Development Agreement is hereby deleted in its entirety and replaced with the new Exhibit C attached hereto as Attachment 3.

(h) The new Exhibit E (Site Plan), attached hereto as Attachment 4, is hereby added to the Development Agreement.

2. Financing. Section 2 of the Development Agreement is hereby amended in relevant part by deleting Section 2.5 and Section 2.6 and replacing it with the following:

2.5 Urban Renewal Bonds and Transfers. In the event that URA issues urban renewal bonds to finance a portion of the Project and there is no guarantee by Clif Bar for payment of its ad valorem taxes in the amount needed to make all payments when due on such bonds, the bond documents shall clearly and unequivocally reflect that URA's obligation to pay the bonds is expressly limited to the tax increment that URA is legally entitled to receive from the Project and that URA shall not be in default under the bonds if URA is using all such tax increment for payment of the bonds and for other purposes as set forth in the bond documents. If Clif Bar or its owners initially acquire the bonds and subsequently desire to transfer such bonds and such transfer requires reissuance of the bonds, then URA shall cooperate with Clif Bar to cause the issuance of bonds to refinance the original bonds at no cost to URA. No bonds shall be issued or transferred to Clif Bar, its owners or others unless such purchasers sign a private placement letter as qualified investors.

3. Easements. Section 6 of the Development Agreement is hereby amended in relevant part by adding the following new section:

6.7 Easements. Upon completion of the Plant, Clif Bar shall convey to City and URA such easements as are necessary to provide City and URA access to on-site utilities.

4. Miscellaneous. The recitals to this First Amendment, and all Attachments referred to herein and attached hereto, are incorporated herein by such reference and made a part of this First Amendment. All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Development Agreement. In the event of any conflict between the provisions of the Development Agreement and those of this First Amendment, the provisions of this First Amendment shall control. No other terms and conditions of the Development Agreement are hereby changed by this First Amendment. The Development Agreement shall remain in full force and effect modified only by the terms and conditions of this First Amendment.

SIGNED and DATED EFFECTIVE on the date first set forth above.

Don Hall, Mayor
City of Twin Falls

Leon Smith, Chair
Urban Renewal Agency of the City of Twin Falls

Kevin Cleary, Chief Executive Officer
Clif Bar & Company, a California Corporation

ATTACHMENTS:

Attachment 1: Redline showing changes to Development Agreement by First Amendment
Attachment 2: Exhibit B (Timeline)
Attachment 3: Exhibit C (Deal Sheet)
Attachment 4: Exhibit E (Site Plan for Mechanical Equipment Yard)

Attachment 1 to First Amendment

**REDLINE SHOWING CHANGES TO DEVELOPMENT AGREEMENT TEXT BY FIRST AMENDMENT
(WITHOUT SIGNATURE PAGES OR EXHIBITS)**

DEVELOPMENT AGREEMENT

This Development Agreement is entered into this 17th day of October 2013, by and among the City of Twin Falls, an Idaho municipal corporation (“City”); the Urban Renewal Agency of the City of Twin Falls, an independent public body corporate and politic of the State of Idaho (“URA”); and Clif Bar & Company, a California corporation (“Clif Bar”); collectively, the “parties”.

Recitals

A. Subject to the terms and conditions set forth herein and the full and timely performance by City and URA of their duties and obligations herein, Clif Bar desires to construct and operate a food production, packaging and distribution facility and related improvements in Twin Falls, Idaho (“Plant”).

B. Clif Bar is in the preliminary stages of design and cost estimations for construction of the Plant. Clif Bar estimates the construction costs of the Plant (including equipment) will be approximately NINETY MILLION DOLLARS (\$90,000,000) in the initial phase, and potentially as much as ONE HUNDRED SIXTY MILLION DOLLARS (\$160,000,000), depending on the ultimate design, size, scope and full build-out of the Plant.

C. Clif Bar currently estimates it will employ approximately two hundred fifty (250) full-time employees with benefits at the Plant in the initial phase (two manufacturing lines), and assuming market, operation and economic conditions support full build-out of the Plant (six manufacturing lines), Clif Bar estimates it will employ approximately four hundred fifty (450) full-time employees with benefits at the Plant. The parties understand these are only good faith estimates.

D. City’s public wastewater collection systems, water systems, and roadways, as well as certain utility services, will require upgrades and improvements in order to serve the Plant.

E. URA has the legal authority to establish a revenue allocation area, also known as a “tax increment financing district” or a “TIF district,” in association with an urban renewal project and to collect taxes on the increment value (the difference between the current equalized value of all taxable properties within a TIF district and the base assessment value on the base assessment roll). Further, URA has the authority to use those funds to construct public infrastructure, to acquire real property and prepare it for development, and other matters related to the Plant all as authorized by law (“Project”). The Plant will generate revenue allocation proceeds upon the creation by URA of a TIF district that includes property where the Plant will be located.

F. The location of the Plant will require the acquisition of real property and development of public and private infrastructure to support the construction, operation, and possible expansion of the Plant. URA has located parcels of real property within an urban renewal area that are large enough to serve the stated needs of Clif Bar but that will require some site development and additional public infrastructure in order to serve the Plant. The property identified for the Plant contains approximately eighty-nine and 43/100 (89.43) acres, which are graphically shown and legally described on Exhibit A ("Site").

NOW, THEREFORE, the parties agree as set forth in the Recitals above and as follows.

1. Urban Renewal Project TIF District Formation

1.1 URA shall approve a new urban renewal project, the Project, and recommend a new TIF district that includes the Site ("TIF District") in accordance with URA's Urban Renewal Plan to allow for collection of tax increment funds to be used for costs and expenses in support of the Plant as described herein. URA shall form the TIF District in accordance with Exhibit B ("Timeline").

2. Tax Increment and Tax Increment Financing

2.1 URA shall provide all of the tax increment funds generated within the TIF District for costs and expenses in support of the Plant. These funds shall be expended on eligible improvements and expenditures as are allowed by applicable law, designated by Clif Bar and with concurrence of URA and City, including site acquisition, site preparation and other eligible Project costs needed to support the Plant in accordance with Exhibit C ("Deal Sheet"). To the extent tax increment funds generated within the TIF District exceed the amounts required to cover the actual costs of the URA-TIF funded improvements identified on the Deal Sheet, URA shall contribute any additional tax increment funds toward eligible Project costs as designated and prioritized by Clif Bar with concurrence of URA and City. URA shall not prematurely terminate the twenty-year TIF District without the consent of Clif Bar.

2.2 Immediately following approval of the new urban renewal Project and TIF District and in accordance with the Timeline, URA shall seek to borrow sufficient money to, at a minimum, pay for the URA-TIF funded improvements identified on the Deal Sheet, and to fund other eligible Project costs, for the maximum amount possible based on the anticipated tax increment funds from the Plant and Site, as determined by the parties in cooperation with each other and with the financing entity ("URA Financing"). At Clif Bar's option, such URA Financing may consist of a market rate bond, which URA shall seek from a national bank or other financing entity, and/or other financing provided or arranged by Clif Bar. As needed, URA shall petition, as soon as reasonably practical, for judicial confirmation of the URA Financing.

2.3 City's and URA's commitments to complete infrastructure improvements described herein are dependent, in part, upon funding from URA Financing or from other sources. To the extent sufficient funding is not received from URA Financing or other sources (but not excusing City's obligation to provide funding committed for water tank) to cover City's and URA's obligations in the Deal Sheet, they shall be relieved of the duty to complete those infrastructure improvements for which funding is not available, and the parties shall cooperate to

modify the scope of the infrastructure improvements shown on the Deal Sheet, as designated and prioritized by Clif Bar, after consulting the City and URA, to coincide with available funding.

2.4 To the extent URA Financing or other funding is not secured in an amount sufficient to cover the cost of site acquisition, site preparation, and other Project costs as set forth in the Deal Sheet, Clif Bar shall be relieved of all obligations herein. The parties shall cooperate and work with each other diligently and in good faith to secure the URA Financing and other necessary funding.

~~2.5 The parties understand that in order to obtain optimal market rate financing the URA Financing may be structured consistent with the recent URA financing obtained in connection with the Chobani project, including a Local Improvement District (LID) overlay district.~~

~~2.6.5 URA anticipates receiving revenue allocations from taxes paid by Clif Bar on the Plant. Clif Bar agrees to pay property taxes as and when due, at its option, (i) 50% of taxes due on December 20th and the remaining 50% on the following June 20th; or (ii) 100% on December 20th. If the assessed value of the Plant is not sufficient such that by January 27 in any year there are not sufficient funds in the Revenue Allocation Fund (consisting of previously collected tax increment funds and other reserves, if any, created in connection with the URA Financing) held by the Trustee for the URA Financing to make the minimum payment due on the URA Financing, then URA shall notify Clif Bar, the City, and other interested parties of the amount needed (the "Differential"), and Clif Bar (or the then owner of the Plant) shall pay the Differential to the Trustee within ten (10) business days of such notice. In the event that URA issues urban renewal bonds to finance a portion of the Project and there is no guarantee by Clif Bar for payment of its ad valorem taxes in the amount needed to make all payments when due on such bonds, the bond documents shall clearly and unequivocally reflect that URA's obligation to pay the bonds is expressly limited to the tax increment that URA is legally entitled to receive from the Project and that URA shall not be in default under the bonds if URA is using all such tax increment for payment of the bonds and for other purposes as set forth in the bond documents. If Clif Bar or its owners initially acquire the bonds and subsequently desire to transfer such bonds and such transfer requires reissuance of the bonds, then URA shall cooperate with Clif Bar to cause the issuance of bonds to refinance the original bonds at no cost to URA. No bonds shall be issued or transferred to Clif Bar, its owners or others unless such purchasers sign a private placement letter as qualified investors.~~

3. Interim Financing - Loan

3.1 Clif Bar understands that URA will not have tax increment funds from the Project until the Plant is constructed and taxes are paid and distributed to URA and that, prior to that time, URA will need funds for site acquisition, site preparation and other Project costs shown on the Deal Sheet. Clif Bar agrees, subject to URA and Clif Bar mutually agreeing on amount, re-payment terms, security (including a security interest in the Site and pledges and/or a security interest in the tax increment revenues generated from the Site), and other specific terms and conditions, to provide interim financing to URA as needed to comply with the Timeline, which loan shall be repaid in full to Clif Bar, together with a market rate of interest, upon URA's receipt of the URA Financing ("Interim Financing"). If, for any reason, no URA Financing is

obtained, the Interim Financing shall be paid by the URA from tax increment funds generated with the TIF District. Clif Bar understands and agrees that, absent Interim Financing, the Timeline might not be met, and City and URA will be relieved of compliance with the Timeline to the extent of delay in obtaining financing.

