Public Meeting:	**MONDAY JUNE 06, 2011**
To:	Honorable Mayor and City Council
From:	Mitch Humble, Community Development

ITEM

Request: **Consideration of the request for an extension of the approval of the Final Plat of Kelley Garden Subdivision, consisting of 6.35 (+/) acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center, c/o Gerald Martens/EHM Engineers, Inc. on behalf of Richard Kelley**

Time Estimate:

No staff presentation.

Background:

Applicant: Richard Kelley 2223 Addison Ave E Twin Falls, ID 83301 EHM Engineers, Inc. c/o David Thibault 621 North College Rd, Ste 100 Twin Falls, ID 83301 208-734-4888	**Status:** Owner	**Size:** 6.35 (+/-) acres
	Zoning: C-1	**Requested Zoning:** approval of a 1 yr extension of the final plat
	Comprehensive Plan: Commercial/ Retail	**Lot Count:** 8 lots
	Existing Land Use: Commercial Retail/Kelley Garden Center/tanning salon	**Proposed Land Use:** Commercial
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-12-1 thru 10, 10-12-2.3	
Zoning Designation & Surrounding Land Uses:	**North:** C-1, commercial/Eastside Southern Baptist Church	**East:** C-1; commercial/retail
	South: C-1, Addison Ave E, K-Mart	**West:** R-2; Eastland Dr N, residential

Approval Process:

10-12-2-4 (I): FINAL PLAT:

"**(I) Approval Period:** Final plat shall be filed with the County Recorder within one year after written approval by the Council; otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the Council.

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to record the final plat without going back through the process. If approved the final plat would expire on June 21, 2012.

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop the property in conformance with an approved Final Plat, any conditions placed on that approval and approved construction plans.

History:

This property is located at 2223 Addison Avenue East and is known as the Kelley Garden Center. There is no known zoning history.

Analysis:

The preliminary plat of the Kelley Garden Subdivision, consisting of 6.35 (+/-) acres and 8 commercial lots was approved, as presented, by the Commission on December 18, 2008 subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

On **June 21, 2010** the final plat for the Kelley Garden Subdivision, consisting of 6.35 (+/-) acres and 8 commercial lots, was approved by the City Council as presented by a vote of 5-0 subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with the approved Preliminary Plat and all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to approved/recorded Deferral Agreement for construction of curb, gutter, a detached sidewalk and reconstruction of Eastland Drive North.

Attached is a request from Gerald Martens, EHM Engineers, Inc. asking for a 1-year extension of the approval of the final plat of the Kelley Garden Subdivision ...."due to current economic conditions impacting the viability of the subdivision and inability to finance the required improvements." There has been no work started on the project as of today's date.

Conclusion:

Staff recommends a 1-year extension (to June 21, 2012) on the approval of the filing requirement of the final plat for the West Haven Subdivision, Phase 2 subject to the original three (3) conditions of approval.

Attachments:

1. Letter of Request
2. Vicinity Map
3. Area Zoning Map
4. Aerial of the Project Site
5. Approved Kelley Garden Subdivision Preliminary Plat
6. Approved Kelley Garden Subdivision Final Plat
7. Portion of the December 18, 2008 P&Z minutes
8. Portion of June 21, 2010 City Council minutes

EHM Engineers, Inc.
ENGINEERS / SURVEYORS / PLANNERS

6-21-10 CC Approval

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

Date: April 18, 2011

To: City of Twin Falls
Attn: Mitch Humble

From: Gerald Martens

Via: Hand Deliver

Regarding: Kelley Garden Subdivision

The Findings of Fact for the above subdivision were approved on July 12, 2010.

We hereby request an extension of the approval for the maximum time allowed by the City at the time of the extension.

The reason for the requested extension is the current economic conditions impacting the viability of the subdivision and inability to finance the required improvements.

RECEIVED
APR 19 2011
BY:

414-07

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

Transfer of Water Stock to City of Twin Falls

The undersigned, RICHARD KELLEY, as the owner of 3.98 shares of the capital stock of the Twin Falls Canal Company, represented by Certificate # 29746, 26267, which water is appurtenant to those properties owned by the undersigned located in:

SW4 SW4

SW4 SW4 Section 11, Township 10S, Range 17E.

Agrees to the transfer of 2.0 shares to the City of Twin Falls, to be used on the same property, for pressurized irrigation, the property description to be known as: KELLEY GARDEN SUBDIVISION

SW4 SW4 Section 11, Township 10S, Range 17E.

Upon the signing of this document the undersigned is allowing the City of Twin Falls to proceed with the transfer and present all the information to the Twin Falls Canal Company for transfer.

Grantor:

Name: Richard Kelley X

Company Name: Kelley Garden X

Date: 3 - 8 - 11

Grantee:

