

COUNCIL MEMBERS:

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



CORRECTED AGENDA

Meeting of the Twin Falls City Council
Monday, April 27, 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: Better Hearing and Speech Month Spencer Wm. Stirland, AuD., Hearing Aid Counselors & Audiologists, Inc. National Music Week Bonnie Lamborne, Twin Falls Music Club President		
GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. <u>CONSENT CALENDAR:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Accounts Payable for April 20 – 27, 2015, total: \$328,331.20 and Payroll, April 24, 2015, total: \$127,686.33.	Action	Sharon Bryan
2. Consideration of a request to approve the March 30, 2015, and April 6, 2015, City Council Minutes.	Action	Leila A. Sanchez
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Presentation of Peace Officer Standards and Training Council Certificates to the following individuals before the Twin Falls City Council: Officer Tavita Messenger, Officer Tyler Campbell, Officer Morgan Waite, Sergeant David Frick and Sergeant Luke Allen	Action	Bryan Krear John K. Wilson
2. Consideration of a request to approve a Special Event Application for the Annual Cinco de Mayo event to be held at Garibaldi's Restaurant located at 645 Filer Avenue on May 5, 2015.	Action	Dennis Pullin
3. Consideration of a request to pay fees in lieu of park land dedication for the WS&V PUD and a 30% reduction in their in lieu of fees.	Action	Dennis J. Bowyer Kathryn AlMBERG, The Housing Company
4. Consideration of a request to adopt an Ordinance for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for 7.5 (+/-) acres of undeveloped property located on the north side of the 2400 block of Addison Avenue East.	Action	Rene'e V. Carraway- Johnson
5. Consideration of a request to waive the bonding requirement related to Golden Eagle Subdivision Number 5, Northern Passage Subdivision Number 5, and Sacket Farm Subdivision Number 2.	Action	Troy Vitek Brad Wills
6. 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. Consideration of a request to vacate a portion of a platted utility, vehicle access and drainage easement on property located at 1777 and 1821 Canyon Crest Drive for Westpark Partners.	PH/Action	Gerald Martens/ EHM Engineers
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



Better Hearing and Speech Month

WHEREAS, an estimated 40 million Americans have some type of communication disorder, costing the United States approximately \$154 to \$186 billion annually due to lost work productivity, special education, and medical treatment; and

WHEREAS, those citizens of Twin Falls who have overcome their communication disabilities through the services of dedicated audiologists and speech-language pathologists should be recognized; and

WHEREAS, the City of Twin Falls also recognizes and values the efforts of all audiologists and speech-language pathologists throughout our nation who work to help these individuals with communication disorders to lead independent, productive, and fulfilling lives; and

WHEREAS, the City of Twin Falls is proud and honored to have audiologists and speech-language pathologists offering quality education and health care services to its citizens; and

WHEREAS, audiologists and speech-language pathologists in the City of Twin Falls annually observe and celebrate Better Hearing and Speech Month during the month of May; now

BE IT SO RESOLVED that I, Don Hall, by virtue of the authority invested in me as the Mayor of the City of Twin Falls proclaims the month of May as Better Hearing and Speech Month, and encourage all citizens to recognize the achievements of audiologists and speech-language pathologists in improving the quality of life for people with communication disorder.

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: April 27, 2015

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

Proclamation



National Music Week

WHEREAS, music plays an increasingly important role in our world today, and

WHEREAS, music is one of the most sublime of human pursuits and is subscribed to by all races and creeds, and

WHEREAS, music is the language of all peoples and one of the greatest forces in creating peace and harmony, and

WHEREAS, the National Federation of Music Clubs, dedicated to encouraging young musicians, to increasing musical knowledge, and to advancing American music and its cooperating organizations, join forces to direct attention to the dynamic influence of music in everyday living,

NOW THEREFORE, I Don Hall, Mayor of the City of Twin Falls, Do hereby proclaim the week of May 3–10, 2015 to be

NATIONAL MUSIC WEEK IN TWIN FALLS, IDAHO

and ask that all citizens of this community observe and take part in activities, recognizing the importance of music, musicians, and musical organizations to the cultural life of our City, State, National and World.

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

Mayor Don Hall

Attest: Deputy City Clerk Leila A. Sanchez

Date: April 27, 2015

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 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 2, 2015, Payroll: \$131,928.35, March 30, 2015, Prepay: \$70,266.66, Mastercard, January, 2015, Mastercard, February 2015.	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>		
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 Action	Mandi Roberts Melinda Anderson
7. Request to approve First Amendment to the Clif Bar Development Agreement.	Action	Melinda Anderson Fritz Wonderlich
8. Request to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar.		
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>		

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Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn via Telephone, 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, Economic Development Director Melinda Anderson, Planner 1 Jonathan Spendlove, Zoning & Development Manager Rene'e V. Carraway-Johnson, Deputy City Clerk Sharon Bryan, 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:

PROCLAMATIONS: Organ, Eye, and Tissue Donation Month – Stephanie Buckley, Public Educator

Mayor Hall read the proclamation and presented it to Stephanie Buckley.

Fair Housing Month - Mandi Thompson, Grant Writer

Mayor Hall read the proclamation. Deputy City Manager Humble explained the purpose of the proclamation.

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

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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.
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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.
6. Request to approve the following Findings of Fact, Conclusions of Law and Decision for:
 - 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

MOTION:

Vice Mayor Hawkins moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Barigar.

Councilmember Talkington spoke on the following:

- Referenced the March 9, 2015, Council Minutes, *Item for Consideration I.6. Consideration of a request to approve the Final Plat for the Bennos Point Subdivision* and stated the subdivision lacks enforcement of conditions and restrictive covenants (CC&R's). Clarification was received from City Attorney Wonderlich and it is the developer and not the builder within the homeowner's association that is responsible for enforcement.
- The Accounts Payable shows money has been spent locally for the benefit of taxpayers.
- The Dierkes Lake Stairs project appears to be underway or nearly completed for \$155,000. That pales in comparison to the \$2.2 million for the Waste Water Treatment Plant. This project appears to be under budget and on schedule.
- Requested an update on Clif Bar and status of the completion time for the storm water canal lateral from Economic Development Director Melinda Anderson

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

II. ITEMS FOR CONSIDERATION:

1. Request to reappoint Calvin Palmer as a continuing board member for the Twin Falls Housing Authority.
Rescheduled to be heard on April 6, 2015.
2. Update on Main Avenue Redesign progress by Mandi Roberts, Oak.

Economic Development Director Anderson stated the City Council will be requested to accept all the various improvements that the Urban Renewal Agency will be constructing for the Main Avenue Redesign project. Decisions have been made on infrastructure and now Mandi Roberts will focus on what is above ground.

Mandi Roberts stated she would present an update on the design concepts that have been developed to date, a summary of comments and input received, construction staging options, communications program, and review the schedule and upcoming activities.

In February several stakeholder meetings were held during the course of a week including a public workshop held at the Ballroom. The following topics were discussed:

Parking

Option 1 – Straight Alignment – Parallel Parking on Both Sides of Street

Option 2 - Alternating Angled Parking and Parallel Parking on Both Sides

Option 3 - Meandering Street Alignment: Alternating Angled Parking and Parallel Parking on Both Sides (Fairfield to Jerome). Option 3 appeared to be the preferred option.

Councilmember Mills Sojka asked how Otak would apply the concept of placing angle parking versus the placement of parallel parking and if merchants would be involved in the decision process. Mandi Roberts stated this would be determined by the outcome of the meetings to be conducted. Otak has scheduled two meetings per day to meet with property owners and merchants to receive input on their parking preferences. Meetings have been scheduled with those who are unable to attend the scheduled meetings. All parking options will be discussed at the meetings.

Street Furnishings –Custom Metal – Surrounding Nature Theme

Interest has been shown in using the Perrine Bridge as a theme. At previous workshops, attendees stated the Perrine Bridge theme represents an iconic element of Twin Falls and does not draw attention away from the beauty of the architecture and other elements of Main Avenue. Another element that was preferred was a gateway arch located on Shoshone coming down on Second Avenue North. Other items discussed included benches, chairs, trash receptacles, light fixtures and kiosks.

Downtown Commons

The Downtown Commons project was previously proposed in the current fountain location on Hansen Street. There is an opportunity to move the Downtown Commons to the Rogerson site. Another concept for the eastern end of the former Rogerson building included concert space in combination with a building with restrooms and storage for chairs and tables. Support was shown for this concept.

Presented in the past to the City Council was for some areas of the streetscape being raised and curb less. Festival streets are areas that would be open to traffic on a normal day but during an event or festival could be closed to traffic.

Workshop attendees liked the idea of the meandering street and mid-block crossings on all five blocks of the project area, the festival streets concept, and the idea of furnishings inspired by the Perrine Bridge. Workshop attendees also like the existing lamp posts downtown; however, there are concerns in regards to non-efficient light and structural challenges. Otak is looking at costs for replacing the existing street lights.

Workshop attendees discussed parking options. Overall, attendees understand the safety and visibility benefits with providing back-in angled parking or reverse angle parking. Otak is suggesting a demonstration event where an area is stripped and motorists can try it to understand the benefits.

The four key items that the URA Board has reached consensus on to date include:

- 1) To keep all utilities in the alleyways to avoid the necessity for individual property owners to reconnect to water;
- 2) To move the Downtown Commons to the former Rogerson building site;
- 3) To open up Hansen Street; and
- 4) To keep the same amount of parking on Main Avenue.

Otak is on schedule to complete the preliminary design work by the end of May. The project will then forward to final design of construction documents with the hope construction would start early next year.

Councilmember Lanting stated that doing the alleys first will allow businesses to refresh and make their rear entrances attractive for customers when Main Street is closed. He also spoke in favor of reverse angle parking because of safety reasons. He suggested working with the State to discuss eliminating one of the lanes on each of the two one way Second Avenues. This will allow reverse angle parking on the side streets towards Main Street adding a considerable amount of parking for downtown.

Councilmember Talkington presented archival visuals of Main Street in 1948 and Main Street between 1965-67, courtesy of Bill Nichols of Blip Printing.

Councilperson Mills Sojka stated that at a public meeting, the concept of an ice skating rink at the Downtown Commons site was presented. She asked if this remains part of the plan and if it would be a private or public enterprise. Mandi Roberts stated the concept for the skating rink to date has been as a portable ice skating rink that is installed and erected each holiday season for two to three months. This would be similar to what is located at The Village in Meridian. Who would actually purchase or rent and run the rink is yet to be determined. Councilmember Mills Sojka stated her concern of presenting an idea to the public that cannot be funded and where a private partner is not involved.

Councilmember Mills Sojka asked how to prevent the Downtown Commons from becoming an empty space throughout the rest of the year. She heard the concept of having a row of small shops which the URA could rent out at an affordable cost to bring some sort of commerce/business. She asked how a protective buffer could be designed between a crowd gathering space and parking lot and a highway next to it. Mandi Roberts explained

the concept of the placement of a building. The building could be a place to rent ice skates, vendors to sell hot chocolate, and restrooms and permanent storage space. The concept is to have a splash park and in the winter place a portable skating rink in that space. In terms of concerts and seating space, the concert series attracts 300 people who will sit and watch the concert with another 1,000 that might be shopping or strolling. The splash park could be turned off to accommodate more seating space.

Councilmember Mills Sojka suggested that the clock by the School District remain because of the historic elements. Mandi Roberts stated that she spoke with the pastor of Magic Valley Bible Church and he stated it currently is not working. The concept is to keep the clock at the location and get it in working condition.

Councilmember Lanting explained the possibility of the existing building located northwest of the proposed plaza, where doors could open out into the plaza to three businesses with a sidewalk café on the corner to help prolong the life and use of the plaza.

Mayor Hall stated he is a proponent of backup parking because of safety reasons. He asked about lighting pollution. Mandi Roberts stated there is a concern of lighting pollution with the current LED lighting. The plan is to find lantern type lighting that directs light downward. Once options are found Otak will bring them in for demonstration.

3. Request to confirm the appointments of Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committee.

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

Discussion followed.

Councilmember Mills Sojka asked if the public was notified of the openings and if this was posted on the City's website.

Building Official Bordi explained that each member must meet certain criteria and this vacancy was the architectural seat. Local architects were contacted regarding the vacancy. Colby Ricks, Laughlin Ricks Architecture, showed interest in the vacancy. The vacancy was not posted on the website.

Council Mills Sojka recommended the posting of vacancies on the City's website.

MOTION:

Councilmember Barigar motioned to confirm the appointments Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committees. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Request to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street.

Planner 1 Spendlove explained the request. 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 is located within the centerline setback. Per City Code the current structure is nonconforming as it stands. City Code Section 10-3-4 deals with non-confirming buildings and uses and states..."The requirements of this section may be waived for residences and residential uses by motion and minute entry of the City Council." Staff recommends approval of the request.

MOTION:

Councilmember Talkington motioned to approve to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Request to approve a resolution to destroy semipermanent and temporary records.

Deputy City Clerk Bryan explained the request.

The Council's approval of this request will comply with Idaho State Code 50-907. Prior to destroying any semipermanent or temporary records, City Attorney, City Council and the Idaho State Historical Society approval is required.

Discussion followed.

Councilmember Lanting stated that at the AIC Board Meeting it was discussed that the Idaho State Historical Society is not accepting permanent records. Deputy City Clerk Bryan stated the City is archiving the City's permanent records and not storing files with the State.

Vice Mayor Hawkins asked for clarification of state code that semi temporary records shall be retained for not less than two (2) years. Listed are records two to three years old. Deputy City Clerk Bryan clarified that items listed are temporary records.

Councilmember Mills Sojka asked if the City keeps a digital copy of the paper copy and of personnel records. Deputy City Clerk Bryan stated that the records listed will be destroyed. Personnel records destroyed are from former employees.

Councilmember Talkington recommended recycling all shredded documents.

City Attorney Wonderlich explained that the state legislature defined permanent, semipermanent, and temporary records and categories. The City has adopted the same categories as the state.

MOTION:

Councilmember Lanting moved to approve Resolution 1943. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Request to approve the Twin Falls City Youth Council's "Take a Stand with Your Local Policeman" concept.

Jonah Ruf explained the request. The members of the Youth Council have recognized the active role they can play in educating the youth of the community on the positive impact of law enforcement officers. 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 and is requesting approval from the City Council.

Discussion followed:

Mayor Hall asked Captain Matt Hicks how the program will work with the Police Officers. Captain Hicks stated that the program is completely voluntary. Captain Hicks stated that the department is behind the program.

MOTION:

Vice Mayor Hawkins motioned to accept the proposal of the Twin Falls City Youth Council's "Take a Stand with Your Local Policeman" concept with selfies as explained and to allow the Youth Council to invite other Youth Councils across the state to join in on this campaign. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Jonah Ruf introduced the Youth Council present and stated that the 4th Annual Community Kite Days will be held the last weekend of April.

7. Request to approve First Amendment to the Clif Bar Development Agreement.

Economic Development Director Anderson explained the request. On October 17, 2013, the 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.

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 and their financing documents. She further explained Section 2.5 Urban Renewal and Transfers, tax exempt financing, tax payment and bond payment.

Discussion followed.

Councilperson Mills Sojka asked why changes were made to: *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.* Economic Development Director Anderson stated this was for clarification purposes.

Councilperson Mills Sojka referred to: *6.2.4. Mechanical Equipment Yard. URA shall install a masonry screen wall to enclosed mechanical easements.* She asked if this could be considered public infrastructure. Economic Development Director Anderson stated this is considered infrastructure eligible for TIF financing.

MOTION:

Councilmember Barigar moved to approve the First Amendment to the Clif Bar Development Agreement as presented. The motion was seconded by Councilmember Talkington.

City Manager Rothweiler explained that the screening wall would generally fall under site improvements, making it eligible for TIF funds.

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

Economic Development Director Anderson gave an update on Clif Bar. Late last year a contractor finished rerouting the Twin Falls Canal Company lateral that has been relocated. There is a City irrigation project on Hankins Road that should be finished. The storm water retention will be part of the site improvements that the URA will be making on the site itself. Assistant City Engineer Vitek explained that ponds will be placed to handle storm water.

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

Economic Development Director Anderson explained the request. As part of the development agreement with Clif Bar, the City, and Twin Falls Urban Renewal Agency, 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 will not be established for another 6-8 weeks. As RAA 4-4 has yet to be created, and the City Council as the local governing body must approve the conveyance to Clif Bar of the property.

