



CITY OF TWIN FALLS, IDAHO

SPECIAL MEETING NOTICE

* * * *

The City Council will hold a Special Meeting on Monday, November 7, 2011, at 4:00 P.M., in the Council Chambers located at 305 Third Avenue East.

Executive Session:

67-2345(1)(f) To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

Leila Sanchez
Deputy City Clerk/Recording Secretary

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>			



AGENDA
 Meeting of the Twin Falls City Council
Monday, November 7, 2011
 City Council Chambers
 305 3rd Avenue East -Twin Falls, Idaho

The City Council will hold a Special Meeting on **Monday, November 7, 2011, at 4:00 P.M.**, in the Council Chambers located at 305 Third Avenue East.

5:00 P.M.

- PLEDGE OF ALLEGIANCE TO THE FLAG
- CONFIRMATION OF QUORUM
- INTRODUCTION OF STAFF
- CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
- PROCLAMATIONS: Idaho Nonprofit Week

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR:		
1. Consideration of accounts payable for October 25 – November 7, 2011. Prepaid, September 2011, total: \$155,868.41 Prepaid, October 27, 2011, total: \$115,690.00	Action	Staff Report Sharon Bryan
2. Consideration of the October 24, 2011, City Council Minutes.		L. Sanchez Mitch Humble
3. Consideration of a 5 th and final two (2) year extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West, c/o Gerald Martens/EHM Engineers, Inc.		Troy Vitek
4. Consideration of a request to approve an Improvement Agreement for Crowley's Corner Subdivision.		Troy Vitek
5. Consideration of a request to approve a Curb-Gutter, and Sidewalk and Street Improvement Deferral Agreement for property located at 1434 Pole Line Road East c/o Richard Crowley.		Mitch Humble
6. Consideration of the 2 nd and final extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.3 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Department, LLC/Mark Thayne.		Mitch Humble
7. Consideration of the 2 nd and final extension of the approval of the Shoshone Heights PUD Subdivision, No. 2, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project.		Jacqueline Fields
8. Consideration of a request to establish a posted speed limit for North College Rd. from Grandview Dr. N. to Xavier Charter School.Development, LLC/Mark Thayne.		
II. ITEMS FOR CONSIDERATION:		
1. Presentation by the Twin Falls Area Chamber of Commerce.	Presentation	Chamber of Commerce Dennis J. Bowyer
2. Consideration of a request from Jayne Fisher to appeal the decision of the Tree Commission denying her request to remove a tree located at 106 Main Avenue North.	Action	Jacqueline Fields
3. Consideration of a request to authorize the Mayor to sign a contract with EHM Engineers, Inc. to design, provide right of way acquisition services and construction administration services for the Northeast Sewer project.		
4. Public input and/or items from the City Manager and City Council.		
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		

IV. <u>PUBLIC HEARINGS:</u> 6:00		
1. Request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 (+/-) acres located at the south west corner of Hwy 30/Kimberly Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app.2484)	Public Hearing	Mitch Humble
2. Consideration of adoption of one (1) ordinance(s) regarding a request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 (+/-) acres located at the south west corner of Hwy 30/Kimberly Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app.2484)	Action	Mitch Humble
3. Findings of Fact, Conclusions of Law, and Decision in re: Zoning District Change & Zoning Map Amendment, Application, for Kimberly Road Partners & Mary Sligar c/o EHM Engineers, Inc.	Action	Mitch Humble
4. Consideration of a request for additional height for buildings in a future manufacturing development located on 190+/- acres at the southwest corner of Kimberly Road and 3300 East.	Action	Mitch Humble
5. Request to establish two (2) new communication towers: one (1) sixty-foot (60') communication tower to be placed on property located at the Twin Falls Chambers Visitors Center, 3591 Blue Lakes Boulevard North and one (1) one-hundred foot (100') communication tower to be placed on property located at the City of Twin Falls Gun Range, located east of the 4100 Block of Hankins Road East/3200 East Road and south of the Snake River Canyon Rim Trail, c/o Craig Stotts/Lieutenant, Communications – PD on behalf of the City of Twin Falls.	Public Hearing	Mitch Humble
V. <u>ADJOURNMENT:</u>		

****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.

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

Proclamation



Idaho Nonprofit Week

WHEREAS, Nonprofit organizations help build and sustain healthy communities in our state and enhance the quality of life for Idahoans and for others throughout the country and the world; and

The thousands of nonprofit organizations based in Idaho contribute significantly to a viable economy by providing Idahoans with jobs, goods, and services, with expenditures of more than \$3.5 billion annually according to the most recent data; and

Idaho's nonprofit leaders are often entrepreneurs, creating new solutions to problems, and fill previously unmet needs in the areas of health, recreation, education, research, arts, social services, and more; and

The nonprofit sector works as a responsible partner with private enterprise and government to alleviate the most pressing social issues of our time; and

Idahoans have one of the highest rates of volunteerism in the nation, thus providing opportunities for leadership, civic engagement, and building communities; and

The nonprofit sector acts as a responsible steward of charitable dollars to achieve a diverse range of missions and goals; and

Nonprofit organizations often fulfill their missions by advocating on behalf of those who cannot advocate for themselves; and

The nonprofit sector throughout Idaho has a proud history of service, innovation, and social change; and

accomplishments of the nonprofit sector deserve acknowledgment, affirmation, and celebration; now, therefore,

I, Don Hall, Mayor of the City of Twin Falls, do hereby proclaim November 13-19, 2011, to be "Idaho Nonprofit Week"

and do encourage all Idahoans to continue to recognize and support the nonprofit organizations in their communities.