Name: City of Twin Falls

City Authorization

Dated: 4/18/11

EHM Engineers, Inc.
ENGINEERS / SURVEYORS / PLANNERS

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

Date: March 3, 2011

To: City of Twin Falls
Attn: Troy Vitek

From: Gerald Martens

Via: Hand Deliver

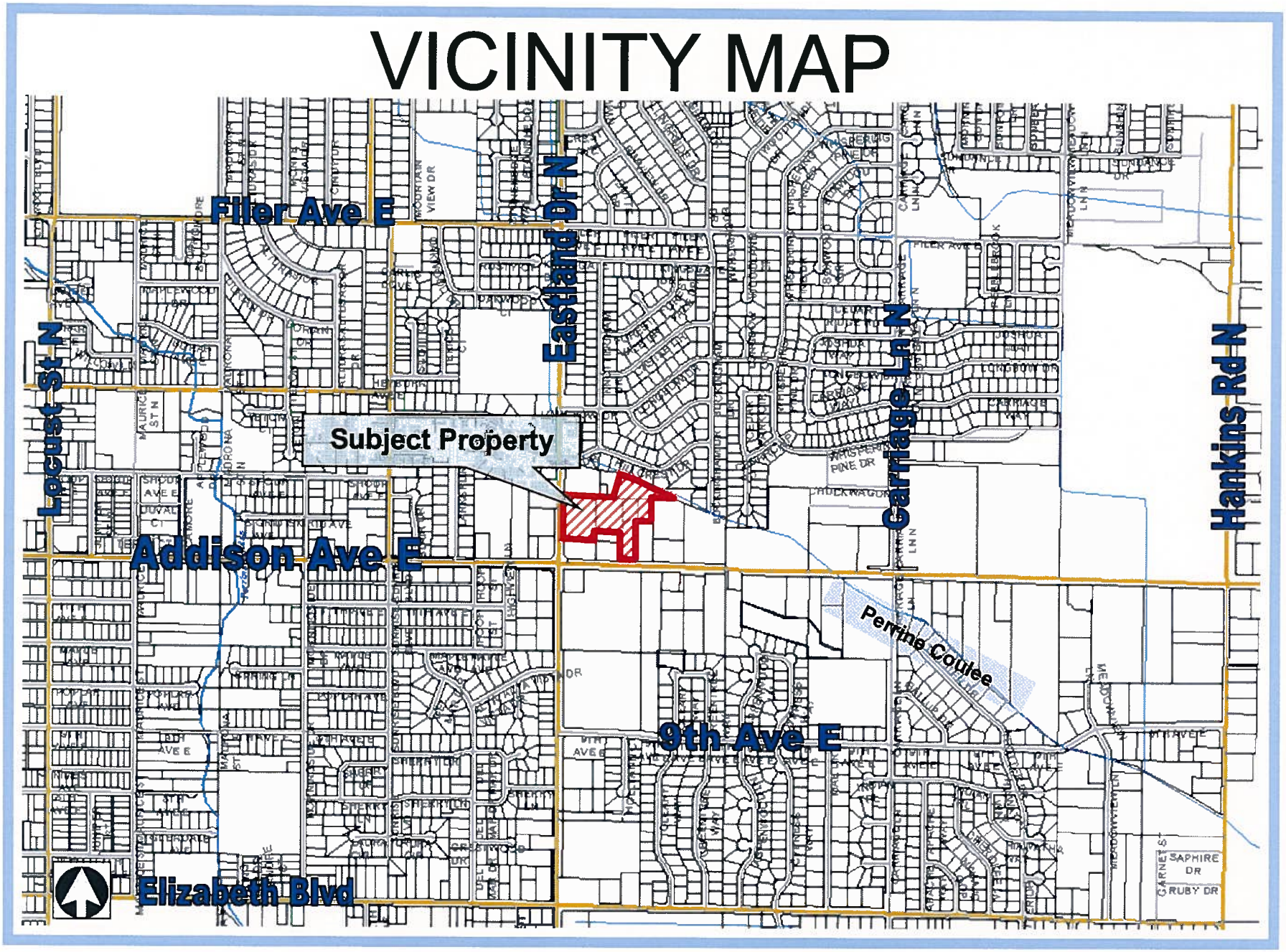
Regarding: Kelley Garden Subdivision

Please find attached the water transfer form for the above subdivision.

