

COUNCIL MEMBERS:

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



AMENDED AGENDA
Meeting of the Twin Falls City Council
August 8, 2011
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

5:00 P.M.

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

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for August 2 – August 8, 2011. 2. Consideration of the July 25, 2011, Minutes. 3. Consideration of a request from Keleigh Godfrey, President of the Optimist Club, and the Optimist Club to approve the Wings and Things Ultimate Tailgate Challenge to be held at Twin Falls City Park on September 10, 2011. 4. Findings of Fact, Conclusions of Law, and Decision: a) Annexation & Zoning District Change for Twin Falls Reformed Church c/o Mike Smit. b) Final Plat for K & L Subdivision c/o EHM Engineering, Inc. c) Final Plat for Eastridge Condominium Association Subdivision. A portion of Eastridge Professional Subdivision a PUD c/o John Root/All Point Land Surveying.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Dan McAtee Mitch Humble
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of adoption of one ordinance regarding a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow for college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 900 thru 1500 blocks of Fillmore Street-excluding Frontier Field and the National Guard Armory, and north of the 100 thru 600 blocks of Falls Avenue, c/o College of Southern Idaho represented by Mike Mason. (app.2433) Proposed Ordinance #3008. 2. Consideration of a Planned Unit Development Agreement between the City of Twin Falls and the College of Southern Idaho. 3. Continue discussion of the Preliminary Budget for Fiscal Year 2011-2012. 4. Public input and/or items from the City Manager and City Council.	Action	Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 – None.		
V. <u>ADJOURNMENT :</u> 1. Executive Session 67-2345(1)(c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 2. Executive Session 67-2345 (1)(e) 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.		

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

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

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

COUNCIL MEMBERS:

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



Minutes
of the Twin Falls City Council
July 25, 2011
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

4:30 P.M.

The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2011-2012.

5:00 P.M.

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

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u>	<u>Action</u>	<u>Staff Report</u>
1. Consideration of accounts payable for July 19 – 25, 2011.		Sharon Bryan
2. Consideration of the July 11, 2011, Minutes.		L. Sanchez
3. Consideration of a request from Sue Spain from the Hispanic Heritage Fiesta Committee to approve the 22 nd Annual Hispanic Fiesta to be held at the Twin Falls City Park on August 13 and 14, 2011.		Dan McAtee
4. Consideration of a request to approve a Beer & Wine License for St. Luke's Hospital located at 801 Pole Line Road West on the condition of receipt of a State License.		Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u>		
1. Consideration of a request from the Twin Falls Fire Fighters, Local 1556 to hold the 2011 MDA Fill the Boot campaign from 10:00 A.M. to 6:00 P.M. on August 26, 2011, at the intersection of Addison Avenue East and Locust.	Action	Edward Morris
2. Consideration of a request to accept right of way and to construct improvements on the southwest corner of Falls Avenue East and Hankins Road North.	Action	Jacqueline Fields
3. Consideration of the proposal ranking recommendations made by the Pool Selection Committee for the management of the Swimming Pool and instruct staff to begin the negotiation process with the highest ranked entity.	Action	Dennis Bowyer
4. Public input and/or items from the City Manager and City Council.		
5. Continue discussion of the Preliminary Budget for Fiscal Year 2011-2012.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00		
1. Request for a Zoning Title Amendment which would amend the Twin Falls City Code 10-12-2.3(l) and 10-12-2.4(l) relating to Preliminary and Final Plat approvals, length of the approach periods and extension of those approvals, c/o Developer's Council, Brad Wills, Chairman (app2462) Proposed Ordinance #3006	Public Hearing	Renee Carraway
V. <u>ADJOURNMENT to Executive Session</u>		
67-2345 (1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in others states or nations.		

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

Present: Lance Clow, Trip Craig, Don Hall, William Kezele (5:01 P.M.), Gregory Lanting, Rebecca Mills Sojka

Absent: David E. Johnson

Staff Present: City Manager Travis Rothweiler, Chief Finance Director Lorie Race, City Engineer Jackie Fields, Fire Chief Ron Clark, Personnel Director Susan Harris, Public Works Coordinator Jon Caton, Police Chief Brian Pike, Parks & Recreation Director Dennis Bowyer, Staff Engineer Lee Glaesemann, Planning & Development Manager Renee Carraway, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Hall called the meeting to order at 4:39 P.M. A quorum was present.

4:30 The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2011-2012

Mayor Hall brought the meeting to order at 4:39 P.M.

Council discussion followed on the Preliminary Budget for Fiscal Year 2011-2012:

- Special Events security costs
- Bond covenants
- 5-year plan
- Breakdown of the water bill
- Infrastructure water costs
- Commercial, Residential, and Industrial Users

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 19 – 25, 2011, total: \$835,967.99, Prepay 7-11-2011, total: \$55,490.15
Payroll total: \$105,695.89
2. Consideration of the July 11, 2011, Minutes.
3. Consideration of a request from Sue Spain from the Hispanic Heritage Fiesta Committee to approve the 22nd Annual Hispanic Fiesta to be held at the Twin Falls City Park on August 13 and 14, 2011.
4. Consideration of a request to approve a Beer & Wine License for St. Luke's Hospital located at 801 Pole Line Road West on the condition of receipt of a State License.

MOTION:

Vice Mayor Lanting made the motion to approve the Consent calendar as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request from the Twin Falls Fire Fighters, Local 1556 to hold the 2011 MDA Fill the Boot campaign from 10:00 A.M. to 6:00 P.M. on August 26, 2011, at the intersection of Addison Avenue East and Locust.

Ed Morris reviewed the request.

Councilperson Mills Sojka made a motion to approve the request for the Twin Falls Fire Fighters, Local 1556 to hold the 2011 MDA Fill the Boot campaign from 10:00 A.M. to 6:00 P.M. on August 26, 2011, at the intersection of Addison Avenue East and Locust. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a request to accept right of way and to construct improvements on the southwest corner of Falls Avenue East and Hankins Road North.

City Engineer Fields explained the request.

Staff recommends that the Council approves adding the construction of improvements to the Boy Scouts Corner and to accept the associated right of way necessary to perform the work.

Council discussion followed:

Councilperson Kezele stated that there appears to be water running off the property into the street.

City Engineer Fields stated that there is a gravity irrigation that passes on the backside of the Boy Scout property.

Staff Engineer Glaesemann stated that on the south side of the road Idaho Power busted a culvert. Part of the Morning Sun plan is to put a new irrigation box on the south side of the road, replace the pipe to the north side of the road, and try to tie it into an existing pipe.

Paul Tikalsky, Scout Executive spokesman of the Snake River Council, spoke in favor of the request.

MOTION:

Councilperson Clow made a motion to approve the request to accept right of way and to construct improvements in the southwest corner of Falls Avenue East and Hankins Road as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

3. Consideration of the proposal ranking recommendations made by the Pool Selection Committee for the management of the Swimming Pool and instruct staff to begin the negotiation process with the highest ranked entity.

Parks & Recreation Director Bowyer explained the request.

The Pool Selection Committee recommends that the City Council authorize staff to begin negotiations with the YMCA on the management and operation for the Twin Falls Swimming Pool. The final draft contract will be presented to the City Council for its review and consideration.

Staff requested that the Mayor appoint a Councilmember to be part of the negotiating team. Mayor Hall appointed Councilpersons Clow and Craig to serve as liaisons to the team.

Council discussion followed:

Vice Mayor Lanting asked for the monetary difference between the YMCA and Gold's Gym.

Finance Director Race stated that she looked at the history of expenditures of the pool and came up with a five year average. The Committee started out with the assumption that the City has been subsidizing the pool on average to a tune of \$206,000 for the past five years. Gold's Gym had a proposed revenue sharing and it was difficult to understand what that would mean to the City. If Gold's Gym number was used it would appear that the City would be subsidizing less than that of the YMCA. She stated that she didn't think Gold's Gym had a firm grasp as to what the amount of the revenue sharing would be. The YMCA stated that they would kick in up to \$6,000 for emergency repairs (3 times a year) and over a 7 year period kick in about \$50,000 to help cover the pool to help pay for the bubble, reduce the cost for professional services, which has been \$43,000, but in return they would like the City to pay for the chemicals. The cost for chemicals has been \$22,000. The subsidy would be reduced by about \$34,000.

Gold's Gym did not discuss emergency repairs or putting any money towards the bubble, but they did say that they would ask for 80% of what the City has paid for professional services to YMCA. Gold's Gym proposed revenue sharing in the amount of \$30,000 and came up with that number based on if they were to increase their memberships by \$5 for Gold's Gym members and they would give the City \$2.50 as part of the pool revenue sharing. If you use Gold's Gym proposal of, \$30,000 the subsidies are reduced by about \$38,600.

Vice Mayor Lanting asked if there was discussion on the City subsidizing a non-profit as compared to a for-profit organization.

Parks & Recreation Director Bowyer stated that the Committee discussed non-profit versus for-profit organization but the question before the Committee was who would be the best manager for the facility.

Councilperson Kezele asked staff for the aquatics background of the YMCA and Gold's Gym.

Parks & Recreation Director Bowyer stated that the YMCA Aquatics Director has a CPO. Gold's Gym stated that they would get the proper certifications if they are awarded the contract.

Councilperson Clow asked that if discussion had come up with the YMCA regarding utility costs at the pool and if there was any discussion posed to either of the applicants as far as how the electricity and natural gas costs could be reduced.

Parks & Recreation Director Bowyer stated that he did not recall the conversation coming up during the Committee meetings

Councilperson Clow stated that earlier this year a meeting was held with the YMCA in regards to performances and common expenses. He stated that the YMCA was paying for the chemicals and at the time of discussion there was a substantial decrease in the chemicals primarily because the City invested in the UV system which reduced the need for chlorine and other chemicals. The YMCA was receiving the full benefit of cost reduction. The YMCA is now suggesting that the City pick up the rest of the chemicals costs. He asked if this was discussed during the Committee meeting.

Parks & Recreation Director Bowyer stated that the main purpose of UV light is to cut down on the bad bacteria and a side benefit was to reduce the amount of chemicals that were being used. The cost of chemicals has been consistent year by year. When negotiating a new contract, cost efficiencies such as the reduction of the use of chemicals and utility costs will be discussed.

Councilperson Clow asked if the bubble was discussed.

Parks & Recreation Director Bowyer stated that this was not discussed. Typically the bubble will come down in May and go up in September.

Councilperson Clow stated that when the bubble comes down utility expenses go up for the City and he would like the YMCA to address this during negotiations.

Parks & Recreation Director Bowyer explained why the Committee has recommended the YMCA to receive the contract.

Councilperson Clow stated that in regards to utilities he suggested that the City come up with some kind of formula stating that the City will pay up to so much for the therms or kilowatt hours and anything above that would be the responsibility of the YMCA. The for-profit and non-profit question is an important one that the citizens and Councilpersons need to recognize. The pool runs in a deficit that is paid by property taxes. He understands that Gold's Gym pays a substantial amount of property taxes on their facilities at a cost of approximately \$40,000 a year. He stated that perhaps the City should be asking the YMCA to come up with a number that states what benefits they receive for having facilities in the City limits that the for-profit corporations are paying.

Councilperson Craig stated for the record that during the Committee meeting he stated that he did not take into consideration the for profit versus nonprofit issue.

MOTION:

Councilperson Clow made the motion that the Council establishes a committee to begin negotiations with the YMCA for the Twin Falls City Pool Management Contract in the ranking order 1 and 2. The motion was seconded by Councilperson Lanting and roll call vote showed all members present in favor of the motion. Approved 6 to 0.

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

Councilperson Craig gave an update on the improvements at the Twin Falls Public Library, the façade improvements downtown, and the C-3 roof replacement project.

Councilperson Lanting stated that Twin Falls Golf Club will have a Friends of Muni Tournament on August 30, 2011, at 2:00 P.M.

5. Continue discussion of the Preliminary Budget for Fiscal Year 2011-2012.

Recess at 6:01 P.M.
Reconvened at 6:09 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00

1. Request for a Zoning Title Amendment which would amend the Twin Falls City Code 10-12-2.3(I) and 10-12-2.4(I) relating to Preliminary and Final Plat approvals, length of the approach periods and extension of those approvals, c/o Developer's Council, Brad Wills, Chairman (app2462) Proposed Ordinance #3006

Brad Wills, 222 Shoshone Street West, Chairman of the Developer's Council, explained the request.

Planning & Development Manager Carraway reviewed the request.

Staff recommends that the City Council approve the proposed ordinance as presented.

On June 28, 2011, the Planning & Zoning Commission unanimously recommended approval of the request as presented.

Council discussion followed.

The public input portion of the hearing was opened and closed with no input.

The public hearing was closed.

Councilperson Craig made the motion to suspend the rules and place Ordinance #3006, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §§10-12-2.3(I) AND 10-12-2.4(I) BY CHANGING THE TIME REQUIRED FOR ACCEPTANCE OF A FINAL PLAT APPLICATION AND FILING, AND LIMITING EXTENSIONS FOR THOSE TIME REQUIREMENTS.

on third and final reading by title only. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk read the ordinance title.

MOTION:

Councilperson Clow made the motion to adopt Ordinance #3006 as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Discussion continued on the preliminary budget.

Mayor Hall questioned if the budget contributed enough money for road maintenance. He recommended using 1% from the state foregone amount.

V. ADJOURNMENT to Executive Session

Minutes

July 25, 2011

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67-2345 (1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in others states or nations.

Vice Mayor Lanting made the motion to adjourn to Executive Session as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 6:32 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



TWIN FALLS POLICE DEPARTMENT

356 3RD AVENUE EAST
P.O. BOX 3027
TWIN FALLS, ID 83303-3027

TELEPHONE: (208) 735-4357
FAX: (208) 733-0876
www.tfid.org

Date: Monday, August 8, 2011
To: Honorable Mayor and City Council
From: Staff Sergeant Dan McAtee

Request:

Consideration of a request from Keleigh Godfrey, President of the Optimist Club, and the Optimist Club to approve the Wings and Things Ultimate Tailgate Challenge to be held at Twin Falls City Park on September 10, 2011.