3.2 If Clif Bar elects to not construct the initial phase of the Plant as described in Section 6.5 of this Agreement, then URA and City will not have an obligation to reimburse Clif Bar for Interim Financing that has already expended on Deal Sheet improvements except to the extent and at such time as tax increment is generated from the TIF District by anyone during the twenty-year term of the TIF District, provided that URA must still convey the Site to Clif Bar in accordance with Section 5.2 of this Agreement.

4. State of Idaho Incentives

4.1 Idaho Community Development Block Grants. City shall apply for Idaho Community Development Block Grants ("ICDBG"), in accordance with the Timeline, to contribute toward the cost of public infrastructure needed to serve the Plant as set forth on the Deal Sheet. City shall submit all required applications to secure two (2) Idaho Community Development Block Grants ("ICDBG") of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) each, totaling ONE MILLION DOLLARS (\$1,000,000) for public infrastructure to serve the Plant. City will diligently pursue approval of such grants. Clif Bar agrees to work and cooperate with the City through the application process.

4.2 Idaho Department of Commerce Grant. In a letter attached as Exhibit D ("Commerce Commitment Letter"), the Idaho Department of Commerce has committed to provide from the Director's Opportunity Grant Fund EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) toward the cost of public infrastructure needed to serve the Plant as set forth on the Deal Sheet. City shall diligently pursue obtaining these funds in accordance with the Timeline.

5. Site Acquisition and Preparation

5.1 Site Acquisition and Preparation. URA shall acquire the Site and complete the site preparation activities set forth below in accordance with the Timeline. City and URA shall take whatever action is needed to authorize such acquisition prior to the formation of the TIF District. The Site acquisition and preparation costs will be funded (or reimbursed) with Interim Financing and/or URA Financing and grant funds from the State of Idaho, in accordance with the Deal Sheet.

5.1.1 Survey. URA shall obtain and deliver to Clif Bar an ALTA survey of the Site that is certified to Clif Bar in accordance with the Timeline.

5.1.2 Environmental Site Assessments. URA shall have a Phase I Environmental Site Assessment completed for the Site that is certified to Clif Bar, and such further environmental assessments, tests and studies if suggested by the Phase I Environmental Site Assessment, in accordance with the Timeline.

5.1.3 Land Use Approvals. URA shall obtain all land use approvals, including permits, variances and exceptions, required to construct and operate the Plant, including but not limited to vacating existing plat(s) on the Site and any height exception required for the Plant, in accordance with the Timeline. The City acknowledges and agrees that Clif Bar may include electric solar panels on the Site as an accessory use, subject only to building permit review.

5.1.4 Site Access. URA shall obtain all permits and approvals required from the City of Twin Falls or other jurisdictions for access, approaches, and driveways to the Site and shall construct such accesses in accordance with the Timeline.

~~5.1.5 Removal of Improvements and Site Grading. URA shall remove a portion, or all, of the existing improvements on the site and perform site grading as directed by Clif Bar in accordance with the Timeline.~~ Site Improvements. URA shall remove a portion, or all, of the existing improvements on the Site, perform site grading, and install site improvements necessary for soil retention, erosion control, dust abatement, and storm water retention, as directed by Clif Bar and in accordance with the Timeline.

5.1.6 Utility and Street Relocations. URA shall obtain all permits and approvals required to relocate the on-site water line, sewer lines, gas utilities, electrical utilities, telecommunication utilities, and the like and shall relocate such facilities as directed by Clif Bar in accordance with the Timeline.

5.1.7 Canal Lateral Relocation. URA and the City shall obtain all permits and approvals required to relocate the on-site irrigation canal lateral and shall relocate such facilities as designated by Clif Bar and with concurrence with the City Clif Bar in accordance with the Timeline.

~~5.1.8 Storm Water. URA and/or City shall clear, grub, and excavate a storm water retention pond at the Site and shall excavate, trench, and install underground piping and above ground swales to direct storm water to the storm water retention pond as directed by Clif Bar in accordance with the Timeline.~~

~~5.1.9 Sanitary Sewer. URA and/or City shall connect the Project, no further than five (5) feet from the building, with City's sanitary sewer system located at the northwest corner of the Site as directed by Clif Bar and in accordance with the Timeline.~~

5.2 Conveyance of Site to Clif Bar. ~~Upon the approval of the Twin Falls City Council and in accordance with the Timeline~~ Upon completion of all of the site preparation activities identified in the preceding section and subject to the Site not containing any hazardous material or other contamination and otherwise being suitable, in Clif Bar's reasonable judgment, for the Plant, URA shall convey the Site to Clif Bar at no cost to Clif Bar. URA shall convey the Site to Clif Bar by warranty deed free and clear of all monetary liens, claims and encumbrances and free of all other liens, claims and encumbrances other than those approved by Clif Bar in its reasonable discretion, which would not interfere with the financing, construction or operation of the Plant. URA shall provide Clif Bar with an ALTA Extended coverage policy in the amount of the purchase price of the Site paid by URA.

6. **Infrastructure Improvements, Services, and Allocated Responsibilities**

6.1 Waste Water System

6.1.1 Lift Station and Line Improvements. City shall improve its wastewater collection system, in accordance with the Timeline, by installing a lift station and completing sewer line improvements to support wastewater flow requirements from the Plant of 87,000 AADF GPD; 159,000 Max. Day GPD; and 785 Peak Hour GPM; and by installing a pretreatment wastewater treatment facility on the Site to accommodate process flows from the Plant in compliance with the Discharge Permit. City and Clif Bar will jointly determine what type of pretreatment facility is appropriate. These improvements will be funded with URA Financing and grant funds from the State of Idaho, in accordance with the Deal Sheet.

6.1.2 Services and Rate. City shall provide wastewater services to Clif Bar and the Plant pursuant to the City's standard Industrial Wastewater Discharge Agreement ("Discharge Permit"). The rate charged by City to Clif Bar for collecting and treating wastewater flows from the Site shall be in accordance with City's Utility Rate Resolution for Significant Industrial Users.

6.1.3 Capacity Guarantee. City shall reserve and at all times have available, at no additional cost to Clif Bar except as may occur due to standard rate increases, sufficient capacity in its wastewater treatment plant and collection system to accommodate up to 159,000 gallons per day (GPD) with peak flows of up to 785 gallons per minute (GPM), all in compliance with the Discharge Permit and in compliance with all state and federal regulatory requirements. City shall charge the Plant a one-time wastewater system capacity and connection fee of One Hundred Seventy-Three Thousand, One Hundred Forty-Six Dollars (\$173,146). This fee will be funded with URA Financing in accordance with the Deal Sheet.

6.2 Water

6.2.1 Improvements. City shall improve its public water system, in accordance with the Timeline, by constructing a five million gallon water tank to support domestic and process water requirements at the Plant of 107,000 AADF GPD; 381,000 Max. Day GPD, and 825 Peak Hour GPM; and up to 1.44 MG storage for fire protection; and by installing all meters and other City-owned improvements required to deliver water to the Plant, including without limitation water lines for process water, domestic water and fire suppression. These improvements will be funded with URA Financing, City reserve funds and other sources of funds that City is responsible to provide, in accordance with the Deal Sheet. City shall also make available to Clif Bar, in accordance with the Timeline, the following water flows to test Plant operations: 10,000 AADF GPD; 100,000 Max. Day GPD; and 500 Peak Hour GPM.

6.2.2 Services and Rate. City shall provide water services to the Plant and Clif Bar shall be responsible to pay the standard water rates in effect at the time of billing.

6.2.3 Capacity Guarantee. City shall reserve and at all times have available for the Plant at no additional cost to Clif Bar, 1.8 MG storage in the new 5 MG water tank. City shall reserve and at all times have available for the Plant, at no additional cost to Clif Bar except as may occur due to standard rate increases, sufficient capacity in its public water

supply system to accommodate 107,000 AADF GPD; 381,000 Max. Day GPD, and 825 Peak Hour GPM, all in compliance with state and federal regulatory requirements. City represents that water distribution pumping is currently between 60 and 70 psi and City will endeavor to retain that capacity. If Clif Bar determines the Plant requires a higher pressure or minimum threshold of pressure, the parties will explore needed improvements to the system such as a new pump station, which the parties agree would be a TIF-eligible expense.

6.2.4. Mechanical Equipment Yard. URA shall install a masonry screen wall to enclose mechanical equipment in the location shown on the Site Plan, in Exhibit E attached hereto, as directed by Clif Bar and in accordance with the Timeline. This improvement will be funded with URA Financing in accordance with the Deal Sheet.

6.3 Streets and Transportation

6.3.1 Roads. City shall improve and widen 3300 East (commonly known as Champlin Road) between 3700 North (commonly known as Kimberly Road) and 3800 North (commonly known as Orchard Road) to industrial standard specifications sufficient to accommodate Plant operations in accordance with the Timeline. These improvements will be funded with URA Financing, in accordance with the Deal Sheet. To the extent sufficient TIF funds are not available for these improvements and Clif Bar incurs the costs for such improvements, then City shall allow latecomer's fees to be collected for such roadway and paid to Clif Bar in accordance with a latecomer's fee agreement.

6.3.2 Rail Crossing Signalization and Improvements. City shall obtain necessary approvals and install rail crossing signalization, as warranted, on 3300 East in accordance with the Timeline. These improvements will be funded with URA Financing, in accordance with the Deal Sheet. If requested by Clif Bar, City shall also seek necessary approvals and install a rail spur from the main line adjacent to the Site into the Site. These improvements will be funded with URA Financing or excess TIF funds, to the extent available.

6.4 Utilities

6.4.1 City and URA represent that high-speed internet and telecommunications and natural gas are currently available to serve the Plant in the public right-of-way adjacent to the Site.