Discussion followed.

Councilmember Mills Sojka asked what needs to happen for the creation of the allocation. Economic Development Director Anderson explained the process.

Councilmember Mills Sojka asked the benefit or the importance of conveying the land early. City Code states the risk of giving the land and not having the creation of the allocation. This is highly unlikely but a risk.

Economic Development Director Anderson stated that conveying the land to Clif Bar is adhering to the Developer Agreement and First Amendment. Clif Bar is expected to start construction in a few weeks and they would like to construct on their own property.

City Attorney Wonderich stated the procedure for conveyance of land by the URA. This is the exact process the City used for Chobani. The City Council approved this in the original developer's agreement. It was always contemplated that this would be transferred to Clif Bar for the development.

Councilmember Mills Sojka asked that after going through public hearings and reviews by all the other entities, and if objections are received, is there any value if the City has conveyed the land.

City Attorney Wonderich stated that currently Clif Bar is at risk because they have provided for the financing for everything that has been completed.

MOTION:

Councilmember Lanting made a motion to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar. Vice Mayor Hawkins seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Councilmember Lanting gave an update on his visit to Clif Bar's corporate offices in Napa Valley.

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

Councilmember Lanting stated John Alexander, Times News opinion editor, would be relocating to Illinois and thanked him for his service.

Recess at 6:35 p.m.

Reconvened at 6:43 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: **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.

Dave Thibault, EHM Engineers, Inc. explained the request. The current C-1 PUD designated for a car sales lot was never finalized and remains in an unfinished state. Joe Russell would like to clear the property of past zoning and clearly designate the property back to the previous C-1 zone. Mr. Russell is working on a residential apartment complex layout which is consistent with neighboring property and is permitted use within the C-1 zone. The property is for sale and the zone designation of the property is important to the marketability of the property.

Planner 1 Spendlove explained the request. 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.

Discussion followed.

Councilmember Talkington stated his concern that the proposed land use is a residential apartment complex and yet if the C-1 PUD is dropped, under the C-1, it could potentially become an unregulated business allowing a convenience store and a 24 hour operation on the northern terminus directly adjacent to residential property. He has no reason to believe that a residential complex will not be placed, but under the law of C-1 anything allowed in that use could be placed at considerable risk to property owners in direct proximity. He asked for the applicant to comment.

Dave Thibault stated that his client disclosed his plans to him and currently this property is for sale. The intent is to market the property as a multi-family apartment residential complex. Preliminary designs have been discussed with Rene'e V. Carraway-Johnson. The intent is to develop and market the property as an apartment complex.

Councilmember Mills Sojka stated that a 24 hour convenience store would have to go through the Special Use Permit process requiring a public hearing. She asked what type of buffer is required between the commercial and residential use for a C-1 zone.

Planner I Spendlove stated that the City Code requires a screening fence or screening material outlined with certain criteria when it abuts against the residential zones.

Councilmember Mills Sojka asked for buffer, fencing, berm and landscape requirements.

Dave Thibault stated his client has developed the Rocket Express Car Wash that abuts directly to some R-2 single family residential homes and this particular issue on the buffer and screening against residential was brought up at the time of that development. Mr. Russell did install landscaping and fencing to meet the requirements. Positive comments and remarks have been received for that particular development.

Planner I Spendlove explained City Code Title 10- Chapter 11-Section 3: Screening (A) Screening Required and (B) Minimum Standards. The building setback from any residential property line is 25'.

Councilmember Lanting asked if the applicant could have asked for a C-1 PUD that closely matched their use of the property.

Planner I Spendlove stated the applicant could have asked to change the PUD, propose a new PUD, ZDA or a rezone.

City Attorney Wonderlich stated that the only two options are a PUD or ZDA because the property is planned for commercial and will need to conform to the comprehensive plan.

Councilmember Lanting stated a PUD allows the City more control than a C-1 zone. He is concerned of what may be placed next to an R-2 zone.

Vice Mayor Hawkins stated everything west of the property is zoned C-1 and abutting next to it is zoned R-2. She does not see a C-1 zone as an issue because it matches the zoning along that stretch of the road.

Mayor Hall opened the public testimony portion of the hearing.

Mayor Hall closed the public testimony portion of the hearing.

Dave Thibault stated that notification of the public hearings was given to all property owners within 300' for the Planning & Zoning Commission and the Council meeting, in which no public testimony was received. He met with Rene'e V. Carraway-Johnson to examine the possibility of a PUD in November 2014; she recommended proceeding with a PUD application. Mr. Russell has spent significant money in preparing the application. He then met with Rene'e V. Carraway-Johnson to submit his application in January and at that time was told the City adopted the ZDA Ordinance. Rather than spend additional money on the ZDA ordinance application process, Rene'e V. Carraway-Johnson recommended a straight C-1 zone.

Mayor Hall closed the public hearing.

Councilmember Mills Sojka requested the developer take into consideration the residences in the R-2 zone. The C-1 zone complies with the comprehensive plan and is compatible with the surrounding uses. The 24/hour uses and higher traffic uses require a Special Use Permit. She prefers the traditional zonings because they are clear setbacks, buffers, standards, that the developer has to comply with. The PUDs she has seen are used to circumvent those setbacks and end up being higher density and greatly impact the neighborhood. A PUD that recently went through the process was on the backside of an R-2 neighborhood. The setback was 10' and allowed operation from 7:00 a.m. to 10:00 p.m.

MOTION:

Councilmember Mills Sojka moved approval 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. The motion was seconded by Vice Mayor Hawkins.

Councilmember Talkington stated he will more than likely vote in favor of the motion and clarified that his concerns are not based on the applicant and his purchase or the marketing of the ground, but his concern is of the encroachment of a C-1 development on an existing residential property. He asked if the setback is 25' on the northern terminus of the building.

Planner I Spendlove stated that any development adjacent to a residential property or future residential development is required to have a 25' building setback from property lines.

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

3. 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.

Lance Fish, 2904 N. Brumby Lane, Kuna, ID, stated he is in agreement with the staff report provided to the City Council.

Tim Vawser, EHM Engineers, representing the applicant, clarified this is a request to vacate the path portion of an easement. The bulk of the easement for drainage and utilities will stay in place.

Planner I Spendlove reviewed the request.

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.

The owners of the 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.

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.

Should the City Council approve 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.

Councilmember Mills Sojka asked for the length of the stretch of trail from the northeast pedestrian connection on the development to the southwest park connection. Planner I Spendlove stated that the distance is approximately 1,400 sq. ft. or one-fourth of a mile.

Public testimony portion of the hearing.

Julie Davis, 596 Northfork Road, asked for the distance of a long block as per City Code 10-12-3-7: Pedestrian Walkway, why the developers are requesting the vacation and if the vacation is a cost issue would the developer be willing to give the cost of eliminating the path or putting it in.

Mayor Hall closed the public testimony portion.

Deputy City Manager Humble stated City Code does not define the distance of a long block.

Tim Vawser stated the cost is minimal compared to the cost of the subdivision phase. The bid for the current phase was over a \$1 million. A large part of that cost was turning a full roadway into a walkable path on the Canyon Rim. Approximately in 2004 or 2005, LaMar Orton, the former Community Development Director, was hopeful that the developer would work with the City to create Canyon Rim Road as a pedestrian easement path along with being wide enough for emergency vehicles, which the developer worked with the City at that time and did. Currently there is one way traffic while the remainder of the development is being done on Park View. Costs incurred are for fencing and the ability to sell lots with a pathway going down between two lots. This creates a lack of privacy and security for potential buyers.

Councilmember Lanting asked if a current city block is approximately one-eighth of a mile on president streets. Deputy City Manager Humble stated that this varies dramatically from location to location. Assistant City Engineer Vitek stated that 10 lots in the Northern Passage subdivision are approximately 80' wide lots. An average block is 800' to 1,000' sq. ft. The City has requirements for city roads to be in place approximately every quarter mile

Councilmember Mills Sojka asked if it is correct to say that the final plat went through the process in December 2004, and the Planning & Zoning Commission and the Council at that time felt this was a long block and required the path. Community Development Director Humble stated he was not a City employee at that time but it appears that the requirement was placed in the preliminary plat process. Assistant City Engineer Vitek stated he was involved in the final plat process and believes LaMar Orton placed the condition to make the connection more linear to access the park in the area.

Councilmember Lanting stated that he was serving on the Planning & Zoning Commission and the intent for the condition was to connect the canyon trail to the park, and to allow for parking access and trailhead. He believes there was a trade off with the developer for the placement of the path.

Mayor Hall closed the public hearing.

MOTION:

Councilmember Talkington moved to approve the vacation of the non-vehicular uses of the 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. The motion was seconded by Councilmember Barigar.

Councilmember Lanting stated he will be voting against the vacation because this meets the code requirement of a long block and the P & Z Commission and Commission saw the importance of placing the condition on the preliminary plat.

Councilmember Mills Sojka stated testimony was heard on the value of the connection of the trail. Allowing the request would be in violation of several objectives of the city's strategic plan. She has never been in favor of giving away public right of way unless there are valid reasons. The canyon rim is a community asset.

Councilmember Barigar referred to the Planning & Zoning Commission's comments concerning subdivisions that end up with a short trail connection and are not maintained. This is not one of his concerns. Buffers can be created to address the privacy and security issues discussed. Having connectivity across the community is important.

Councilmember Lanting stated that the path was placed during the preliminary plat to create a linear connection to the restrooms at the park.

Vice Mayor Hawkins stated that this seems like an appropriate place for a trailhead connection and is a great asset to the community.

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

Mayor Hall asked the process of placing fences along the trail at the time of development. Deputy City Manager Humble stated that the City does not have requirements for fencing along the canyon rim trail unless there is a safety hazard.

Mayor Hall asked if the City requires the placement of fencing along the canyon rim for safety reasons. Fencing has to meet City requirements. Deputy City Manager Humble answered in the affirmative.

Councilmember Talkington stated he walks along the canyon rim and the fencing went up at Pole Line and Eastland. Proceeding to the west of this location and on either side of the bridge there are sections that are very close to the rim that do not have fencing. He does not see the consistency in how and when the City requires fencing.

Mayor Hall asked how staff determines if a fence should go up. Deputy City Manager Humble stated determination is based on how close the development is next to the rim.

Councilmember Talkington suggested staff look at the section between the bridge heading west behind Canyon Park West. This section appears to be a safety hazard. Mayor Hall asked Deputy City Manager Humble to take a look at this area and come back to Council with an update.

V. ADJOURNMENT: The meeting adjourned 7:36 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

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, April 6, 2015**

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

5:00 P.M.

**PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: **Child Abuse Prevention Month – Rosanna Campbell, CSI-Head Start/Early Head Start****

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for March 28 – April 6, 2015.
2. Consideration of a request to approve the Improvement Agreement for the development of Fieldstone Professional Subdivision, a PUD.
3. Consideration of a request to approve a Trust Agreement for Fieldstone Professional Subdivision, a PUD, placing all lots into trust.
4. Consideration of a request to accept public right of way from the Twin Falls Reformed Church to allow the construction of Cheney Drive West.

Purpose:

- Action
- Action
- Action
- Action

By:

- Sharon Bryan
- Troy Vitek
- Troy Vitek
- Troy Vitek

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to confirm the reappointment of Calvin Palmer to the Twin Falls Housing Authority Board of Commissioners.
2. Update on the 125th Anniversary of Idaho’s Statehood.
3. Presentation on the estimated maintenance expenses for the Splash Pad at First Federal Bank Park.
4. Presentation regarding the status of the Dierkes Lake trail stairs project.
5. Consideration of a request to adopt a Resolution declaring an emergency to permit expenditure of funds to repair a manhole in Rock Creek Canyon.
6. Update on the annual Zone Maintenance Program projects.
7. Public input and/or items from the City Manager and City Council.

Purpose

- Action
- Update
- Presentation
- Presentation
- Action
- Update

By:

- Penny Earl
- Kelly Weeks
Nancy Taylor
Historic Preservation Commission
- Dennis Bowyer
- Dennis Bowyer
- Jon Caton
- Jon Caton

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT:

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.

3:30 P.M.

A quorum of the City Council attended the Economic Development Ready Team Special Meeting held Monday, April 6, 2015, at 11:00 a.m. in the Twin Falls Council Chambers located at 305 Third Avenue East.

Councilmembers present: Don Hall, Suzanne Hawkins, Greg Lanting, Chris Talkington.
Staff Present: City Manager Travis Rothweiler, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Item for Consideration:

The purpose of the meeting is to hold an Executive Session to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations pursuant to Idaho Code 67-2345(1)(e).

MOTION:

Councilmember Talkington moved to adjourn to Executive Session 67-2345(1)(e) as presented. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 4 to 0.

REGULAR MEETING OF THE CITY COUNCIL

5:00 P.M.

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

Absent: None

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Parks & Recreation Director Dennis Bowyer, Parks Coordinator Kevin Skelton, Public Works Director Jon Caton, Assistant City Engineer Troy Vitek, Planner I Kelly Weeks, Water Superintendent Rob Bohling, Street Superintendent Dean Littler, 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: [Child Abuse Prevention Month – Rosanna Campbell, CSI-Head Start/Early Head Start](#)

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for March 31 – April 6, 2015, \$473,382.90; April 1, 2015, Fire Payroll, total: \$55,380.95
2. Consideration of a request to approve the Improvement Agreement for the development of Fieldstone Professional Subdivision, a PUD.
3. Consideration of a request to approve a Trust Agreement for Fieldstone Professional Subdivision, a PUD, placing all lots into trust.
4. Consideration of a request to accept public right of way from the Twin Falls Reformed Church to allow the construction of Cheney Drive West.

MOTION:

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

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to confirm the reappointment of Calvin Palmer to the Twin Falls Housing Authority Board of Commissioners.

Penny Earl explained the request. Calvin 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. A ballot was

mailed to 196 Twin Falls Housing Authorities households and Calvin Palmer was elected to become the new Resident Board Member.

MOTION:

Councilmember Barigar made a motion to confirm the reappointment of Calvin Palmer to the Twin Falls Housing Authority Board of Commissioners. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Hall asked for the fair housing complaint process for the City of Twin Falls.

Penny Earl explained complaints can be made to the U.S. Department of Housing and Urban Development Authority, Idaho Legal Aid, and Intermountain Fair Housing in Boise. The Twin Falls Housing Authority can assist in process. Realtors are required to post the HUD Equal Housing Opportunity Poster.

2. Update on the 125th Anniversary of Idaho's Statehood.

Nancy Taylor, Chair of the HPC, stated that Councilmember Talkington attended the HPC meeting on February 17, 2015, and asked that the Commission put together a celebration for the 125th Anniversary of Idaho's Statehood and the formation of the Twin Falls Township. She explained events proposed for July 3, 2015 at the Twin Falls Area Chamber of Commerce Visitor's Center. She will work with Twin Falls County Historic Preservation Commissioner John Kaparlis to collaborate on the celebration. She will contact the media for sponsorships.

3. Presentation on the estimated maintenance expenses for the Splash Pad at First Federal Bank Park.

Parks & Recreation Director Bowyer gave the presentation.

Staff believes the estimated cost on the UV system maintenance and the electrical cost are fairly precise; the chemical and labor estimates are staff's best estimates of what we know at this time.

- \$ 1,100 - UV system maintenance The maintenance portion will be absorbed by CH2M Hill with the contract to manage the waste treatment plant - same as the maintenance agreement of the UV system with the swimming pool. The annual cost to replace the bulbs and wipers is estimated at \$1,100 per year.
- \$ 1,500 - Chemicals Estimated cost of chlorine, acid, calcium hypo-chloride, and algaecide.
- \$ 0 - Labor cost for testing Staff believes they will be able to modify current seasonal employees to test the water three (3) times per day, for the 100 day season. With staff being out at the Sunway Soccer complex for other duties, they will be taking an extra 10 minutes to test the water per time. Full time employees will be handling the backwash that the sand filter will require at least twice a week, one hour per time. Staff will absorb those extra duties to handle the backwashing that is needed. If special attention is needed on weekends or after hours, a full time employee will be called out at a rate of time and half at a minimum of 2 hours. Call outs are roughly \$75 per call out, but right now there is no way to estimate the number of call outs we might have.
- \$ 1,000 - Estimated electrical cost to operate the splash pad
- \$ 3,600 - Total Estimated maintenance cost

Discussion followed.

-Splash park is estimated to be opened in June.