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

Mayor Don Hall

Deputy City Clerk Leila A. Sanchez

Date: November 7, 2011



MONDAY

NOVEMBER 07, 2011

To:

City Council Meeting

From:

Mitch Humble, Community Development Department

ITEM I-

Request: Consideration of a 5TH and final two (2) year extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West. c/o Gerald Martens/EHM Engineers, Inc.

Time Estimate:

There will be no staff presentation.

Approval Process:

TF City Code Title 10; Chapter 12-Subdivision Regulations; Section 2.4(I)-Final Plat:

(I)Approval Period: Final plat shall be filed with the county recorder within two (2) years after written approval by the council; otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council. Only one extension may be granted by the council for a term of two (2) years. (Ord. 3006, 7-25-2011)

History:

On **September 26, 2005** the City Council approved a rezone of this 1.49 acre site from R-4 to R-4 PUD. The request was to subdivide and develop the site into 6 lots and 2 Tracts in order to allow the development of a multi-family housing project, with a total of 24 residential units (six (6) 4-plex dwellings).

The preliminary plat of Robbins PUD Subdivision was unanimously approved by the Planning & Zoning Commission on January 10, 2006 subject to final technical review by the City Engineering Department and subject to approval of the PUD Agreement.

On **April 03, 2006** the Robbins Street PUD Agreement and the final plat of the Robbins PUD Subdivision were unanimously approved by the City Council subject to final technical review by the City's Engineering Department.

On **March 26, 2007** the City Council approved a 1-year extension of the approval of the final plat of Robbins PUD Subdivision until April 03, 2008 subject to the original condition of approval.

On **May 27, 2008** the City Council unanimously approved a 2nd 1-year extension of the final plat of Robbins PUD Subdivision, until April 03, 2009, subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

On **April 06, 2009** the City Council unanimously approved a 3rd 1-year extension of the final plat of Robbins PUD Subdivision, until April 03, 2010, subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

On April 05, 2010 the City Council unanimously approved a 4th 1-year extension of the final plat of Robbins PUD Subdivision, until April 03, 2011, subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

Analysis:

Staff was informed in early March 2011 there was a legal issue pending regarding this project. The approval deadline expired on April 3, 2011. In October 2011 staff was informed the legal matter may be resolved pending approval of a final 2-year extension on the final plat. Staff feels under the circumstances a final request for extension should be granted.

Attached is a letter, dated October 19, 2011, from Gerald Martens, EHM Engineers, requesting a final 2-year extension due to the current financial conditions. There has been no work started on the project as of today's date.

The final plat was originally approved on April 03, 2006. If the request is approved the 5th & final extension shall expire on April 3, 2013.

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

Approval of this request will allow the applicant to record the final plat without going back through the process. If approved the final plat would expire on April 03, 2013.

Conclusion:

Staff recommends approval of a request for a 5th & final 2-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision subject to the following conditions:

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

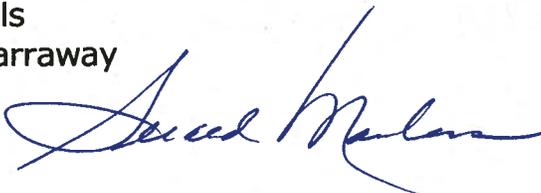
Attachments:

1. Narrative/Letter of Request
2. Area Map of the Plat
3. Approved Preliminary Plat/Approved Final Plat
4. Minutes of the April 3, 2006, March 26, 2007, May 27, 2008, April 06, 2009 and the April 05, 2010 City Council public meeting

Date: October 19, 2011

To: City of Twin Falls
Attn: Renee Carraway

From: Gerald Martens



Via: Hand Deliver

Regarding: Robbins Avenue PUD

Please accept this as a request for a two-year extension of the approval of the final plat for the above noted subdivision.

The reason for the request is due to inability to obtain funds for development and ongoing legal issues regarding ownership. These issues are nearing resolution and the two-year extension will allow for construction to proceed.