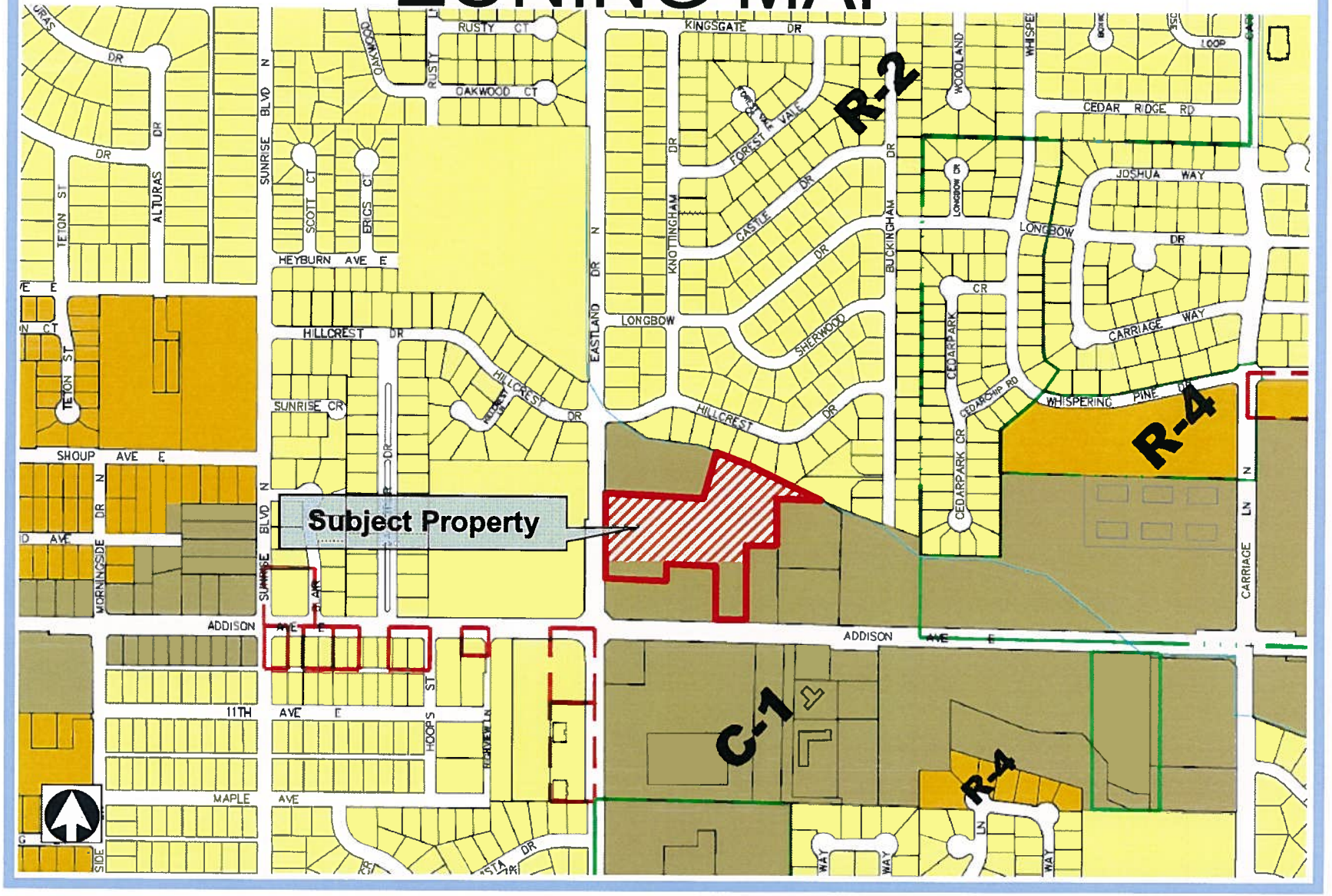
The subdivision is a commercial subdivision consisting of 6.19 acres. The 2.0 shares represent irrigation of 2.0 acres or 32 percent of the lot. 32 percent of the acreage far exceeds the area of a commercial subdivision that would be irrigated.