-Ribbon Cutting for Playground Equipment to be held April 30, 2015, at 10:00 a.m.

Boy Scouts from Troop 84 were present at the meeting.

PROCLAMATION: Child Abuse Prevention Month – Rosanna Campbell, CSI-Head Start/Early Head Start

Mayor Hall read the proclamation and presented it to Rosanna Campbell.

4. Presentation regarding the status of the Dierkes Lake trail stairs project.

Parks & Recreation Director Bowyer gave the presentation. Six sets of steps were replaced.

Discussion followed.

Parks & Recreation Director Bowyer stated that the full loop of the trail is 1.6 - 1.7 miles. Directional signs are posted.

5. Consideration of a request to adopt a Resolution declaring an emergency to permit expenditure of funds to repair a manhole in Rock Creek Canyon.

Public Works Director Caton explained the request.

The City has a sewer manhole adjacent to Rock Creek that has failed. It is near the Public Works Building, directly behind (and north of) La Casita off of S. Park Ave. W. The failure of the manhole has caused wastewater to reach Rock Creek, and staff has been mitigating the loss of containment and with the assistance of a local contractor, has temporarily stopped the leak. The temporary repair is very temporary, meaning, it may not last more than a week or two. The permanent repair will require a significant pump bypass, potentially 1,000 gpm or more. The contractor is currently putting together an estimate for the repair. If the cost is in excess of \$25,000, Public Works Director Caton proposed that Council declares it an emergency in accordance with 67-2808. EMERGENCY EXPENDITURES -- SOLE SOURCE EXPENDITURES.

Staff is requesting the adoption of a Resolution declaring that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money for the repair/replacement of the manholes and sewer lines.

PMF, Inc. submitted a quote for the repair of \$37,596.00.

Discussion followed.

-Possibility of effluent leaking into the Rock Creek.

-Nature of the break.

Public Works Director Caton stated that the line is leaking and is coming out of the manhole into Rock Creek. He explained the possible causes of the break.

MOTION:

Councilmember Talkington moved passage of Resolution 1944. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Update on the annual Zone Maintenance Program projects.

Public Works Director Caton gave the presentation and reviewed the following:

FY 2015-16 Zone Maintenance Update

Purpose

- Review the Zone Maintenance Program & Goals
- Provide an update on what was done last year in Zone 2
- Touch on Reconstruction Projects
- Share upcoming projects planned for Zone 3 this year

What is Zone Maintenance?

- Approximately 40% of the annual Water, Sewer and Streets Budget
- Preventative maintenance program focused on Utility Maintenance, Pavement Preservation & Accessibility
- 8 “equally” sized zones consisting of approximately 78 lane miles each
- Each year construction efforts are primarily focused in a single zone

Zone Maintenance Goals

- Most Importantly: it allows Public Works & Engineering to efficiently sequence work with coordinated planning and maintenance activity
- Perform underground utility maintenance prior to surface repair
- Seal coat an entire zone of paved roadways (approximately 78 lane miles)
- Overlay 1 lane mile
- Replace 1 mile of sewer and water main
- Follow the seal coat with sewer manhole rehabilitation
- Seal coat overlay 1 year later

Zone 2 Maintenance Budget

Utility Projects

- Designed in-house by Engineering
- Diamond Avenue Waterline
- Stockyard Sewer

Diamond Avenue Waterline

- Phase 1: 3,000 ft. of 8 inch PVC
- Phase 2: 1,300 ft. of 8 inch PVC
- Constructed in-house
- Phase 1 Material Cost approx. \$160,000
- Phase 2 Ongoing

Zone 2 Stockyard Sewer Replacement

- Designed in-house by Engineering
- Replaced approximately 300 ft. of above ground sewer main
- Constructed by Durham excavation for approximately \$92,000
- Drop-line construction challenges

Zone 2 Street Maintenance

- Construction Contracts and Observation/Testing supported by the Engineering Dept.
- 7 Overlays (4 projects were “Zipped” in-house and 3 were contract milling)
- Seal Coat: FOG and Chip Seal

Pavement Condition Life Cycle

Zone 1 Manhole Lid Rehabilitation

- Constructed in-house by WWC Dept.
- 61 Manholes rehabilitated
- \$325 per Manhole

Zone 2 Summary

Utilities

Water Main: 1.15 miles

Sewer Main: 1 Dropline, 61 Manholes

Cost: \$480,000

Pavement Preservation

Street Reconstruction Summary

Eastland South

Orchard Drive West

Zone 3 Maintenance Budget

Zone 3 Planned Projects

- 3rd Ave. West Waterline & Stormwater
- Eastland S. Waterline Extension
- 6 Overlays

Overlays (zone 2)

- 5th Ave. S., Jerome St S., 318 Tons (3" mat) \$32,058.00
- Clinton Dr., Stanley St., Earl Dr., 903 Tons (2" mat) \$87,811
- Diamond Ave. & Ramage St., 1454 Tons (3" mat) \$154,163.80
- Eastland Dr. & Julie Ln., 228 Tons (3" mat) \$33,905.90 (1267 SY) \$26.76/SY
- Poleline Rd & Bridgeview Blvd., 84 Tons (3" mat) \$17,025.95 (467 SY) \$36.46/SY
- Poleline East of Bridgeview, 32 Tons (3" mat) \$43,397.40 (1900 SY) \$22.84/SY
- Poleline Rd. (Lithia Frontage), 232 Tons (3" mat) \$32,251.65 (1287 SY)\$25.06

Discussion followed.

Councilperson Mills Sojka stated she has received speed complaints in the area of 3rd Avenue West. She asked if staff coordinates with the neighbors to discuss traffic calming.

Public Works Director Caton stated that traffic calming would be discussed during design of the roadway. Preconstruction meetings are held with the Engineering Department to discuss speed complaints, accidents, etc. Neighbors are notified well in advance of actual work performed.

Councilmember Mills Sojka recommended taking input and thoughts from the neighbors at the time of City notification.

Councilmember Talkington stated the GIS project started approximately 15 years ago and it is commendable that the City is at 90% of the sewer component.

Councilmember Lanting stated he received complaints of patches on Blue Lakes Blvd. right hand lane on the northbound side, north of the 5 Points.

Streets Superintendent Littler stated the City, State, and the Water Department have discussed patching on Blue Lakes in the spring.

Vice Mayor Hawkins asked if on Falls Avenue from Blue Lakes to Washington, specifically in front of the College entrance, is scheduled for upcoming maintenance.

Streets Superintendent Littler stated there are old and new utility cuts in the area. Patching will be done with approved asphalt.

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

Mayor Hall announced the Twin Falls Today Luncheon for the City of Twin Falls to be held on April 14, 2015, from 12:00 p.m. to 1:30 p.m. at the Stonehouse.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT: The meeting adjourned at 6:39 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



Date: Monday, April 27, 2015, Council Meeting
To: Honorable Mayor and City Council
From: Chief Bryan Krear and Lieutenant John K. Wilson,
Twin Falls Police Department

Request:

Presentation of Peace Officer Standards and Training Council Certificates to the following individuals before the Twin Falls City Council: **Officer Tavita Messenger, Officer Tyler Campbell, Officer Morgan Waite, Sergeant David Frick, and Sergeant Luke Allen.**

Time Estimate:

The presentation will take approximately 15 minutes.

Background:

On January 5, 2015, and January 13, 2015, **Officers Tavita Messenger and Tyler Campbell**, respectively, were awarded their POST Basic Certification. Officer Campbell attended and completed the Idaho State University Law Enforcement Program in May 2014. Officer Messenger attended and graduated from the 10-week POST Patrol Academy in March 2014. Both Officers have successfully completed the Twin Falls Police Department's Field Training Program and have served as Police Officers in the State of Idaho as required to receive this certification.

On October 7, 2014, **Officer Morgan Waite** was awarded his Intermediate Certification by POST Academy. Officer Waite was required to complete hundreds of hours of training, including obtaining several college credits to receive this certification.

On December 8, 2014, and December 22, 2014, **Sergeants David Frick and Luke Allen**, respectively, were awarded their POST Supervisor Certification. To receive this certification, Sergeants Frick and Allen were each required to hold a higher level POST certification, complete 100 hours of POST-approved supervisory training within a specified time frame, and be a first-line supervisor for a minimum of one year.

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

Approval Process:

None

Budget Impact:

None

Regulatory Impact:

None

Agenda Item for April 27, 2015
From Chief Bryan Krear and Lieutenant John K. Wilson
Page Two

Conclusion:

Chief Krear and Lieutenant Wilson will present POST certificates to Officers Messenger, Campbell, and Waite, and Sergeants Frick and Allen before the City Council on April 27, 2015.

Attachments:

1. Copy of POST Basic Certificate – Officer Tavita Messenger
2. Copy of POST Basic Certificate – Officer Tyler Campbell
3. Copy of POST Intermediate Certificate – Officer Morgan Waite
4. Copy of POST Supervisor Certificate – Sergeant David Frick
5. Copy of POST Supervisor Certificate – Sergeant Luke Allen

aed

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Basic Certificate

to

Tavita M. Messenger

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 5th day of January, 2015.*


Chairman


Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Basic Certificate

to

Tyler F. Campbell

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 13th day of January, 2015.*


Chairman



Division Administrator

State of Idaho

The Peace Officer Standards
& Training Council

hereby awards the

Intermediate Certificate

to

Morgan J. Waite
Twin Falls Police Department

For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 7th day of October, 2014.


Chairman


Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Supervisor Certificate

to

David A. Frick

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 8th day of December, 2014.*

David A. Frick
Chairman

V R Melon
Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Supervisor Certificate

to

Lucas J. Allen

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 22nd day of December, 2014.*

Janet Farny
Chairman

V R Melton
Division Administrator



Date: Monday, April 27, 2015, Council Meeting

To: Honorable Mayor and City Council

From: Staff Sergeant Dennis Pullin, Twin Falls Police Department

Request:

Consideration of a request to approve a Special Event Application provided by Ramon Cardoza, on behalf of Garibaldi's Restaurant, for their Annual Cinco de Mayo event to be held at 645 Filer Avenue on May 5, 2015, from 3:00 p.m. to 10:00 p.m.

Time Estimate:

This has been an annual event, but this is the first year Garibaldi's has gone through the Special Event Application process. Approximately five minutes will be required to present the application in addition to any time needed to answer questions the Council may have.

Background:

I received a Special Event Application from Ramon Cardoza, on behalf of Garibaldi's, to hold their annual Cinco de Mayo celebration on May 5, 2015. A live band will be providing entertainment. The band will be set up on the south side of Garibaldi's Restaurant, located in the parking lot next to their building near Filer Avenue. There will be alcohol served in the same area as the live music; a catering permit has been purchased to allow the sale of alcohol.

The Police Department did receive one noise complaint from the 2014 Cinco de Mayo event held at Garibaldi's, which required a Police response. This matter was resolved with no further incidents.

This event will not require the closure of any streets. Parking will be available in their parking lot.

Approval Process:

Consent of the Council

Budget Impact:

N/A

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the event as scheduled. Due to the noise complaint received in 2014, Mr. Cardoza has been advised that continued complaints may affect future events; therefore, it is imperative that the noise levels from the band be monitored closely.

Agenda Item for April 27, 2015
From Staff Sergeant Dennis Pullin
Page Two

Conclusion:

Based on the information provided, several relevant City Staff members have met and approved this application. Staff recommends that the City Council approve the Special Event Application submitted for the Annual Cinco de Mayo event sponsored by Garibaldi's to be held on Tuesday, May 5, 2015.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified music. If there are continued noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall terminate the event.

Attachments:

None

DP:aed



Monday April 27, 2015 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request:

Consideration of a request to pay fees in lieu of park land dedication for the WS & V PUD and a 30% reduction in their in lieu of fees..

Time Estimate:

Staff will make the presentation, following the presentation, we expect some time for questions and answers. The anticipated total time for presentation and questions is estimated at 15 minutes. Kathryn Almborg with The Housing Company will make a small presentation also.

Background:

The WS & V PUD is a proposed 60 multi-family unit apartment complex (Field Stream Apartments) on five (5) acres. The subdivision is located on the west side of Field Stream Way, north of North College Road and sits northeast of the Xavier Charter School.

Code Section 10-12-3-11 requires a dedication of one acre of land per 100 units developed within a subdivision for the development of a neighborhood park. Therefore, this subdivision will require a dedication of 0.6 acre of park land. However, City Code Section 10-12-3-11(F) states that:

“The City Council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located.”

There is one park in this square mile; the Sunway Soccer Complex, including the 1st Federal Bank Park, so the funds can be used there. Since the park land dedication requirement from this subdivision is only .6 acres, staff supports the developer’s request for a Parks in lieu of contribution.

Attached are the Parks in Lieu Contribution application, a location map, and the site plan for the development. Using the purchase price of these five (5) acres, the price per acre is calculated at \$87,000 per acre, and using the in lieu of formula, the in lieu of payment is \$71,220.

Ordinance # 3034 allows developments meeting all five (5) criteria to qualify for a 50% reduction on their cash contribution in lieu of dedication of park land. The five criteria are:

1. The number of household units must be 8 or less per acre, as identified on the preliminary plat.
2. Development shall be located within city limits.
3. Development shall not border an arterial street.
4. Development shall not border the city limits.
5. Development must not have been converted from agricultural land.

The WS & V PUD Subdivision does not qualify for the in-fill reduction.

Kathryn AlMBERG, representing the developer The Housing Company asked the Parks and Recreation Commission at their April 21, 2015 meeting to consider a reduction of 50% of their in lieu of fees due to the fact they will be providing site amenities including playground equipment, picnic tables, BBQ's, benches and a half-court basketball court all on their site.

The park dedication intent is to have development provide improvements and/or resources to serve the recreation needs of those residents that come as a result of that development and for the general public benefit also. On one hand, the development is providing on-site improvements for their residents, but on the other hand, those on-site improvements will not be available to the general public to use.

After a lengthy debate, the Parks & Recreation Commission recommended accepting the developer's request for a Parks in Lieu of contribution and for a 30% reduction in their fees due to the fact the developer is a non-profit organization by a 5-1 vote. Also the Commission asked the Council for direction when a developer is a non-profit organization if they should qualify for any type of reduction in their Parks in Lieu of contribution.

Of the 41 Parks in Lieu applications that have been approved by the City Council, only one (1) had received a reduction or waiver of their parks in lieu of fees due to the fact they were a non-profit developer. That fee of \$2,609.73 was waived by the City Council on September 26, 2011 for Habitat for Humanity on the Platinum Trio Subdivision.

Approval Process:

City Code 10-12-3-11 provides for the Council to approve a request to pay fees in lieu of park land dedication. A public hearing is not required. The Code does not require a recommendation from the Parks & Recreation Commission. However, staff has made it a policy to bring these in-lieu requests to the Commission for a recommendation. At their April 21st, meeting, the Commission recommended accepting the developer's request for a Parks in Lieu of contribution and for a 30% reduction in their fees due to the fact the developer is a non-profit organization by a 5-1 vote.

Budget Impact:

The Park in Lieu of Contribution is \$71,200; the contribution might be lower dependent on the actions of the Council. A 30% reduction would be \$21,360 so the contribution would be reduced to \$49,840.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with the development of this property without park land dedication.