Time Estimate:

This is a positive, afternoon, family-friendly, fundraising event that comfortably fits on the Consent Calendar.

Background:

On February 15, 2011, I received a *Special Events Application* for the Wings and Things Ultimate Tailgate Challenge to be held at the Twin Falls City Park and Band Shell. The date of the event is Saturday, September 10, 2011, commencing at 1:00 p.m. and concluding at 5:00 p.m. This event features a tailgate competition to be judged by attendees and appointed judges, live entertainment, several viewing monitors showing football games in order to add to the tailgating atmosphere, and alcoholic and non-alcoholic beverage service. All alcoholic beverages will be served by the Optimist Club, which has procured a temporary beer and wine permit. Identifications will be checked and wristbands will be required and issued to those who are 21 years of age and older.

This is a summer event that is sponsored by the Optimist Club in order to generate funding for the Club's various youth service charities. This is a four-hour event that does not require the closure of any streets, is designed to be a fundraising, family event that we anticipate will not require Police presence. I have reviewed the application and believe that the Optimist Club has an effective plan in place.

Approval Process:

In that this is being held in City Park and alcohol will be sold during the hours of the event, consent of the City Council is required.

"People Serving People"

Budget Impact:

- This event will not affect the budget of the City of Twin Falls.
- Representatives from various City Departments have reviewed, approved, and signed off on the Special Events Application.
- A beer and wine sales permit has been procured for this event.

Regulatory Impact:

The Twin Falls Police Department believes this to be a family-friendly event that is safe for the citizens of our community. Staff anticipates that the Wings and Things Ultimate Tailgate Challenge will generate no calls for service; therefore, no Officers are required to be in attendance.

Conclusion:

Staff believes this to be a positive, fundraising event for the benefit of the youth in our community and recommends that the City Council approve the *Special Events Application* submitted by the Optimist Club for the Wings and Things Ultimate Tailgate Challenge to be held on September 10, 2011.

Attachments:

1. Special Events Application
2. Facility Use Application
3. Beer and Wine Permit

DRM:aed



**CITY OF TWIN FALLS
SPECIAL EVENTS APPLICATION**

DATE OF EVENT: 9/10/11

TIME OF EVENT: Start: 1:00 pm End: 5:00 pm

LOCATION OF EVENT (Include business name, if applicable):
Twin Falls City Park

NUMBER OF PEOPLE IN ATTENDANCE: 500-1000

WILL EVENT OCCUPY A PUBLIC STREET: Yes: No: X
(If yes, please provide diagram of proposal.)

WILL ALCOHOL BE SERVED: Yes: X No:

HAS CATERING PERMIT BEEN SECURED Yes: No: X
(If yes, attach copy of permit to application.)

*For the safety of event participants and law enforcement personnel, it is required that paper or plastic containers be used for alcoholic beverages.

NAME OF APPLICANT Twin Falls Optimist Club
ADDRESS P.O Box 755 Twin Falls, ID 83303
HOME TELEPHONE 208-308-2728
BUSINESS PHONE 208-733-4222

NAME OF RESPONSIBLE PARTY/CONTACT PERSON Kelcigh Godfrey | President
ADDRESS 2180 Candleridge Twin Falls, ID 83301
HOME PHONE 308-2728
BUSINESS PHONE 733-4222

City of Twin Falls Special Events Application
Page Two

DESCRIPTION OF EVENT:

Wings & Things Ultimate Tailgate Challenge - Tailgate food
competition. Participants must setup area like at a tailgate
party and provide samples. Judges and people in attendance
will name winners. Football games will be shown around event
to add atmosphere as well as a band.

I, Twin Falls Optimist Club, APPLICANT FOR THE ABOVE EVENT,
AUTHORIZE Keleigh Godfrey TO APPLY FOR THE PERMIT
ON MY BEHALF.

Keleigh Godfrey / President
APPLICANT'S SIGNATURE

2/15/11
DATE

**** EVENT APPLICATIONS MUST BE SUBMITTED NO LATER THAN 45 DAYS
PRIOR TO THE EVENT OR THE PERMIT MAY BE DENIED.**

REVIEWED BY:

ORM 06/14/11
Twin Falls Police Department

Approved X Denied _____

RB 6-14-11
Twin Falls Fire Department

Approved X Denied _____

[Signature]
Parks & Recreation Department

Approved X Denied _____

[Signature]
Urban Renewal

Approved X Denied _____

Dorine Houser
Building Department

Approved ✓ Denied _____

Amber Reeder
Planning & Zoning

Approved ✓ Denied _____

[Signature]
Information Service

Approved ✓ Denied _____



TWIN FALLS PARKS AND RECREATION

136 Maxwell Ave. • PO Box 1907 • Twin Falls, ID 83303 • Phone: 208-736-2265 • Fax: 208-736-1548

FACILITY USE APPLICATION

Shelter reservation fees are \$25 per shelter/per 5-hour time block. Time Blocks are as follows: 6am-11am, 12pm-5pm, 6pm-11pm. Groups of tables are available to reserve at City Park, Dierkes Lake and Shoshone Falls for \$10/per 5-hour time block. Reservations are not confirmed until a completed form is received at the Parks and Recreation Office and your requested date is approved. Fees should accompany reservation forms unless previous arrangements have been made.

Contact Information:

Applicant/ Organization:	Optimist Club of TF	Today's Date:	2-10-11
Contact Person:	Keliegh Godfrey	Phone:	308-2728
Address:	P.O. Box 755 TF ID 83303-0755		

Facility Information:

Day(s) of Event:	Saturday	Date(s) of Event:	Sept 10, 2011
Time Blocks:	<input checked="" type="checkbox"/> 6am-11am	<input checked="" type="checkbox"/> 12pm-5pm	<input checked="" type="checkbox"/> 6pm-11pm
Park Requested:	City Park	Shelter/Tables Requested:	
Event Description:	Tailgating BBQ Fundraiser		

Details on your event (Please check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Food Concessions/ Vendors | <input type="checkbox"/> Merchandise Vendors |
| <input checked="" type="checkbox"/> Broadcast Music/ sound | <input checked="" type="checkbox"/> Live Band(s) (At City Park only) |
| <input type="checkbox"/> Canopies/ Tents | <input type="checkbox"/> Catered Food |
| <input checked="" type="checkbox"/> Alcohol (Permit is required for kegs)** | <input type="checkbox"/> Inflatable Toys |
| <input checked="" type="checkbox"/> Open to the Public | <input checked="" type="checkbox"/> Vehicles on Lawn (Permission is required) |
| <input type="checkbox"/> Animals | <input type="checkbox"/> Electricity Needed |
| <input type="checkbox"/> Softball Field Needed (\$25/ prep) | <input type="checkbox"/> Other (Please List): _____ |

** Kegs or Party Balls require a Permit (\$50.00 refundable deposit) from the Parks and Recreation office. No glass containers are allowed in any park.

Special Services Needed: _____

Estimated Attendance: 0-50 51-100 101-150 151-200 201-250 251-500** 500 and over **

** Any event with an expected large attendance, having vendors or selling merchandise must have a pre-event meeting with the Parks and Recreation Director at least ten (10) days prior to the event to determine full fee schedule and requirements. Depending on the size of the event, you may be required to provide: Portable toilets, Dumpsters, Liability Insurance and Security.

Please complete the other side of this form.

The Benefits are Endless...

City Park Events
Band Shell Use:
 Band Shell Use (\$50.00 for 1st day and \$15/additional days) Total Number of Days: 1
 Microphone for PA System (\$15/day**) Total Number of Days:
 Band Shell Keys Needed
 Band Shell Electricity Needed
 ** No amplified sound or music before 12:15pm on Sundays in the band shell

City Park:
 Electricity in City Park (\$50/day for all outlets or \$5/outlet) Total Number of Days: 1
 Outlets Needed (See Map): All outlets

Total Cost: \$100.00

Weddings at Shoshone Falls:

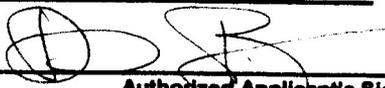
Weddings are typically held on the upper park loop area of the park. We do not have a way to post a reservation sign at the site. You are welcome to post your own sign and mark off the area you have reserved with tape, ribbon, etc. There is no electricity available at Shoshone Falls Park. We do not charge a reservation fee to use the area. Table reservations are available for an additional charge. For additional information please call Parks and Recreation at (208) 736-2265.

Shoshone Falls and Dierkes Lake Park Entrance Fee Information:

There is a \$3/ vehicle entrance fee charged at Shoshone Falls and Dierkes Lake from April to September. Coupon books of 20 tickets are available for \$30 at the Parks and Recreation Office. You will be responsible for distributing the tickets to your group. Ticket booth personnel cannot hold them at the booth for your guests. You may also pay ahead at the Parks and Recreation office for a specific number of vehicles at \$3/ vehicle and personnel at ticket booth will track your numbers.

Please read the following, sign and date:

1. The above named Applicant/ Organization, in consideration of its use of Twin Falls Parks and Recreation facilities, agrees to release, indemnify and defend the City of Twin Falls, and its agents, employees and representatives, from any and all claims, demands or lawsuits arising out of the Applicants/ Organizations use of said facilities.
2. Groups, individuals and applicants further agree that they have received the City's policies, rules and regulations governing use of said facility and agree to be bound by the same.
3. **DOGS ARE NOT ALLOWED AT DIERKES LAKE PARK (except in the dog training area northwest of the parking lot). DOGS MUST BE ON LEASHES AT ALL TIMES IN ANY OTHER CITY PARK.**



 Authorized Applicant's Signature

2-10-11

 Date

Payment Method (payable to: City of Twin Falls)	Amount
Check #:	
Cash:	
Credit Card #:	
Signature: (if faxing)	Exp. Date:

State of Idaho

Idaho State Police Alcohol Beverage Control

Non-Profit Beer and/or Wine Permit 12047

Cycle Tracking Number: 54603

This is to certify Twin Falls Optimist Club
For: Wings & Things Ultimate Tailgate Challenge
At: 500 Black Shoshone St East, Twin Falls

Is hereby entitled to receive, dispense and/or sell beer and/or wine (as indicated below) for its benevolent, charitable or public purposes for the event on the following date(s) and time

Beer Yes
Wine No

TWIN FALLS OPTIMIST CLUB
WINGS & THINGS ULTIMATE
PO BOX 755
TWIN FALLS, ID 83303-0755
Mailing Address

Dated: 09/10/2011

Permit Valid: 09/10/2011 - 09/10/2011
1:00 pm - 5:00 pm



Bureau Chief, Alcohol Beverage Control



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

)	
)	FINDINGS OF FACT,
<u>Annexation & Zoning District Change, Application</u>)	
)	CONCLUSIONS OF LAW,
<u>Twin Falls Reformed Church</u>)	
<u>c/o Mike Smit</u>)	
Applicant(s))	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on August 1, 2011 for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of R-2 to C-1 PUD to allow for expansion of an existing religious facility and accessory uses, and to include a variety of light commercial and professional uses that are consistent with the land use designation of Urban Village/Urban Infill as defined in the Twin Falls Comprehensive Plan and to allow for signage as allowed for non-residential uses, and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a zoning designation of R-2 to C-1 PUD to allow for expansion of an existing religious facility and accessory uses, and to include a variety of light commercial and professional uses that are consistent with the land use designation of Urban Village/Urban Infill as defined in the Twin Falls Comprehensive Plan and to allow for signage as allowed for non-residential uses
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: July 14, 2011

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

4. The existing neighboring land uses in the immediate area of this property are: to the north, Pole Line Road West/Agricultural; to the south, Fieldstone Subdivision/Residential; to the east, Grandview Drive North/St. Luke's Regional Medical Center; to the west, Undeveloped/Agricultural Land.

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

CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of R-2 to C-1 PUD to allow for expansion of an existing religious facility and accessory uses, and to include a variety of light commercial and professional uses that are consistent with the land use designation of Urban Village/Urban Infill as defined in the Twin Falls Comprehensive Plan and to allow for signage as allowed for non-residential uses is consistent with the purpose of the C-1 PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-4, 10-4-8, 10-6-1 through 3, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 6 of the Twin Falls City Code.

3. The proposed use is proper use in the C-1 PUD Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

5. The application for Annexation with a zoning designation of R-2 to C-1 PUD to allow for expansion of an existing religious facility and accessory uses, and to include a variety of light commercial and professional uses that are consistent with the land use designation of Urban Village/Urban Infill as defined in the Twin Falls Comprehensive Plan and to allow for signage as allowed for non-residential uses should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for Annexation with a zoning designation of R-2 to C-1 PUD to allow for expansion of an existing religious facility and accessory uses, and to include a variety of light commercial and professional uses that are consistent with the land use designation of Urban Village/Urban Infill as defined in the Twin Falls Comprehensive Plan and to allow for signage as allowed for non-residential uses is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"Exhibit No. A"

1. Subject to amendments as required by Building, Fire, Engineering & Zoning Officials to ensure compliance with all applicable City Code requirements and standards
2. Subject to the elimination of the permitted and special uses listed under "Medical Facilities" in the PUD Agreement and removal of "Motels and transient hotels" as permitted residential uses in the PUD Agreement Exhibit "C"
3. Subject to recordation of a PUD Agreement, as approved by the City Council
4. Subject to dedication of half of Cheney Drive West when directed by the Engineering Department or upon platting.
5. Subject to the lateral on the south and west of the property being maintained and any development or alteration being reviewed and approved by the Twin Falls Canal Company.