6.4.2 City and URA shall cooperate with and assist Clif Bar with an agreement and approvals necessary to provide sufficient electricity to the Site for the Plant. Clif Bar's ability and obligation to proceed with the Plant is contingent upon timely obtaining an acceptable agreement with Idaho Power Company, approved by the Idaho Public Utilities Commission as required, to construct an electric power substation, and if desired to amortize costs for such substation, at terms and conditions acceptable to Clif Bar. These improvements will be funded (or reimbursed) with URA Financing and grant funds from the State of Idaho, in accordance with the Deal Sheet.

6.4.3 City and URA shall cooperate with and assist Clif Bar with the negotiations of any necessary or appropriate services agreements and other agreements with utility providers.

6.5 Plant. Subject to the availability of URA Financing and the full and timely performance by City and URA to complete the tasks set forth in Sections 5 and 6 of this Agreement and to provide the required improvements in accordance with the Deal Sheet and the Timeline, Clif Bar estimates that construction of the initial phase of the Plant will commence in Spring 2015. Clif Bar estimates the construction costs of the Plant (including equipment) will be approximately NINETY MILLION DOLLARS (\$90,000,000) in the initial phase, and potentially as much as ONE HUNDRED SIXTY MILLION DOLLARS (\$160,000,000), depending on the ultimate design, size, scope and full build-out of the Plant.

6.6 Employment. Clif Bar currently estimates it will employ approximately two hundred fifty (250) full-time employees with benefits at the Plant in the initial phase (two manufacturing lines), and assuming market, operation and economic conditions support full build-out of the Plant (six manufacturing lines), Clif Bar estimates it will employ approximately four hundred fifty (450) full-time employees with benefits at the Plant. The parties understand these are only good faith estimates.

6.7 Easements. Upon completion of the Plant, Clif Bar shall convey to City and URA such easements as are necessary to provide City and URA access to on-site utilities.

7. Entitlements Processes, Permits, Fees and Assessments

7.1 Permitting and Construction Coordination. City agrees to cooperate with and involve Clif Bar in the development and review of the plans and specifications, as well as bid packages and contractor selections, for all public infrastructure improvements to be constructed by City or URA as contemplated herein or as otherwise to be paid for with the URA Financing and/or excess TIF from the Project. To the extent the actual costs, or any revised estimated costs (e.g., due to new knowledge or revised plans), of the improvements identified on the Deal Sheet do or are expected to exceed the estimated costs shown on the Deal Sheet, then City and URA will obtain Clif Bar's written consent before incurring further costs on that improvement. To the extent permitted by law, Clif Bar may opt to manage the contracting and construction of Project improvements. City shall cooperate with and assist URA and/or Clif Bar in applying for and obtaining all permits and approvals required for the construction and operation of the Plant and public improvements needed to support the Plant, as set forth in the Deal Sheet as well as any new improvements utilizing URA Financing or excess TIF. City shall, to the extent permitted by law, expedite and fast track all such permits, inspections, and approvals, including but not limited to, issuing building permits in segments and phases, giving Plant permit approvals and inspections queue priority, expedited plan reviews and approvals, single point of contact via City's Development Director, and coordination services between City departments and between City and other regulatory agencies. City shall assist Clif Bar in obtaining and expediting any and all approvals and inspections required by the State of Idaho and Twin Falls County for the construction and operation of the Plant.

7.2 Building, Impact and Similar Fees. City shall waive any and all application and building permit fees and similar fees and charges. URA shall pay all impact fees and other fees needed in connection with the approval, construction, inspection, occupancy and operation of the Plant, including but not limited to fees associated with water and sewer taps, lateral relocation approvals, industrial user permits, and sign permits.

7.3 Public Meetings. Clif Bar understands that City and URA are political subdivisions of the State of Idaho, and are subject to all state laws governing their activities, including the Public Meeting Law, which requires all final decisions to be approved at public meetings, with notice and agenda posting requirements. Authorization for the Mayor of City and Chairman of URA to execute this agreement shall be obtained at a public meeting. City and URA will schedule a joint special meeting as quickly as is legally permissible in order to authorize execution of this Agreement.

8. **Miscellaneous Provisions**

8.1 Approval of Agreement. City and URA are political subdivisions of the State of Idaho, and are subject to all state laws governing their activities, including the Public Meeting Law, which requires all final decisions to be approved at public meetings, with notice and agenda posting requirements. Authorization for the Mayor of City and Chairman of URA to execute this Agreement shall be obtained at a public meeting. City and URA will schedule a joint special meeting as quickly as is legally permissible in order to authorize execution of this Agreement.

8.2 Amendments, Waivers and Termination. No amendment or modification to any terms or provisions of this Agreement; waiver of any covenant, obligation, breach or default under this Agreement; or termination of this Agreement (other than as expressly provided herein), shall be valid unless in writing and executed and delivered by each of the parties.

8.3 Confidentiality. All information used or developed by Clif Bar or its consultants relating to the design or operation of the Plant, even if supplied to City or URA, shall remain the sole and confidential property of Clif Bar, shall be protected from disclosure as a trade secret in accordance with the Idaho Public Records Act, and shall not be shared with any other person or made part of a public record, at any time, unless instructed by the Courts.

8.4 Entire Agreement. This Agreement sets forth the entire understanding and agreement of the parties for the subject matter herein.

8.5 Incorporation of Recitals and Exhibits. The recitals to this Agreement, and all exhibits referred to in this Agreement, are incorporated herein by such reference and made a part of this Agreement.

8.6 Severability. If any term or provision of this Agreement is held to be or rendered invalid or unenforceable at any time in any jurisdiction, such term or provision shall not affect the validity or enforceability of any other terms or provisions of this Agreement, or the validity or enforceability of such affected term or provision at any other time or in any other jurisdiction.

8.7 Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties, and their respective successors and permitted assigns.

8.8 Third Party Beneficiaries. This Agreement shall not confer any rights or remedies on any person other than the parties and their respective successors and permitted assigns.

8.9 Governing Law. This Agreement shall be governed by the laws by the State of Idaho.

8.10 Authority and Binding Obligation. (i) The parties hereto have full power and authority to execute and deliver this Agreement and to perform all of their respective obligations arising under this Agreement, and (ii) the execution and delivery by the signers hereto of this Agreement on behalf of the parties hereto has been duly and validly authorized by all necessary action by each party.

8.11 Dispute Resolution and Remedies. In the event that a dispute arises between the parties regarding the application or interpretation of any provision of this Agreement, the aggrieved party shall provide written notice of such dispute to the other parties to this Agreement. The parties shall in good faith use commercially reasonable efforts to resolve such dispute. If the parties shall have failed to resolve the dispute to the satisfaction of all parties within ten (10) days after delivery of such notice, the parties agree to first endeavor to settle the dispute in an amicable manner by mediation or other process of structured negotiation under the auspices of a nationally or regionally recognized organization providing such services in the Idaho, or otherwise as the parties may mutually agree before resorting to litigation. Parties shall each bear their own attorneys' fees and costs for mediation and shall share equally the cost of mediation. Should the parties be unable to resolve the dispute to their mutual satisfaction within thirty (30) days after such completion of mediation or other process of structured negotiation, then each party shall have the right to pursue any rights or remedies it may have at law or in equity.

8.12 Notices. Formal notices, demands, and communications between the parties shall be sufficiently given if dispatched by registered or certified mail, postage prepaid, return receipt requested, or faxed (with a confirming telephone call) to the principal offices of the parties as set forth below. Such written notices, demands, and communications may be sent in the same manner to such other names and addresses as either party may from time to time designate in writing.

If to City:	Travis Rothweiler, City Manager City of Twin Falls PO Box 1907 321 2nd Avenue East Twin Falls, Idaho 83303-1907 Facsimile No.: (208) 736-2296
With a copy to:	Fritz Wonderlich, City Attorney Wonderlich & Wakefield PO Box 1812 321 2nd Avenue East Twin Falls, Idaho 83303-1812 Facsimile No.: (888) 789-0935
If to URA:	Melinda Anderson, Executive Director Urban Renewal Agency of the City of Twin Falls

PO Box 1907
321 2nd Avenue East
Twin Falls, Idaho 83303-1907
Facsimile No.: (208) 736-2296

If to Clif Bar: Richard Boragno, Chief Financial Officer
Clif Bar & Company
1451 66th Street
Emeryville, California 94608
Facsimile No.: (510) 295-2552

With a copy to: Bruce Lymburn, General Counsel and Secretary
Clif Bar & Company
1451 66th Street
Emeryville, California 94608
Facsimile No.: (510) 295-2682

Deborah Nelson
Givens Pursley LLP
PO Box 2720
601 W. Bannock Street
Boise, Idaho 83702
Facsimile No.: (208) 388-1300

8.13 Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

8.14 Further Acts. The parties hereto agree to take such further acts and execute such further documents and instruments as may be reasonably required to consummate the transactions set forth herein.

8.15 Attorneys' Fees. Except as otherwise provided herein, should any party employ an attorney or attorneys to enforce any of the provisions hereof or to protect its interest in any manner arising under this Agreement, or to recover damages for the breach of this Agreement, the non-prevailing party shall pay to the prevailing party all reasonable costs, damages and expenses, including attorneys' fees, expended or incurred in connection therewith.

SIGNED and DATED EFFECTIVE on the date first set forth above.