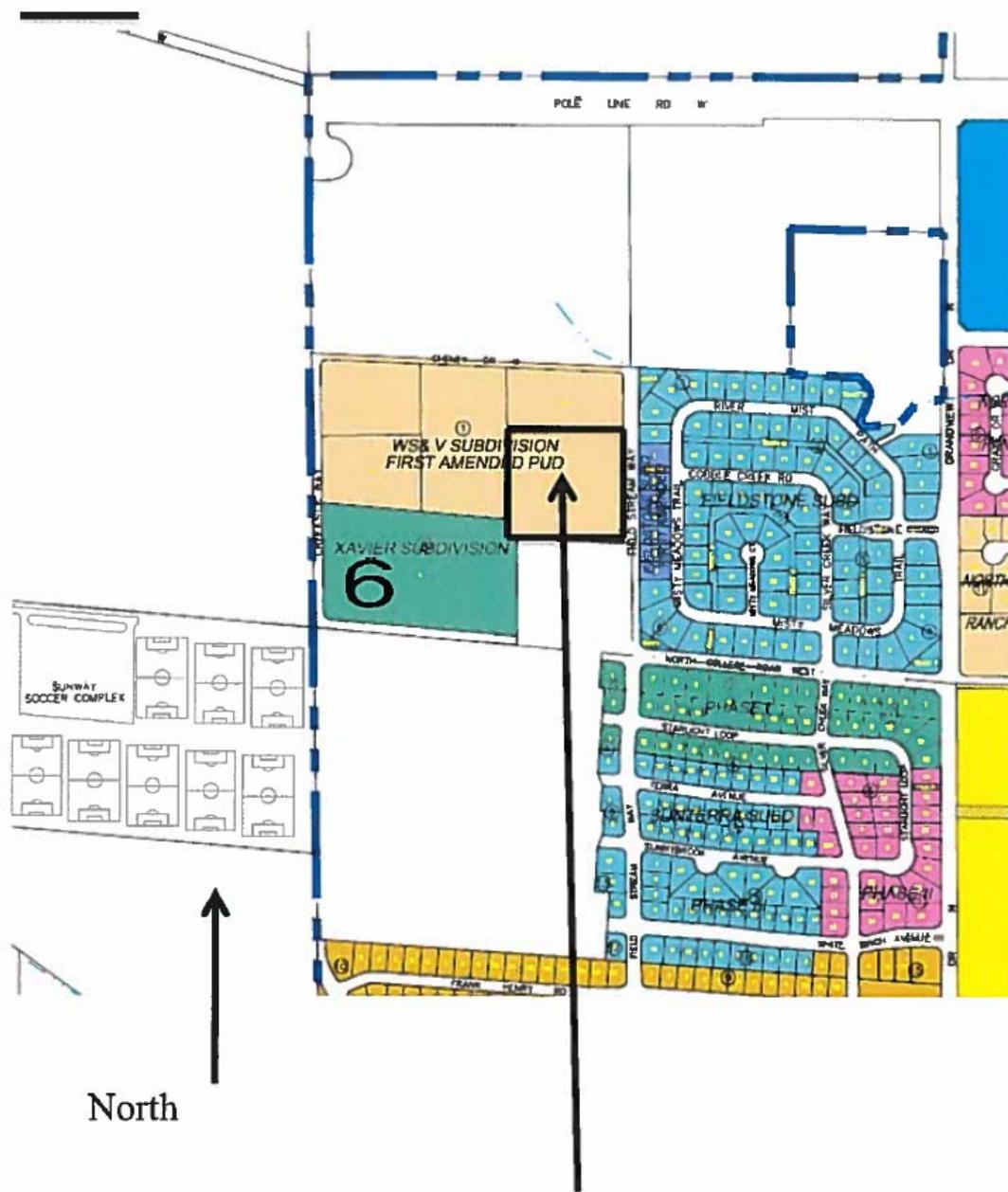
Conclusion:

The Parks & Recreation Commission recommends that the City Council accepts the developer's request to pay fees in lieu of park land dedication and to reduce that fee by 30% due to the fact the developer is a non-profit organization. Also the Commission asked the Council for direction when a developer is a non-profit organization if they should qualify for any type of reduction in their Parks in Lieu of contribution.

Attachments:

1. Area Map

2. Parks In Lieu Contribution Application
3. Preliminary Plat
4. City Parks & Recreation Facilities Map



North

WS & V Development

Date: 4-13-15

PARKS IN LIEU CONTRIBUTION APPLICATION-2014

Subdivision Name: WOS & V Run

Number of Dwelling/Household Units/Acres: 100 multifamily, 5 acres

Developer: The Housing Company, an Idaho nonprofit corporation

Address/Phone #: PO Box 16943, Boise, ID 83707-0943

Attn: Kathryn Almborg 208-331-4711

Appraiser: See attached Purchase and Sale Agreement and Land repayment

Address/Phone #: documents

As per Twin Falls City Code Title 10; Chapter 12; Section 3.11 ... " No residential plat shall be approved unless it includes provision for parks and stormwater retention/detention. "... The city council may, at their discretion, approve and accept cash contributions in lieu of developed park land with improvements. "

The following items shall be included with this Parks in Lieu Contribution application. It is the responsibility of the developer to see that all required information is provided to the city at the time of submittal of the Parks in Lieu Contribution application. An incomplete application will not be accepted by the City Administrator.

The City of Twin Falls allows two (2) different types of requests for Parks In Lieu cash contributions, as per TF City Code 10-12-3.11. Please mark an X by the type of request you are going to use; #1 or #2:

1. I am requesting approval of a Parks In Lieu contribution without walking/bicycle trails, using the following Contribution Formula:

- (a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) 81,000
- (b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700
- (c) Total the number of Household units in the development. (H) 100

1-The proposed Cash Contribution using #1: (L+PD)(H)(.01) (CC) \$ 71,220

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

The City of Twin Falls allows for a 50% reduction in the cash contribution, as per 10-12-3.11(G), subject to meeting ALL FIVE (5) CRITERIA:

- 1. The number of household units must be eight (8) or less per acre, as identified on the preliminary plat.
- 2. Development shall be located within city limits.
- 3. Development shall not border an arterial street.
- 4. Development shall not border the city limits.
- 5. Development must not have been converted from agricultural land. (Ord. 3034, 7-16-2012)

If development qualifies for the 50% reduction, divide Cash Contribution (CC) amount by two (2). _____

2. _____ I am requesting approval of a Parks In Lieu mixed contribution consisting of cash and developed walking/bicycle trails, using the following Contribution Formula:

(a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) _____

(b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700

(c) Total the number of Household units in the development. (H) _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

(d) Developed Trail Cost:
i. Cost of land underneath the trail (per square foot): (A) _____
ii. Cost to develop the trail (per square foot): (B) _____

Developed Trail Cost = (A + B) (total trail cost per square foot): (TC) _____

(e) Land Portion = (L)(H)(0.01) - (TC) (LP) _____
Note: Land portion cannot be less than 50% of (L)(H)(.01).

(f) Park Improvement Portion = (31,700)(H)(.01): (PIP) _____

(g) Land Portion + Park Improvement portion (LP + PIP) = _____

2-The proposed Cash Contribution using #2: (CC) \$ _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

Parks In Lieu contribution must be made prior to final plat recordation.

PRIOR TO SUBMITTAL OF THIS APPLICATION HAVE YOU:

... Talked to the Parks & Recreation Department about the requirements?

... Enclosed a copy of the appraiser's value for the land.

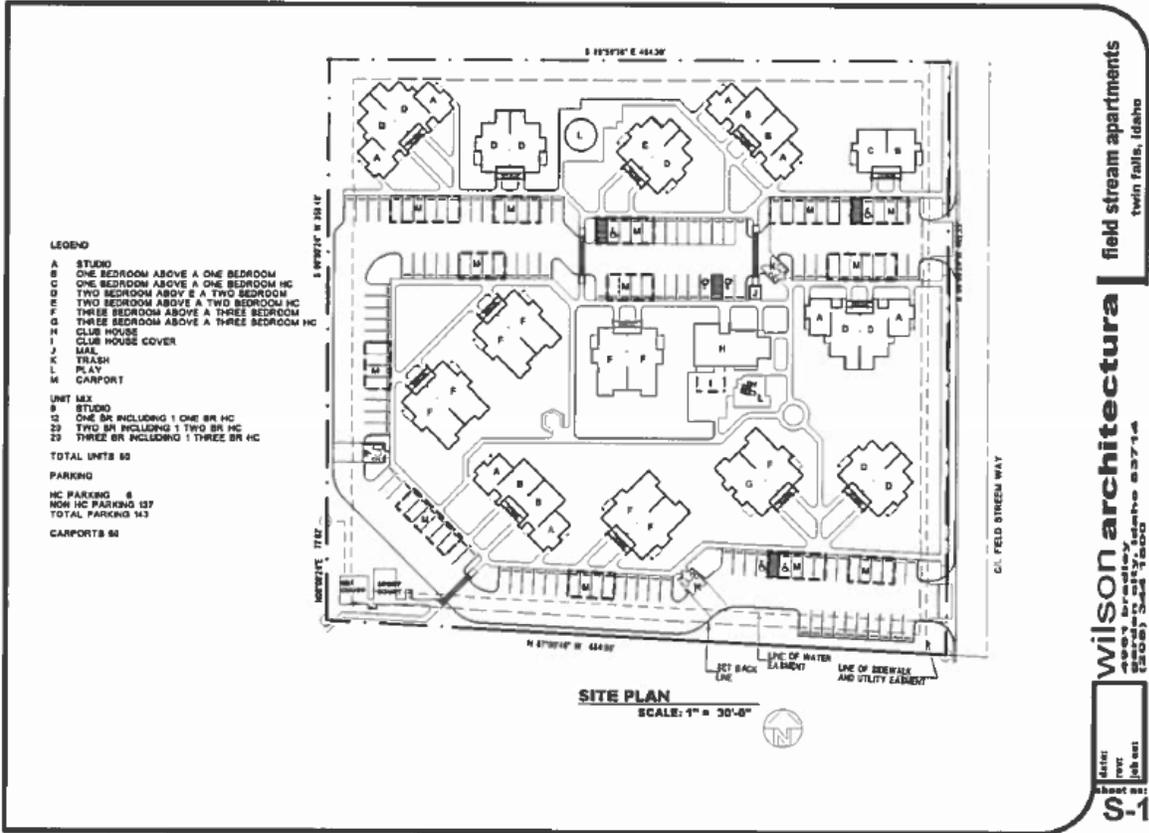
... Enclosed a copy of bid/material costs to construct walking path/bike trail.

Date Submitted: _____

City Council Agenda Date: _____

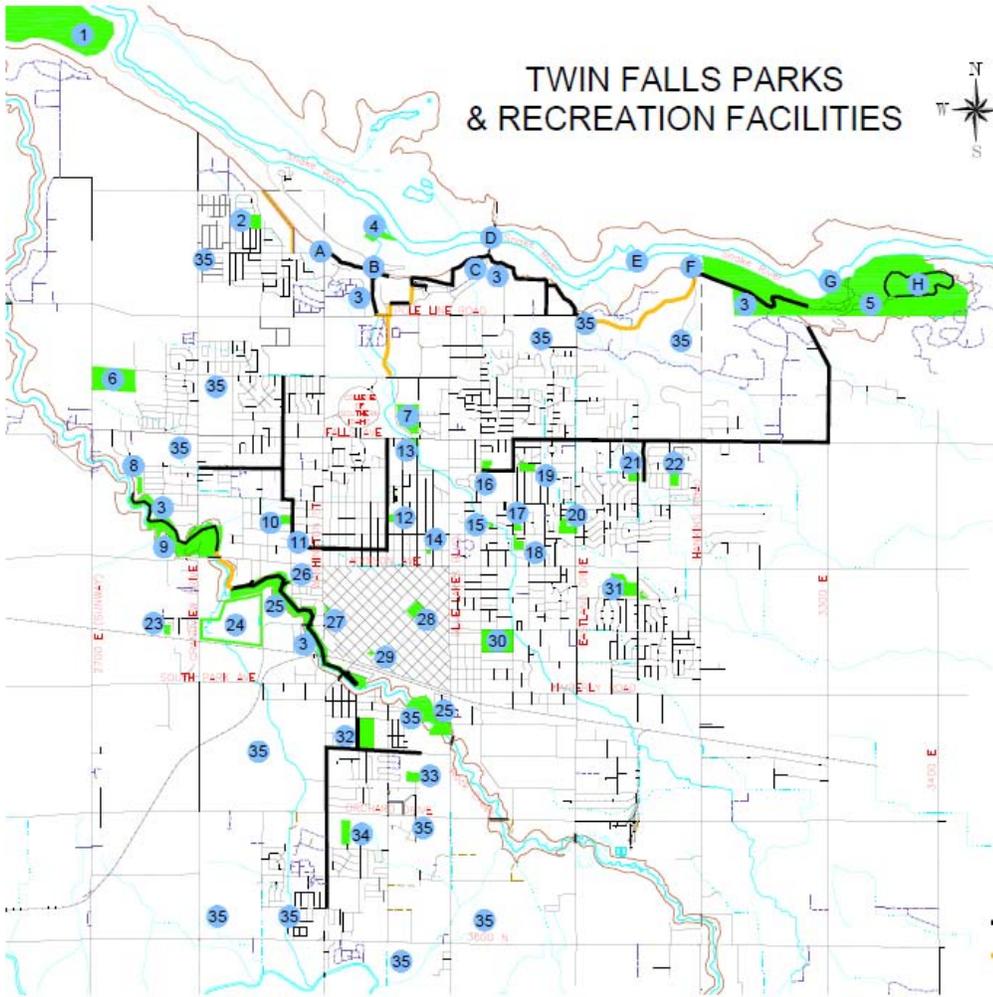
Application accepted by City Administrator: _____

Engineering Approval: _____



wilson architectura field stream apartments
 twin falls, idaho
 4510
 2021
 10/20/21
 10/20/21

TWIN FALLS PARKS & RECREATION FACILITIES



1. Auger Falls
2. Northern Ridge Park
3. Canyon Trails
4. Centennial Park (County owned)
5. Shoshone Falls & Dierkes Lake
6. Sunway Soccer Complex & 1st Federal Bank Park
7. Frontier Field
8. Rock Creek Trail Estates Park
9. Rock Creek Park (County owned)
10. Harry Barry Park
11. Baxter's Park - Dog Park
12. Harrison Park
13. Courtney Conservation Park
14. Pierce St. Tennis Court
15. Willow Lane Park
16. Swimming Pool & Sawtooth Softball Fields
17. Sunrise Park
18. Teton Park
19. Cascade Park
20. Ascension Park
21. Jason's Woodland Hills Park
22. Morning Sun Park
23. Fairway Estates Park
24. Twin Falls Golf Club
25. Rock Creek Canyon Parkway (City owned)
26. Blake St. Trailhead & BMX Park
27. Drury Park
28. City Park
29. Dennis Bowyer Park
30. Harmon Park
31. Clyde Thomsen Park
32. Oregon Trail Youth Complex
33. Blue Lakes Rotary Park
34. Vista Bonita Park
35. Future Parks

- BIKE PATH/TRAIL SYSTEM
- PROPOSED BIKE PATH TRAIL SYSTEM



Public Meeting: **MONDAY APRIL 27, 2015**

To: Honorable Mayor Hall and City Council

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

ITEM II-

Request: For the City Council's consideration to adopt an ordinance [for a Zoning District Change and Zoning Map Amendment](#) from C-1 PUD to C-1 for 7.5 (+/-) acres of undeveloped property 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: Staff presentation may be five (5 +/-) minutes. This is not a public hearing item but there may be an additional five (5) minutes for questions by the City Council.

Background:

In 1995, a request by Gary Storrer 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.

On **February 24, 2015** the Commission held a public hearing and was asked to make a recommendation to the City Council on a request [for a Zoning District Change and Zoning Map Amendment](#) from C-1 PUD to C-1 for this site. There was no public comment and upon conclusion of deliberations 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.

On **March 30, 2015** The City Council held a public hearing on this request. There was no public comment and upon conclusion of the public hearing and deliberation Councilmember Mills-Sojka moved approval to rezone 7.5 (+/-) acres of undeveloped property located on the north side of the 2400 block of Addison Avenue East from C-1 PUD to C-1. as presented.

Councilman Hawkins seconded the motion. the motion was approved 7 for and 0 against.

Conclusion:

Staff recommends the City Council adopt the ordinance so it can be published and codified.

Attachments:

1. Ordinance & Attachments
2. Map of Vacated Area
3. Portion of the Mar 30, 2015 CC minutes

ORDINANCE NO. _____

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

WHEREAS, Dave Thibault of EHM Engineers, on behalf of Joe Russell, had made application for a rezone of property located on the north side of the 2400 block of Addison Avenue East; 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 24th day of February, 2015, 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 30th day of March, 2015.

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

SECTION 1. That the following described real property located on the north side of the 2400 block of Addison Avenue East is the subject of a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1:

SEE ATTACHMENT "EXHIBIT A"

SECTION 2. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The zoning of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 3. 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

, 2015

SIGNED BY THE MAYOR

, 2015

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday,

, 2015



THE LAND GROUP, INC.