APPLICATION # 2458



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Final Plat</u> Application,)	FINDINGS OF FACT,
)	
<u>K&L Subdivision</u>)	
<u>c/o EHM Engineering, Inc.</u>)	CONCLUSIONS OF LAW,
Applicant(s).)	
)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on August 1, 2011 for consideration of the final plat of the K & L Subdivision, approximately .653 (+/-) acres, to develop 3 residential lots located at 776 Sparks Street North, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the K & L Subdivision, approximately .653 (+/-) acres, to develop 3 residential lots located at 776 Sparks Street North.
2. The property in question is zoned R-4 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial/Retail in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Single Family Residential; to the south, Multi-Family Residential; to the east, Single Family Residential; to the west, Sparks Street/School
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The

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

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

CONCLUSIONS OF LAW

1. The final plat of the K & L Subdivision, approximately .653 (+/-) acres, to develop 3 residential lots located at 776 Sparks Street North is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.
2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).
3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.
4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).
5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).
6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

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

DECISION

The request for approval of the final plat of the K & L Subdivision, approximately .653 (+/-) acres, to develop 3 residential lots located at 776 Sparks Street North is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to 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 "Existing Accessory Building(s) to be removed" prior to recordation of a final plat.
3. Subject to development of detached sidewalk as part of subdivision construction and completed prior to recordation of final plat.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Final Plat Application,</u>)	FINDINGS OF FACT,
)	
<u>Eastridge Condominium Association Subdivision</u>)	CONCLUSIONS OF LAW,
<u>A portion of Eastridge Professional Subdivision a PUD)</u>)	
<u>c/o John Root/All Points Land Surveying</u>)	AND DECISION
<u>Applicant(s).</u>)	
)	

This matter having come before the City Council of the City of Twin Falls, Idaho on August 1, 2011 for consideration of the final plat of the Eastridge Condominium Association Subdivision-a portion of Eastridge Professional Subdivision a PUD, consisting of two (2) units of an existing professional office building located at 1186 Eastland Drive North Lot 2 Block 2 Eastridge Professional Subdivision PUD, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Eastridge Condominium Association Subdivision-a portion of Eastridge Professional Subdivision a PUD, consisting of two (2) units of an existing professional office building located at 1186 Eastland Drive North Lot 2 Block 2 Eastridge Professional Subdivision PUD.
2. The property in question is zoned R-2 PRO PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Office/Professional in the duly adopted Comprehensive Plan of the City of Twin Falls.

3. The existing neighboring land uses in the immediate area of this property are: to the north, Twin Falls Bowlin Addition Subdivision/Residential; to the south, Professional Office; to the east, Professional Office; to the west, Eastland Drive N/Candleridge Subdivision #6/Residential.

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

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

CONCLUSIONS OF LAW

1. The final plat of the Eastridge Condominium Association Subdivision-a portion of Eastridge Professional Subdivision a PUD, consisting of two (2) units of an existing professional office building located at 1186 Eastland Drive North Lot 2 Block 2 Eastridge Professional Subdivision PUD is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

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

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

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

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

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

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

DECISION

The request for approval of the final plat of the Eastridge Condominium Association Subdivision-a portion of Eastridge Professional Subdivision a PUD, consisting of two (2) units of an existing professional office building located at 1186 Eastland Drive North Lot 2 Block 2 Eastridge Professional Subdivision PUD is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to compliance with the building code for condominiums.



DATE: **MONDAY -- AUGUST 08, 2011**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Director

AGENDA ITEM II-

Request:

Consideration of adoption of one (1) ordinance(s) regarding a request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow for college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 900 thru 1500 blocks of Fillmore Street - excluding Frontier Field and the National Guard Armory, and north of the 100 thru 600 blocks of Falls Avenue. c/o College of Southern Idaho represented by Mike Mason. (app. 2433) **Ordinance # _____**

Time Estimate:

Staff presentation may be approximately five (5) minutes.

Approval Process:

State Code: Idaho Code 67-6509

City Code: Title 10; Chapter 14; Zoning Amendments

10-14-7: ACTION BY COUNCIL:

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

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

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

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

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

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

History:

On April 25, 2011 the City Council approved a request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres. c/o College of Southern Idaho represented by Mike Mason. (app. 2433) , as presented, by a unanimous vote subject to the following conditions:

- 1) Subject to amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and Standards;**
- 2) Subject to Fillmore Street being constructed during Phase One construction of the apartments; (construction of the proposed apartments presented at the City Council public hearing were deleted from this PUD therefore this condition is null & void)**

- 3) Subject to a recorded PUD Agreement prior to any further development on campus;**
- 4) Subject to setback on windmills to be 3 to 1 and may be allowed by Special Use Permit only;**
- 5) Subject to the exclusion of the 6.4 acres showing as the future apartment development from the rezone;
and**
- 6) Subject to the PUD language for building height to mirror commercial buildings height regulations found in Title 10; Section 7, or as amended.**

Analysis:

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

Conclusion:

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

Attachments:

- 1.** DRAFT Ordinance
- 2.** Portion of the April 25, 2011 City Council minutes

CSI
Pub

Exhibit "A" - Section 1
Section 2

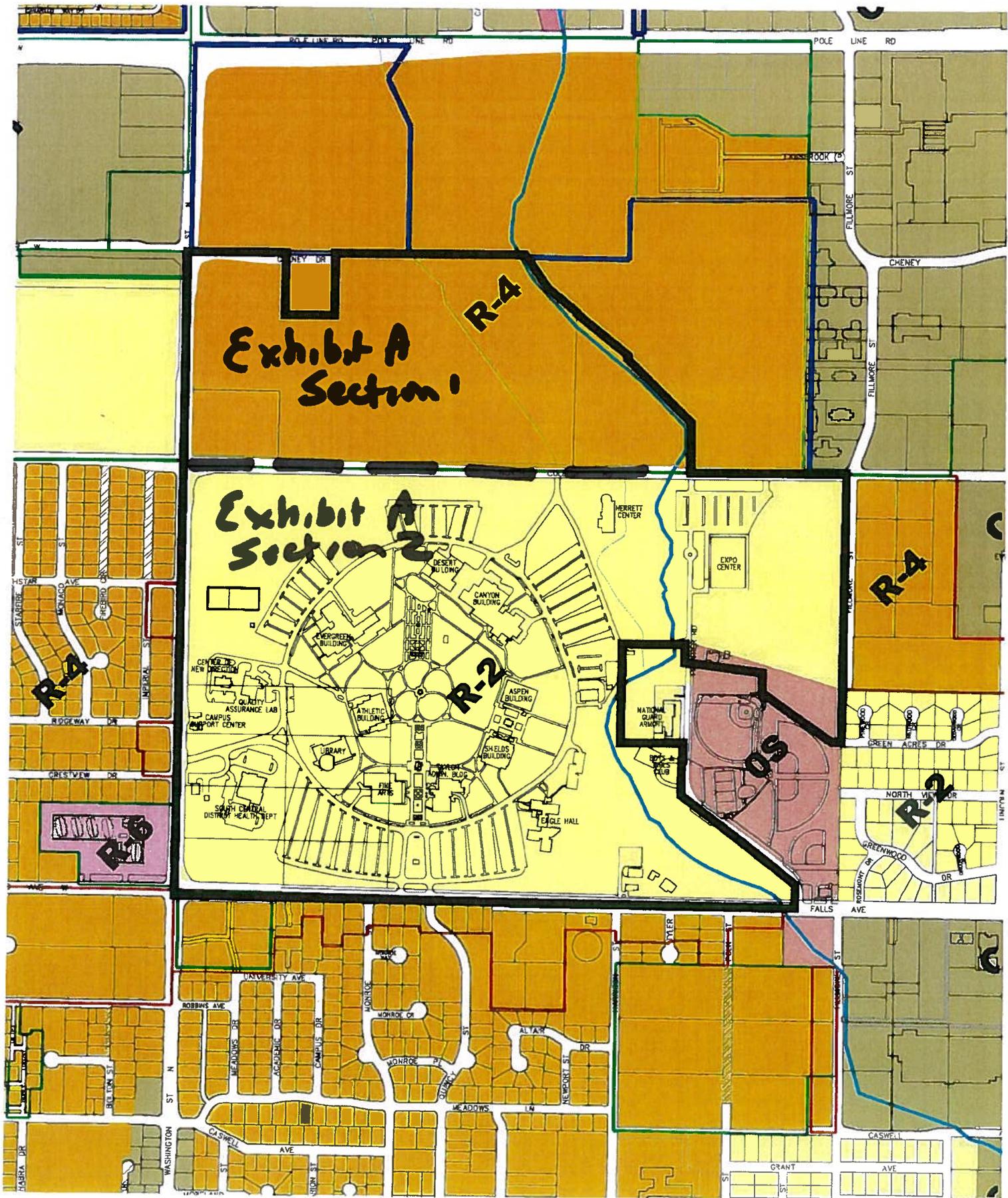


Exhibit "A" - Section 1
Section 2

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, College of Southern Idaho had made application for a rezone of property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 900 thru 1500 blocks of Fillmore Street - excluding Frontier Field and the National Guard Armory, and north of the 100 thru 600 blocks of Falls Avenue; 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 22nd day of March, 2011, 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 25th day of April, 2011.

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 east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 900 thru 1500 blocks of Fillmore Street - excluding Frontier Field and the National Guard Armory, and north of the 100 thru 600 blocks of Falls Avenue is the subject of a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD:

See Attachment A Section 1 and Attachment A Section 2

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

, 20__

SIGNED BY THE MAYOR

, 20__

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday,

, 20__

ATTACHMENT "A" – SECTION 1

A tract of land located in the South Half of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of said S1/2 NW1/4;

THENCE North 0°42'17" East a distance of 1,275.74 feet along the westerly boundary of said S1/2 NW1/4 to the northwest corner of said S1/2 NW1/4;
THENCE South 89°45'01" East a distance of 1,997.79 feet along the northerly boundary of said S1/2 NW1/4;
THENCE South 35°10'00" East a distance of 254.74 feet;
THENCE South 51°20'00" East a distance of 219.01 feet;
THENCE South 0°57'30" West a distance of 943.07 feet to a point on the southerly boundary of said S1/2 NW1/4;
THENCE North 89°28'42" West a distance of 2,315.50 feet along the southerly boundary of said S1/2 NW1/4 to the southwest corner of said S1/2 NW1/4 and being the TRUE POINT OF BEGINNING.

The above described tract contains 66.74 acres more or less and is subject to the rights of public roads which affects the westerly 25.00 and a strip varying from 25 to 58 feet in width along the southerly boundary of said tract.

AND

A tract of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the center of a power line and the TRUE POINT OF BEGINNING;
THENCE North 0°57'30" East a distance of 943.07 feet along the center of said power line to a point in the center of a coulee;
THENCE South 51°20'00" East a distance of 399.99 feet along the center of said coulee to a point on the easterly boundary of said SE1/4 NW1/4;
THENCE South 0°52'55" West a distance of 24.00 feet along the easterly boundary of said SE1/4 NW1/4, and the westerly boundary of said SW1/4 NE1/4;
THENCE South 44°45'00" East a distance of 530.00 feet;
THENCE South 0°00'00" West a distance of 299.01 feet to a point on the southerly boundary of said SW1/4 NE1/4;

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE1/4 and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING.

The above described tract contains 10.20 acres more or less and is subject to a permanent easement for roadway purposes over a strip of land located in the SE1/4 NW1/4 and the SW1/4 NE1/4 of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the TRUE POINT OF BEGINNING;

THENCE North 0°57'30" East a distance of 20.57 feet to the northerly line of said permanent easement;

THENCE South 89°04'24" East a distance of 69.34 feet;

THENCE North 86°17'08" East a distance of 270.74 feet;

THENCE South 89°28'42" East a distance of 361.01 feet to a point on the easterly boundary of the above described tract;

THENCE South 0°00'00" East a distance of 40.08 feet to the southerly boundary of the SW1/4 NE1/4 of said Section 4;

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE ¼ and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING, containing 0.55 acres more or less.

Containing approximately 77.49 acres.

ATTACHMENT "A" – SECTION 2

A parcel of land located in a portion of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the West quarter corner of Section 4 and being the REAL POINT OF BEGINNING.

Thence North 00°50'26" East 1275.76 feet along the West boundary of Section 4 to the Northwest corner of "CSI North Campus Subdivision".

Thence South 89°37'31" East 587.02 feet along the North boundary of said subdivision.

Thence South 00°50'26" West 370.00 feet along the extended Westerly boundary of Lot 2 of said subdivision to the Southwest corner thereof.

Thence South 89°37'10" East 296.00 feet along the Southerly boundary of said Lot 2 to the Southeast corner thereof.

Thence North 00°51'54" East 370.00 feet along the Easterly boundary of said Lot 2 extended to a point on the Northerly boundary of "CSI North Campus Subdivision".

Thence South 89°37'10" East 1129.58 feet along the Northerly boundary of said subdivision.

Thence South 34°09'13" East 243.67 feet along the boundary of said subdivision.

Thence South 50°19'13" East 219.01 feet along the boundary of said subdivision.

Thence South 01°17'47" West 6.88 feet along the boundary of said subdivision.

Thence South 51°14'56" East 395.58 feet along the Westerly boundary of the CSI Endowment Parcel.

Thence South 01°00'53" West 24.00 feet along the boundary of said Endowment parcel.

Thence South 44°32'32" East 530.00 feet along the boundary of said Endowment Parcel.

Thence South 00°03'24" West 299.01 feet along the boundary of said Endowment Parcel.

Thence South 89°20'47" East 932.19 feet along the Northerly boundary of the W²SE⁴ of Section 4, to the Northeast corner thereof.

Thence South 01°05'22" West 1602.83 feet along the Easterly boundary of said W²SE⁴.

Thence North 89°07'16" West 59.41 feet along the Northerly boundary of the Frontier Park joint use parcel.

Thence North 55°05'57" West 514.28 feet along said joint use parcel boundary as amended.

Thence North 00°52'24" East 122.24 feet along said joint use parcel boundary as amended.

Thence North 82°27'56" West 459.94 feet along said joint use parcel boundary as amended.

Thence North 01°00'53" East 110.63 feet along the Easterly boundary of the National Guard Armory parcel to the Northeast corner thereof.

Thence North 89°29'07" West 370.00 feet along the Northerly boundary of said Armory Parcel to the Northwest corner thereof.

Thence South 01°00'53" West 590.00 feet along the Westerly boundary of said Armory parcel to the Southwest corner thereof.

Thence South 89°29'07" East 370.00 feet along the Southerly boundary of said Armory parcel to the Southeast corner thereof.