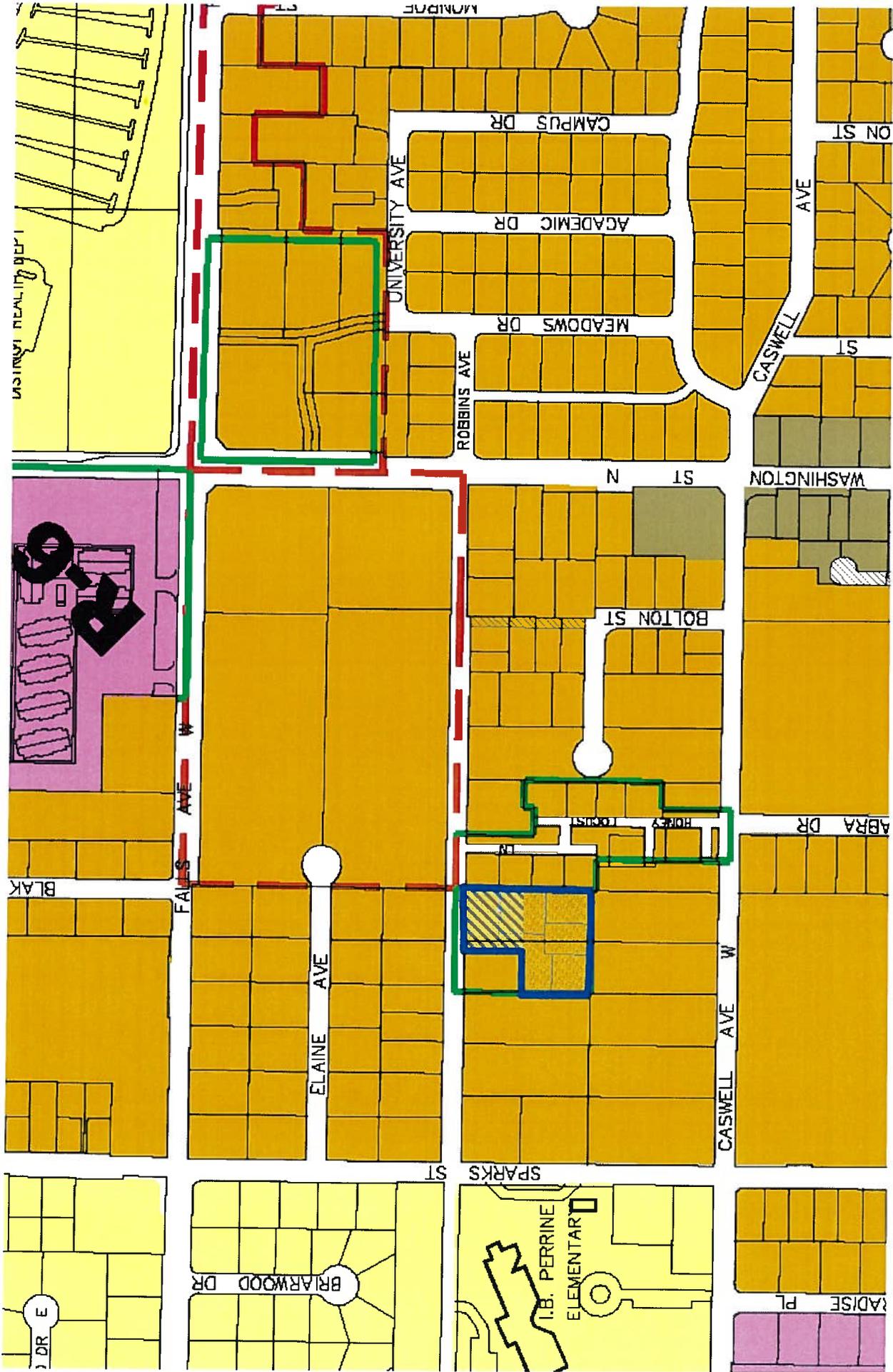


011-05

RECEIVED

OCT 20, 2011

CITY OF TWIN FALLS
PLANNING & ZONING

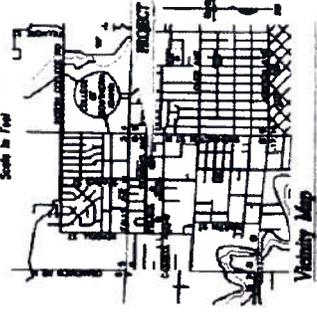
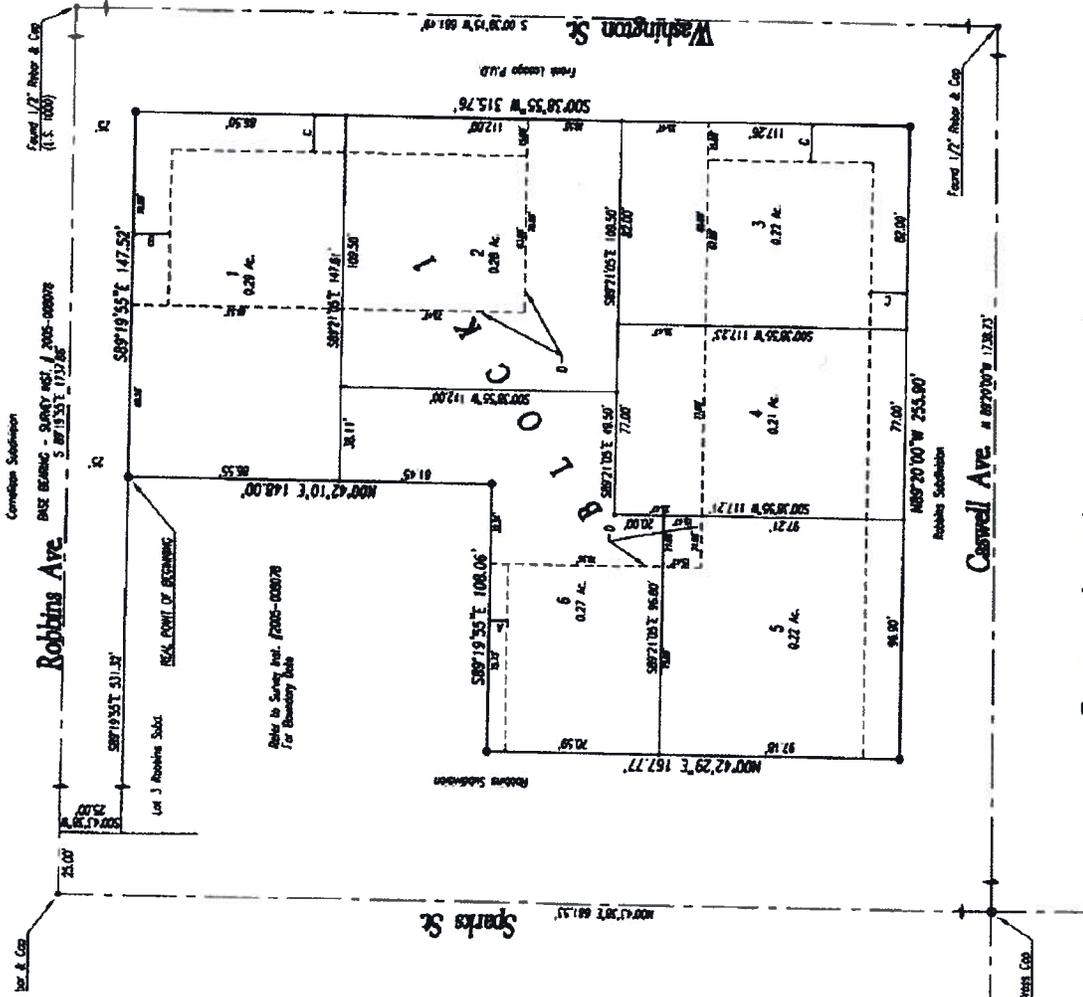


Robbins Avenue Subdivision

Planned Unit Development

A Reubdivision and Renumbering of
A Portion of Lots 8 and 11,
"Robbins Subdivision"

In
NW 1/4 NE 1/4, Section 8,
Township 10 South, Range 17 East,
Boise Meridian,
Twin Falls County, Idaho
2006



Health Certificate

Sanitary conditions as required by Idaho Code, Title 24, Chapter 13 have been established based on the findings of the Boise Health Department. The Boise Health Department has approved the subdivision and the conditions proposed on the drawings for residential subdivisions of the subdivision. The Boise Health Department has approved the subdivision and the conditions proposed on the drawings for residential subdivisions of the subdivision. The Boise Health Department has approved the subdivision and the conditions proposed on the drawings for residential subdivisions of the subdivision. The Boise Health Department has approved the subdivision and the conditions proposed on the drawings for residential subdivisions of the subdivision.

Legend

- Subdivision Boundary Line
- Lot Line
- Easement Line (See Easement Legend)
- Set 5/07/07" Meter and Cap (LS 1000)
- Set 1/7/12" Meter and Cap (LS 1000)

Easement Legend

- A 7.5' Utility, Drains, and Irrigation Easement
- B 10' Utility, Drains, and Irrigation Easement
- C 15' Utility, Drains, and Irrigation Easement
- D Access, Utility, Drains, and Irrigation Easement (Shaded Area)

Boise Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS
11-0894
Sheet 1 of 1

ROBINS AVENUE P.U.D.