July 31, 2008
Project No. 207032
Legal Description
R & R RETAIL INVESTMENTS, LLC.
PARCEL D
6.89 acres

EXHIBIT A

A tract of land situated in the Southeast One Quarter of the Southwest One Quarter of Section 11, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho, described as follows:

Commencing at a found brass cap monumenting the south One Quarter of said Section 11 on the centerline of Addison Avenue East;

Thence following the southerly line of said Section 11 and the centerline of said Addison Avenue East, North 88°51'09" West a distance of 1,307.35 feet to a found brass cap monumenting the Southwest Corner of the Southeast One Quarter of the Southwest One Quarter of said Section 11;

Thence leaving said southerly line and said centerline, and following the westerly line of said Southeast One Quarter of the Southwest One Quarter, North 00°05'45" West a distance of 40.01 feet to a found 5/8-inch steel pin on the northerly right-of-way line of said Addison Avenue East being the POINT OF BEGINNING;

Thence continuing North 00°05'45" West a distance of 289.99 feet to a found 5/8-inch steel pin monumenting the Southwest Corner of Lot 24, Block 4 of Cedarpark Subdivision No. 1 (a recorded subdivision on file in Book 16 of Plats at page 6, records of Twin Falls County, Idaho);

Thence leaving said westerly line and following the southerly line of Lots 24 through 27, inclusive, Block 4 of said Cedarpark Subdivision No. 1, South 88°51'09" East a distance of 323.92 feet to the Southeast Corner of Lot 27, Block 4 of said Subdivision;

Thence leaving said southerly line and following the easterly line of Lots 27 through 31, inclusive, of said Block 4, North 00°02'28" West a distance of 330.00 feet to a found 5/8-inch steel pin monumenting the Southwest Corner of Lot 37, Block 4 of said Subdivision;

Thence leaving said easterly line and following the southerly line of said Lot 37, of Block 4, South 88°51'09" East a distance of 332.87 feet to a point;

Thence leaving said southerly line, South 00°04'21" East a distance of 619.99 feet to a point on the northerly right-of-way line of said Addison Avenue East;

Thence following said northerly right-of-way line, North 88°51'09" West a distance of 656.85 feet to the POINT OF BEGINNING.

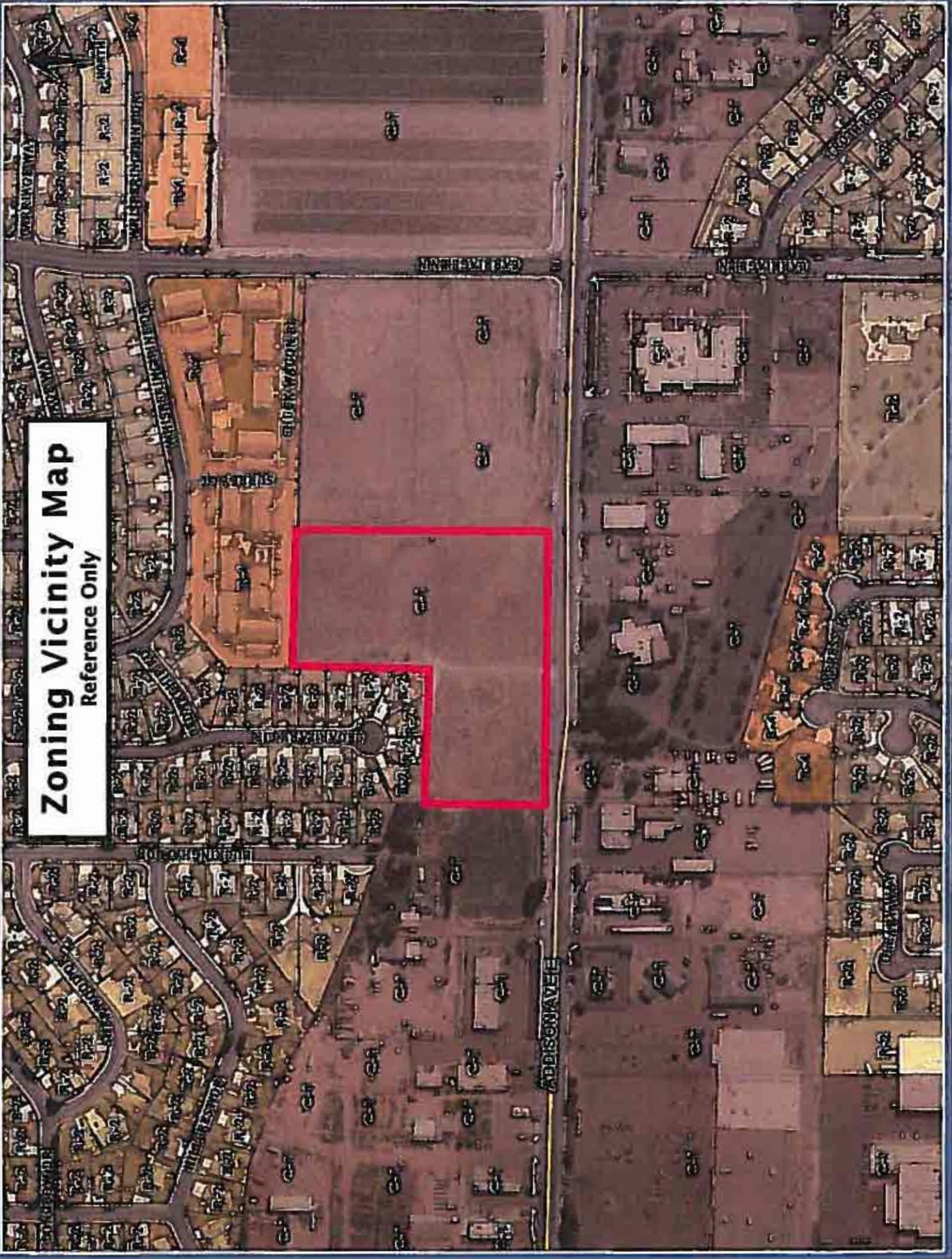
The above-described tract of land contains 6.89 acres, more or less, subject to any existing easements or rights-of-way.

Prepared By: THE LAND GROUP, INC.
261 CANYON CREST DRIVE
TWIN FALLS, IDAHO 83301
208-733-4041
208-733-4045 (FAX)



Zoning Vicinity Map

Reference Only



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 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>
<p>I. <u>CONSENT CALENDAR:</u></p> <p>1. Request to approve the Accounts Payable for: March 17-30, 2015, \$2,952,095.36, March 19, 2015, Prepay: \$26,368.50, March 2, 2015, Payroll: \$131,928.35, March 30, 2015, Prepay: \$70,266.66, Mastercard, January, 2015, Mastercard, February 2015.</p> <p>2. Request to approve the March 9th and 16th, 2015, City Council Minutes.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>6. Request to approve the following Findings of Fact, Conclusions of Law and Decision for:</p> <p>a. Zoning District Change & Zoning Map Amendment for the Twin Falls School District #411</p> <p>b. Final Plat for Benno’s Point Subdivision # 2</p> <p>c. Final Plat for Northern Passage Subdivision #5</p> <p>d. Conveyance Plat for Sunway Conveyance</p> <p>e. Vacation for Northern Passage #3 and #4</p> <p>f. Final Plat for Morning Sun Subdivision #8</p>	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Sharon Bryan</p> <p>Leila A. Sanchez</p> <p>Troy Vitek</p> <p>Renee Carraway-Johnson</p> <p>Renee Carraway-Johnson</p> <p>Renee Carraway-Johnson</p>
<p>II. <u>ITEMS FOR CONSIDERATION:</u></p> <p>1. Request to reappoint Calvin Palmer as a continuing board member for the Twin Falls Housing Authority.</p> <p>2. Request to confirm the appointments of Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committee.</p> <p>3. Request to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street.</p> <p>4. Request to approve a resolution to destroy semipermanent and temporary records.</p> <p>5. Request to approve the Twin Falls City Youth Council’s “Take a Stand with Your Local Policeman” concept.</p>	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Penny Earl</p> <p>Mayor Don Hall</p> <p>Jonathan Spendlove Chris Binford</p> <p>Sharon Bryan</p> <p>Jonah Ruf TF Youth Council</p>

6. Update on Main Avenue Redesign progress by Mandi Roberts, Otak.	Update Action	Mandi Roberts Melinda Anderson
7. Request to approve First Amendment to the Clif Bar Development Agreement.	Action	Melinda Anderson Fritz Wonderlich
8. Request to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar.		
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.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn via Telephone, 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, Economic Development Director Melinda Anderson, Planner 1 Jonathan Spendlove, Zoning & Development Manager Rene'e V. Carraway-Johnson, Deputy City Clerk Sharon Bryan, 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:

PROCLAMATIONS: Organ, Eye, and Tissue Donation Month – Stephanie Buckley, Public Educator

Mayor Hall read the proclamation and presented it to Stephanie Buckley.

Fair Housing Month - Mandi Thompson, Grant Writer

Mayor Hall read the proclamation. Deputy City Manager Humble explained the purpose of the proclamation.

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

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.
2. Request to approve the March 9th and 16th, 2015, City Council Minutes.
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.
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.
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.
6. Request to approve the following Findings of Fact, Conclusions of Law and Decision for:
 - 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

MOTION:

Vice Mayor Hawkins moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Barigar.

Councilmember Talkington spoke on the following:

- Referenced the March 9, 2015, Council Minutes, *Item for Consideration I.6. Consideration of a request to approve the Final Plat for the Bennos Point Subdivision* and stated the subdivision lacks enforcement of conditions and restrictive covenants (CC&R's). Clarification was received from City Attorney Wonderlich and it is the developer and not the builder within the homeowner's association that is responsible for enforcement.
- The Accounts Payable shows money has been spent locally for the benefit of taxpayers.
- The Dierkes Lake Stairs project appears to be underway or nearly completed for \$155,000. That pales in comparison to the \$2.2 million for the Waste Water Treatment Plant. This project appears to be under budget and on schedule.
- Requested an update on Clif Bar and status of the completion time for the storm water canal lateral from Economic Development Director Melinda Anderson

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

II. ITEMS FOR CONSIDERATION:

1. Request to reappoint Calvin Palmer as a continuing board member for the Twin Falls Housing Authority.
Rescheduled to be heard on April 6, 2015.
2. Update on Main Avenue Redesign progress by Mandi Roberts, Oak.

Economic Development Director Anderson stated the City Council will be requested to accept all the various improvements that the Urban Renewal Agency will be constructing for the Main Avenue Redesign project. Decisions have been made on infrastructure and now Mandi Roberts will focus on what is above ground.

Mandi Roberts stated she would present an update on the design concepts that have been developed to date, a summary of comments and input received, construction staging options, communications program, and review the schedule and upcoming activities.

In February several stakeholder meetings were held during the course of a week including a public workshop held at the Ballroom. The following topics were discussed:

Parking

Option 1 – Straight Alignment – Parallel Parking on Both Sides of Street

Option 2 - Alternating Angled Parking and Parallel Parking on Both Sides

Option 3 - Meandering Street Alignment: Alternating Angled Parking and Parallel Parking on Both Sides (Fairfield to Jerome). Option 3 appeared to be the preferred option.

Councilmember Mills Sojka asked how Otak would apply the concept of placing angle parking versus the placement of parallel parking and if merchants would be involved in the decision process. Mandi Roberts stated this would be determined by the outcome of the meetings to be conducted. Otak has scheduled two meetings per day to meet with property owners and merchants to receive input on their parking preferences. Meetings have been scheduled with those who are unable to attend the scheduled meetings. All parking options will be discussed at the meetings.

Street Furnishings – Custom Metal – Surrounding Nature Theme

Interest has been shown in using the Perrine Bridge as a theme. At previous workshops, attendees stated the Perrine Bridge theme represents an iconic element of Twin Falls and does not draw attention away from the beauty of the architecture and other elements of Main Avenue. Another element that was preferred was a gateway arch located on Shoshone coming down on Second Avenue North. Other items discussed included benches, chairs, trash receptacles, light fixtures and kiosks.

Downtown Commons

The Downtown Commons project was previously proposed in the current fountain location on Hansen Street. There is an opportunity to move the Downtown Commons to the Rogerson site. Another concept for the eastern end of the former Rogerson building included concert space in combination with a building with restrooms and storage for chairs and tables. Support was shown for this concept.

Presented in the past to the City Council was for some areas of the streetscape being raised and curb less. Festival streets are areas that would be open to traffic on a normal day but during an event or festival could be closed to traffic.

Workshop attendees liked the idea of the meandering street and mid-block crossings on all five blocks of the project area, the festival streets concept, and the idea of furnishings inspired by the Perrine Bridge. Workshop attendees also like the existing lamp posts downtown; however, there are concerns in regards to non-efficient light and structural challenges. Otak is looking at costs for replacing the existing street lights.

Workshop attendees discussed parking options. Overall, attendees understand the safety and visibility benefits with providing back-in angled parking or reverse angle parking. Otak is suggesting a demonstration event where an area is stripped and motorists can try it to understand the benefits.

The four key items that the URA Board has reached consensus on to date include:

- 1) To keep all utilities in the alleyways to avoid the necessity for individual property owners to reconnect to water;
- 2) To move the Downtown Commons to the former Rogerson building site;
- 3) To open up Hansen Street; and
- 4) To keep the same amount of parking on Main Avenue.

Otak is on schedule to complete the preliminary design work by the end of May. The project will then forward to final design of construction documents with the hope construction would start early next year.

Councilmember Lanting stated that doing the alleys first will allow businesses to refresh and make their rear entrances attractive for customers when Main Street is closed. He also spoke in favor of reverse angle parking because of safety reasons. He suggested working with the State to discuss eliminating one of the lanes on each of the two one way Second Avenues. This will allow reverse angle parking on the side streets towards Main Street adding a considerable amount of parking for downtown.

Councilmember Talkington presented archival visuals of Main Street in 1948 and Main Street between 1965-67, courtesy of Bill Nichols of Blip Printing.

Councilperson Mills Sojka stated that at a public meeting, the concept of an ice skating rink at the Downtown Commons site was presented. She asked if this remains part of the plan and if it would be a private or public enterprise. Mandi Roberts stated the concept for the skating rink to date has been as a portable ice skating rink that is installed and erected each holiday season for two to three months. This would be similar to what is located at The Village in Meridian. Who would actually purchase or rent and run the rink is yet to be determined. Councilmember Mills Sojka stated her concern of presenting an idea to the public that cannot be funded and where a private partner is not involved.

Councilmember Mills Sojka asked how to prevent the Downtown Commons from becoming an empty space throughout the rest of the year. She heard the concept of having a row of small shops which the URA could rent out at an affordable cost to bring some sort of commerce/business. She asked how a protective buffer could be designed between a crowd gathering space and parking lot and a highway next to it. Mandi Roberts explained

the concept of the placement of a building. The building could be a place to rent ice skates, vendors to sell hot chocolate, and restrooms and permanent storage space. The concept is to have a splash park and in the winter place a portable skating rink in that space. In terms of concerts and seating space, the concert series attracts 300 people who will sit and watch the concert with another 1,000 that might be shopping or strolling. The splash park could be turned off to accommodate more seating space.

Councilmember Mills Sojka suggested that the clock by the School District remain because of the historic elements. Mandi Roberts stated that she spoke with the pastor of Magic Valley Bible Church and he stated it currently is not working. The concept is to keep the clock at the location and get it in working condition.

Councilmember Lanting explained the possibility of the existing building located northwest of the proposed plaza, where doors could open out into the plaza to three businesses with a sidewalk café on the corner to help prolong the life and use of the plaza.

Mayor Hall stated he is a proponent of backup parking because of safety reasons. He asked about lighting pollution. Mandi Roberts stated there is a concern of lighting pollution with the current LED lighting. The plan is to find lantern type lighting that directs light downward. Once options are found Otak will bring them in for demonstration.

3. Request to confirm the appointments of Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committee.

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

Discussion followed.

Councilmember Mills Sojka asked if the public was notified of the openings and if this was posted on the City's website.

Building Official Bordi explained that each member must meet certain criteria and this vacancy was the architectural seat. Local architects were contacted regarding the vacancy. Colby Ricks, Laughlin Ricks Architecture, showed interest in the vacancy. The vacancy was not posted on the website.

Council Mills Sojka recommended the posting of vacancies on the City's website.

MOTION:

Councilmember Barigar motioned to confirm the appointments Colby Ricks, Scott McClure and Sean Knutz to the Building Department Advisory Committees. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Request to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street.

Planner 1 Spendlove explained the request. 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 is located within the centerline setback. Per City Code the current structure is nonconforming as it stands. City Code Section 10-3-4 deals with non-confirming buildings and uses and states..."The requirements of this section may be waived for residences and residential uses by motion and minute entry of the City Council." Staff recommends approval of the request.