Greg Lanting, Mayor
City of Twin Falls

Cindy Bond, Chair
Urban Renewal Agency of the City of Twin Falls

Gary J. Erickson, Co-Chief Visionary Officer
Clif Bar & Company, a California Corporation

Kathleen F. Crawford, Co-Chief Visionary Officer
Clif Bar & Company, a California Corporation

Kevin Cleary, Chief Executive Officer
Clif Bar & Company, a California Corporation

EXHIBITS:

- Exhibit A Legal Description and Map of Site
- Exhibit B Timeline
- Exhibit C Deal Sheet
- Exhibit D Commerce Commitment Letter
- Exhibit E Site Plan for Mechanical Yard

Attachment 2 to First Amendment

**EXHIBIT B
TIMELINE**

Task	Completion Deadline
URA and Clif Bar will negotiate and agree to Interim Financing as set forth in Section 3	December 6, 2013
URA shall acquire the Site as set forth in Section 5.	December 16, 2013
City shall submit all required applications to secure two Idaho Community Development Block Grants of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) each and use best efforts to obtain final approval of the grants as set forth in Section 4.1.	December 31, 2014
City shall obtain the \$800,000 committed by the Department of Commerce from the Director's Opportunity Grant Fund as set forth in Section 4.2.	December 31, 2014
URA shall obtain URA Financing as set forth in Section 2.2, including judicial confirmation.	Within 180 days of new TIF district formation, or, if tax exempt bonds are desired, then no sooner than in 2016.
URA shall complete all of the site acquisition and preparation activities set forth in Section 5.1, except in subsections 5.1.5, 5.1.8 and 5.1.9.	February 13, 2015
URA shall complete all road improvements to 3300 East and have the road fully functioning as set forth in Section 6.3.1.	December 31, 2015
URA shall complete and have operational the rail crossing signalization as set forth in Section 6.3.2, as warranted.	December 31, 2015
URA shall convey the Site to Clif Bar as set forth in Section 5.2.	April 1, 2015
City and URA shall approve a new urban renewal Project and recommend a new TIF District that includes the Site as set forth in Section 1.1.	May 1, 2015
URA shall complete the storm water improvements as set forth in Section 5.1.8.	May 1, 2015
URA shall complete the sanitary sewer improvements as set forth in Section 5.1.9.	June 1, 2015
City shall have sufficient water flows available for Clif Bar to test Plant operations as set forth in Section 6.2.1.	October 1, 2015
City shall complete and have operational the water system as set forth in Section 6.2.	October 1, 2015
City shall complete and have operational the wastewater system improvements as set forth in Section 6.1, except for the sanitary sewer and MBBR wastewater pretreatment facility.	November 9, 2015
URA shall complete construction of the Mechanical Equipment Yard as set forth in Section 6.2.4.	July 1, 2016

**EXHIBIT C
DEAL SHEET**

<u>ELIGIBLE IMPROVEMENTS</u>	<u>ESTIM COSTS</u>	<u>FUNDING SOURCES</u>			
		City (reserves)	URA (TIF)	URA (other sources)	State
<u>Land Acquisition and Preparation</u>					
Approx. 89.43 acres +/-	\$ 3,903,931	\$ -	\$ 3,903,931	\$ -	\$ -
Infrastruct. Removal/Site Improve.	\$ 2,150,000	\$ -	\$ 1,950,000	\$ -	\$ 200,000
Storm water	\$ 1,317,000		\$ 1,317,000		
Sanitary Sewer	\$ 583,000		\$ 583,000		
Total	\$ 7,953,931	\$ -	\$ 7,753,931	\$ -	\$ 200,000
<u>Water</u>					
5 MGD Water Storage Tank	\$ 5,636,000	\$ 2,705,280	\$ 2,028,960	\$ 901,760	\$ -
On-Site Line Relocation	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
Connection Fee	\$ 7,873	\$ -	\$ 7,873	\$ -	\$ -
Domestic/Fire Lines	\$ 537,000		\$ 537,000		
Total	\$ 6,430,873	\$ 2,705,280	\$ 2,823,833	\$ 901,760	\$ -
<u>Wastewater</u>					
Lift Station	\$ 500,000	\$ -	\$ -		\$ 500,000
Line Improvements	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
Pretreatment	\$ 6,000,000		\$ 6,000,000		
Capacity Fee	\$ 102,865	\$ -	\$ 102,865	\$ -	\$ -
Total	\$ 6,852,865	\$ -	\$ 6,352,865	\$ -	\$ 500,000
<u>Streets and Transportation</u>					
	\$ 1,500,000	\$ -	\$ 1,500,000		\$ -
Improved and Signaled Rail Crossing	\$ 400,000	\$ -	\$ 400,000		\$ -
Total	\$ 1,900,000	\$ -	\$ 1,900,000	\$ -	\$ -
<u>Utility Improvements</u>					
20 MW Substation	\$ 2,600,000	\$ -	\$ 2,100,000		\$ 500,000
Mechanical Equipment Yard	\$ 75,000		\$ 75,000		
Total	\$ 2,675,000	\$ -	\$ 2,175,000	\$ -	\$ 500,000
<u>Canal Improvements</u>					
Relocation of the Canal Lateral	\$ 600,000	\$ -			\$ 600,000
Total	\$ 600,000	\$ -	\$ -	\$ -	\$ 600,000
<u>Impact Fees</u>					
Total Assessed Impact Fees	\$ 218,960	\$ -	\$ 218,960	\$ -	\$ -
Other fees per 7.2	\$ 50,000		\$ 50,000		
Total	\$ 268,960	\$ -	\$ 268,960	\$ -	\$ -
TOTALS	\$ 26,681,629	\$ 2,705,280	\$ 21,274,589	\$ 901,760	\$ 1,800,000

Total Funding Sources \$ 26,681,629

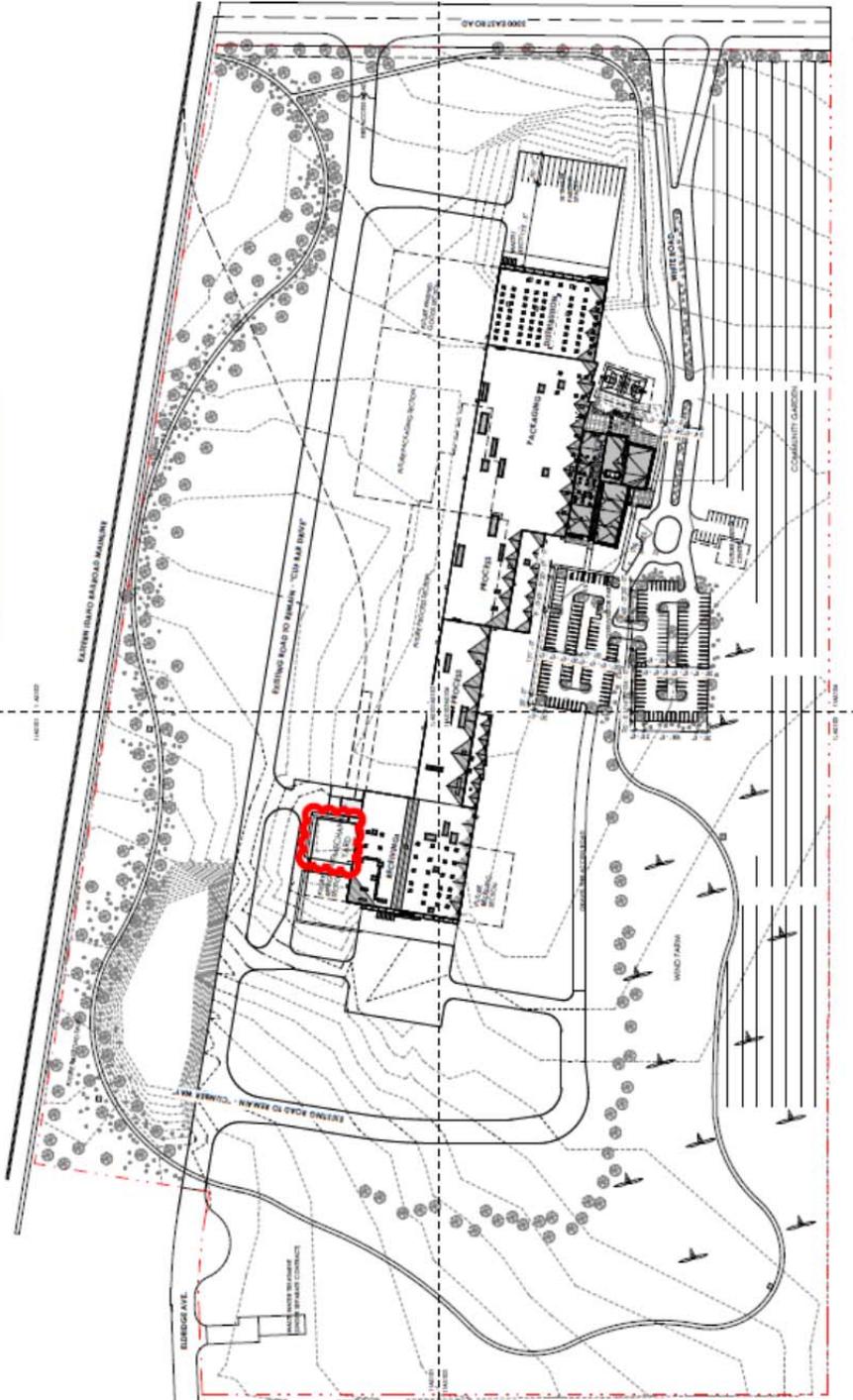
* Infrastructure improvement costs are estimates. TIF reimbursement will be based on actual expenditures and adequate TIF revenues.

Attachment 4 to First Amendment

**EXHIBIT E
SITE PLAN**

THIS IS THE GENERAL AREA OF THE MECHANICAL & ELECTRICAL YARD

THIS IS THE GENERAL AREA OF THE MECHANICAL & ELECTRICAL YARD SYSTEM WALL





MONDAY March 30, 2015
To: Honorable Mayor and City Council
From: Melinda Anderson, Economic Development Director

Request:

Consideration of a request to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar.

Time Estimate:

The staff presentation will take approximately 3 minutes.

Background:

As part of the development agreement with Clif Bar, the City, and Twin Falls Urban Renewal Agency, TFURA will convey 90 acres of the former Jayco Industrial Park (generally located on 3300 Road East south of the railroad right of way) to Clif Bar in order for them to build their bakery. The transfer is expected to happen this week and the new Revenue Allocation Area 4-4 won't be established for another 6-8 weeks.

Per Idaho Code 50-2007 and 50-2011:

"50-2007. POWERS. Every urban renewal agency shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including the following powers in addition to others herein granted: ...

(d) With the approval of the local governing body, (1) prior to approval of an urban renewal plan, or approval of any modifications of the plan, to acquire real property in an urban renewal area, demolish and remove any structures on the property, and pay all costs related to the acquisition, demolition, or removal, including any administrative or relocation expenses; and (2) to assume the responsibility to bear any loss that may arise as the result of the exercise of authority under this subsection in the event that the real property is not made part of the urban renewal project..."

"50-2011. DISPOSAL OF PROPERTY IN URBAN RENEWAL AREA. ...

(d) Any real property acquired pursuant to section 50-2007(d) may be disposed of without regard to other provisions of this section if the local governing body has consented to the disposal."

As RAA 4-4 has yet to be created, the City Council as the local governing body must approve the conveyance to Clif Bar of the property.

Process:

A majority vote of the Council in open meeting is needed to approve this request.

Budget Impact:

No impact to the City budget.