Thence South 01°00'53" West 103.75 feet along the Westerly boundary of the Frontier Park joint use parcel.

Thence North 88°52'43" West 4.52 feet along said joint use parcel boundary.

Thence South 01°00'53" West 208.64 feet along said joint use parcel boundary.

Thence South 51°53'51" East 859.00 feet along said joint use parcel boundary as amended.

Thence South 01°08'53" West 138.37 feet along said joint use parcel boundary as amended.

Thence North 88°51'29" West 1050.40 feet along the Southerly boundary of the W²SE⁴ of Section 4 to the Southwest corner thereof.

Thence North 88°53'05" West 2625.05 feet along the Southerly boundary of Section 4 to the Southwest corner thereof.

Thence North 00°50'29" East 2558.09 feet along the Westerly boundary of Section 24 to the REAL POINT OF BEGINNING.

Containing approximately 281.33 acres.

Unsurveyed

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL <i>Mayor</i>	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING <i>Vice Mayor</i>	REBECCA MILLS SOJKA
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Minutes
Meeting of the Twin Falls City Council
April 25, 2011
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: Arbor Day Proclamation – Dennis Bowyer, Parks & Recreation Director

AGENDA ITEMS	Purpose	By:
<p>CONSENT CALENDAR:</p> <ol style="list-style-type: none"> 1. Consideration of accounts payable for April 19-25, 2011. 2. Consideration of the April 18, City Council Minutes. 3. Consideration of a request to waive the green fees for the 4th annual "Twin Falls Golf Club Fundraiser" for special projects on Saturday July 30th, 2011. 4. Consideration of a request to pay fees in lieu of park land dedication for the Zearth Subdivision First Amended. 	<p><u>Action</u></p>	<p><u>Staff Report</u> Sharon Bryan Leila Sanchez Dennis Bowyer Dennis Bowyer</p>
<p>II. ITEMS FOR CONSIDERATION:</p> <ol style="list-style-type: none"> 1. Presentation from Local Legislative Delegation on the 2011 Idaho Session. 2. Presentation of the Annual Jim A. Mildon Traffic Safety Award. Staff Sergeant Dennis Pullin will be making the presentation to this year's recipient, the Twin Falls Bicycle Safety Committee. The active members of the committee are Brent Jussel, Kevin Dane, Tennille Adams, RoLynee Hendricks and Kirk Brower. 3. Consideration of a request for Staff Sergeant Dennis Pullin and Twin Falls City Councilman Greg Lanting to present plaques of appreciation to Dave Snelson, Robert Storm and Page Geske for their service on the Twin Falls Traffic Safety Commission. 4. Consideration of the Special Events Application submitted by Mark Rivers regarding the Friday Night Market proposed to commence on Friday, May 6, 2011, and continue every Friday evening thereafter through October 28, 2011. Each Market will open at 4:00 p.m. and close at 8:00 p.m. 5. Consideration of the Special Events Application submitted by Tara Rueda regarding a Celebration of Art Festival proposed to begin on Thursday, May 5, 2011, and continue through Saturday, May 7, 2011. The event will be held on the empty lot next to Sidewinders at 233 5th Avenue South. The festival will commence at 6:00 p.m. and conclude at 9:00 P.M. on Thursday and Friday evenings and will run from 12:00 p.m. to 9:00 p.m. on Saturday. 6. Public input and/or items from the City Manager and City Council. 	<p>Presentation Presentation</p> <p>Presentation</p> <p>Action</p> <p>Dan McAtee</p>	<p>LLD Dennis Pullin</p> <p>Dennis Pullin</p> <p>Dan McAtee</p> <p>Dan McAtee</p>
<p>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</p>		
<p>IV. PUBLIC HEARINGS: 6:00 P.M.</p> <ol style="list-style-type: none"> 1. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO on property located at 120 10th Avenue East, c/o Roger L. Blades dba Jewel's Home Care Service. (app.2435) 2. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow for college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 1100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue. c/o College of Southern Idaho represented by Mike Mason. (app.2433) 	<p>Action</p> <p>Action</p>	<p>Mitch Humble</p> <p>Mitch Humble</p>
<p>V. ADJOURNMENT: To Executive Session 67-2345 (1)(a) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.</p>		

PRESENT: Mayor Don Hall, Vice Mayor Greg Lanting, Councilpersons Trip Craig, Lance Clow, Rebecca Mills Sojka, David E. Johnson

ABSENT: William Kezele

STAFF: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Staff Sergeant Dan McAtee, and Deputy City Clerk Sharon Bryan

PUBLIC HEARINGS: 6:00 P.M.

2. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue c/o College of Southern Idaho represented by Mike Mason. (app. 2433)

Due to the fact that Mayor Hall is an employee of CSI he stepped down and turned the meeting over to Vice Mayor Greg Lanting.

Councilperson Mills Sojka explained that she is not an employee or student of CSI.

Mike Mason, spoke in behalf of the College of Southern Idaho, reviewed zoning district change and zoning map amendment from R-2 to R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue with the use of visuals.

Councilperson Johnson curious about master build out plans. Why this particular area? Mike Mason explained the agreement with the City regarding the north end of campus road completion.

Councilperson Mills Sojka asked if there are plans to continue building to Falls. Mike Mason stated not at this time.

Community Development Director Humble explained the request of the rezone of 365.89 (+/-) acres. He said this is really a big step for the College and the City. Building Permits are from the State not the City. The height restriction, setbacks, and energy system can be approved with conditions.

Councilperson Johnson had a question on the building permit

Councilperson Mills Sojka asked how the request for a rezone helps.

Councilperson Clow asked that with an R-4 zone how many apartments can be built without a zoning change. Community Development Director Humble stated that a developer can place a 4 plex development or 4 4-plex units per acre.

The public hearing input portion of the hearing was opened at 7:40 P.M.

Those speaking against the request had the following concerns, particularly as they relate to the 6 acres shown as a future apartment development: Lot has been rezoned once, privacy infringement, light pollution, traffic concerns, foot traffic, Lincoln Street traffic concerns, Fillmore intersection safety concerns, noise pollution, rights are being violated, speeding on Lincoln Street, vandalism, suggestion of other areas they can build.

Those speaking for had the following concerns: Students being stereotyped, students do walk to classes because they do not have vehicles and parking on campus is a problem, they do not party, students do not vandalize, student's car pool and students need affordable housing.

Linda Fleming, 1098 Pinewood Circle, spoke against the request.

Helen Doherty, 1091 Lincoln Street North, spoke against the request.

Betty Fenton 1059 Pinewood Circle spoke against the request.

Laralyn Huber 1099 Redwood Circle, spoke against the request.

Rod Huber 1099 Redwood Circle, spoke against the request.

Frank Zambic 839 Green Acres Drive, spoke against the request.

Joe Russell, 3411 Canyon Cove Drive, Kimberly, Idaho, spoke against the request.

Dr. Rod Kack 3835 N 3300 E, Kimberly, Idaho, spoke against the request.

Mary Ann Weisen, 1099 Cedarwood Circle, spoke against the request.

Marilyn Rigetti 3835 N 3300 E, Kimberly, Idaho, spoke against the request.

Recess: 8:10

Reconvened: 8:17 p.m.

A. Amen Cernick, spoke against the request.

Sheree Haggan 1322 Washington Street North, CSI student, spoke in favor of the request.

Garrett Bolyard, 706 Green Acres Drive, spoke against the request.

Jim Schouten, 229 Tyler Street, explained the Planning and Zoning decision.

Katie Breckenridge, Peekaboo, Idaho, stated that when you give land you lose the rights to use.

Israel Hernandez, 1012 Falls Avenue, CSI student, spoke in favor of the request.

Cristy Williams, 1198 Mountain View Drive, spoke against the request.

Mike Mason explained that North College Drive is already a PUD. The CSI is asking to extend the PUD. He explained that a State building is inspected by the State as well as the local inspectors. He explained that the students do not want to live on campus. They want to be close but away from the main campus. Rules and regulations will be enforced and there will be supervision at the apartments.

Councilperson Clow asked if CSI is out of compliance. Community Development Director Humble explained that building and uses are not in compliance with our zoning ordinance. Building heights, setbacks, and uses will be allowed if this is approved.

Councilperson Mills Sojka asked for clarifications on how much influence would the City have on building height. Community Development Director Humble stated that building height is a zoning restriction and not a building code.

Councilperson Lanting asked if alcohol use is allowed in the apartments. Mike Mason stated yes for those over 21.

Councilperson Lanting asked what type of fencing would be placed. Mike Mason stated vinyl fencing.

Councilperson Clow asked are staff recommendations for this PUD. Community Development Director Humble explained proposed uses of area A 1 through A 4 property.

Councilperson Clow asked about windmills in the master plan. Mike Mason stated there is no intention to put anymore windmills on campus.

Councilperson Mills Sojka stated that concerning traffic concerns and planning for future, what are recommendations for Fillmore and North College and Lincoln Street. Community Development Director Humble stated that streets are made for increase amount of traffic. The intersection of North College & Fillmore doesn't warrant a signal but may need a 4 way stop.

Community Development Director Humble explained the approval process.

Vice Mayor Lanting asked for clarification on if they could exclude the 6 acres. Community Development Director Humble stated that the Council can strike the 6 acres. He also stated that the Council can put conditions on it.

Councilperson Clow explained traffic flow.

Councilperson Johnson asked for the PUD requirements.

The public hearing was closed at 9:06 P.M.

Councilperson Johnson made a motion to approve the Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue c/o College of Southern Idaho represented by Mike Mason. (app. 2433) with staff conditions as amended. The motion was seconded by Councilperson Mills Sojka.

Councilperson Clow moved to amend the motion to change the setback to be 3 to 1 on windmills by special use permit. The motion was seconded by Councilperson Mills Sojka and roll call vote showed Councilpersons Clow, Johnson, Lanting and Sojka voted in favor of the motion. Councilperson Craig voted against the motion. Motion passed 4-1.

Councilperson Clow moved to amend the motion to exclude the 6.4 acres showing the future apartment development from the rezone. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all present in favor. Motion passed 5-0

Councilperson Johnson moved to amend the motion for building height language in the PUD to mirror commercial building height regulations. The motion was seconded by Councilperson Clow and roll call vote showed all present in favor. Motion passed 5-0

Roll call vote on the main motion, as amended, showed all present in favor passed 5-0

ADJOURNMENT:

1. To Executive session 67-2345(1)(a) to consider hiring a public officer employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.

Mayor Hall made a motion to adjourn to Executive session 67-2345(1)(a) to consider hiring a public officer employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office. . The motion was seconded by Councilperson Johnson and roll call vote showed all present in favor. Motion passed 6-0

There being no further business the meeting was adjourned at 9:35 PM

Sharon Bryan, Deputy City Clerk



MONDAY AUGUST 08, 2011

To: City Council Meeting

From: Mitch Humble, Community Development Department

AGENDA ITEM II-

Request: Consideration of Planned Unit Development Agreement between the City of Twin Falls and the College of Southern Idaho

Background:

Applicant:	Status: Owner/Developer	Size: 369.89(+/-) acres
College of Southern Idaho c/o Mike Mason P.O. Box 1238 315 Falls Ave Twin Falls, ID 83303 (208) 732-6203 mmason@csi.edu	Current Zoning: R-2 & R-4	Requested Zoning: CSI PUD
	Comprehensive Plan: College and Office/Professional	Lot Count: PUD
	Existing Land Use: College and undeveloped	Proposed Land Use: College Planned Unit Development
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 PUD; Cheney Drive extended, Lazy J Mobile Home Park and undeveloped, Pole Line Road	East: R-4 PRO; Renaissance Center and R-2; residential
	South: R-4 PRO; Professional offices	West: R-4; Washington Street North, residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-16, 10-6-1 through 4,	

Approval Process:

As per City Code 10-6-1:

10-6-1: PUD, PLANNED UNIT DEVELOPMENT SUBDISTRICTS:

(E) Approval of a PUD Subdistrict:

1. Preliminary Development Plan. The petitioner for a planned unit development subdistrict may, after pre-application conferences with the planning staff, submit a preliminary development plan to the Commission for review, which development plan shall include the following:
 - a. The proposed site plan, showing building locations and land use areas;
 - b. Proposed traffic circulation, parking areas, pedestrian walks and landscaping;
 - c. Proposed construction sequence for buildings, streets, spaces and landscaped areas;
 - d. Existing zoning district boundaries;
 - e. A survey of the property, including topography, buildings, watercourses, trees over six inches (6") in trunk diameter, streets, utility easements, drainage patterns, right of way and land use;
 - f. Other requirements that the Planning Department, Planning Commission, or legislative body may request.
2. After Commission review, a public hearing shall be held before the Commission and Council for a zoning district and zoning map amendment.
3. Final Development Plan. Within one year after approval of the preliminary development plan, the petitioner shall submit to the Planning Commission a final development plan. This plan shall include the following information:
 - a. A survey of the property, including topography, buildings, watercourses, trees over six inches (6") in trunk diameter, streets, utility easements, drainage patterns, right of way and land use;
 - b. A site plan showing proposed building locations, open spaces and land use area;
 - c. Traffic circulation, parking areas and pedestrian walks;
 - d. Landscaping plans;
 - e. Land indicated as open space, streets and sidewalks and the plan shall provide that they be permanently maintained as such either by private covenants attached to a made a part of the plan, or, if suitable and mutually agreeable, by public dedication. In the event the open space is to be maintained through private covenants, the Planning Commission shall require, prior to the approval of any final plat, the establishment of a home owner's association, and either:
 - (1) Specific performance of the open space portion of the proposed plan, or
 - (2) Posting a bond sufficient to assure specific performance.