MOTION:

Councilmember Talkington motioned to approve to waive the non-conforming building expansion permit process for Chris Binford for a home located at 728 Locust Street. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Request to approve a resolution to destroy semipermanent and temporary records.

Deputy City Clerk Bryan explained the request.

The Council's approval of this request will comply with Idaho State Code 50-907. Prior to destroying any semipermanent or temporary records, City Attorney, City Council and the Idaho State Historical Society approval is required.

Discussion followed.

Councilmember Lanting stated that at the AIC Board Meeting it was discussed that the Idaho State Historical Society is not accepting permanent records. Deputy City Clerk Bryan stated the City is archiving the City's permanent records and not storing files with the State.

Vice Mayor Hawkins asked for clarification of state code that semi temporary records shall be retained for not less than two (2) years. Listed are records two to three years old. Deputy City Clerk Bryan clarified that items listed are temporary records.

Councilmember Mills Sojka asked if the City keeps a digital copy of the paper copy and of personnel records. Deputy City Clerk Bryan stated that the records listed will be destroyed. Personnel records destroyed are from former employees.

Councilmember Talkington recommended recycling all shredded documents.

City Attorney Wonderlich explained that the state legislature defined permanent, semipermanent, and temporary records and categories. The City has adopted the same categories as the state.

MOTION:

Councilmember Lanting moved to approve Resolution 1943. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Request to approve the Twin Falls City Youth Council's "Take a Stand with Your Local Policeman" concept.

Jonah Ruf explained the request. The members of the Youth Council have recognized the active role they can play in educating the youth of the community on the positive impact of law enforcement officers. 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 and is requesting approval from the City Council.

Discussion followed:

Mayor Hall asked Captain Matt Hicks how the program will work with the Police Officers. Captain Hicks stated that the program is completely voluntary. Captain Hicks stated that the department is behind the program.

MOTION:

Vice Mayor Hawkins motioned to accept the proposal of the Twin Falls City Youth Council's "Take a Stand with Your Local Policeman" concept with selfies as explained and to allow the Youth Council to invite other Youth Councils across the state to join in on this campaign. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Jonah Ruf introduced the Youth Council present and stated that the 4th Annual Community Kite Days will be held the last weekend of April.

7. Request to approve First Amendment to the Clif Bar Development Agreement.

Economic Development Director Anderson explained the request. On October 17, 2013, the 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.

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 and their financing documents. She further explained Section 2.5 Urban Renewal and Transfers, tax exempt financing, tax payment and bond payment.

Discussion followed.

Councilperson Mills Sojka asked why changes were made to: *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.* Economic Development Director Anderson stated this was for clarification purposes.

Councilperson Mills Sojka referred to: *6.2.4. Mechanical Equipment Yard. URA shall install a masonry screen wall to enclosed mechanical easements.* She asked if this could be considered public infrastructure. Economic Development Director Anderson stated this is considered infrastructure eligible for TIF financing.

MOTION:

Councilmember Barigar moved to approve the First Amendment to the Clif Bar Development Agreement as presented. The motion was seconded by Councilmember Talkington.

City Manager Rothweiler explained that the screening wall would generally fall under site improvements, making it eligible for TIF funds.

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

Economic Development Director Anderson gave an update on Clif Bar. Late last year a contractor finished rerouting the Twin Falls Canal Company lateral that has been relocated. There is a City irrigation project on Hankins Road that should be finished. The storm water retention will be part of the site improvements that the URA will be making on the site itself. Assistant City Engineer Vitek explained that ponds will be placed to handle storm water.

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

Economic Development Director Anderson explained the request. As part of the development agreement with Clif Bar, the City, and Twin Falls Urban Renewal Agency, 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 will not be established for another 6-8 weeks. As RAA 4-4 has yet to be created, and the City Council as the local governing body must approve the conveyance to Clif Bar of the property.

Discussion followed.

Councilmember Mills Sojka asked what needs to happen for the creation of the allocation. Economic Development Director Anderson explained the process.

Councilmember Mills Sojka asked the benefit or the importance of conveying the land early. City Code states the risk of giving the land and not having the creation of the allocation. This is highly unlikely but a risk.

Economic Development Director Anderson stated that conveying the land to Clif Bar is adhering to the Developer Agreement and First Amendment. Clif Bar is expected to start construction in a few weeks and they would like to construct on their own property.

City Attorney Wonderich stated the procedure for conveyance of land by the URA. This is the exact process the City used for Chobani. The City Council approved this in the original developer's agreement. It was always contemplated that this would be transferred to Clif Bar for the development.

Councilmember Mills Sojka asked that after going through public hearings and reviews by all the other entities, and if objections are received, is there any value if the City has conveyed the land.

City Attorney Wonderich stated that currently Clif Bar is at risk because they have provided for the financing for everything that has been completed.

MOTION:

Councilmember Lanting made a motion to approve conveying 90 acres of Twin Falls Urban Renewal Agency property located at 556 Champlin Way South to Clif Bar. Vice Mayor Hawkins seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Councilmember Lanting gave an update on his visit to Clif Bar's corporate offices in Napa Valley.

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

Councilmember Lanting stated John Alexander, Times News opinion editor, would be relocating to Illinois and thanked him for his service.

Recess at 6:35 p.m.
Reconvened at 6:43 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 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.

Dave Thibault, EHM Engineers, Inc. explained the request. The current C-1 PUD designated for a car sales lot was never finalized and remains in an unfinished state. Joe Russell would like to clear the property of past zoning and clearly designate the property back to the previous C-1 zone. Mr. Russell is working on a residential apartment complex layout which is consistent with neighboring property and is permitted use within the C-1 zone. The property is for sale and the zone designation of the property is important to the marketability of the property.

Planner 1 Spendlove explained the request. 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.

Discussion followed.

Councilmember Talkington stated his concern that the proposed land use is a residential apartment complex and yet if the C-1 PUD is dropped, under the C-1, it could potentially become an unregulated business allowing a convenience store and a 24 hour operation on the northern terminus directly adjacent to residential property. He has no reason to believe that a residential complex will not be placed, but under the law of C-1 anything allowed in that use could be placed at considerable risk to property owners in direct proximity. He asked for the applicant to comment.

Dave Thibault stated that his client disclosed his plans to him and currently this property is for sale. The intent is to market the property as a multi-family apartment residential complex. Preliminary designs have been discussed with Rene'e V. Carraway-Johnson. The intent is to develop and market the property as an apartment complex.

Councilmember Mills Sojka stated that a 24 hour convenience store would have to go through the Special Use Permit process requiring a public hearing. She asked what type of buffer is required between the commercial and residential use for a C-1 zone.

Planner I Spendlove stated that the City Code requires a screening fence or screening material outlined with certain criteria when it abuts against the residential zones.

Councilmember Mills Sojka asked for buffer, fencing, berm and landscape requirements.

Dave Thibault stated his client has developed the Rocket Express Car Wash that abuts directly to some R-2 single family residential homes and this particular issue on the buffer and screening against residential was brought up at the time of that development. Mr. Russell did install landscaping and fencing to meet the requirements. Positive comments and remarks have been received for that particular development.

Planner I Spendlove explained City Code Title 10- Chapter 11-Section 3: Screening (A) Screening Required and (B) Minimum Standards. The building setback from any residential property line is 25'.

Councilmember Lanting asked if the applicant could have asked for a C-1 PUD that closely matched their use of the property.

Planner I Spendlove stated the applicant could have asked to change the PUD, propose a new PUD, ZDA or a rezone.

City Attorney Wonderlich stated that the only two options are a PUD or ZDA because the property is planned for commercial and will need to conform to the comprehensive plan.

Councilmember Lanting stated a PUD allows the City more control than a C-1 zone. He is concerned of what may be placed next to an R-2 zone.

Vice Mayor Hawkins stated everything west of the property is zoned C-1 and abutting next to it is zoned R-2. She does not see a C-1 zone as an issue because it matches the zoning along that stretch of the road.

Mayor Hall opened the public testimony portion of the hearing.

Mayor Hall closed the public testimony portion of the hearing.

Dave Thibault stated that notification of the public hearings was given to all property owners within 300' for the Planning & Zoning Commission and the Council meeting, in which no public testimony was received. He met with Rene'e V. Carraway-Johnson to examine the possibility of a PUD in November 2014; she recommended proceeding with a PUD application. Mr. Russell has spent significant money in preparing the application. He then met with Rene'e V. Carraway-Johnson to submit his application in January and at that time was told the City adopted the ZDA Ordinance. Rather than spend additional money on the ZDA ordinance application process, Rene'e V. Carraway-Johnson recommended a straight C-1 zone.

Mayor Hall closed the public hearing.

Councilmember Mills Sojka requested the developer take into consideration the residences in the R-2 zone. The C-1 zone complies with the comprehensive plan and is compatible with the surrounding uses. The 24/hour uses and higher traffic uses require a Special Use Permit. She prefers the traditional zonings because they are clear setbacks, buffers, standards, that the developer has to comply with. The PUDs she has seen are used to circumvent those setbacks and end up being higher density and greatly impact the neighborhood. A PUD that recently went through the process was on the backside of an R-2 neighborhood. The setback was 10' and allowed operation from 7:00 a.m. to 10:00 p.m.

MOTION:

Councilmember Mills Sojka moved approval 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. The motion was seconded by Vice Mayor Hawkins.

Councilmember Talkington stated he will more than likely vote in favor of the motion and clarified that his concerns are not based on the applicant and his purchase or the marketing of the ground, but his concern is of the encroachment of a C-1 development on an existing residential property. He asked if the setback is 25' on the northern terminus of the building.

Planner I Spendlove stated that any development adjacent to a residential property or future residential development is required to have a 25' building setback from property lines.

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

3. 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.

Lance Fish, 2904 N. Brumby Lane, Kuna, ID, stated he is in agreement with the staff report provided to the City Council.

Tim Vawser, EHM Engineers, representing the applicant, clarified this is a request to vacate the path portion of an easement. The bulk of the easement for drainage and utilities will stay in place.

Planner I Spendlove reviewed the request.

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.

The owners of the 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.

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.

Should the City Council approve 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.

Councilmember Mills Sojka asked for the length of the stretch of trail from the northeast pedestrian connection on the development to the southwest park connection. Planner I Spendlove stated that the distance is approximately 1,400 sq. ft. or one-fourth of a mile.

Public testimony portion of the hearing.

Julie Davis, 596 Northfork Road, asked for the distance of a long block as per City Code 10-12-3-7: Pedestrian Walkway, why the developers are requesting the vacation and if the vacation is a cost issue would the developer be willing to give the cost of eliminating the path or putting it in.

Mayor Hall closed the public testimony portion.

Deputy City Manager Humble stated City Code does not define the distance of a long block.

Tim Vawser stated the cost is minimal compared to the cost of the subdivision phase. The bid for the current phase was over a \$1 million. A large part of that cost was turning a full roadway into a walkable path on the Canyon Rim. Approximately in 2004 or 2005, LaMar Orton, the former Community Development Director, was hopeful that the developer would work with the City to create Canyon Rim Road as a pedestrian easement path along with being wide enough for emergency vehicles, which the developer worked with the City at that time and did. Currently there is one way traffic while the remainder of the development is being done on Park View. Costs incurred are for fencing and the ability to sell lots with a pathway going down between two lots. This creates a lack of privacy and security for potential buyers.

Councilmember Lanting asked if a current city block is approximately one-eighth of a mile on president streets. Deputy City Manager Humble stated that this varies dramatically from location to location. Assistant City Engineer Vitek stated that 10 lots in the Northern Passage subdivision are approximately 80' wide lots. An average block is 800' to 1,000' sq. ft. The City has requirements for city roads to be in place approximately every quarter mile

Councilmember Mills Sojka asked if it is correct to say that the final plat went through the process in December 2004, and the Planning & Zoning Commission and the Council at that time felt this was a long block and required the path. Community Development Director Humble stated he was not a City employee at that time but it appears that the requirement was placed in the preliminary plat process. Assistant City Engineer Vitek stated he was involved in the final plat process and believes LaMar Orton placed the condition to make the connection more linear to access the park in the area.

Councilmember Lanting stated that he was serving on the Planning & Zoning Commission and the intent for the condition was to connect the canyon trail to the park, and to allow for parking access and trailhead. He believes there was a trade off with the developer for the placement of the path.

Mayor Hall closed the public hearing.

MOTION:

Councilmember Talkington moved to approve the vacation of the non-vehicular uses of the 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. The motion was seconded by Councilmember Barigar.

Councilmember Lanting stated he will be voting against the vacation because this meets the code requirement of a long block and the P & Z Commission and Commission saw the importance of placing the condition on the preliminary plat.

Councilmember Mills Sojka stated testimony was heard on the value of the connection of the trail. Allowing the request would be in violation of several objectives of the city's strategic plan. She has never been in favor of giving away public right of way unless there are valid reasons. The canyon rim is a community asset.

Councilmember Barigar referred to the Planning & Zoning Commission's comments concerning subdivisions that end up with a short trail connection and are not maintained. This is not one of his concerns. Buffers can be created to address the privacy and security issues discussed. Having connectivity across the community is important.

Councilmember Lanting stated that the path was placed during the preliminary plat to create a linear connection to the restrooms at the park.

Vice Mayor Hawkins stated that this seems like an appropriate place for a trailhead connection and is a great asset to the community.

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

Mayor Hall asked the process of placing fences along the trail at the time of development. Deputy City Manager Humble stated that the City does not have requirements for fencing along the canyon rim trail unless there is a safety hazard.

Mayor Hall asked if the City requires the placement of fencing along the canyon rim for safety reasons. Fencing has to meet City requirements. Deputy City Manager Humble answered in the affirmative.

Councilmember Talkington stated he walks along the canyon rim and the fencing went up at Pole Line and Eastland. Proceeding to the west of this location and on either side of the bridge there are sections that are very close to the rim that do not have fencing. He does not see the consistency in how and when the City requires fencing.

Mayor Hall asked how staff determines if a fence should go up. Deputy City Manager Humble stated determination is based on how close the development is next to the rim.

Councilmember Talkington suggested staff look at the section between the bridge heading west behind Canyon Park West. This section appears to be a safety hazard. Mayor Hall asked Deputy City Manager Humble to take a look at this area and come back to Council with an update.

V. ADJOURNMENT: The meeting adjourned 7:36 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



Date: Monday, April 27, 2015
To: Honorable Mayor and City Council
From: Troy Vitek, Asst. City Engineer

Request:

Consideration of a request to waive the bonding requirement related to Golden Eagle Subdivision Number 5, Northern Passage Subdivision Number 5, and Sacket Farm Subdivision Number 2.

Background:

The three schools are going forward with development which require platting of the lots. According to City Code 10-12-4-3 Guarantee of Completion of Improvements, to record a final plat, the developer is permitted to execute a trust and escrow agreement or provide a financial guarantee prior to recordation. The building of the schools is to coincide with construction of the improvements and will be completed by the school prior to the issuance of a certificate of occupancy. The Trust Agreement will not work for the schools since a building permit can not be issued on a lot in trust. The school is requesting the waiver of the bond and to have the guarantee of improvements to their lot tied to the Certificate of Occupancy.

Budget Impact:

None

Conclusion:

Staff recommends that the Council allow the waiver of the Bond for the School lots as presented

Attachments:

1. Request of a bond waiver by Twin Falls School district.



Twin Falls School District #411
201 Main Ave. W
Twin Falls, ID 83301

P 208.733.6900
F 208.733.6987
www.tfsd.org

WILEY J. DOBBS, PH.D. SUPERINTENDENT OF SCHOOLS

April 22, 2015

Mayor Don Hall
Twin Falls City Council
321 Second Avenue East
PO Box 1907
Twin Falls, ID 83303-1907

Dear Mayor:

On behalf of the TFSD #411 Board of Trustees, I again want to sincerely thank you for your spirit of cooperation in waiving the building permit fees for our school projects.

The purpose of this letter is to request a waiver of the bonding requirement related to the South Hills Middle School (Golden Eagle Subdivision # 5), Rock Creek Elementary School (Northern Passage Subdivision # 4) and the Pillar Falls Elementary School (Sackett Farm Subdivision 2) subdivision improvements and building permit issuance.

According to Twin Falls City Code 10-12-4-3 Guarantee of Completion of Improvements, to record the final plat, the subdivider is permitted to execute a trust and escrow agreement or provide a financial guarantee.