ROBBINS AVENUE
TWIN FALLS, IDAHO

GENERAL SITE NOTES

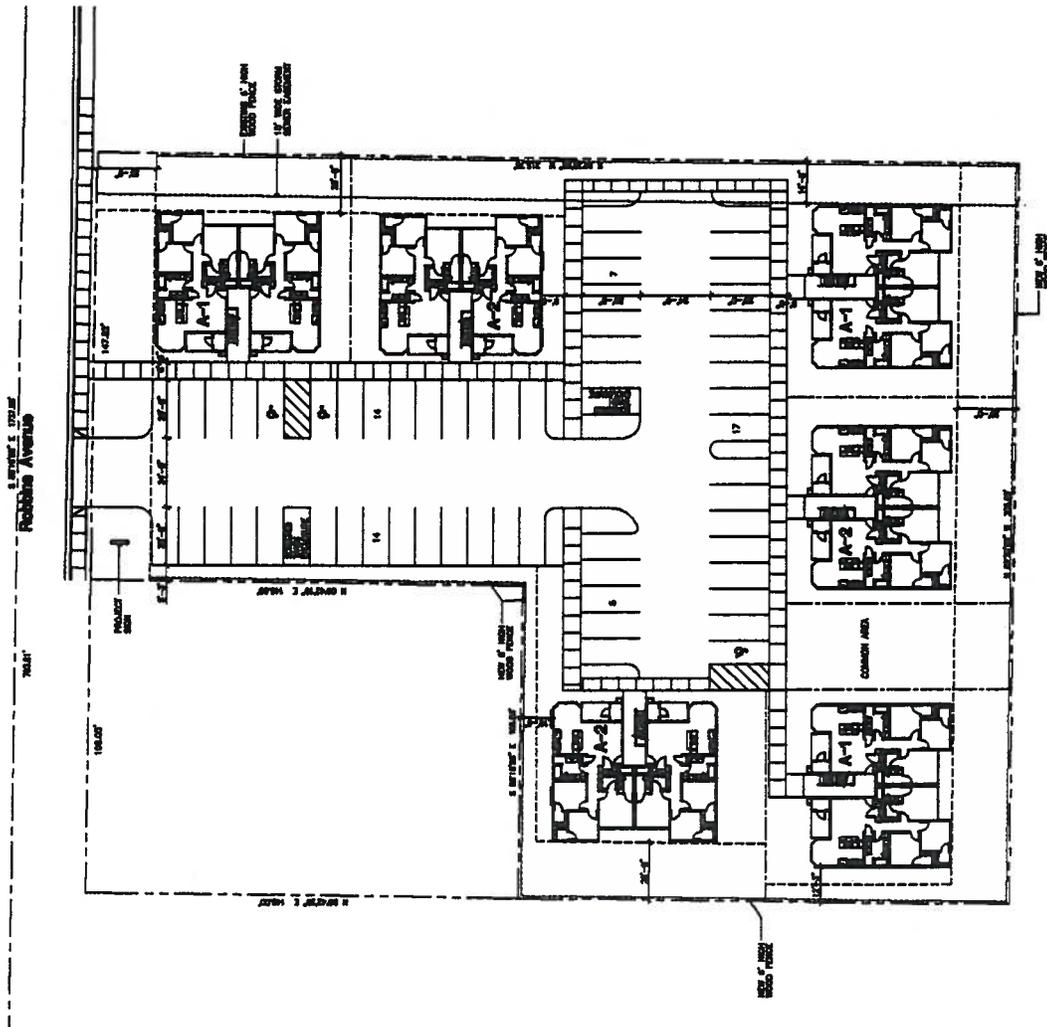
SCALE: 1"=20'-0"
 ZONING: R-4
 AREA: 64,904 S.F.
 1.49 ACRES
 PROPOSED DENSITY: 24 UNITS
BUILDINGS
 TYPE 'A-1': 3 (3 BEDROOM UNITS)
 TYPE 'A-2': 3 (3 BEDROOM UNITS)
 TOTAL BUILDINGS: 6
UNITS
 THREE BEDROOM: 24
PARKING
 TOTAL PARKING REQUIRED: 66
 ACCESSIBLE STALLS REQUIRED: 3
 TOTAL PARKING PROPOSED: 60
 ACCESSIBLE STALLS PROPOSED: 3
 COMPACT STALLS PROPOSED: 0

OWNER:

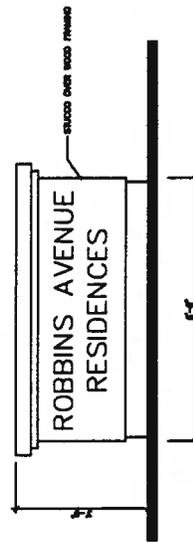
2084 S. EAGLE ROAD
 MERIDIAN, IDAHO 83642
 (208) 378-4835

PLANNER:

Tamura & Associates PLLC
 200 N. 21ST
 TWIN FALLS, IDAHO
 (208) 343-2833



1 SITE PLAN
 SCALE: 1/4" = 1'-0"



2 PROJECT SIGN ELEVATION
 SCALE: 3/4" = 1'-0"



ROBBINS AVENUE P.U.D.
 ROBBINS AVENUE
 TWIN FALLS, IDAHO

PERMITS

CONTRACT NO.
 PROJECT NO.
 FILE NO.
 DATE
 SHEET

A10



FRONT ELEVATION - BUILDING 'A-1'

0 4' 8' 16'
 SCALE: 1/8" = 1'-0"



FRONT ELEVATION - BUILDING 'A-2'

0 4' 8' 16'
 SCALE: 1/8" = 1'-0"

**ROBBINS AVENUE P. U. D.
 ROBBINS AVENUE
 Twin Falls, Idaho**



COUNCIL MEMBERS:

SHAWN	LANCE	TRIP	GLENDA	DON	DAVID E.	GREG
BARIGAR	CLOW	CRAIG	DWIGHT	HALL	JOHNSON	LANTING
	<i>Mayor</i>		<i>Vice Mayor</i>			

MINUTES

FOR THE MEETING OF THE TWIN FALLS CITY COUNCIL, MONDAY, APRIL 3, 2006

TOUR OF CANYON RIM AND CANYON ROAD, 3:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

5:00 P.M.