- f. Such final development plan shall be in general conformance with the approved preliminary development plan.
 - g. Final approval shall be binding on the development and changes from the final plan shall be subject to approval by the Planning Commission and legislative body.
 - h. The applicant may request extension of the time limit not later than thirty (30) days prior to the expiration of the base year limit.
4. Findings Required. The Planning Commission shall recommend to the Council approval, approval with modifications, or disapproval of the final development plan. Upon approval, the plan shall constitute the zoning requirements and subdivision plat for the land in the planned unit development subdistricts.
5. Approval of a planned unit development subdistrict shall be based on the following standards:
- a. The proposed uses shall not be detrimental to present any potential surrounding uses; nor shall they be detrimental to the health, safety and general welfare of the public.
 - b. The density of the planned unit development shall be in substantial conformity with the density of surrounding zoning districts.
 - c. Any variation from the basic zoning district requirements must be warranted by the design and amenities incorporated in the final development plan.
 - d. The final development plan must be in conformance with the comprehensive land use plan.
 - e. Existing and proposed streets and utility services must be suitable and adequate for the proposed development.
 - f. The execution of a PUD agreement signed by the developer and the City which delineates commitments of the developer to the City and of the City to the developer. (Ord. 2124, 10-15-1984)

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to proceed with development of the property as approved.

History:

The Northview Apartments on the corner of North College Road and Washington Street North were annexed in 1973. In late 1979 applications were submitted for annexation and a rezone of some surrounding property to an R-6 PUD to expand the apartment development. The applications were withdrawn before going to City Council.

A Preliminary PUD Presentation on this request was held before the Planning and Zoning Commission on April 8, 2008 and on May 19, 2008 the City Council approved the request. On June 16, 2008 the Council approved Ordinance #2941 annexing the property on the north side of the 100 to 400 blocks of North College Road for the College of Southern Idaho and zoning to CSI PUD. The following conditions were placed on the annexation/PUD: 1) Subject to 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; 3) Subject to the approved PUD Agreement to include: a. Development criteria including a "Height" section that indicates that the height of development within the project may be a maximum thirty-seven feet (37') tall; b. Development criteria regarding utility/infrastructure; 4) Subject to the attached exhibit titled "CSI Phase 1" being adopted as the approved Master Development Plan. Any future phase of development will require an amendment to the PUD and the Master Development Plan.

On December 16, 2008 the Commission approved Special Use Permit #1127 for PMT to place a utility owned structure on the CSI property.

On July 16, 2009 a Conveyance Plat for the 60 acres of North Campus north of North College Road was recorded. On August 26, 2009 The College of Southern Idaho – North Campus Planned Unit Development Agreement was recorded.

Analysis:

On April 25, 2011 the City Council approved a request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres. c/o College of Southern Idaho represented by Mike Mason. (app. 2433) , as presented, by a unanimous vote subject to the following conditions:

- 1) Subject to amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and Standards;**
- 2) Subject to Fillmore Street being constructed during Phase One construction of the apartments;
(construction of the proposed apartments presented at the City Council public hearing were deleted from this PUD therefore this condition is null & void)**
- 3) Subject to a recorded PUD Agreement prior to any further development on campus;**
- 4) Subject to setback on windmills to be 3 to 1 and may be allowed by Special Use Permit only;**
- 5) Subject to the exclusion of the 6.4 acres showing as the future apartment development from the rezone;
and**
- 6) Subject to the PUD language for building height to mirror commercial buildings height regulations found in Title 10; Section 7, or as amended.**

Conclusion:

Staff feels that the attached agreement correctly reflects the PUD as it was approved and recommends Council approval of the agreement, as presented.

Attachments:

- 1.** Planned Unit Development Agreement
- 2.** Portion of the April 25, 2011 City Council minutes

puo

Exhibit H - Section 2

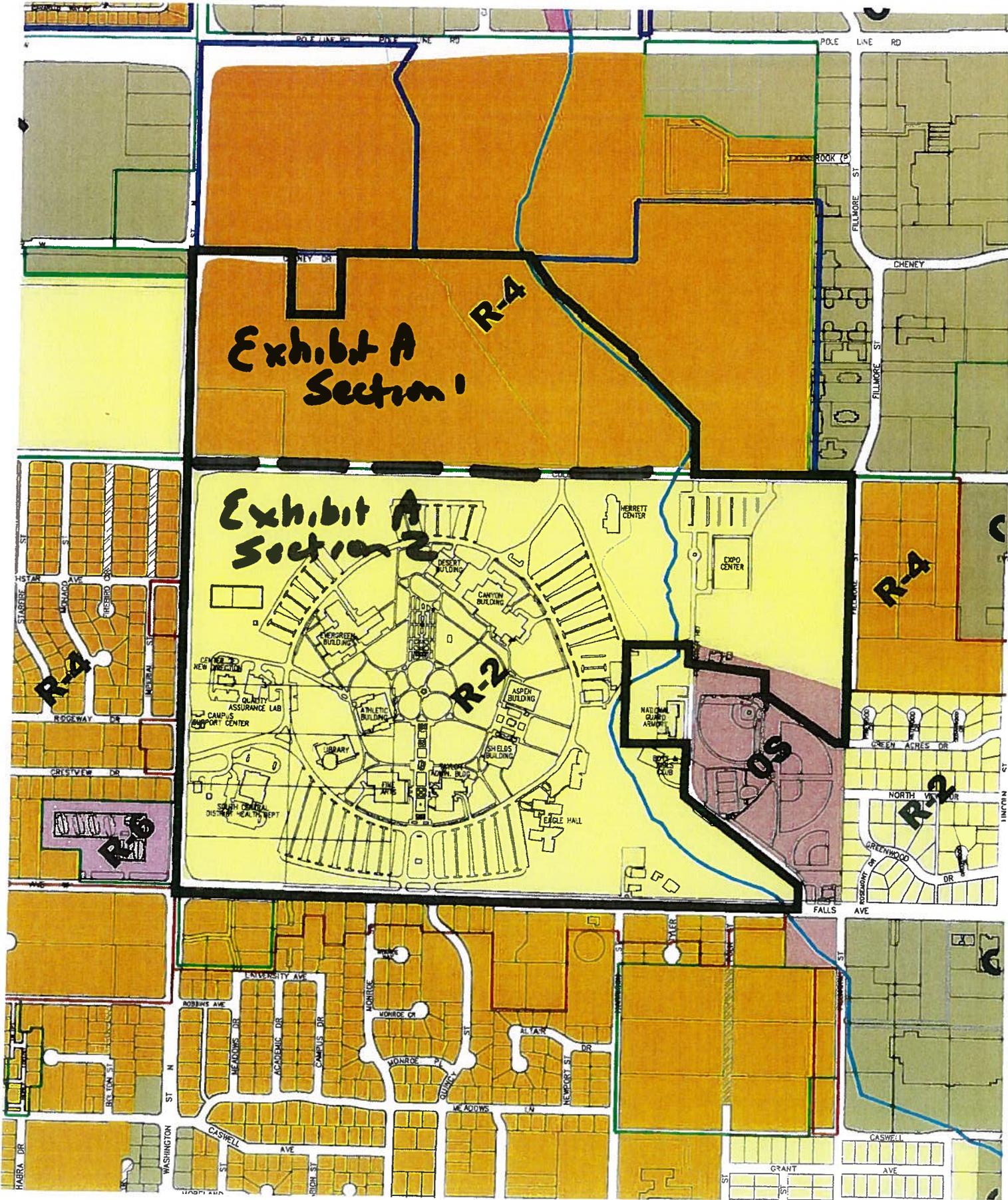


Exhibit "A" - Section 1
Section 2

**COLLEGE OF SOUTHERN IDAHO
PLANNED UNIT DEVELOPMENT AGREEMENT**

This agreement, made and entered into this ____ day of _____, 2011, by and between the City of Twin Falls, a municipal corporation, State of Idaho, hereinafter called "City" and the College of Southern Idaho, hereinafter called "College" whose address is 315 Falls Avenue, Twin Falls, Idaho 83303-1238.

RECITALS

WHEREAS, the College of Southern Idaho holds title to properties particularly described in **Exhibit "A", Section 1 and Section 2**, attached hereto, which land is located adjacent to the College of Southern Idaho (CSI), east of Washington Street North between the 900 N and 1500 N blocks, south of Cheney Drive West extended between the 100 to 600 blocks, west of Fillmore Street between the 900 N and 1500 N blocks and north of Falls Avenue between the 100 to 600 blocks and consisting of approximately 359. +/- acres, and

WHEREAS, the College intends to use the property for College related activities, including a health sciences and humans services building, future educational facilities, agricultural uses and alternative energy education facilities and has submitted to the City a Master Development Plan thereof, **Exhibit "B" Section 1 and Section 2**, and

WHEREAS, the property, also known as "COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, is currently zoned CSI PUD and the remaining property is currently zoned R-4, and

WHEREAS, College has made a request to the City to rezone properties, as described in **Exhibit "A", Section 1 and Section 2**, to "CSI PUD" zone and has submitted to the City a Master Development Plan, **Exhibit "B" Section 1 and Section 2**.

WHEREAS, Master Development Plan, Exhibit "B"-Section 1, also known as "COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, shall not require any changes, and

WHEREAS, Master Development Plan, Exhibit "B"-Section 2, which includes all remaining properties within Exhibit "A" outside of Master Development Plan, Exhibit "B"-Section 1, also known as "COLLEGE

OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254, thereof was presented to the City Council on April 25, 2011 (zoning application #2433) and was approved. Ordinance #(XXXX) was later approved by the City Council and published on (XX XX, XXXX), and

WHEREAS, the City, by and through its City Council, has agreed to the Development of said property within the City of Twin Falls, Idaho, subject to certain terms, conditions and understanding, which terms, conditions and understandings are the subject of this “PUD” Agreement.

COVENANTS

1. Master Development Plan, Exhibit “B”-Section 1

On May 19, 2008 the City Council annexed and approved development of properties described in Exhibit “A” – Section 1 and the Master Development Plan, Exhibit “B”-Section 1, also known as “COLLEGE OF SOUTHERN IDAHO – NORTH CAMPUS PUD AGREEMENT #254. No change is being considered to this document at this time. Any changes to NORTH CAMPUS PUD AGREEMENT #254 shall require an amendment, in compliance with current state and local zoning codes, to the PUD.

2. Master Development Plan, Exhibit “B”-Section 2

On April 25, 2011 the City Council approved development of properties described in Exhibit “A” Section 1 & Section 2 and the Master Development Plan, Exhibit “B”-Section 1 & Section 2, subject to the following conditions:

- 1) Subject to amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and Standards;***
- 2) Subject to Fillmore Street being constructed during Phase One construction of the apartments; (construction of the proposed apartments presented at the City Council public hearing were deleted from this PUD therefore this condition is null & void)***
- 3) Subject to a recorded PUD Agreement prior to any further development on campus;***
- 4) Subject to setback on windmills to be 3 to 1 and may be allowed by Special Use Permit only;***
- 5) Subject to the exclusion of the 6.4 acres showing as the future apartment development from the rezone; and***
- 6) Subject to the PUD language for building height to mirror commercial buildings height regulations found in Title 10; Section 7, or as amended.***

Now, Therefore, in consideration of the mutual promises and covenants contained herein, College of Southern Idaho and the City agree as follows:

1. NATURE OF THE "PUD" AGREEMENT. This "PUD" Agreement shall become part of the "CSI PUD" zone with respect to the Property identified in Exhibit "A" and upon its full execution and recording. This "PUD" Agreement is specific to the College owning the property. In the event of a change of ownership, a new PUD application will have to be filed. **This portion of the "PUD" Agreement is specific to development within the property located within the Master Development Plan, Exhibit "B" - Section 2.**

2. NATURE OF PROPERTY DEVELOPMENT. It is agreed by the parties hereto that certain language and requirements pertaining to the "CSI PUD" zone, Master Development Plan, Exhibit "B" - Section 2, shall be interpreted as follows:

A. Uses. The College will use the property in a manner consistent with the CSI Mission Statement with the development being similar to the existing campus and/or as listed hereto as Exhibit "C".

B. Building Height. No Building/Structure shall exceed 100 feet (100') in height except as provided by City Code section 10-7-3, or as amended. Windmills shall not exceed a maximum blade height of one hundred twenty feet (120') with a three to one (3 to 1) setback from property owned by others and may be permitted by Special Use Permit only.

C. Phasing of Development. Fillmore Street extended shall be constructed to the south property boundary of the 6.41 acres south of Renaissance Subdivision and north of Green Acres Subdivision as which time CSI develops the property. Traffic shall be controlled by a signal light at the intersection of Fillmore Street and North College Road.

D. Illumination. Exterior lighting shall be a maximum height of 30 feet, no brighter than 400 watt bulbs and shall be shielded to preclude the light source being visible from the adjacent properties.

E. Non-Compliance. In the event that uses of the Property are not within the restriction of this "CSI PUD" Agreement, the City shall give written notice to the College. College shall cure said non-compliance within thirty days of its receipt of notice (or in the case of non-compliance that will take in excess of thirty days to cure, College shall commence to cure within thirty days of receipt of notice and diligently pursue the same to

completion). In the event the College fails to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within that phase of such "PUD" until such time as all requirements specified have been complied with; provided, however, the College shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy should be issued. The City Council shall then in good faith and in an objective manner decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of parties are preserved at law and equity.

3. PARCEL DEVELOPMENT CRITERIA

A. Landscaping and Planting. In addition to the other landscaping requirements of City Code Title 10, the following landscaping shall be provided on all properties fronting CSI property on Washington Street North, North College Road and Falls Avenue except properties containing single and duplex household dwellings: A berm of at least three feet (3') in height and twelve feet (12') in width shall be provided immediately behind the sidewalk or future sidewalk. The berm shall be planted in grass with a minimum of one conifer tree per three hundred (300) square feet of berm area and a minimum of one deciduous shrub per three hundred (300) square feet. Trees and shrubs may be grouped, but there shall be no open space greater than fifty feet (50') between tree and shrub grouping.

B. Screening. Buffering area shall be constructed as shown on the Master Development Plan. A vinyl screening fence will be installed and maintained on the North, West and South side of the property which is not bordered by Falls Avenue West, Washington Street North or North College Road. The height of said fence is to be eight (8) feet or lesser height agreed upon by the adjacent property owners.