Regulatory Impact:

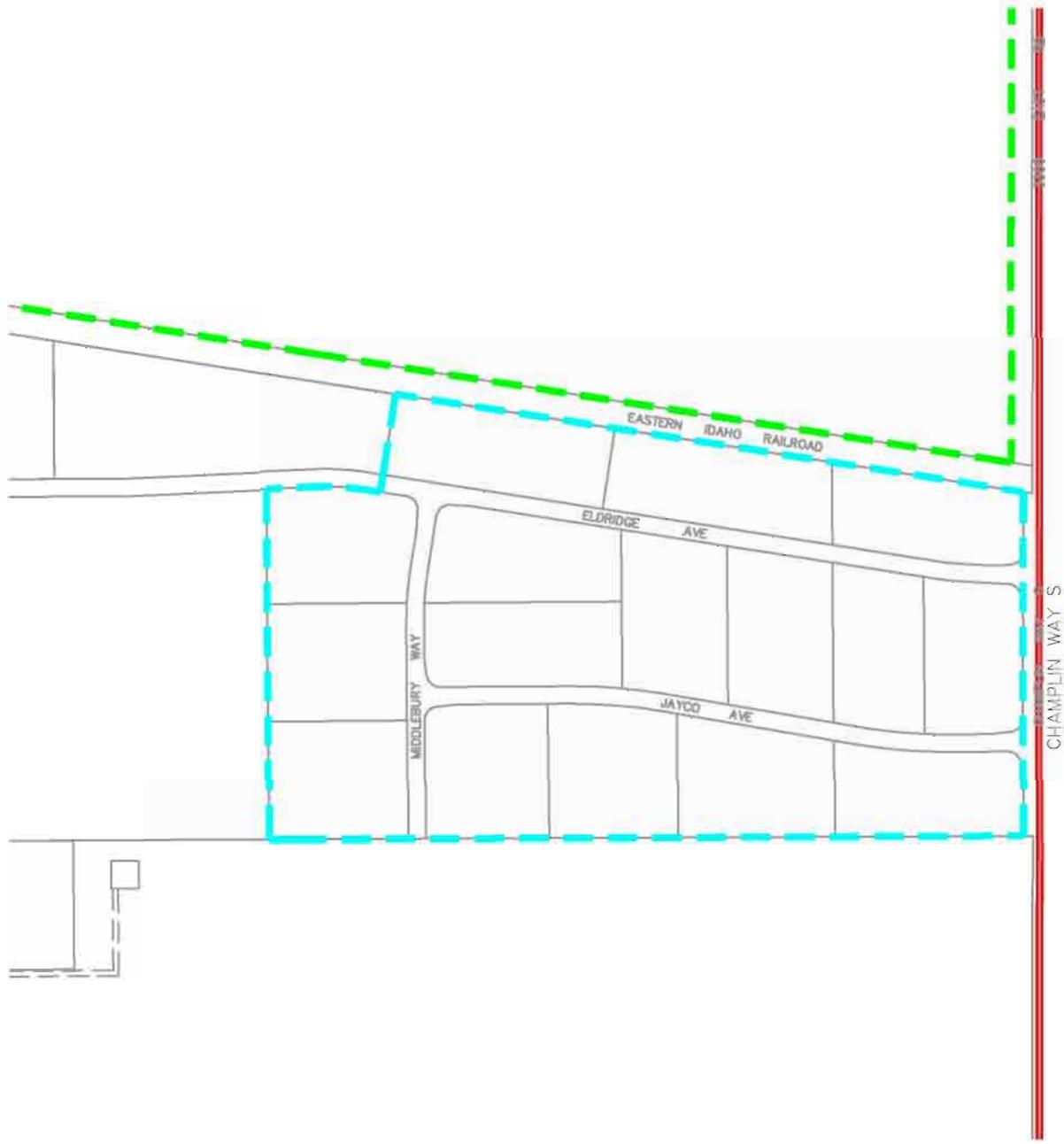
None.

Conclusion:

Staff recommends the Council approve this request.

Attachments:

1. Map



**URBAN RENEWAL AGENCY OF THE
CITY OF TWIN FALLS, IDAHO**



LEGEND	
	URBAN RENEWAL AREA #4
	REVENUE ALLOCATION AREA #4-3
	NEW REVENUE ALLOCATION AREA #4-4 (89.44 ACRES)



Public Hearing: **MONDAY MARCH 30, 2015**

To: Honorable Mayor Hall and City Council

From: Jonathan Spendlove, Planner I

ITEM IV-

Request: Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for 7.5(+/-) acres of undeveloped land located on the north side of the 2400 Block of Addison Avenue East c/o Dave Thibault on behalf of Joe Russell (app.2704)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 7.5 +/- Acres
Joe Russell 754 North College Rd Twin Falls, ID 83301 208-733-2983	Current Zoning: C-1 <u>PUD</u>	Requested Zoning: C-1
	Comprehensive Plan: Commercial Retail	Lot Count: 1 Lot
	Existing Land Use: Undeveloped	Proposed Land Use: owner is marketing property as appropriate for development of Residential - Apartment Complex
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o David Thibault, P.E. 621 N College Rd, Ste 100 Twin Falls, ID 83301 208-734-4888 dthibault@ehminc.com	North: R-4/residential neighborhood and C-1 PUD/this area designated as Multi-family-undeveloped	East: C-1 PUD; this area designated as commercial/retail - undeveloped
	South: C-1; Addison Avenue East/Reynolds Funeral Chapel	West: C-1;existing residence with pasture.
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-14-1 through 9	

Approval Process:

At the conclusion of a Public Hearing, the Planning Commissioners will be asked to make a recommendation on the requested zoning of the property. The recommendation will be forwarded to the City Council for consideration and decision.

Budget Impact:

Approval of this request will have no significant impact on the City budget at this time. Possible future development would have an impact on the City Budget.

Regulatory Impact:

After a public hearing, approval of the requested change will allow the request to proceed to the City Council for adoption of an ordinance.

History:

In 1995, an application was approved as a C-1 PUD to allow specific development of an Automobile Sales Business on the entire 7.5 +/- acre site. The ordinance was adopted that officially changed the zoning district to C-1 PUD. However, no PUD Agreement was signed or officially implemented. Since that time, the property has had no further zoning history.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment for approximately 7.5 +/- Acres. The Comprehensive Plan and Future Land Use Map designate this area as appropriate for Commercial/Retail uses. The areas immediately surrounding this parcel are currently zoned C-1 and C-1 PUD along Addison Ave East, with R-2 and R-4 to the North and West..

With the current zoning of C-1 PUD and no PUD Agreement in place, the applicant has requested a Zoning change to remove the "Planned Unit Development" limited development. If approved a C-1 zoning designation would allow for development to occur in accordance with C-1 Zoning District Standards as outlined in current city code. Developments that meet the minimum zoning code would simply apply for building permits and be reviewed for compliance with minimum codes and requirements.

On February 24, 2015 the Commission held a public hearing and was asked to make a recommendation to the City Council on this request. There was no public comment and after deliberation the Commission determined that **1-** the request is in conformance with the Comprehensive Plan designation of Commercial/Retail for this site; and **2-** the extent and nature of changing the zoning of this property to C-1 would be compatible with and not detract from the surrounding area.

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

Conclusion:

If the City Council determines this request is in conformance with the Comprehensive Plan designation of Commercial/Retail for this site; and agrees the extent and nature of changing the zoning of this property from a C-1 PUD Zoning District to a C-1 Zoning District would be compatible with and not detract from the surrounding area then staff recommends approval of this request as presented and as recommended by the Planning & Zoning Commission.

Attachments:

1. Letter of Request
2. Zoning Vicinity
3. Aerial Map
4. Applicant Submitted Map
5. Ordinance from Rezone in 1995.
6. Portion of Feb 24, 2015 P&Z minutes.



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Rezone Request

For Mr. Joe Russell – 2400 Block of Addison Avenue East

EHM Engineers, Inc. is hereby formally requesting a rezone of the subject property located at the 2400 Block of Addison Avenue East in Twin Falls to change the current zoning designation C-1 PUD to the underlying C-1 zone. The current C-1 PUD designated for a car sales lot; however, this PUD Agreement was never finalized and remains in an unfinished state. Therefore, the current property owner would like to clear the property of past zoning and clearly designate the property back to the previous C-1 zone.

The requested change of zone is in compliance with the comprehensive plan and map which identifies the property as C-1 Commercial Zone property. The frontage along Addison Avenue East, an arterial street and proximity to adjacent C-1 Commercial zoned property ensures that the zone designation of C-1 is consistent with the neighboring parcels and properties. This property will be compatible with adjacent properties as there is a multi-family housing complex neighboring to the north, established commercial and retail businesses to the west and south and undeveloped commercial property to the east.

Presently the owner of the property, Mr. Joe Russell is working on a residential apartment complex layout which is consistent with the neighboring property and is a permitted use within the C-1 zone. However, the property is for sale and the clarification/finalization of the zone designation of the property is important to the marketability of the subject property. Discussions with City staff have indicated that the property is in a state of limbo without clear zoning designation. The C-1 PUD which was previously requested and approved was never finalized and therefore this zone request has been prepared for consideration.

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049
3501 W. Elder St., Suite 100 • Boise, Idaho 83705 • [208] 386-9170 • Fax [208] 386-9076

IN THE FIELDS OF:
PLANNING • SURVEYING • HIGHWAYS • WATER • SEWAGE • STRUCTURAL • SUBDIVISIONS • BRIDGES • ENVIRONMENTAL • QUALITY CONTROL • CONSTRUCTION MGMT.

Aerial Photo Map

Reference Only





REZONE EXHIBIT
JOE RUSSELL'S ADDISON AVE



COPY

ORDINANCE NO. 2511

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 AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

WHEREAS, GARY STORRER had made application for a rezone of property with a west boundary located at the City's east city limits and a south boundary located in the 2400 block of Addison Avenue East in the City's Area of Impact; 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 26th day of September and on the 31st day of October, 1995, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts 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 4th day of December, 1995.

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 REZONED C-1 P.U.D.:

A parcel of land located in the SE 1/4 SW 1/4 of Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said SE 1/4 SW 1/4, and being the Real Point of Beginning;
THENCE East 660 feet along the south boundary of Section 11;
THENCE North 660 feet parallel with the west boundary of said SE 1/4 SW 1/4;
THENCE West 330 feet parallel with the south boundary of said SE 1/4 SW 1/4;
THENCE South 330 feet parallel with the west boundary of the SE 1/4 SW 1/4 of Section 11;
THENCE West 330 feet parallel with the south boundary of Section 11;
THENCE South 330 feet along the west boundary of the SE 1/4 SW 1/4 to the Real Point of Beginning

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.