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

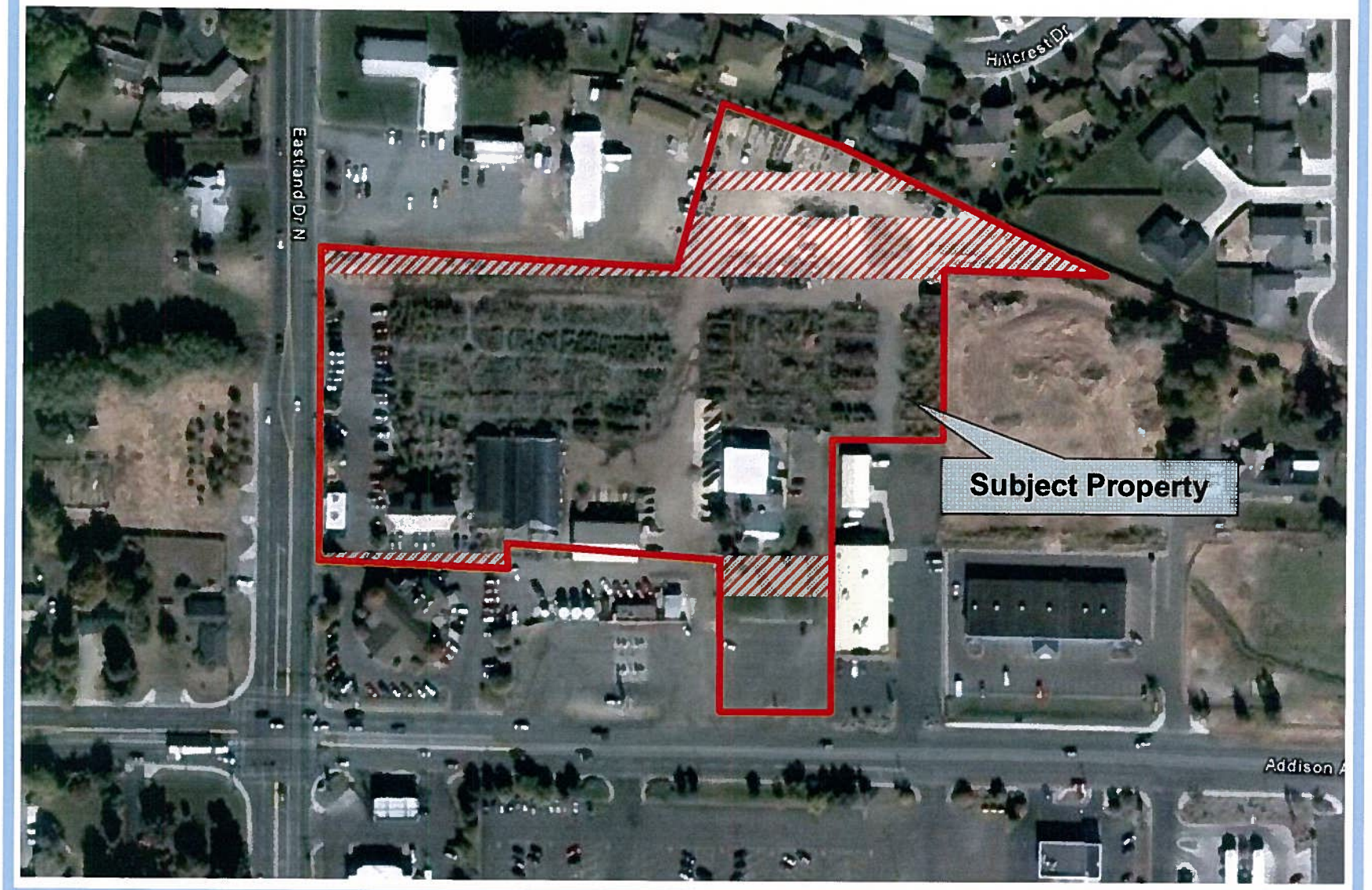
VICINITY MAP



ZONING MAP


Subject Property
R-2
R-4
C-1
R-4
KINGSGATE DR
RUSTY CT
OAKWOOD CT
OAKWOOD
RUSTY
SUNRISE BLVD N
SCOTT CT
BRICS CT
HEYBURN AVE E
HILLCREST DR
SUNRISE CR
EASTLAND DR N
LONGBOW
KNOTTINGHAM DR
FOREST VALE
CASTLE DR
SHERWOOD DR
BUCKINGHAM DR
WOODLAND
CEDAR RIDGE RD
JOSHUA WAY
LONGBOW DR
CARRIAGE WAY
CEDARPARK CR
CEDARCHIP RD
WHISPERING PINE DR
CARRIAGE LN N
ALTURAS DR
TETON ST
SHOUP AVE E
MORNINGSIDE DR N
ADDISON AVE E
11TH AVE E
HOOPS ST
MAPLE AVE

AERIAL MAP



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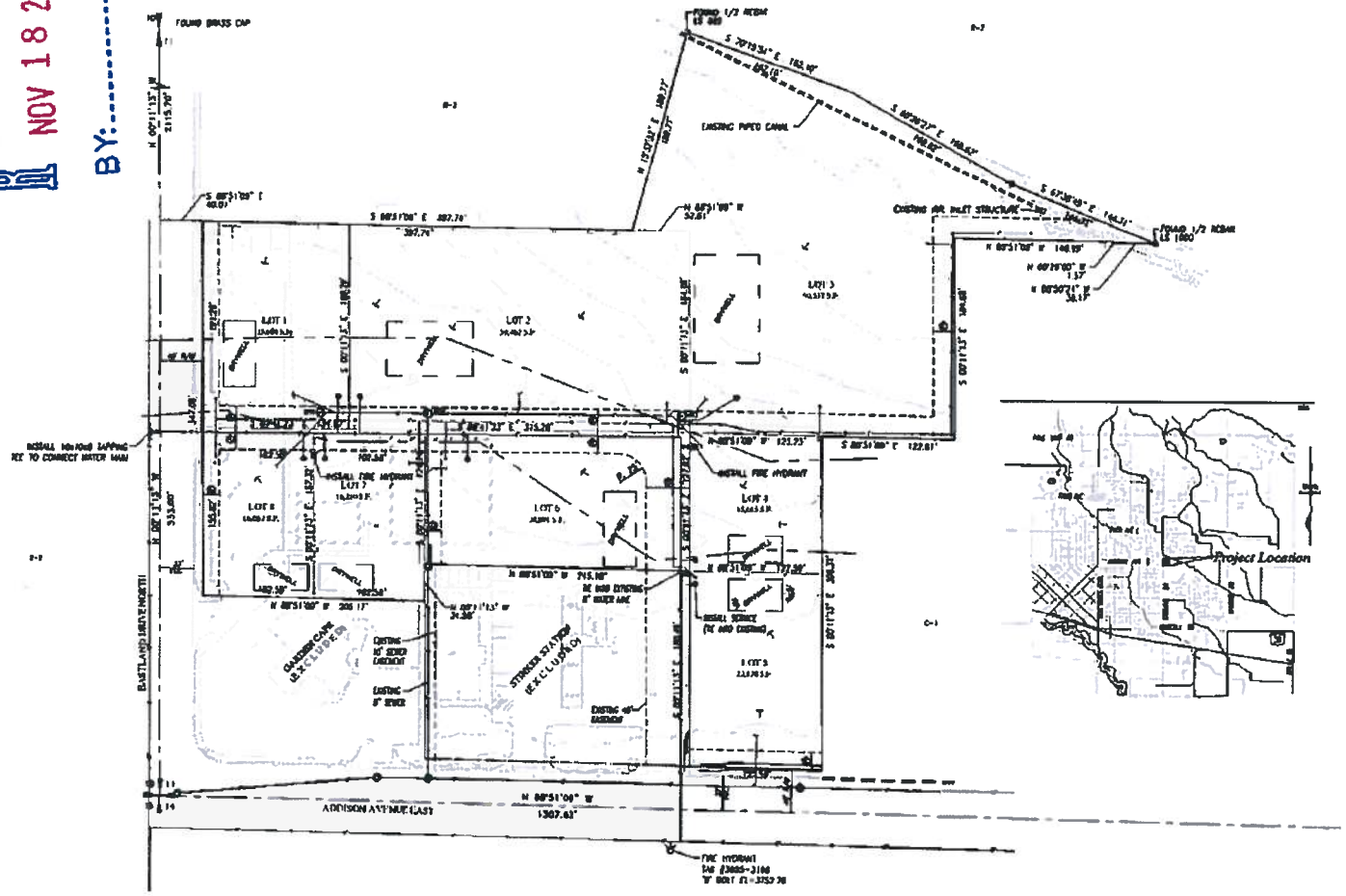
BY:



NORTH

0 25 50 100
SCALE IN FEET

LOCATED IN
SW 1/4 SW 1/4 SECTION 11
TOWNSHIP 10 SOUTH, RANGE 17 EAST
BOISE MERIDIAN
TWIN FALLS COUNTY
IDAHO
2008

LEGEND

SUBDIVISION BOUNDARY
LOT LINE
CENTERLINE
EASEMENT LINE
WATER MAIN
SEWER MAIN
100 YR. FLOOD
CONTOUR LINE
WATER METER
FIRE HYDRANT
MANHOLE
LIGHT POLE
P.I. SERVICE

SITE DATA

OWNER/DEVELOPER:	ROWEN VALLEY 2323 ADDISON AVENUE EAST TWIN FALLS, ID 83301
ENGINEER:	SHM ENGINEERS INC. 621 N COLLEGE RD., STE 100 TWIN FALLS, ID 83301 (208) 734-4888
EXISTING ZONE:	C-1
PROPOSED ZONE:	C-1
LOT DIMENSIONS:	6 DIMENSION LOTS; 6.26 ACRES
WATER:	CITY WATER
SEWER:	CITY SEWER
UTILITIES:	UNDERGROUND POWER, CABLE, TV, & TELEPHONE
MINERAL:	NONE REMOVED

EASEMENT LEGEND

- 20' WIDE UTILITY, ACCESS, DRAINAGE, & IRRIGATION EASEMENT
- 40' WIDE UTILITY, ACCESS, DRAINAGE, & IRRIGATION EASEMENT
- 15' WIDE UTILITY EASEMENT
- 10' WIDE SEWER EASEMENT
- 30' WIDE IRRIGATION EASEMENT

NOTES

EXISTING BUILDINGS SHOWN FOR INFORMATION BUILDINGS TO BE REMOVED OR RELOCATED
DETENTION AREA LOCATIONS AND SIZES SHOWN ARE SUBJECT TO CHANGE WITH FINAL DEVELOPMENT PLANS
GATEWAY ARTERIAL LANDSCAPING REQUIRED ON PROPERTIES ALONG EASTLAND DRIVE AND ADDISON AVENUE PER 10-3-17.

STORM WATER RETENTION CALCULATIONS

AS THIS ANALYSIS IS PRELIMINARY AND AS PRESENT IT IS UNKNOWN WHAT AREAS ARE TO BE IMPERVIOUS AND LANDSCAPED A RISK ASSUMED THAT ONE OF THE SIDES (OR ALL BE IMPERVIOUS) AND THAT THE REMAINING ONE OF THE TOTAL LOT AREA WILL BE LANDSCAPED.
RUN-OFF COEFFICIENTS ARE PER THE FALLS STANDARDS (0.90 & 0.30 FOR IMPERVIOUS & LANDSCAPED)

LOT 1:	2,770 C.F. RUN-OFF = 30'x60'x1' DEEP GRAVEL PROVIDES 3,600 C.F.	
LOT 2:	8,410 C.F. RUN-OFF = 90'x90'x1' DEEP GRAVEL PROVIDES 8,100 C.F.	
LOT 3:	8,770 C.F. RUN-OFF = 90'x90'x1.1' DEEP GRAVEL PROVIDES 8,910 C.F.	
LOT 4:	1,004 C.F. RUN-OFF = 30'x30'x1.25' DEEP GRAVEL PROVIDES 1,700 C.F.	
LOT 5:	2,300 C.F. RUN-OFF = 30'x30'x1' DEEP GRAVEL PROVIDES 2,400 C.F.	
LOT 6:	2,100 C.F. RUN-OFF = 30'x30'x1' DEEP GRAVEL PROVIDES 2,200 C.F.	
LOT 7:	1,750 C.F. RUN-OFF = 35'x50'x1.25' DEEP GRAVEL PROVIDES 1,750 C.F.	
LOT 8:	1,750 C.F. RUN-OFF = 35'x50'x1.25' DEEP GRAVEL PROVIDES 1,750 C.F.	

PRELIMINARY PLAT
PREPARED FOR
KELLEY GARDEN SUBDIVISION

SHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS
621 NORTH COLLEGE ROAD, SUITE 100 TWIN FALLS, IDAHO 83301
PHONE (208) 734-4888 FAX (208) 734-8048
E-MAIL shm@shmeng.com