I. CONSENT CALENDAR:

1. Approve accounts payable. March 28 – April 3, 2006 \$595,687.58
2. Approve minutes of March 27, 2006, City Council Meeting.

II. ITEMS FOR CONSIDERATION:

1. Fair Housing Proclamation and adoption of Resolution #1758. **Susanne Richardson, Region IV Development Association**
2. Consideration of request for ADA parking space in the 600 block of Main Avenue North. **Rod Mathis**
3. Consideration of Ordinance #2854 for Be Prepared, LLC. **Rene'e Carraway**
4. Consideration of the final plat of Robbins Street Subdivision PUD. **EHM Engineering, Inc.**
5. Consideration of the approval of the Robbins Street PUD Agreement. **EHM Engineering, Inc.**
6. Consideration of the final plat of Orchard Park Plaza Subdivision PUD, #1. **Andrew Swensen/Force Engineering, LLP**
7. Consideration of the final plat of Laurelwood Subdivision, #2. **EHM Engineering, Inc.**
8. Consideration of the final plat of Wild Rose Estates, Phase II. **EHM Engineering, Inc.**
9. Review of Proposed Sign Code Enforcement Program. **Shawn Bravender**
10. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS

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

1. Request of Anasazi Construction, LLC, c/o Dallas Page, for the annexation of a total of 232 acres (+/-) - 76 acres (+/-) located on the west side of the 300 and 400 blocks of Washington St S, south of Highland Ave extended and north of Park Ave extended -currently zoned R-4 and M-1 **and** 156 acres (+/-) located at the NE corner of Orchard Drive Wand Grandview Drive S, currently zoned R-4.

V. ADJOURNMENT:

PRESENT: Mayor Lance Clow, Vice Mayor Glenda Dwight, Councilpersons Shawn Barigar, Trip Craig, Don Hall, David Johnson, and Greg Lanting; City Manager Tom Courtney; City Attorney Fritz Wonderlich; City Engineer Jackie Fields; Interim Planning & Zoning Director Renee Carraway, Planning & Zoning Assistant Shawn Bravender, and Recording Clerk Katy Touchette.

Mayor Clow called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. The City Council then considered the following items:

I. CONSENT CALENDAR:

1. Approve accounts payable. March 28 – April 3, 2006 \$595,687.58
2. Approve minutes of March 27, 2006, City Council Meeting.

Councilperson Dwight made the motion to approve the consent calendar. The motion was seconded by Councilperson Barigar, and roll call vote showed that all members voted to approve the consent calendar.

II. ITEMS FOR CONSIDERATION:

4. Consideration of the final plat of Robbins Street Subdivision PUD. EHM Engineering, Inc.

Roger Kruger of EHM Engineering made a brief presentation.

Interim Planning & Zoning Director Carraway then gave a staff report, using overheads. Councilperson Johnson moved to approve the final plat, and Councilperson Barigar seconded the motion.

A short discussion followed involving parking in this development, and roll call vote then showed all members voted in favor of the motion.

5. Consideration of the approval of the Robbins Street PUD Agreement. EHM Engineering, Inc.

Councilperson Johnson moved to approve the PUD agreement, Councilperson Hall seconded the motion, and roll call vote showed all members voted in favor of the motion.

COUNCIL MEMBERS:

SHAWN	LANCE	TRIP	GLENDA	DON	DAVID E.	GREG
BARIGAR	CLOW	CRAIG	DWIGHT	HALL	JOHNSON	LANTING
	<i>Mayor</i>		<i>Vice Mayor</i>			

MINUTES

FOR THE MEETING OF THE TWIN FALLS CITY COUNCIL, MONDAY, MARCH 26, 2007

ATTENDANCE

Present

Mayor Lance Clow
Vice Mayor Glenda Dwight
Shawn Barigar
Trip Craig
Don Hall
Dave Johnson

Absent

Greg Lanting

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Management Assistant Gretchen Scott, Community Development Director Mitch Humble, City Engineer Jackie Fields, Parks and Recreation Director Dennis Bowyer, Deputy City Clerk Leila Sanchez

Mayor Clow called the meeting to order at 5 p.m. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him.

AGENDA ITEMS

II. ITEMS FOR CONSIDERATION:

- 1. Consideration of an extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West.**

Community Development Director Humble reviewed the request using overhead projections.

Staff recommends approval of a one-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision, subject to final technical review by the City Engineering Department.

Councilperson Hall made a motion to approve the extension of the final plat of the Robbins PUD Subdivision to April 3, 2008, subject to final technical review by the City Engineering Department. The motion was seconded by Vice Mayor Dwight and roll call vote showed all members present voted in favor of the motion. The motion passed.

COUNCIL MEMBERS:

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

Mayor

Vice Mayor



CORRECTED MINUTES

Meeting of the Twin Falls City Council
Tuesday, May 27, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Personnel Director Susan Harris, Water Superintendent Mike Schroeder, Deputy City Clerk Leila A. Sanchez.