4. BUILDING/STRUCTURAL STANDARDS.

A. Height Limitations. No Building/Structure shall exceed 100 feet (100') in height except as provided by City Code section 10-7-3, or as amended. Windmills not to exceed a maximum blade height of

one hundred twenty feet (120') with a three to one (3 to 1) setback from property owned by others and may be permitted by Special Use Permit only.

B. Sign Plan. Proposed signage will be in compliance with Chapter 9 upon approval of a sign coordination plan.

C. Architectural Standards. All buildings shall be constructed as existing buildings and consistent in color and materials. Multi-household units shall be one (1) and two (2) bedroom units only. Maximum height shall be two (2) stories.

D. Enterprises Developed Along The Perimeter Of The CSI Properties: The City reserves the right to review these developments for compliance with all City Codes.

5. GENERAL PROVISIONS

A. Cooperation. The parties hereto agree to cooperate each with the other.

B. Entire "PUD" Agreement. This "PUD" Agreement constitutes the entire "PUD" Agreement between the parties concerning the property described herein, and no amendment or modification to this "PUD" Agreement shall be valid or effective unless reduced to writing and signed by the parties.

C. Applicable Law. This "PUD" Agreement shall be constructed in accordance with the laws of the State of Idaho.

D. Notices. If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at its addressed last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested". On the date of this "PUD" Agreement, the addressed of the parties are as follows:

College: College of Southern Idaho
c/o John M. Mason, Vice President of Administration
315 Falls Avenue
P.O. Box 1238
Twin Falls, Idaho 83303-1238

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

In the event the College seeks to amend the Master Development Plan and/or this "PUD" Agreement, it will provide notice to the adjoining neighbors at the time application is made for such a change in accordance with City requirements/ordinances.

E. Successors and Assigns. This "PUD" Agreement shall be binding upon successors, assigns and legal representatives of the parties hereto.

F. Severability. In the event any portion of this "PUD" Agreement is declared by a Court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from this "PUD" Agreement, and the remaining portions shall not be affected thereby.

G. Signatories. Each of the persons executing this "PUD" Agreement hereby represent and warrant that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing and that this "PUD" Agreement is binding on, and enforceable against, such entity.

H. Effective Date. This "PUD" Agreement shall become valid and binding only upon its approval by the City, through its City Council, and upon its execution by the Mayor and College.

I. Attorneys Fees. In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy provided by law, that party which prevails in any litigation shall be entitled to reasonable attorney's fee.

J. Attachments. All attachments and recitals are incorporated herein and made a part hereof as if set forth in full.

In Witness Whereof, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

City Of Twin Falls

By: _____
Mayor

College Of Southern Idaho

By: _____
John M. Mason,
Vice President of Administration

Acknowledgments

State of Idaho

County of

On this ____ day of _____, 2011, before me the undersigned, a Notary Public in and for said State and County, personally appeared _____.

Known to me to be the _____ of Twin Falls, the municipal corporation that executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho

Residence of _____

My Commission Expires: _____



State of Idaho

County of

On this ____ day of _____, 2011, before me the undersigned, a Notary Public in and for said State and County, personally appeared _____

to me personally known, who, being by me duly sworn, did for himself say that he is an authorized representative of the College of Southern Idaho and that the within instrument was executed by him of behalf of the College of Southern Idaho.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho

Residence of _____

My Commission Expires: _____

Exhibit "B" - Section 1

PUD-234

TWIN FALLS COUNTY
RECORDED FOR:
TWIN FALLS, CITY OF
3:02:32 pm 08-26-2009
2009-019522

COLLEGE OF SOUTHERN IDAHO - NORTH CAMPUS
PLANNED UNIT DEVELOPMENT AGREEMENT

COPY

NO. PAGES: 15 FEE: \$
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHUNTER

This agreement, made and entered into this 4TH day of August, 2009, by and between the City of Twin Falls, a municipal corporation, State of Idaho, hereinafter called "City" and the College of Southern Idaho, hereinafter called "College" whose address is 315 Falls Avenue, Twin Falls, Idaho 83303-1238.

RECITALS

Whereas, the College of Southern Idaho holds title to properties particularly described in Exhibit "A" attached hereto, which land is located adjacent to the College from the 100 to the 400 blocks on the north side of North College Road and consisted of approximately 71.09 acres, and

WHEREAS, the College intends to use the property for College related activities, specifically a health sciences and humans services building, future educational facilities and agriculture and has submitted to the City a Master Development Plan thereof, Exhibit "B", and

Whereas, the property at 100 - 400 blocks on the north side of North College Road is currently zoned R4 within the city's area of impact, and

Whereas, College has made a request to the City to annex and rezone properties, as described in Exhibit "A", to "CSI PUD" zone and has submitted to the City a Master Development Plan, Exhibit "B", thereof which has been reviewed by the Planning and Zoning Commission on April 22, 2008, and was approved, as presented, for development as a Planned Unit Development by the City Council on May 19, 2008 and which Ordinance #2941 was later approved by the City Council and published on July 03, 2008, and

Whereas, the City, by and through its City Council, has agreed to the Development of said property within the City of Twin Falls, Idaho, subject to certain terms, conditions and understanding, which terms, conditions and understandings are the subject of this agreement.

COVENANTS

On May 19, 2008 the City Council annexed and approved development of properties described in Exhibit "A" subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
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 the approved PUD Agreement to include:
 - a. Development Criteria including a "Height" section that indicates that the height of development within the project may be a maximum thirty-seven feet (37') tall.
 - b. Development criteria regarding utility/infrastructure
4. Subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan. Any future phase of development will require an amendment to the PUD and the Master Development Plan.

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

1. NATURE OF THE AGREEMENT. This agreement shall become part of the "CSI PUD" zone with respect to the Property upon its full execution and recording. This agreement is specific to the College owning the property. In the event of a change of ownership, a new PUD application will have to be filed. This agreement is subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan, Exhibit "B". Any future development will require an amendment to the PUD.

2. NATURE OF PROPERTY USE. It is agreed by the parties hereto that certain language and requirements pertaining to the "CSI PUD" zone shall be interpreted as follows:

A. Uses. The College will use the property in a manner consistent with our community college mission with the development of the north campus being similar to the existing campus.

Phase 1 The first building to start the second circle of buildings will be a health science and human services building. The two story building may be a maximum thirty-seven feet (37')

tall and shall be approximately 72,000 square feet and will house our health related programs along with numerous general use classrooms.

As a part of Phase 1, the first 1,000 feet of the irrigation lateral (running east to west) bordering the property on the south side will be piped in accordance with Twin Falls Canal Company criteria. The entry to the property will be from North College Road with a turnout lane for vehicles coming from the east and two exit lanes onto North College for departing traffic. The parking lot for the building will consist of spaces for approximately 300 vehicles. All drainage for the building and parking lots will be retained on-site. A 12 inch water line coming off of the North College water line will run by the building and dead end at the end of the portion of the loop road constructed in Phase 1. The water line coming off of this main line will feed the building and loop back to the North College Road water line. These changes as outlined above are shown as, Proposed Water Plan, included with Exhibit "B"-Master Development Plan. This agreement is subject to the attached exhibit titled "CSI Phase I" being adopted as the approved Master Development Plan, Exhibit "B".

Phase 2 Phase 2 and/or any future development will require an amendment to the PUD. Future buildings will be constructed as the need is established and the funding obtained. In the interim, the property not utilized for buildings will be farmed. Phase 2 will include a future by-pass road running north on the west side of the Perrine Coulee to the north side of the property and run west to connect at the Cheney and Washington intersection to be developed prior to Phase 2 development.

B. Non-Compliance. In the event that uses of the Property are not within the restriction of this "CSI PUD" Agreement, the City shall give written notice to the College. College shall cure said non-compliance within thirty days of its receipt of notice (or in the case of non-compliance that will take in excess of thirty days to cure, College shall commence to cure within thirty days of receipt of notice and diligently pursue the same to completion). In the event the College fails to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within that phase of such "PUD" until such time as all requirements specified have been complied with; provided, however, the College shall have the right to appear before the City Council at any regular meeting after any building permits and

PUD 254

certificates of occupancy have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates of occupancy should be issued. The City Council shall then in good faith and in an objective manner decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of parties are preserved at law and equity.

3. GENERAL PROVISIONS

A. Cooperation. The parties hereto agree to cooperate each with the other.

B. Entire Agreement. This agreement constitutes the entire agreement between the parties concerning the property described herein, and no amendment or modification to this agreement shall be valid or effective unless reduced to writing and signed by the parties.

C. Applicable Law. This agreement shall be constructed in accordance with the laws of the State of Idaho.

D. Notices. If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at its addressed last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested". On the date of this agreement, the addressed of the parties are as follows:

College: College of Southern Idaho
315 Falls Avenue
P.O. Box 1238
Twin Falls, Idaho 83303-1238

City: City of Twin Falls
P.O. Box 1907
321 Second Avenue East
Wind Falls, Idaho 83301

In the event the College seeks to amend the master plan and/or this agreement, it will provide notice to the adjoining neighbors at the time application is made for such a change in accordance with City requirements/ordinances.

E. Successors and Assigns. This agreement shall be binding upon successors, assigns and legal representatives of the parties hereto.

PUD 251

F. Severability. In the event any portion of this agreement is declared by a Court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from this agreement, and the remaining portions shall not be affected thereby.

G. Signatories. Each of the persons executing this agreement hereby represent and warrant that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing and that this agreement is binding on, and enforceable against, such entity.

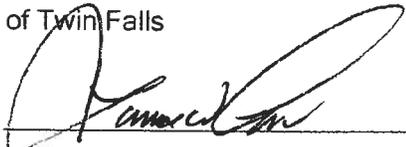
H. Effective Date. This "PUD" agreement shall become valid and binding only upon its approval by the City, through its City Council, and upon its execution by the Mayor and College.

I. Attorneys Fees. In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy provided by law, that party which prevails in any litigation shall be entitled to reasonable attorney's fee.

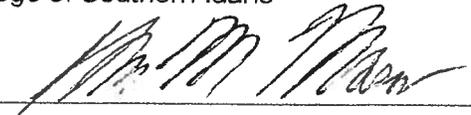
J. Attachments. All attachments and recitals are incorporated herein and made a part hereof as if set forth in full.

In Witness Whereof, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

City of Twin Falls

By:  _____

College of Southern Idaho

By:  _____

John M. Mason,
Vice President of Administration

Acknowledgments

State of Idaho

County of

On this 25th day of August, 2009, before me the undersigned, a

Notary Public in and for said State and County, personally appeared _____

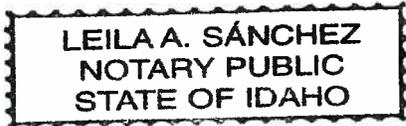
Lance W. Clow Known to me to be the Mayor of Twin Falls, the municipal corporation that executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Leila A. Sanchez
Notary Public for Idaho

Residence of Twin Falls

My Commission Expires 5/18/2012



State of Idaho

County of

On this 4th day of August, 2009, before me the undersigned, a

Notary Public in and for said State and County, personally appeared _____

John M. Mason to me personally known, who, being by me duly sworn, did for himself say that he is an authorized representative of the College of Southern Idaho and that the within instrument was executed by him of behalf of the College of Southern Idaho.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Jeffrey M. Harrison
Notary Public for Idaho

Residence of TWIN FALLS IDAHO

My Commission Expires 11-08-2011

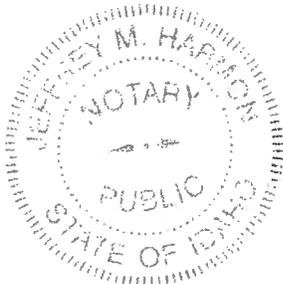


Exhibit "A"
PUD-
291

ORDINANCE NO. 2941

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

WHEREAS, the College of Southern Idaho has made application for annexation of property located on the north side of the 100-400 blocks of North College Road; 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 22nd day of April, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 16th day of June, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

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

SECTION 1. The following described real property be and the same is hereby annexed into and declared to be a part of the City of Twin Falls, Idaho:

SEE ATTACHMENT "A"

AND all public streets, highways, alleys and public rights-of-way adjacent and within this description.

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned CSI PUD.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of

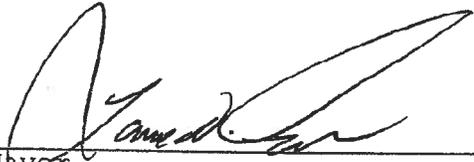
development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. 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 newly incorporated real property as hereby zoned.

SECTION 5. The City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

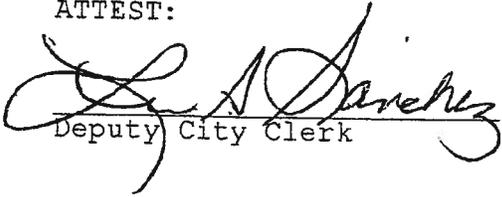
PASSED BY THE CITY COUNCIL June 16, 2008

SIGNED BY THE MAYOR June 23 , 2008



Mayor

ATTEST:



Deputy City Clerk

PUBLISH: Thursday, July 3 , 2008

ATTACHMENT "A"

A tract of land located in the South Half of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of said S1/2 NW1/4;

- THENCE North 0°42'17" East a distance of 1,275.74 feet along the westerly boundary of said S1/2 NW1/4 to the northwest corner of said S1/2 NW1/4;
- THENCE South 89°45'01" East a distance of 1,997.79 feet along the northerly boundary of said S1/2 NW1/4;
- THENCE South 35°10'00" East a distance of 254.74 feet;
- THENCE South 51°20'00" East a distance of 219.01 feet;
- THENCE South 0°57'30" West a distance of 943.07 feet to a point on the southerly boundary of said S1/2 NW1/4;
- THENCE North 89°28'42" West a distance of 2,315.50 feet along the southerly boundary of said S1/2 NW1/4 to the southwest corner of said S1/2 NW1/4 and being the TRUE POINT OF BEGINNING.

The above described tract contains 66.74 acres more or less and is subject to the rights of public roads which affects the westerly 25.00 and a strip varying from 25 to 58 feet in width along the southerly boundary of said tract.