DO NOT SCALE DRAWINGS

DRAWN	G. WRITING
CHECKED	B. THORNLEY
APPROVED	B. THORNLEY
DATE	JULY 2008
SCALE	AS SHOWN
JOB NO.	401-07PP1

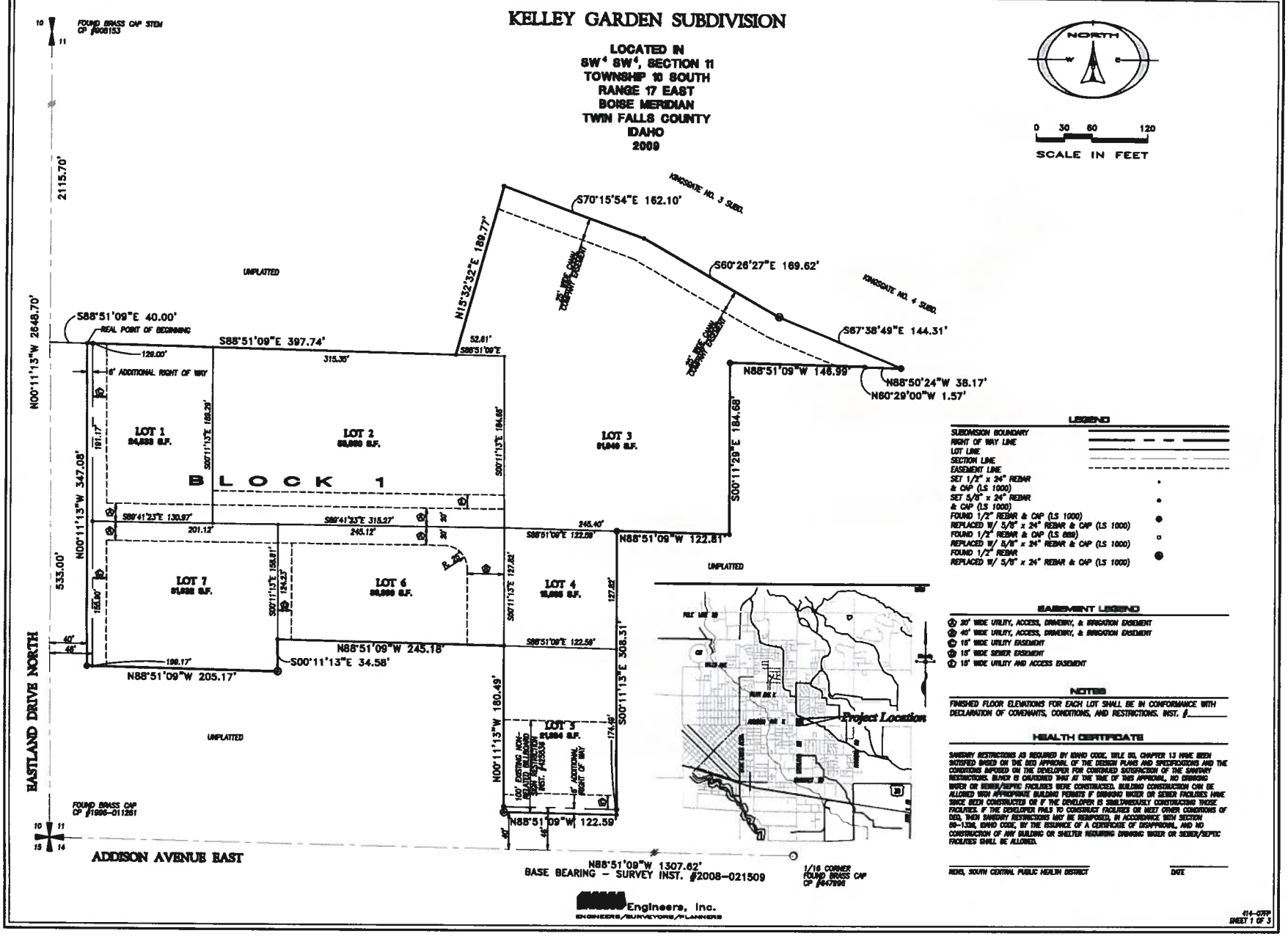
PP1

G:\W

DT
EHM
6-15-10

KELLEY GARDEN SUBDIVISION

LOCATED IN
SW¼ SW¼, SECTION 11
TOWNSHIP 10 SOUTH
RANGE 17 EAST
BOISE MERIDIAN
TWIN FALLS COUNTY
IDAHO
2009



LEGEND

SUBDIVISION BOUNDARY	
RIGHT OF WAY LINE	
LOT LINE	
SECTION LINE	
EASEMENT LINE	
SET 1/2" x 24" REBAR & CAP (LS 1000)	•
SET 5/8" x 24" REBAR & CAP (LS 1000)	•
FOUND 1/2" REBAR & CAP (LS 1000)	●
REPLACED W/ 5/8" x 24" REBAR & CAP (LS 1000)	○
FOUND 1/2" REBAR & CAP (LS 888)	▫
REPLACED W/ 5/8" x 24" REBAR & CAP (LS 1000)	●
FOUND 1/2" REBAR	
REPLACED W/ 5/8" x 24" REBAR & CAP (LS 1000)	

EASEMENT LEGEND

- 30' WIDE UTILITY, ACCESS, DRIVEWAY, & IRRIGATION EASEMENT
- 40' WIDE UTILITY, ACCESS, DRIVEWAY, & IRRIGATION EASEMENT
- 15' WIDE UTILITY EASEMENT
- 15' WIDE SEWER EASEMENT
- 15' WIDE UTILITY AND ACCESS EASEMENT

NOTES

FINISHED FLOOR ELEVATIONS FOR EACH LOT SHALL BE IN CONFORMANCE WITH DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. INST. #_____

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON THE DEQ APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

REHS, SOUTH CENTRAL PUBLIC HEALTH DISTRICT _____ DATE _____

Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

414-07FP
SHEET 1 OF 3

MINUTES
Meeting of the Twin Falls Planning & Zoning Commission
DECEMBER 16, 2008-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Kevin Cope Bonnie Lezamiz Gerardo Munoz Jim Schouten Cyrus Warren **Vice-Chairman** Carl Younkin **Chairman**

AREA OF IMPACT:

Lee DeVore R. Erick Mikesell

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:	ABSENT:
Bohrn	Lezamiz
Cope	
Munoz	
Schouten	
Warren	
Younkin	

AREA OF IMPACT MEMBERS

PRESENT:	ABSENT:
Mikesell	
DeVore	

CITY COUNCIL MEMBERS PRESENT: Heider
CITY STAFF PRESENT: Carraway, Glaesemann, Jones, Reeder, Weeks