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

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

II. ITEMS FOR CONSIDERATION:

6. Consideration of a second (2nd) extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West.

Community Development Director Humble reviewed the request.

Staff recommends approval of a 2nd 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

MOTION:

Councilperson Johnson made the motion to approve a 2nd 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision subject to the following conditions:

- 1, Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
April 6, 2009
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

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

APPROVED CHANGES TO THE AGENDA

- II.1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **TO BE RESCHEDULED BY APPLICANT.**

ADDITION TO THE AGENDA

- II.9. Consider Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2MHill in the not to exceed amount of \$138,004.00. Jon Caton

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
1. Consideration of accounts payable for March 25 - April 6, 2009.			
2. Consideration of the March 23, 2009, Council Minutes.			Leila Sanchez
3. Consideration to accept a pressurized irrigation easement in Settler's Ridge Subdivision.			Jackie Fields
4. Consideration to accept an Approval of Easement running north to south along the western edge of the Reform Church, near Pole Line Road West and Grandview Drive North, granted in August 2008.			Jackie Fields
5. Consideration of the renewal of the Improvement Agreement for Developments and Assurance of Construction/Letter of Credit for River Vista PUD.			Jackie Fields
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009.			Lorie Race
2. Presentation of the FAIR HOUSING MONTH Proclamation and reaffirmation of the Fair Housing Resolution. Submitted by Region IV Development.	Action		Proclamation/ Reaffirm Resolution
3. Consideration to reappoint current Traffic Safety Commission members Kirk Bower and Rebecca Duke.	Action		Dennis Pullin
4. Consideration to award a bid for the construction of a BLM helicopter landing pad at Joslin Field.	Action		Bill Carberry
5. Consideration of the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 59 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc.	Action		Mitch Humble
6. Consideration of the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7.	Action		Jackie Fields
7. Consideration of a third extension of the Final Plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units,	Action		Mitch Humble

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* located on the south side of the 200 block of Robbins Avenue West. 8. Consideration of the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April, 25, 2009. 9. Public input and/or items from the City Manager and City Council.	Action	Dennis Pullin
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.		
V. <u>ADJOURNMENT:</u>		

**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.*

COUNCIL MEMBERS PRESENT: Mayor Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Public Works Manager Jon Caton, Airport Manager Bill Carberry, Captain Brian Pike, Staff Sergeant Dennis Pullin, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk Leila Sanchez.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF**

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

APPROVED CHANGES TO THE AGENDA

- II.1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **WITHDRAWN BY APPLICANT.**

ADDITION TO THE AGENDA

- II.9. Consideration Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2M Hill in the not to exceed amount of \$138,004.00. Jon Caton

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for March 25 - April 6, 2009.
March 24 - April 6, 2009, total: \$403,922.60.
Prepaid April 1, 2009, total: \$49,579.02.
2. Consideration of the March 23, 2009, Council Minutes.
3. Consideration to accept a pressurized irrigation easement in Settler's Ridge Subdivision.
4. Consideration to accept an Approval of Easement running north to south along the western edge of the Reform Church, near Pole Line Road West and Grandview Drive North, granted in August 2008.
5. Consideration of the renewal of the Improvement Agreement for Developments and Assurance of Construction/Letter of Credit for River Vista PUD.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

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1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **WITHDRAWN BY APPLICANT.**
2. Presentation of the FAIR HOUSING MONTH Proclamation and reaffirmation of the Fair Housing Resolution. Submitted by Region IV Development.

Mayor Clow read the Proclamation.

The request from the applicant is to reaffirm the Fair Housing Resolution as submitted.

MOTION:

Vice Mayor Johnson made the motion to reaffirm Resolution 1758 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration to reappoint current Traffic Safety Commission members Kirk Bower and Rebecca Duke.

Staff Sergeant Pullin reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to reappoint Kirk Bower and Rebecca Duke to the Traffic Safety Commission. The meeting was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration to award a bid for the construction of a BLM helicopter landing pad at Joslin Field.

Airport Manager Carberry reviewed the request.

On March 5, 2009, the City and Riedesel Engineering Inc., held a bid opening for the construction of a BLM helicopter landing pad at Joslin Field. Six bids were received. The low bid was submitted by Gordon Paving of Twin Falls, Idaho, in the amount of \$183,619.

After reviewing the bids submitted and reviewing them with BLM officials, staff concurs with the Riedesel Engineering Inc. recommendation to award the bid to Gordon Paving in the amount of \$181,725.74.

Larry Mabbutt, Bureau of Land Management, explained the request.

Discussion followed.

Marty Gergen explained the bidding process and recommendation for Gordon Paving.

MOTION:

Councilperson Heider made the motion to award the helipad construction bid to Gordon Paving in the amount of \$181,725.74 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 59 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc.

Gerald Martens, EHM Engineers, Inc. explained the request. For clarification he stated that the subdivision consisted of 57 single family residential lots rather than the 59 lots in the staff report.