AND

A tract of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

- THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the center of a power line and the TRUE POINT OF BEGINNING;
- THENCE North 0°57'30" East a distance of 943.07 feet along the center of said power line to a point in the center of a coulee;
- THENCE South 51°20'00" East a distance of 399.99 feet along the center of said coulee to a point on the easterly boundary of said SE1/4 NW1/4;
- THENCE South 0°52'55" West a distance of 24.00 feet along the easterly boundary of said SE1/4 NW1/4, and the westerly boundary of said SW1/4 NE1/4;
- THENCE South 44°45'00" East a distance of 530.00 feet;
- THENCE South 0°00'00" West a distance of 299.01 feet to a point on the southerly boundary of said SW1/4 NE1/4;

THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE1/4 and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING.

The above described tract contains 10.20 acres more or less and is subject to a permanent easement for roadway purposes over a strip of land located in the SE1/4 NW1/4 and the SW1/4 NE1/4 of Section 4, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of the NW1/4 of said Section 4;

THENCE, South 89°28'42" East a distance of 2315.50 feet along the southerly boundary of said NW1/4 to the TRUE POINT OF BEGINNING;

THENCE North 0°57'30" East a distance of 20.57 feet to the northerly line of said permanent easement;

THENCE South 89°04'24" East a distance of 69.34 feet;

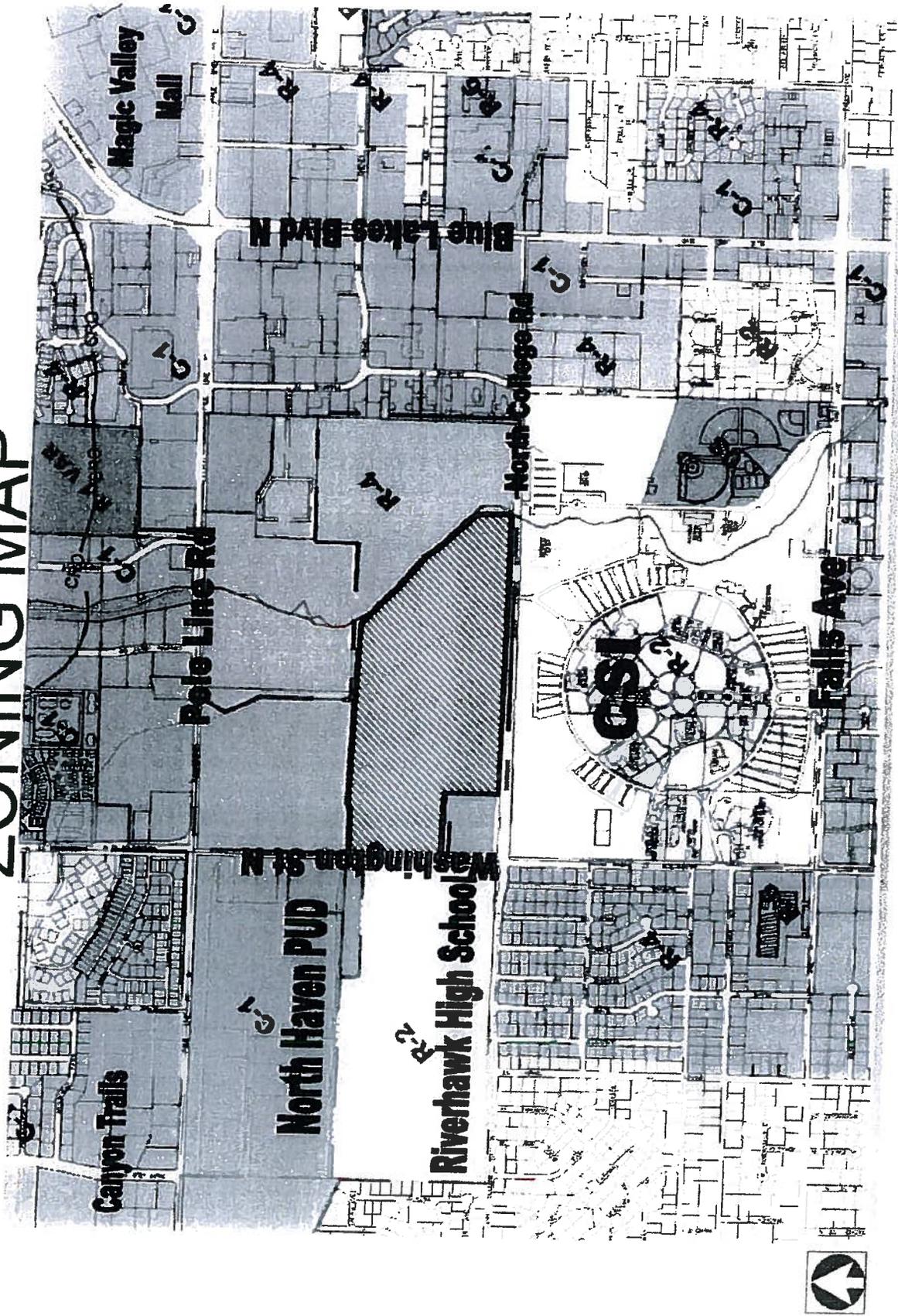
THENCE North 86°17'08" East a distance of 270.74 feet;

THENCE South 89°28'42" East a distance of 361.01 feet to a point on the easterly boundary of the above described tract;

THENCE South 0°00'00" East a distance of 40.08 feet to the southerly boundary of the SW1/4 NE1/4 of said Section 4;

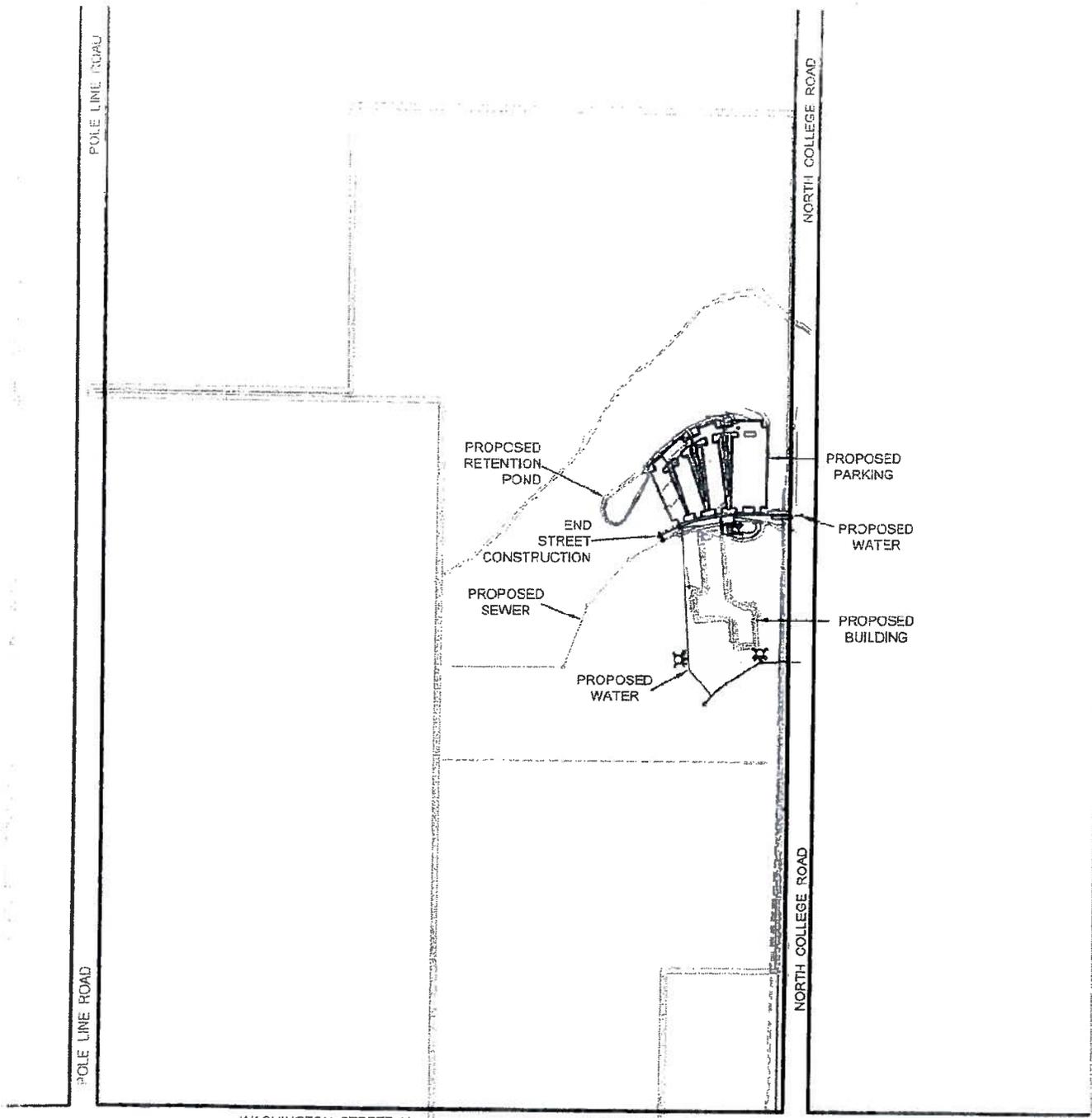
THENCE North 89°28'42" West a distance of 700.86 feet along the southerly boundary of said SW1/4 NE ¼ and the southerly boundary of said SE1/4 NW1/4 to the TRUE POINT OF BEGINNING, containing 0.55 acres more or less.

ZONING MAP



182081

1241.241



WASHINGTON STREET N

CSI PHASE 1
 SCALE: 1"=500'

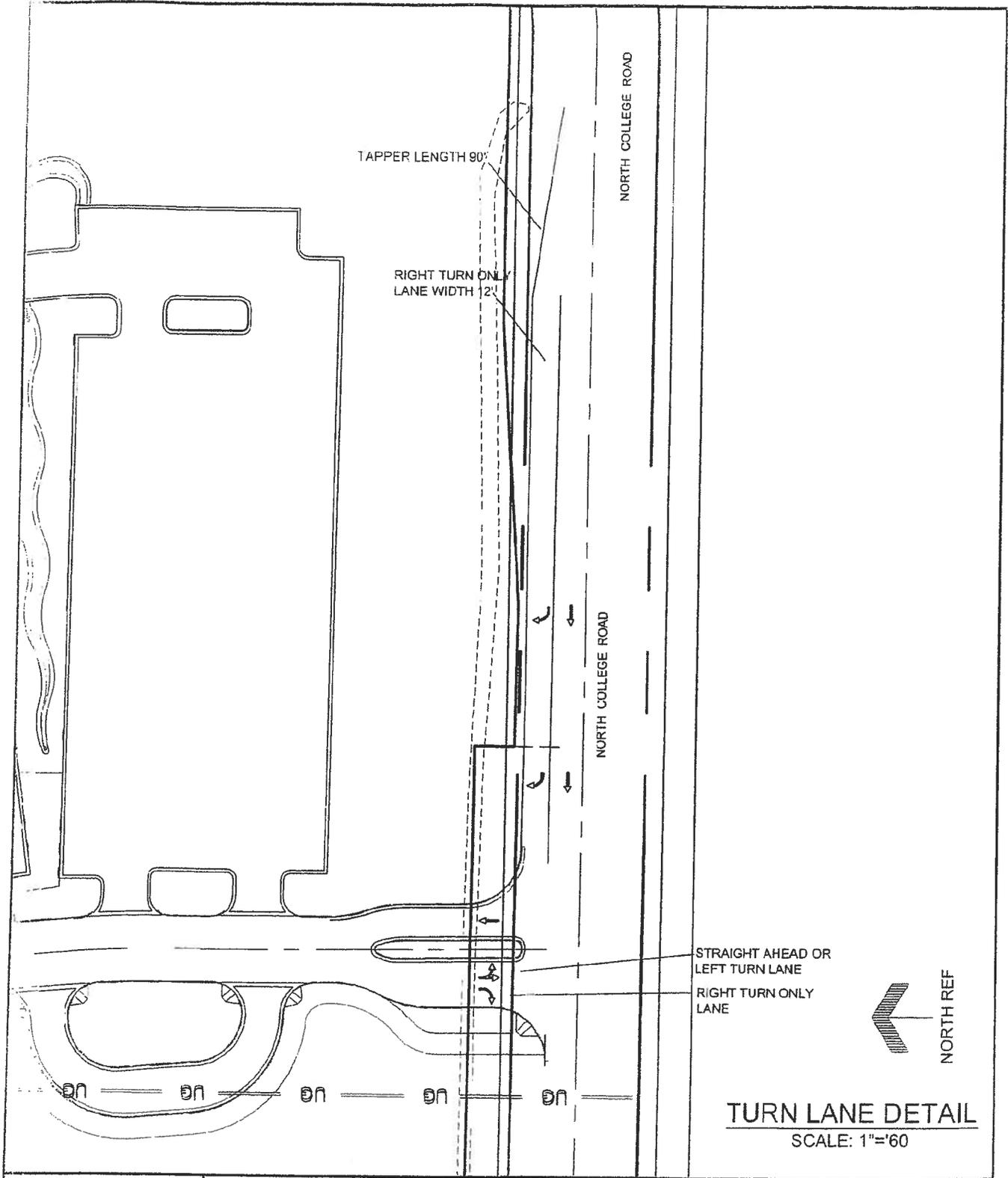
Drawn By MLJ
 Checked By M.SMITH
 Date 1-28-08
 CTA # CSHS/MS
 Cad File: CSHS-EX1


 BILLINGS, MT
 (406)248-7455
 Fax (406)248-3779

COLLEGE OF SOUTHERN IDAHO
 HEALTH SCIENCES AND HUMAN SERVICES
 DPW PROJECT NO. 081102

ADDENDUM
 SHEET# 1
 REF SHEET#

DUP. 254



TURN LANE DETAIL
SCALE: 1"=60'