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Consideration of the preliminary plat for Culbert Farms, LLC. Subdivision, 86.35 (+/-) acres consisting of 1 single family residential lot and 1 remainder parcel on property located on the north side of 4200 North Road/Canyon Rim Road between 2700 East Road/Sunway and 2800 East Road/Grandview Drive North c/o John Root on behalf of Cory Alger.
2. Consideration of the preliminary plat for Kelley Garden Subdivision, 6.35 (+/-) acres consisting of 8 commercial lots located at north of 2223 Addison Avenue East and Eastland Drive North c/o EHM Engineers, Inc. on behalf of Richard Kelley
3. Preliminary PUD presentation for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD for 8.6 (+/-) acres currently zoned R-2 for the development of a single family residential project on property located west of the 1300 and 1400 blocks of Field Stream Way c/o W.S.&V, LLC /Doug Vollmer (app 2285)
4. Consideration of the reactivation of Special Use Permit #0986, granted on July 25, 2006 to David Jacobson for the purpose of establishing a professional office on property located at 727 Shoshone Street North, c/o Wanda Foster/Kevin Ordway on behalf of David Jacobson (app 2029).

IV. PUBLIC HEARINGS:

1. Request for a Special Use Permit to operate a tire shop on property located at 1105 Kimberly Road c/o New Element Real Estate, LLC (app. 2280) **WITHDRAWN**
2. Request for a Special Use Permit to build a utility-owned structure more than 25 sq. ft. in area and more than 3' above ground on property located at 315 Falls Avenue c/o Project Mutual Telephone /Steve Anderson (app. 2283)
3. Request for a Special Use Permit to establish a public school on 10 acres (+/-) located at the northeast corner of Creek Side Way, extended and North College Road West, extended c/o Xavier Charter School, Inc. (app. 2284)
4. Request for the Vacation of 2500 sq. ft. of the public right-of-way located on the 100 -200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 - 200 blocks of Ash Street South c/o Idaho Power Company (app. 2286)

I. ITEMS OF CONSIDERATION:

2. Consideration of the preliminary plat for Kelley Garden Subdivision, 6.35 (+/-) acres consisting of 8 commercial lots located north of 2223 Addison Avenue East and Eastland Drive North c/o EHM Engineers, Inc. on behalf of Richard Kelley

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicant requesting approval of a preliminary plat that consists of 6.35 acres to be subdivided into 8 lots. It is at the corner of Eastland Drive and Addison Avenue and is an irregularly shaped piece of property. There has been construction of a new filling station to the south and they have worked with this business to help assist that project in moving forward. The property is a C-1 zone with the intended use as commercial. There will be a shared approach with the convenience store (aka Stinker Station). They have reviewed the recommended conditions and concur with the recommendation.

P& Z Questions/Comments:

Zoning & Development Manager Carraway reviewed the vicinity map on the overhead and stated this is a request to subdivide a 6.35 (+/-) acres zoned C-1 into 8 lots for commercial development. The C-1 Zone allows for professional/commercial/retail uses. The preliminary plat indicated that each lot may be used for a separate building, parking area, and water retention area. The preliminary plat indicates existing buildings where lots lines are proposed and the plat notes states that these buildings will be removed or relocated at the time of development. There is no minimum lot sized requirement in the C-1 Zone however the lot is required to be of "sufficient size to provide for the building, and required improvements.

Zoning & Development Manager Carraway stated upon conclusion the plat is consistent with surrounding residential development in the area and is in conformance with the Comprehensive Plan which designates this area as appropriate for mixed residential uses. Should the Commission approve the preliminary plat of the Kelley Garden Subdivision, staff recommends it be subject to the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Public Input:

- Gary Flora, 2306 Hillcrest Drive, asked what property the gentleman owns and if the property boundaries are correct because the fences are not in the correct area, and stated there is a question on whether the boundaries are correct because there use to be a canal that has since been piped and the fences don't seem to be in the correct location. In additions there is a lot of junk in this area and the fences have been damaged and if this is approved is there any way this stuff could be removed and the area be cleaned up.
- Steve Bond, 2298 Hillcrest Drive, asked what the plans are for the development and the screening plans between the residential property and the commercial area. His other concern is that the property is not managed well currently and that the business in there currently has damaged his fence and if that can be addressed.

Closing Statements:

Mr. Martens stated it is adjacent to a residential area and there are fences that were installed before the canal was piped. There has been a boundary survey completed and it will be submitted as part of the final plat. There is some land that the people to the north could recapture if they want to move the fence. He stated there has been a survey he is willing to share with the citizens. As for screening City Code requires fencing or screening up to 6 feet between commercial and residential properties. There is a zero lot line allowance in the C-1 zone however there will not be a zero lot line building because of a canal company easement. There will be a new fence built by the developer at the time of development and if the property owners want to do that sooner than the development occurs he is willing to share the property survey information to clearly point out the property lines. He does have the two neighbor's names and is willing to meet with them to discuss the property issues Mr. Martens explained that this property has been commercially zoned at least 30 years and there are many uses that are allowed in this zone. The development could be professional, certain types of warehousing, retail, hospitality and the probable use would be businesses similar to the ones to the east more neighborhood commercial. This is not designated as neighborhood commercial because there is not enough land for a big box type business, but there is some potential for financial institutes and maybe even fast food but it will be small retail.

Deliberations Followed:

Commissioner Mikesell asked if a condition could be placed on the preliminary plat approval to clean the property before the final plat is approved.