Installation of the subdivision improvements will be completed by the General Contractor along with the school construction which will require the City of Twin Falls to issue the building permit before the subdivision portion is completed. Therefore the trust agreement procedure can't be used requiring the financial guarantee.

Thank you for taking the time to consider this request. If you have any questions or require additional information, please call me.

Sincerely,

Dr. Wiley Dobbs,
Superintendent of Schools



Public Hearing: MONDAY APRIL 27, 2015

To: Honorable Mayor Hall and City Council

From: Jonathan Spendlove, Community Development Department

ITEM IV-1

Request: Request to **Vacate** a portion of a platted utility, vehicle access and drainage easement on property located at 1777 and 1821 Canyon Crest Drive c/o EHM, Engineers, Inc. on behalf of Westpark Partners (app. 2715)

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: requesting 15' x 384' of easement (5,7670 sf)
Westpark Partners PO Box 2138 McCall, Idaho 83638 c/o Gerald Martens, partner	Current Zoning: Northbridge C-1 PUD	Requested Zoning: vacation of a portion of an undeveloped utility, vehicular access and drainage easement
	Comprehensive Plan: Commercial Retail	Lot Count: 2 Lots
	Existing Land Use: Undeveloped Commercial Property	Proposed Land Use: Commercially zoned Property
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 gmartens@ehminc.com	North: C-1 PUD, Undeveloped Commercial Property	East: Canyon Crest Dr.; C-1 PUD, Commercial Property
	South: C-1 PUD, Commercial Property	West: C-1 PUD, Undeveloped Commercial Property
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2 and the Northbridge C-1 PUD Agreement	

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 makes 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 conducts a public hearing and may approve, modify or deny the vacation. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Deed for the vacated rights or way.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed to the City Council with an Ordinance codifying the approval. Approval of this request will allow Westpark Partners to vacate 15' x 384' (5,760 +/-) sf utility, vehicular access, and drainage easement.

History:

The City Council approved a rezone from R-1 43,000 to C-1 PUD/R-4 PRO PUD for this area on April 19, 1993, and September 20, 1993. Northbridge C-1 PUD Agreement was approved by the City Council on July 1993. The 2 lots and easement in question, were created in 1998 with the recordation of the Westpark Commercial Subdivision #2.

Analysis:

This is a request to vacate approximately 15' foot wide x 384' long utility, vehicular access, and drainage easement located along the western boundary of Lots 2 & 3, Block 2, Westpark Commercial Subdivision #2. These types of easements were typical at the time of platting. Since that time policy and engineering practices have both changed, effectively eliminating the need for this type of easement to exist on the rear property lines of these lots.

We have received all but one required letter from the applicable utility companies stating their approval of the vacation of the easement. A condition should be placed on approval that all applicable utility letters need to be submitted and any conditions by those utilities need to be met prior to publication of the vacation ordinance.

Staff has received a letter from Idaho Power requesting a portion remain as an easement in order to facilitate a new building construction site, their letter and attachment is included with this report. The city has not received a building permit for anything on this property and therefore would not be able to say with confidence where a building will be located. However, it is safe to assume that we can condition this easement vacation on approval of Idaho Power and any conditions they require.

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 later adopted and published.

On March 31, 2015 the Planning & Zoning Commission held a public hearing whereby there was no public comment. Commissioner Grey 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 To City Council For Approval, As Presented, With The Following Conditions

1. Subject to all applicable utility letters being submitted to the city prior to publication of the vacation ordinance.
2. Subject to all conditions of approval by the applicable utility companies being met prior to publication of the vacation ordinance.

CONCLUSION:

Staff concurs with the Commission's recommendation.

Attachments:

- | | |
|------------------------|---|
| 1. Narrative | 5. Westpark Commercial Sub #2 |
| 2. Aerial Map | 6. Idaho Power Co Utility Letter (3) |
| 3. Zoning Vicinity Map | 7. Photos |
| 4. Vacation Exhibit | 8. Portion of the March 31, 2015 Commission minutes |



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

Date: February 5, 2015

To: City of Twin Falls

From: Gerald Martens 

Via: Hand Deliver

Regarding: Lots 2 & 3, Block 2, Westpark Commercial Subdivision No. 2

Please find attached an application to vacate a portion of the 15-foot easement along the west boundary of Lots 2 and 3, Block 2, Westpark Commercial Subdivision No. 2.

The easement was provided at the time of platting as a standard procedure. Now that development of the subdivision is nearing completion and plans for Lot 2 and a portion of Lot 3 are being developed it has been determined that the easement is not needed for utilities, drainage or access to other lots.

Attached is a copy of the plat showing the easement and a preliminary development plan for Lots 2 and 3. Any development of the land to the west, Lot 4, Block 2, Westpark Commercial Subdivision No. 3 will not require the easement.

The easement on the north boundary of Lot 3, Block 2 must remain as it contains a gravity sewer main. The easement on the south boundary of Lot 2, Block 2 must remain as it contains a roadway and utilities.

The utility companies have been contacted and their comments will be forwarded upon receipt.

Please call me if there are any questions.

040-15

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049



February 5, 2015

City of Twin Falls
321 2nd Avenue East
Twin Falls, ID 83301

Regarding: Statement for Request
 Westpark Commercial Subdivision No. 2

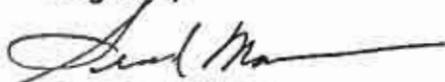
This request is to vacate a portion of a 15-foot easement along the west boundary of Lots 2 and 3, Block 2, Westpark Commercial Subdivision No. 2.

The easement was provided at the time of platting as a standard procedure. Now that development of the subdivision is nearing completion and plans for Lot 2 and a portion of Lot 3 are being developed it has been determined that the easement is not needed for utilities, drainage or access to other lots.

The easement on the north boundary of Lot 3, Block 2 must remain as it contains a gravity sewer main. The easement on the south boundary of Lot 2, Block 2 must remain as it contains a roadway and utilities.

Please call me if there are any questions.

Regards,



Gerald Martens

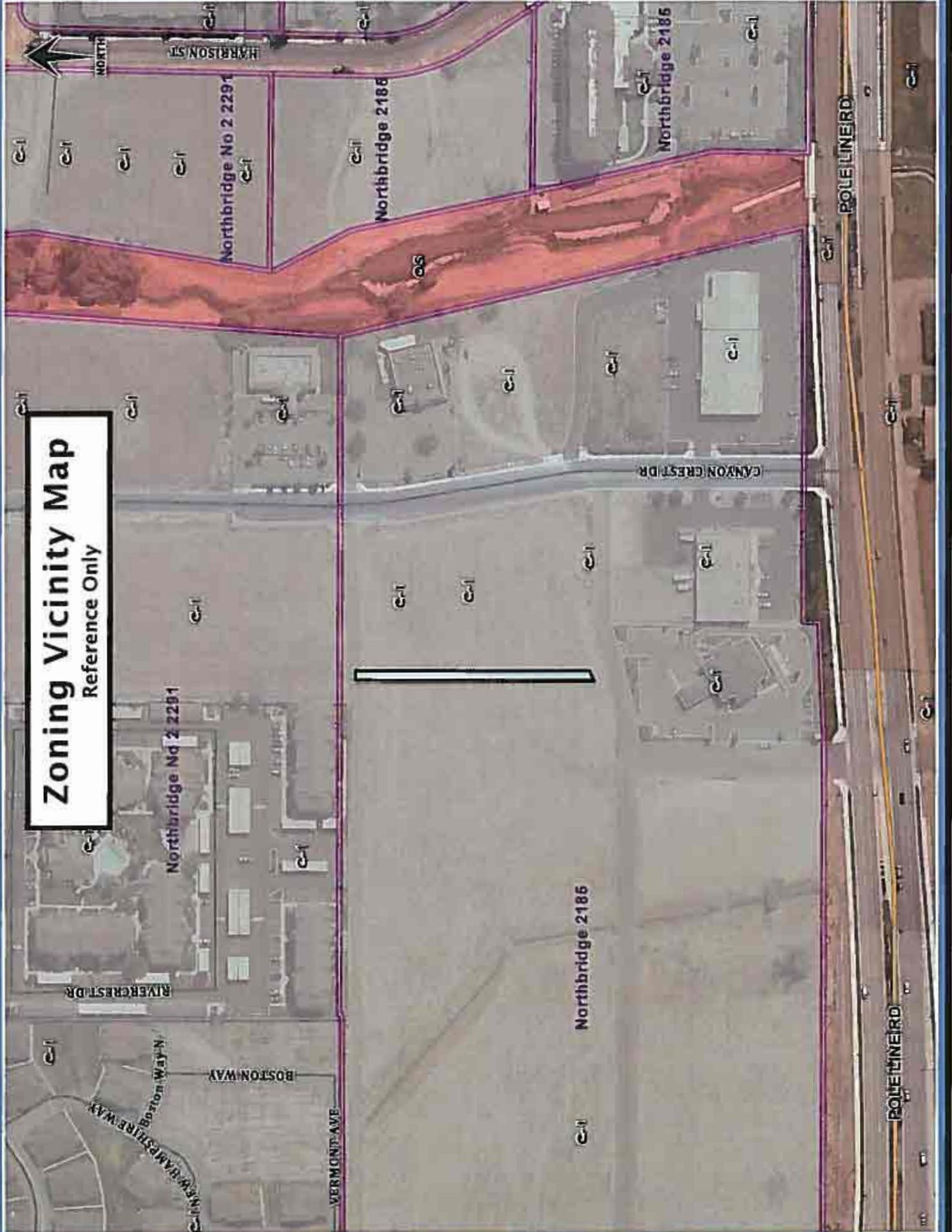
040-15

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049

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

Zoning Vicinity Map

Reference Only



Aerial Photo Map

Reference Only





March 25, 2015

EHM Engineers, Inc
c/o Gerald Martens
621 N. College Road, Suite 100
Twin Falls, ID 83301

Re: Relinquishment of the rear 15' public utility easement located within Lots 2 & 3, Block 2, Westpark Commercial Subdivision No.2.

Situated in the Southwest Quarter of Section 33, Township 9 South, Range 17 East, B.M., Twin Falls County, Idaho.

Dear Mr. Martens:

This is in response to the Relinquishment Application submitted to Idaho Power Company on February 10, 2015, regarding the possible relinquishment of the rear public utility easement found within Lots 2 & 3, Block 2, Westpark Commercial Subdivision No.2, as shown in Exhibit A (the "Utility Easement Area").

Idaho Power would like to retain a portion of the Utility Easement Area. The modified exhibit map, submitted by EHMS Engineers, was reviewed and approved. See Exhibit B. Idaho Power agrees to relinquish what easement rights are found within the hatched area shown within Exhibit B and retains all other easement rights found within the Utility Easement Area.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachael Butterworth".

Rachael Butterworth
Associate Real Estate Specialist
Land Management and Permitting Department
(208) 388-2699
rbutterworth@idahopower.com

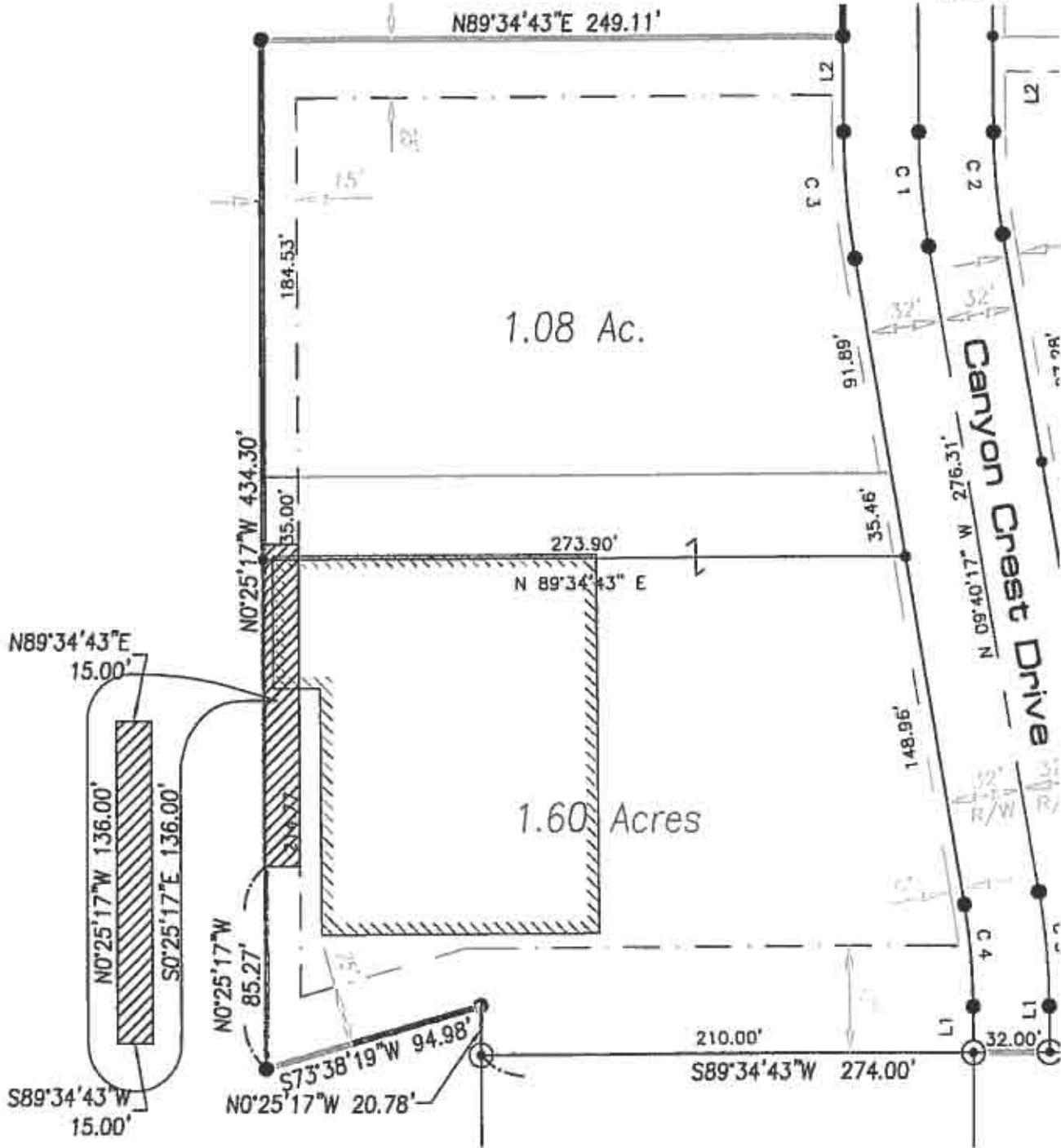
Exhibit B

WESTPARK COMMERCIAL SUBDIVISION NO. 2

Located In
 S 1/2 SW 1/4, Section 33
 Township 9 South, Range 17 East, Boise Meridian
 Twin Falls, Idaho
 2015