PASSED BY THE CITY COUNCIL

December 4, 1995

SIGNED BY THE MAYOR

December 7, 1995



Gale Kleinkopf

Mayor Gale Kleinkopf

PUBLISH: Thursday, December 14, 1995

TWIN FALLS COUNTY, IDAHO

RECORDED FOR:

City of TF

1996 FEB -5 A 8:07

1996001937

ROBERT S. FORT
EX-OFFICIO RECORDER

FEE: 600 DEPUTY: LF



Looking East along Addison Ave E.

02/09/2015 05:22 PM



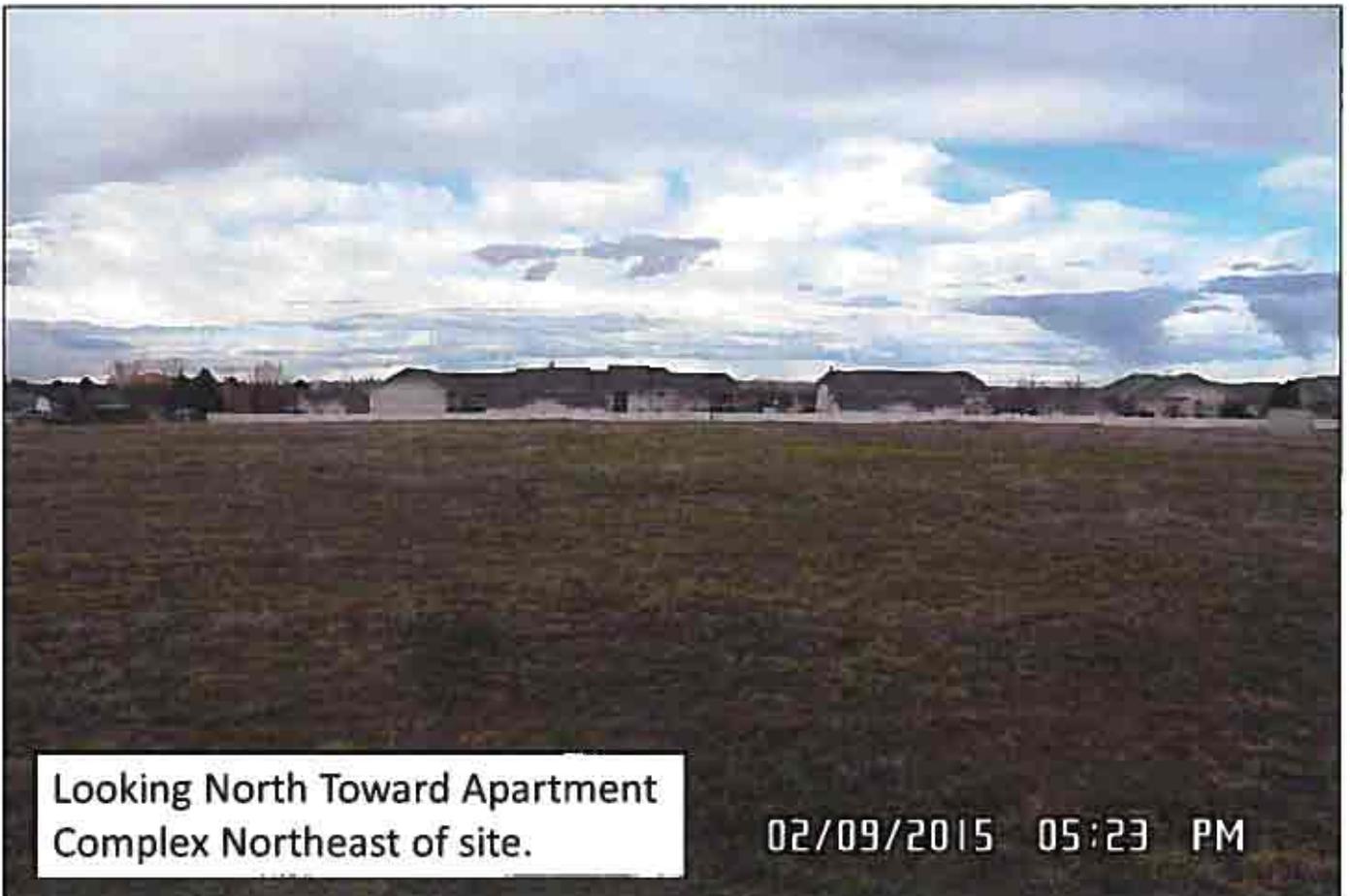
Looking West along Addison Ave E.

02/09/2015 05:22 PM



Looking North from entrance off
Addison Ave (same notification sign)

02/09/2015 05:22 PM



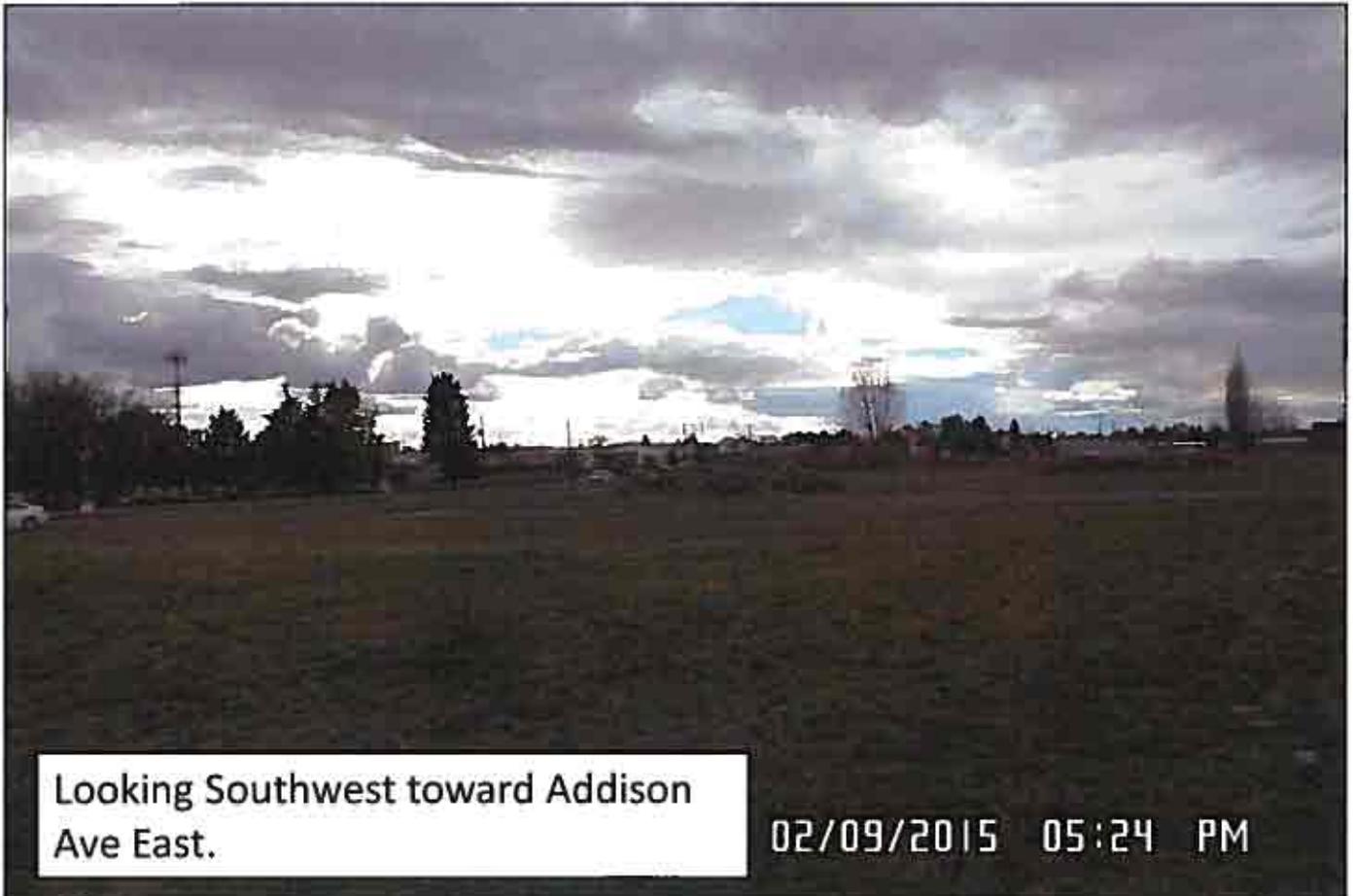
Looking North Toward Apartment
Complex Northeast of site.

02/09/2015 05:23 PM



Looking toward homes on Cedar Park Circle, Northwest of Site.

02/09/2015 05:24 PM



Looking Southwest toward Addison Ave East.

02/09/2015 05:24 PM

2. Request for a Zoning District Change And Zoning Map Amendment from C-1 PUD to C-1 for 7.5 +/- acres of undeveloped land located on the north side of the 2400 Block of Addison Ave East c/o Joe Russell (app 2704)

Applicant Presentation:

Dave Thibault, EHM Engineer, Inc., the development was approved to be rezoned as a C-1 PUD however there is not a signed PUD Agreement, leaving the property in limbo, the original PUD designation was to allow for auto dealership. His client is not that type of business and is asking that the property be rezoned to C-1.

Staff Analysis:

Planner I Spendlove reviewed the request and stated in 1995, an application was approved as C-1 PUD to allow development of an Auto Sales Business only. The ordinance was adopted that officially changed the zoning district. However, no PUD agreement was signed or officially implemented. Since that time, the property has had no further zoning history.

This is a request for a Zoning District Change and Zoning Map Amendment for approximately 7 Acres. The Comprehensive Plan and Future Land Use Map designate this area as Commercial/Retail. The areas immediately surrounding this parcel are currently zoned C-1 and C-1 PUD along Addison Ave East, with R-2 and R-4 to the North and West..

With the current zoning of C-1 PUD and no PUD Agreement in place, the applicant has requested a Zoning change to remove the limited development and which would allow for development to occur in accordance with C-1 Zoning District Standards as outlined in current city code. Developments that meet the minimum zoning code would simply apply for building permits and be reviewed for compliance with minimum codes and requirements.