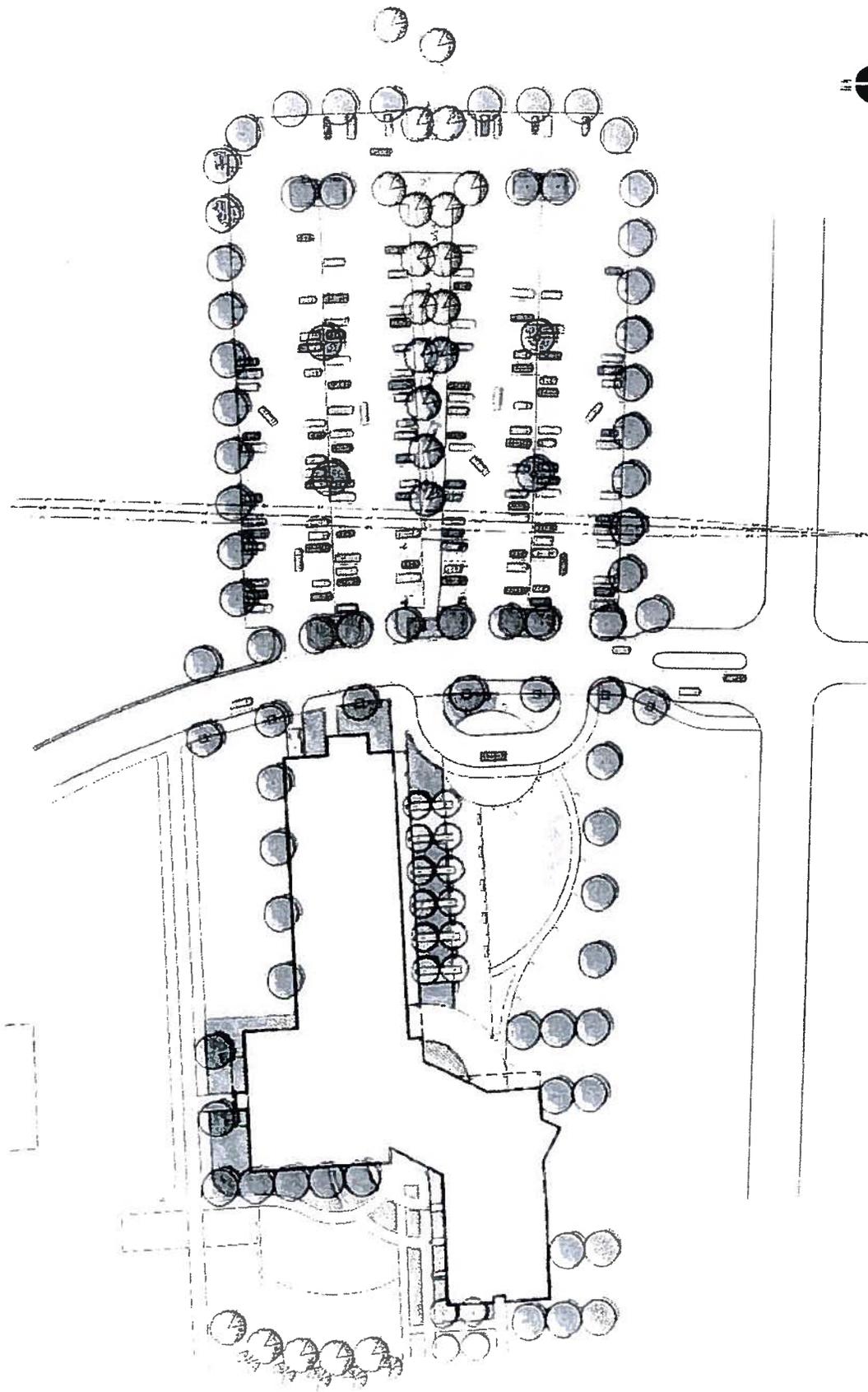
Drawn By MLJ
 Checked By M.SMITH
 Date 3-05-08
 CTA # CSIHS
 Cad File: CSHS-EX2

CTA
 BILLINGS, MT
 (406)248-7455
 Fax (406)248-3779

COLLEGE OF SOUTHERN IDAHO
 HEALTH SCIENCES AND HUMAN SERVICES
 DPW PROJECT NO. 08102

ADDENDUM
SHEET# 1
REF SHEET#

W.D. 234



College of Southern Idaho
 Health Sciences and Human Services Building
 SCHEMATIC MODEL
 DWG # 08102
 12-17-07



COUNCIL MEMBERS:

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



Minutes
Meeting of the Twin Falls City Council
April 25, 2011
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: Arbor Day Proclamation – Dennis Bowyer, Parks & Recreation Director

AGENDA ITEMS

CONSENT CALENDAR:

1. Consideration of accounts payable for April 19-25, 2011.
2. Consideration of the April 18, City Council Minutes.
3. Consideration of a request to waive the green fees for the 4th annual "Twin Falls Golf Club Fundraiser" for special projects on Saturday July 30th, 2011.
4. Consideration of a request to pay fees in lieu of park land dedication for the Zearth Subdivision First Amended.

Purpose	By:
<u>Action</u>	<u>Staff Report</u> Sharon Bryan Leila Sanchez Dennis Bowyer
	Dennis Bowyer

II. ITEMS FOR CONSIDERATION:

1. Presentation from Local Legislative Delegation on the 2011 Idaho Session.
2. Presentation of the Annual Jim A. Mildon Traffic Safety Award. Staff Sergeant Dennis Pullin will be making the presentation to this year's recipient, the Twin Falls Bicycle Safety Committee. The active members of the committee are Brent Jussel, Kevin Dane, Tennille Adams, RoLynee Hendricks and Kirk Brower.
3. Consideration of a request for Staff Sergeant Dennis Pullin and Twin Falls City Councilman Greg Lanting to present plaques of appreciation to Dave Snelson, Robert Storm and Page Geske for their service on the Twin Falls Traffic Safety Commission.
4. Consideration of the Special Events Application submitted by Mark Rivers regarding the Friday Night Market proposed to commence on Friday, May 6, 2011, and continue every Friday evening thereafter through October 28, 2011. Each Market will open at 4:00 p.m. and close at 8:00 p.m.
5. Consideration of the Special Events Application submitted by Tara Rueda regarding a Celebration of Art Festival proposed to begin on Thursday, May 5, 2011, and continue through Saturday, May 7, 2011. The event will be held on the empty lot next to Sidewinders at 233 5th Avenue South. The festival will commence at 6:00 p.m. and conclude at 9:00 P.M. on Thursday and Friday evenings and will run from 12:00 p.m. to 9:00 p.m. on Saturday.
6. Public input and/or items from the City Manager and City Council.

Presentation	LLD Dennis Pullin
Presentation	Dennis Pullin
Action	Dan McAtee
Dan McAtee	Dan McAtee

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO on property located at 120 10th Avenue East, c/o Roger L. Blades dba Jewel's Home Care Service. (app.2435)
2. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow for college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 1100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue. c/o College of Southern Idaho represented by Mike Mason. (app.2433)

Action	Mitch Humble
Action	Mitch Humble

V. ADJOURNMENT: To Executive Session 67-2345 (1)(a) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.

--	--

PRESENT: Mayor Don Hall, Vice Mayor Greg Lanting, Councilpersons Trip Craig, Lance Clow, Rebecca Mills Sojka, David E. Johnson

ABSENT: William Kezele

STAFF: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Staff Sergeant Dan McAtee, and Deputy City Clerk Sharon Bryan

PUBLIC HEARINGS: 6:00 P.M.

2. Request for a Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue c/o College of Southern Idaho represented by Mike Mason. (app. 2433)

Due to the fact that Mayor Hall is an employee of CSI he stepped down and turned the meeting over to Vice Mayor Greg Lanting.

Councilperson Mills Sojka explained that she is not an employee or student of CSI.

Mike Mason, spoke in behalf of the College of Southern Idaho, reviewed zoning district change and zoning map amendment from R-2 to R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue with the use of visuals.

Councilperson Johnson curious about master build out plans. Why this particular area? Mike Mason explained the agreement with the City regarding the north end of campus road completion.

Councilperson Mills Sojka asked if there are plans to continue building to Falls. Mike Mason stated not at this time.

Community Development Director Humble explained the request of the rezone of 365.89 (+/-) acres. He said this is really a big step for the College and the City. Building Permits are from the State not the City. The height restriction, setbacks, and energy system can be approved with conditions.

Councilperson Johnson had a question on the building permit

Councilperson Mills Sojka asked how the request for a rezone helps.

Councilperson Clow asked that with an R-4 zone how many apartments can be built without a zoning change. Community Development Director Humble stated that a developer can place a 4 plex development or 4 4-plex units per acre.

The public hearing input portion of the hearing was opened at 7:40 P.M.

Those speaking against the request had the following concerns, particularly as they relate to the 6 acres shown as a future apartment development: Lot has been rezoned once, privacy infringement, light pollution, traffic concerns, foot traffic, Lincoln Street traffic concerns, Fillmore intersection safety concerns, noise pollution, rights are being violated, speeding on Lincoln Street, vandalism, suggestion of other areas they can build.

Those speaking for had the following concerns: Students being stereotyped, students do walk to classes because they do not have vehicles and parking on campus is a problem, they do not party, students do not vandalize, student's car pool and students need affordable housing.

Linda Fleming, 1098 Pinewood Circle, spoke against the request.

Helen Doherty, 1091 Lincoln Street North, spoke against the request.

Betty Fenton 1059 Pinewood Circle spoke against the request.

Laralyn Huber 1099 Redwood Circle, spoke against the request.

Rod Huber 1099 Redwood Circle, spoke against the request.

Frank Zambic 839 Green Acres Drive, spoke against the request.

Joe Russell, 3411 Canyon Cove Drive, Kimberly, Idaho, spoke against the request.

Dr. Rod Kack 3835 N 3300 E, Kimberly, Idaho, spoke against the request.

Mary Ann Weisen, 1099 Cedarwood Circle, spoke against the request.

Marilyn Rigetti 3835 N 3300 E, Kimberly, Idaho, spoke against the request.

Recess: 8:10

Reconvened: 8:17 p.m.

A. Amen Cernick, spoke against the request.

Sheree Haggan 1322 Washington Street North, CSI student, spoke in favor of the request.

Garrett Bolyard, 706 Green Acres Drive, spoke against the request.

Jim Schouten, 229 Tyler Street, explained the Planning and Zoning decision.

Katie Breckenridge, Peekaboo, Idaho, stated that when you give land you lose the rights to use.

Israel Hernandez, 1012 Falls Avenue, CSI student, spoke in favor of the request.

Cristy Williams, 1198 Mountain View Drive, spoke against the request.

Mike Mason explained that North College Drive is already a PUD. The CSI is asking to extend the PUD. He explained that a State building is inspected by the State as well as the local inspectors. He explained that the students do not want to live on campus. They want to be close but away from the main campus. Rules and regulations will be enforced and there will be supervision at the apartments.

Councilperson Clow asked if CSI is out of compliance. Community Development Director Humble explained that building and uses are not in compliance with our zoning ordinance. Building heights, setbacks, and uses will be allowed if this is approved.

Councilperson Mills Sojka asked for clarifications on how much influence would the City have on building height. Community Development Director Humble stated that building height is a zoning restriction and not a building code.

Councilperson Lanting asked if alcohol use is allowed in the apartments. Mike Mason stated yes for those over 21.

Councilperson Lanting asked what type of fencing would be placed. Mike Mason stated vinyl fencing.

Councilperson Clow asked are staff recommendations for this PUD. Community Development Director Humble explained proposed uses of area A 1 through A 4 property.

Councilperson Clow asked about windmills in the master plan. Mike Mason stated there is no intention to put anymore windmills on campus.

Councilperson Mills Sojka stated that concerning traffic concerns and planning for future, what are recommendations for Fillmore and North College and Lincoln Street. Community Development Director Humble stated that streets are made for increase amount of traffic. The intersection of North College & Fillmore doesn't warrant a signal but may need a 4 way stop.

Community Development Director Humble explained the approval process.

Vice Mayor Lanting asked for clarification on if they could exclude the 6 acres. Community Development Director Humble stated that the Council can strike the 6 acres. He also stated that the Council can put conditions on it.

Councilperson Clow explained traffic flow.
Councilperson Johnson asked for the PUD requirements.

The public hearing was closed at 9:06 P.M.

Councilperson Johnson made a motion to approve the Zoning District Change and Zoning Map Amendment from R-2 and R-4 to CSI PUD for 365.89 (+/-) acres to allow college related uses and future expansions on property located east of the 900 to 1500 blocks of Washington Street North, south of the 100 thru 600 blocks of Cheney Drive West extended, west of the 100 thru 1200 blocks of Lincoln Street and north of the 100 thru 600 blocks of Falls Avenue c/o College of Southern Idaho represented by Mike Mason. (app. 2433) with staff conditions as amended. The motion was seconded by Councilperson Mills Sojka.

Councilperson Clow moved to amend the motion to change the setback to be 3 to 1 on windmills by special use permit. The motion was seconded by Councilperson Mills Sojka and roll call vote showed Councilpersons Clow, Johnson, Lanting and Sojka voted in favor of the motion. Councilperson Craig voted against the motion. Motion passed 4-1.

Councilperson Clow moved to amend the motion to exclude the 6.4 acres showing the future apartment development from the rezone. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all present in favor. Motion passed 5-0

Councilperson Johnson moved to amend the motion for building height language in the PUD to mirror commercial building height regulations. The motion was seconded by Councilperson Clow and roll call vote showed all present in favor. Motion passed 5-0

Roll call vote on the main motion, as amended, showed all present in favor passed 5-0

ADJOURNMENT:

1. To Executive session 67-2345(1)(a) to consider hiring a public officer employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.

Mayor Hall made a motion to adjourn to Executive session 67-2345(1)(a) to consider hiring a public officer employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office. . The motion was seconded by Councilperson Johnson and roll call vote showed all present in favor. Motion passed 6-0

There being no further business the meeting was adjourned at 9:35 PM

Sharon Bryan, Deputy City Clerk