NORTH



JOB NO.	040-18
SCALE	N.T.S.
DRAWN	WKS
DATE	J-23-15

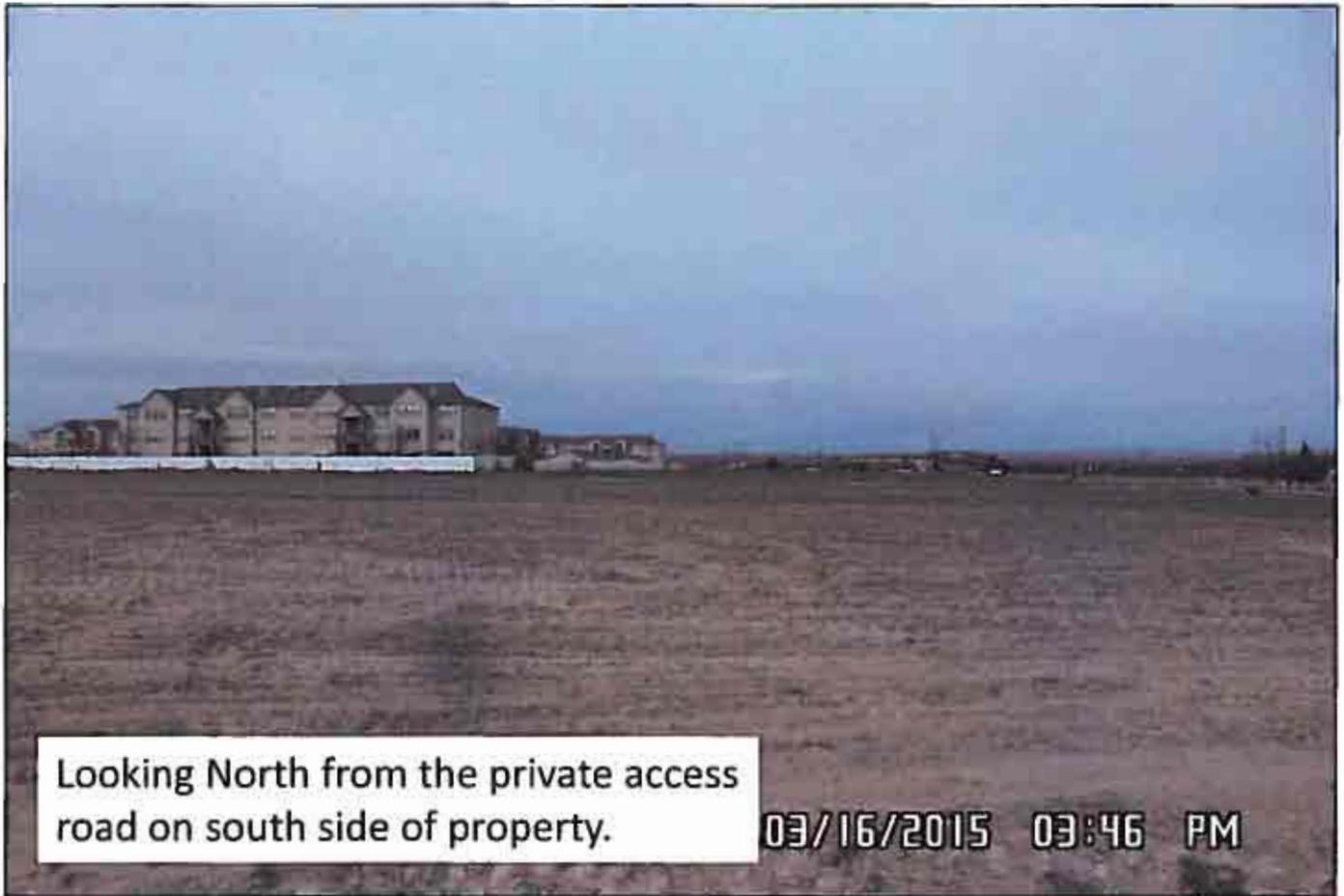
1

EASEMENT VACATION EXHIBIT MAP
 WESTPARK COMMERCIAL SUBDIVISION NO. 2
 TWIN FALLS, ID



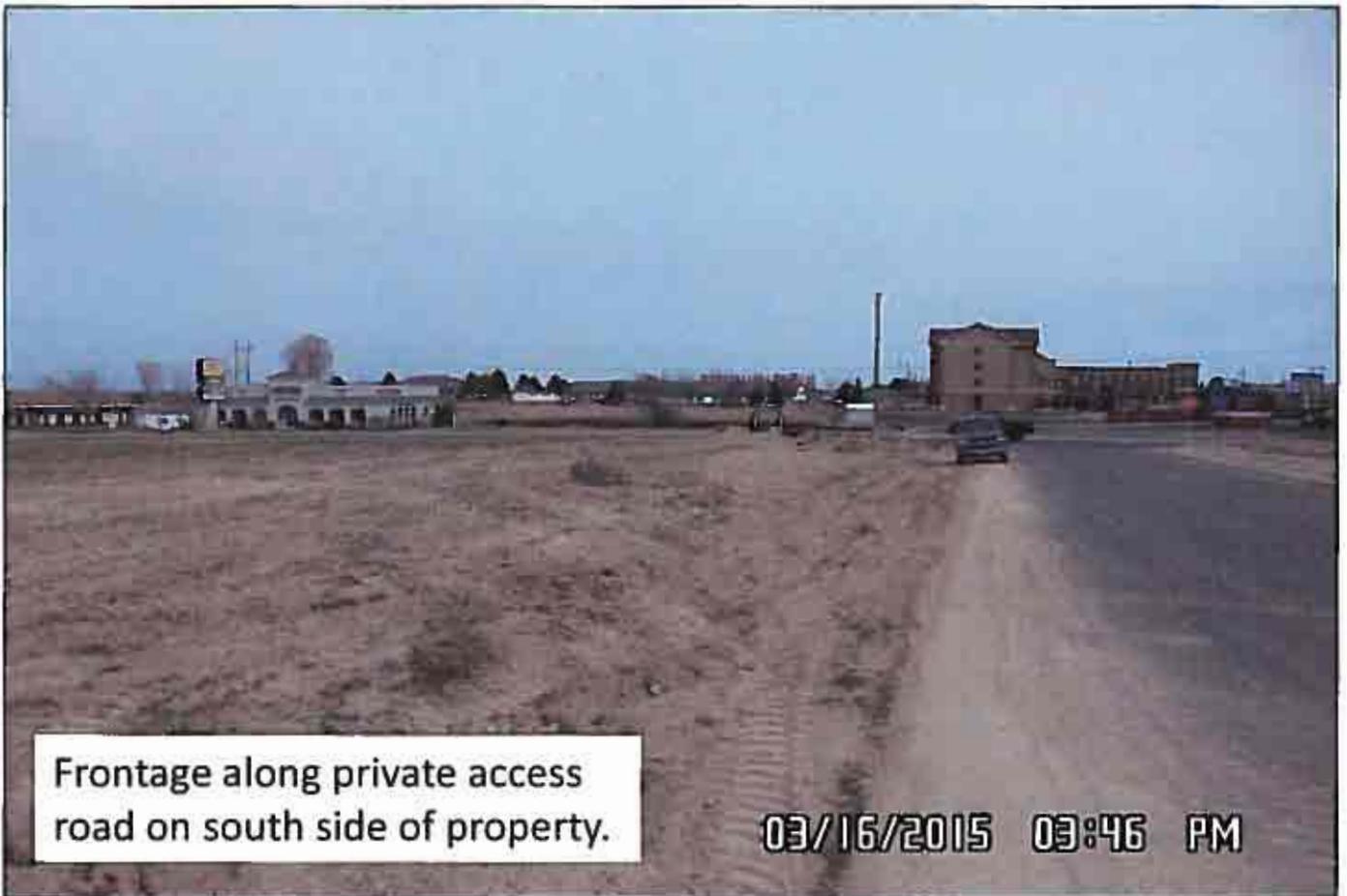
EHM Engineers, Inc.
 BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners
 621 North College Road, Suite 100 Twin Falls, Idaho 83301
 P (209) 734-4868 Fax (209) 734-6041 web ehm-inc.com



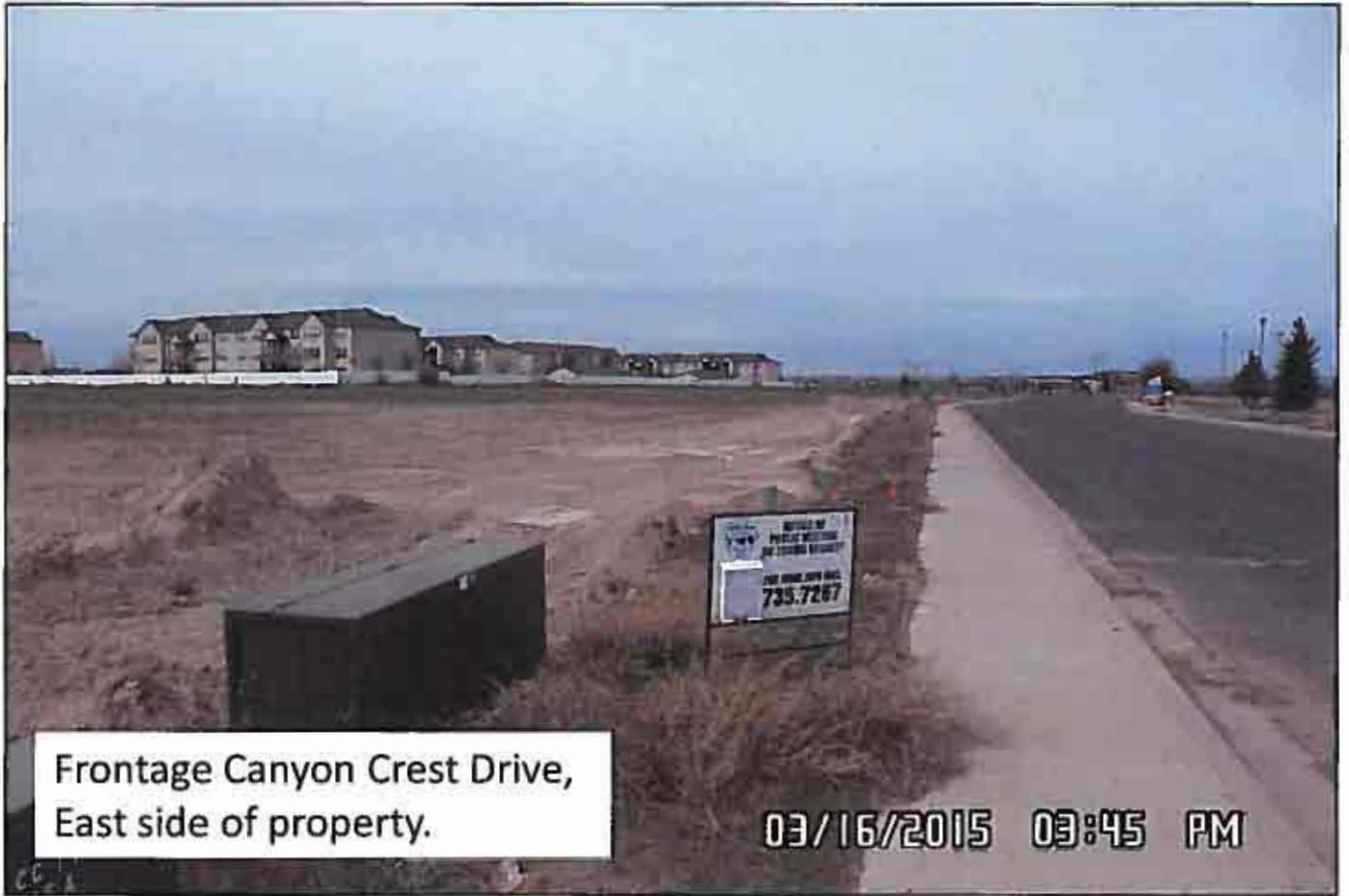
Looking North from the private access road on south side of property.

03/16/2015 03:46 PM



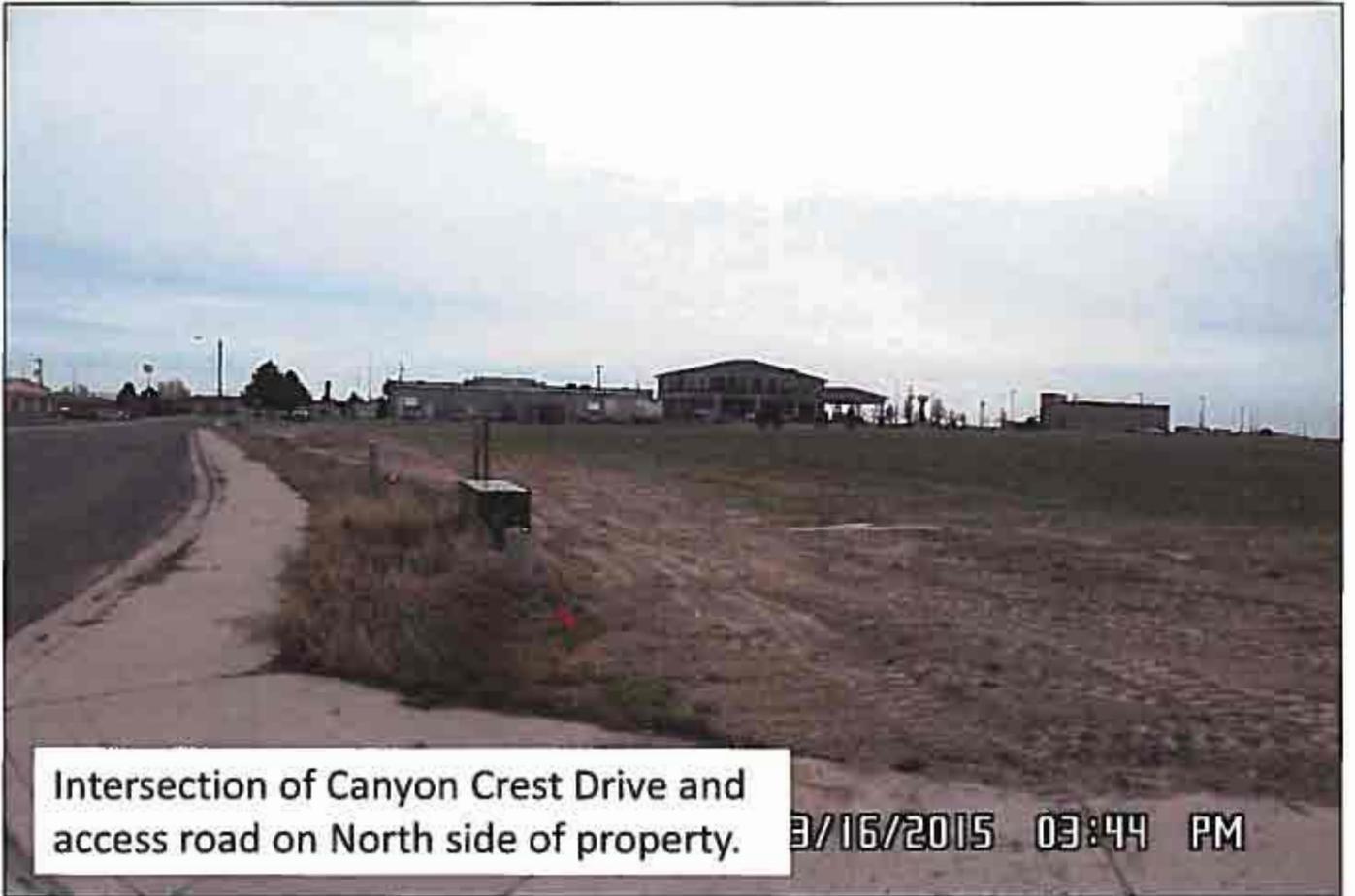
Frontage along private access road on south side of property.

03/16/2015 03:46 PM



Frontage Canyon Crest Drive,
East side of property.

03/16/2015 03:45 PM



Intersection of Canyon Crest Drive and
access road on North side of property.

03/16/2015 03:44 PM

**Planning & Zoning Commission Minutes
March 31, 2015 (Special Meeting)**

development. The request will allow for a portion of the easement to remain and request the vacation of the west boundary not crosshatched in the exhibit.

Staff Analysis:

Planner I Spendlove stated the City Council approved a rezone from R-1 43,000 to C-1 PUD/R-4 PRO PUD for this area on April 19, 1993, and September 20, 1993. Northbridge C-1 PUD Agreement was approved by the City Council on July 1993. The 2 lots and easement in question, were created in 1998 with the recordation of the Westpark Commercial Subdivision #2.

He explained after the staff report was completed and distributed staff received a letter from Idaho Power with their consent to only vacate a portion of the easement. The vacation is still within lots 2 and 3 however only a portion of the easement will be vacated. Staff has received all of the required letters from the applicable utility companies stating their approval of the vacation of the easement.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

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

1. Subject to all applicable utility letters being submitted to the city prior to publication of the vacation ordinance.
2. Subject to all conditions of approval by the applicable utility companies being met prior to publication of the vacation ordinance.

PZ Questions/Comments:

- Commissioner Woods asked where the utilities are located for the development of this property.
- Mr. Martens explained the easement that was platted was to avoid land locking the adjacent properties. The utilities for this property are in the street or in the easement along the fronting the lot. The point of this easement during the platting process was to avoid land locking a neighboring property from accessing utilities. The owner of the adjacent lot is the same owner for these two lots.

Public Hearing: Open & Closed Without Concerns

Deliberations Followed: Without Concerns

Motion:

Commissioner Grey 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 To City Council For Approval, As Presented, With The Following Conditions

1. Subject to all applicable utility letters being submitted to the city prior to publication of the vacation ordinance.
2. Subject to all conditions of approval by the applicable utility companies being met prior to publication of the vacation ordinance.

Scheduled For City Council April 27, 2015