Planner I Spendlove stated upon conclusion the Commission is asked to make a recommendation on this request which shall automatically be scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan designation of Commercial/Retail and 2- the extent and nature of changing the zoning of this property to C-1 would be compatible with and not detract from the surrounding area.

If the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

PZ Questions/Comments: None

Public Comment: Opened & Closed Without Comments

Closing Statements:

Mr. Thibault explained that the criteria for this request has clearly been met and asked that the Commission approve this request.

Deliberations Followed: **Without Concerns**

Motion:

Commissioner Woods made a motion to recommend approval of the request to the City Council, as presented, with staff recommendations. Commissioner Reid 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
City Council Hearing Scheduled March 30, 2015



Public Hearing: MONDAY MARCH 30, 2015

To: Honorable Mayor Hall and City Council

From: Jonathan Spendlove, Planner I

ITEM IV-

Request: Request to Vacate a 15' x 128' platted but undeveloped Drainage and Non-Vehicular (ped path) Access Easement located between Lots 41 & 42, Block 1 of Settler's Ridge Subdivision No. 3. c/o Lance Fish on behalf of Settlers Ridge, LLC (app. 2705)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff's presentation may be up to ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 1925 sf Drainage and Non-Vehicular (ped path) Access Easement (path)
Settler's Ridge, LLC c/o Lance Fish 2904 N. Brumby Lane Kuna, ID 83634 208-890-7746 Lancefish60@hotmail.com	Current Zoning: Drainage and Non-Vehicular (ped path) Access Easement within a platted residential subdivision	Requested Zoning: vacation of undeveloped Drainage and Non-Vehicular (ped path) Access Easement
	Comprehensive Plan: Mixed Use Residential	Lot Count: none
	Existing Land Use: Undeveloped platted area within Settler's Ridge No. 3 Subd.	Proposed Land Use: Residential development
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o Tim Vawser 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 tvawser@ehm-inc.com	North: R-2; undeveloped residential lot	East: R-2; undeveloped residential lot
	South: R-2; undeveloped residential lot	West: R-2; undeveloped residential lot
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1:

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Council will conduct a public hearing and approve, modify or deny the vacation. If granted an ordinance will be prepared and brought before the City Council for adoption and recordation.

Budget Impact:

Approval of this request will have negligible impact the City budget.

Regulatory Impact:

Approval of this request will allow Settlers Ridge, LLC to vacate the undeveloped 1925 sf Drainage and Non-Vehicular (ped path) Access Easement by ordinance.

History:

In December 2004, the Planning and Zoning Commission heard a request for the Settler's Ridge Preliminary Plat. During that public hearing it was stated by City Staff that the plat needed to reflect this new requirement of connecting Cul-De-Sacs with surrounding pathways. During the Platting process this pedestrian pathway was placed in its current location and eventually the Final Plat for Settlers Ridge #3 was recorded.

Analysis:

This is a request to vacate a pedestrian access easement located in Settlers Ridge #3. The easement was originally intended to grant access to the future Canyon Rim walking trail to the North East.

The applicants' narrative states that the connection for the walking path is already planned for at alternative locations within the subdivision, and this particular path is therefore in excess of what is needed. Furthermore, the applicant feels this pathway will devalue the property and create privacy issues in the development, especially between these two undeveloped lots. The applicant does not feel there will be any negative impacts to adjoining properties.

The owners of said property are ready to construct this final phase of this development. This last phase of Settler's Ridge Subdivision includes completing construction of Park View Drive north and the reconstruction of the portion of vacated Canyon Rim Road along the easterly boundary of the Snake River Canyon into a pedestrian walking path. After completion of this section, Canyon Rim Road will be closed for vehicle traffic at the intersection of Federation Road (near the gun club), and will turn into the pedestrian walking path.

Additional Information: The code section referenced by City Staff in 2004 is

City Code 10-12-3-7: Pedestrian Walkways:

"Right of way for pedestrian walkways in the middle of long blocks may be required where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas; the pedestrian easement shall be in accordance with section 10-12-3-13 of this chapter. Cul-de-sacs will be connected to other adjacent streets with cul-de-sacs within the proposed subdivision or existing subdivisions and to adjacent arterial or collector streets with paved pedestrian walkways at least ten feet (10') wide within fifteen foot (15') easements. (Ord. 2798, 8-2-2004)"

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, published and recorded.

On February 24, 2015 the Commission held a public hearing and was asked to make a recommendation to the City Council on this request. There was no public comment and after deliberation Commissioner Woods made a motion to recommend approval of the request to the City Council, as presented, with staff recommendations. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Conclusion:

Should the City Council the request to vacate a 15' x 128' platted but undeveloped Drainage and Non-Vehicular (ped path) Access Easement located between Lots 41 & 42, Block 1 of Settler's Ridge Subdivision No. 3, as presented, staff recommends approval be subject to the following condition:

- 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.

Attachments:

1. Vacation request
2. Vacation Exhibit
3. Zoning Vicinity Map
4. Portion of the Feb 24, 2015 P&Z minutes

**Settler's Ridge Number 3 Subdivision
Easement Vacation Statement**

- B.1. Per attached description.**
- B.2. Platted (vacant) residential to north, south, and west. Open space to east (canyon rim).**
- B.3. 1925 square feet of non-vehicular (path) access easement. Drainage easement to remain in place.**
- B.4. Property to be vacated was planned to have a pedestrian path within the easement. The use will be maintained for drainage only, otherwise no change of use will be realized.**

The reason for the vacation request is to remove the requirement for a path connection between the cul-de-sac and the canyon rim trail. Centrally located paths are already planned for public connectivity at alternate locations. Creation of a path within this easement location devalues the lots and creates privacy issues to the development.

- 4b. This request will not have any effects on adjoining properties. As mentioned previously, alternate connections to the path system are already planned for the overall development.**
- 5a. The applicant is the owner of both lots.**
- 5b. No utility companies have an interest in the easement. It was platted as a drainage and access easement and the drainage easement will remain in place.**

Other Pedestrian Connection.

Proposed Connection to be Vacated.

Other Pedestrian Connection through the future park on this Tract.

Vertical Curve Chart

Scale of chart: 1" = 10' vertical, 1" = 100' horizontal

Grade (%)	10'	20'	30'	40'	50'	60'	70'	80'	90'	100'
1	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
2	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
3	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
4	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
5	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
6	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
7	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
8	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
9	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
10	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Health Ordinances

Chapter 13, Health Ordinance, City of Dallas, Texas

1. ALL TRACTS SHALL BE SUBJECT TO THE HEALTH ORDINANCES OF THE CITY OF DALLAS, TEXAS, AND THE TRACTS SHALL BE CONSIDERED TO BE IN FULL COMPLIANCE WITH SAID ORDINANCES.

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3. THE TRACTS SHALL BE SUBJECT TO THE HEALTH ORDINANCES OF THE CITY OF DALLAS, TEXAS, AND THE TRACTS SHALL BE CONSIDERED TO BE IN FULL COMPLIANCE WITH SAID ORDINANCES.

Measurement Conventions

1. ALL MEASUREMENTS SHALL BE MADE TO THE CENTER OF THE LINE UNLESS OTHERWISE SPECIFIED.

2. ALL DISTANCES SHALL BE IN FEET AND DECIMALS THEREOF.

3. ALL ANGLES SHALL BE IN DEGREES AND MINUTES.

4. ALL CURVES SHALL BE CIRCULAR UNLESS OTHERWISE SPECIFIED.

5. ALL CURVES SHALL BE DEFINED BY THEIR RADIUS, CHORD BEARS AND CHORD ANGLES.

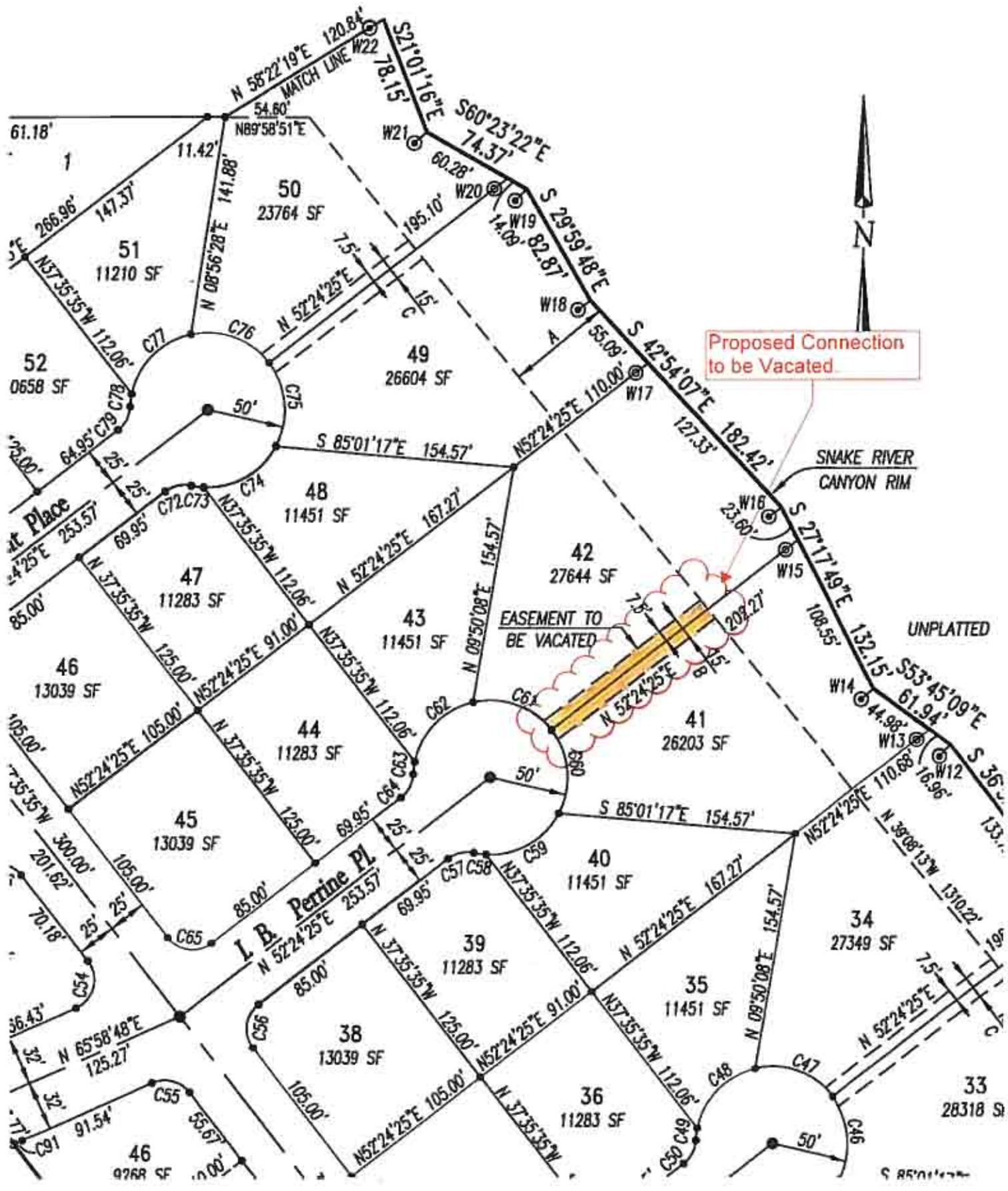
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Settler's Ridge Number 3 Subdivision