City Attorney Wonderlich stated this is a request for approval of the division of land this would not be a condition that could be placed on the request this would be between the property owners.

Motion:

Commission Warren made the motion to approve the request as presented. Commissioner DeVore seconded the motion. All members present voted in favor of the request.

APPROVED AS PRESENTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL	LEE HEIDER	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING
		Mayor	*Vice Mayor*			

MINUTES

Meeting of the Twin Falls City Council

June 21, 2010

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: **5:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG

CONFIRMATION OF QUORUM

INTRODUCTION OF STAFF

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

PROCLAMATIONS: **Job's Daughters International Week.** Present: Larisa Alexander

AGENDA ITEMS	Purpose	By:
I. **CONSENT CALENDAR:**	Action	Staff Report
1. Consideration to approve the accounts payable for June 15 – 21, 2010.		Sharon Bryan
2. Consideration to approve the June 14, 2010, Minutes.		Leila A. Sanchez
3. Consideration to approve alcohol license renewals with the following conditions:		Sharon Bryan
a. That the applicant apply for the City license; and		
b. That the applicant has a State alcohol license		
4. Consideration to approve the following Findings of Fact, Conclusions of Law, and Decision:		Mitch Humble
a. Final Plat for West Haven Subdivision, Phase No. 2.		
b. Appeal of Condition on Special Use Permit for Fred Meyer Stores c/o Great Basin Engineering.		
5. Consideration to approve the Improvement Agreement for Developments for West Haven #2 Subdivision and Engineer's Estimate of $150,279.00.		Troy Vitek
6. Consideration to approve a Trust Agreement for Fieldstone First Amended Subdivision.		Troy Vitek
II. **ITEMS FOR CONSIDERATION:**		
1. Presentation to propose a tobacco-free policy in Twin Falls City Parks by Elvia Caldera, Health Education Specialist, Sr., for South Central Public Health District.	Presentation	Elvia Caldera
2. Consideration of an Ordinance of the City Council of the City of Twin Falls, Idaho, repealing Chapter 6 of Title 3 of the Twin Falls City Code, and enacting a new Chapter 6 of Title 3 of the Twin Falls City Code providing for special events permits.	Action	Dan McAtee
3. Consideration of a Professional Services Contract with McClure Engineering of Twin Falls, Idaho, to perform Energy Audits on City of Twin Falls buildings.	Action	Lee Glaesemann
4. Consideration to adopt an Ordinance for the vacation of undeveloped right-of-way for property located within the 600 to 800 blocks of Wirshing Avenue West, located in a portion of Lot 9, Orchalara Subdivision c/o Gerald Martens, EHM Engineering, Inc., on behalf of Tensco, Inc. (app.2368)	Action	Mitch Humble
5. Consideration of the Final Plat of Kelley Garden Subdivision, consisting of 6.35 (+/-) acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center, c/o David Thibault/EHM Engineers, Inc., on behalf of Richard Kelley.	Action	Mitch Humble
6. Presentation by Mike Woodworth with STRATA Geotechnical Engineering & Materials Testing summarizing a report on the Rock Fall Evaluation of Canyon Springs Road, including recommendations for remedial measures and costs.	Presentation	Mike Trabert/ Mike Woodworth
7. Consideration to award the bids for the following parts of the 2010 Water System Improvement Project for arsenic compliance:	Action	Jon Caton
a. Part 2 – Harrison 30" Transmission Main		
b. Part 3 - Washington 30" Transmission Main		
8. Public input and/or items from the City Manager and City Council.		
III. **ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**		
IV. **PUBLIC HEARINGS:** **6:00 P.M. – None.**		
V. **ADJOURNMENT:**		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig Greg Lanting, Lee Heider, Dave Johnson.

COUNCIL MEMBERS ABSENT: Don Hall, Will Kezele.

STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jackie Fields, Staff Engineer Lee Glaesemann, Staff Engineer Mike Trabert, Public Works Supervisor Jon Caton, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dan McAtee, Recording Secretary Tracy Reed.

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: Item #4 – Items of Consideration to be rescheduled.

Proclamation: Job's Daughters International Week. Present: Larisa Alexander
Vice Mayor Heider read the proclamation and presented it to Madison Collins, Bethel #56.

Short presentation by Jonathan Bruce, Twin Falls City Youth Council. Don Hall, Lance Clow, Lee Heider received plaques of appreciation.

AGENDA ITEMS

II. ITEMS FOR CONSIDERATION:

5. Consideration of the Final Plat of Kelley Garden Subdivision, consisting of 6.35 (+/-) acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center, c/o David Thibault/EHM Engineers, Inc., on behalf of Richard Kelley.

Community Development Director Humble reviewed the request.

Approval of the request will allow the applicant to proceed to redevelop this site in conformance with the approved Preliminary and Final Plat and any conditions placed on those approvals.

Should the Council approve the final plat of the Kelley Garden Subdivision as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with the approved Preliminary Plat and all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to approved/recorded Deferral Agreement for construction of curb, gutter, a detached sidewalk and reconstruction of Eastland Drive North.

Discussion followed:
The deferral would get done with a future improvement project when Eastland and that intersection would be built out.

Councilperson Johnson made the motion to approve the Final Plat of Kelley Garden Subdivision, consisting of 6.35 (+/-) acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center, c/o David Thibault/EHM Engineers, Inc., on behalf of Richard Kelley as presented with the following recommendations:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with the approved Preliminary Plat and all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to approved/recorded Deferral Agreement for construction of curb, gutter, a detached sidewalk and reconstruction of Eastland Drive North.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.