Located in
A Section Of Vandal Meadows Subdivision
And Located in
A Section Of
W/2 NW/4 of NW/4 NW/4 Section 31
T. 9 S., R. 17 E., Range 17E
Township 9S, Range 17E
T9S, R17E, Range 17E
Township 9S, Range 17E

Scale
1" = 100'



Proposed Connection to be Vacated

SNAKE RIVER CANYON RIM

UNPLATTED

EASEMENT TO BE VACATED

I. B. Perrine Pl

at Place

S 85°01'17"E

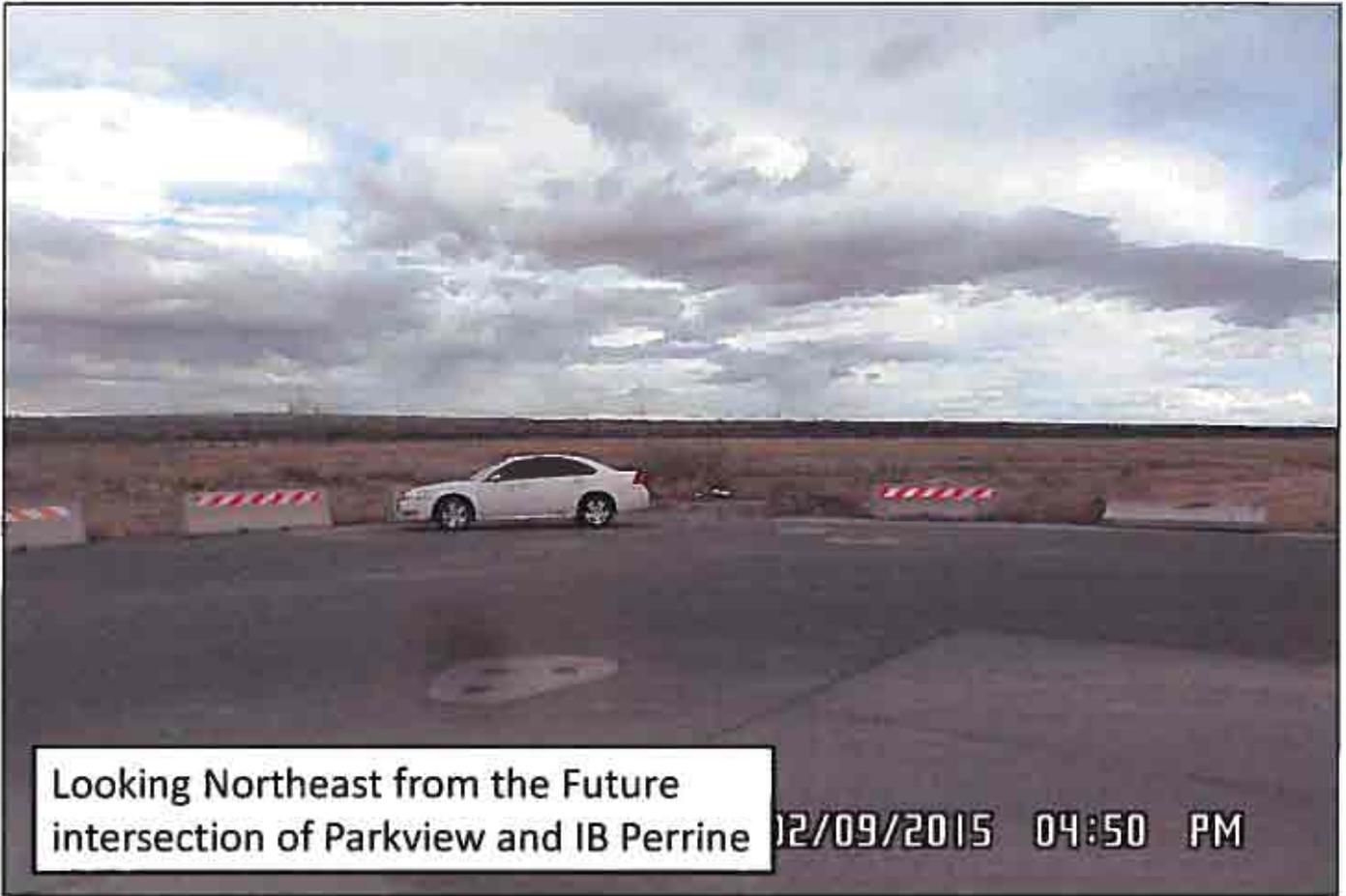


Looking Southwest From
Canyon Rim Road

02/09/2015 04:45 PM



02/09/2015 04:45 PM



3. Request to Vacate the non-vehicular use of a 15' X 128' platted but undeveloped Drainage and Non-Vehicular Easement located between Lots 41 & 42, Block 1 of Settler's Ridge Subdivision No. 3. c/o Lance Fish on behalf of Settlers Ridge, LLC (app 2705)

Applicant Presentation:

Lance Fish, the applicant explained on the original plat there were two pathways going from the public walkway along Canyon Rim Road towards the park area. Subsequently a deal was made with the City of Twin Falls to construct a new irrigation system with another pathway to be constructed on this lot. Putting a public walkway between private homes and maintenance of the pathway is an issue. There are two pathways that cut out to the walkway along Canyon Rim Road and feel that is sufficient.

Staff Analysis:

Planner I Spendlove reviewed the request and stated in December 2004, the Planning and Zoning Commission heard a request for the Settler's Ridge Preliminary Plat. During that public hearing it was stated by City Staff that the plat needed to reflect this new requirement of connecting Cul-De-Sacs with surrounding pathways. During the Platting process this pedestrian pathway was placed in its current location and eventually the Final Plat for Settlers Ridge #3 was recorded. This is a request to vacate a pedestrian access easement located in Settlers Ridge #3. The easement was originally intended to grant access to the Canyon Rim walking trail to the North East.

The applicants' narrative states that the connection for the walking path is already planned for at alternative locations within the subdivision, and this particular path is therefore in excess of what is needed. Furthermore, the applicant feels this pathway will devalue the property and create privacy issues in the development, especially between these two undeveloped lots. The applicant does not feel there will be any negative impacts to adjoining properties.

The owners of said property are ready to construct this final phase of this development. Part of this phase includes constructing of Parkview Drive north into Canyon Rim Road (4200 North). After completion of this section, Canyon Rim Road will be closed for vehicle traffic at the intersection of Federation Road (near the gun club), and will turn into a pedestrian path.

Additional Information: The code section referenced by City Staff in 2004 is

City Code 10-12-3-7: Pedestrian Walkways:

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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.

**Planning & Zoning Commission Minutes
February 24, 2015**

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.

PZ Questions/Comments:

- Commissioner Woods asked for more clarification as to where the pathways connect.
- Planner I Spendlove explained on the overhead where the paths connect.
- Commissioner Grey stated after reading the code he thought each cul-de-sac would have a pathway to the public walkway, and if there is a path at location.
- Planner I Spendlove explained there are easements marked on the plat, but those are utility easements.
- Commissioner Boyd asked if there is Home Owners Association Agreement for the subdivision and the fencing of properties.
- Mr. Fish explained that some of the fencing requirements material is going to be changed to rod iron along the Canyon Rim.
- Commissioner Munoz asked if the fencing along the pathway could be rod iron material.
- Mr. Fish explained this will cause a safety issue and will not provide privacy for people walking along the property lines.
- Commissioner Boyd explained there are many ways to provide privacy and security, which may change the value of the property. Maintenance of this area would have to be negotiated at the time the lots are sold.
- Zoning & Development Manager Carraway-Johnson explained the history for how these pathways became platted. The area was platted in late 2004 an ordinance was adopted in the summer of 2004 allowed the commission to place pedestrian connections between long blocks. The issues were coming up because there were a lot of subdivisions being built and there connections for children to get to school. This subdivision Mr. Fish platted the two pathways in good faith with the ordinance. The one he is proposing to have the use vacated is very appropriate, the one on the north end should stay as that is the singular pedestrian pathway to exit.
- Commissioner Reid asked what the distance is between the top connection and the park.
- Mr. Vawser clarified the distance between the paths and the park is approximately 1400-1600 ft. There is also a 10' pedestrian pathway that the developer has constructed along Parkview Drive. The path on the outside goes all the way around to Canyon Rim Road. They are in the process of putting in irrigation and Park View Drive will be constructed in this phase of development completing the entire pathway in this area.
- Commissioner Munoz asked if the rod iron fencing facing the canyon will be installed by the developer or if it will just be required through the Home Owners Association.
- Mr. Fish stated it will be installed by the developer.

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

Deliberations Followed:

- Assistant City Engineer Vitek explained that the pathways are not fluid and showed on the overhead how the pathways connect.
- Commissioner Munoz explained his concern was that a large privacy fence would be installed along the long pathway and with the developer installing rod iron fencing along that area he is not as concerned.
- Commissioner Frank explained that he has seen this type of design in other subdivisions and they become a maintenance issue and don't work so he understands the concerns.

Motion:

Commissioner Woods made a motion to recommend approval of the request to the City Council, as presented, with staff recommendations. Commissioner Munoz 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.

City Council Hearing Scheduled March 30, 2015