Community Development Director Humble reviewed the request. For clarification he stated the subdivision consisted of 65 single family residential lots

- Should the City Council approve the final plat of Morning Sun Subdivision, Phase 7, as presented, staff recommends the following conditions:
 1. Subject to final technical review by the City Engineering Department and Zoning officials to ensure compliance with all applicable city code requirements and standards.
 2. Subject to 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 compliance with minimum lot sizes per City Code 10-4-3.3(B)
 4. Subject to compliance with the letter from Jackie Fields to Gerald Martens dated March 24, 2009.

Discussion followed.

Gerald Martens explained the road work to be done on Filer.

MOTION:

Vice Mayor Johnson made the motion to approve the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 65 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc. as presented with the following conditions:

1. Subject final technical review by the City Engineering Department and Zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current city standards upon development of the property.
3. Subject to compliance with minimum lot sizes per City Code 10-4-3.3(B)
4. Subject to compliance with the letter from Jackie Fields to Gerald Martens dated March 24, 2009.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7.

City Engineer Fields reviewed the request.

Staff recommends approval of the request.

MOTION:

Councilperson Hall made the motion to approve the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Consideration of a third extension of the Final Plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West.

Community Development Director Humble reviewed the request.

Staff recommends approval of a request for a 3rd 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision as presented with the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property rebuilt or built to current city standards upon development of the property.
3. A Weed Management Plan approved by city staff.

Councilperson Lanting made the motion to approve the third extension of the Final Plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West as presented expiring on April 3, 2010 with the following conditions:

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1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property rebuilt or built to current city standards upon development of the property.
3. A Weed Management Plan approved by city staff.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration of the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April, 25, 2009.

Staff Sergeant Pullin reviewed the request.

Twin Falls Police staff recommends that the Council approve this request, knowing the overtime cost of \$1,160.00 was not included in this year's overtime budget for the Police Department.

Discussion followed.

Councilperson Hall stated his concern on how the City will pay for the security.

City Manager Courtney stated that the City does not have money in the budget. The Council may opt to pay for the overtime security or have the event sponsor pay for the security.

-Parade procedures.

City Manager Courtney stated that the Police Department is very careful in budgeting overtime. Police have budgeted on known past parades. The event was proposed after the budget was adopted. Organizations have a right to make a request for funding, but from a budgetary stance it would be best to know in advance.

-Upcoming Twin Falls High School Homecoming Parades.

Councilperson Johnson requested that the policy on the use of the park and security be discussed by City Council and City staff.

-Police Department budget and contingency fund.

-Citizens on Patrol.

MOTION:

Councilperson Hall made the motion to approve the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April 25, 2009, and overtime fees to come from other sources within the budget that can be allocated towards the event or from the contingency fund. The motion was seconded by Vice Mayor Johnson.

AMENDMENT TO THE MOTION:

Councilperson Heider made the motion to have organizers of the parade to pay one half of the overtime wages by way of donations. The motion was seconded by Councilperson Kezele. Roll call vote showed Councilperson Heider voted in favor of the motion. Mayor Clow, Councilpersons Craig, Hall, Heider, Vice Mayor Johnson, Councilperson Kezele and Lanting voted against the motion. Defeated 1 to 6.

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

The City Council appointed a committee consisting of Vice Mayor Johnson, Councilperson Hall and Heider to work with staff to review the current policy for covering costs associated with parades and events in the park.

9. Consideration of Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2M Hill in the not to exceed amount of \$138,004.00. Jon Caton

Project Works Coordinator Caton reviewed the request.

Approval of the request will allow the City to provide adequate construction supervision and engineering support for the CEPT project.

Staff recommends that the Council approve the request as presented.

Councilperson Craig made the motion to award the Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project to CH2M Hill in the amount not to exceed amount of \$138,004.00. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

9. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow gave an update on the Twin Falls Youth Council.

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

V. ADJOURNMENT: 6:24 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
April 5, 2010
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 5:00 P.M. PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: PROCLAMATIONS: Child Abuse Prevention Month Medical Laboratory Week		
AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for March 23 – April 5, 2010. Prepaid March 25, 2010, total: \$178,849.42. 2. Consideration of the March 22, 2010, Minutes. 3. Consideration of a request to accept the deferral agreement from Twin Falls Highway District for curb, gutter, and sidewalk on their property located at the North East corner of Orchard and Hankins intersection. 4. Consideration of a request to accept the deferral agreement from the Twin Falls Housing Authority for construction of a sidewalk across their property located at 200 North Elm Street. 5. Consideration of a request to accept Right of Way for Canyon Crest Drive. 6. Consideration of a request to accept the deferral agreement from Richard J. Kelley for curb, gutter and sidewalk along with required landscaping until April 5, 2013, across property fronting Addison Avenue East. 7. Consideration of a 4 th extension of the final plat of Robbins PUD Subdivision, 1.5(+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West.	Action	Staff Report Sharon Bryan Leila Sanchez Troy Vitek Troy Vitek Troy Vitek Troy Vitek Mitch Humble
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to adopt Resolution 1844, a Resolution authorizing the City to issue a Promissory Note and Loan Agreement with the State of Idaho Bond Bank Authority in an amount not to exceed \$22,980,500 for the construction of water infrastructure. 2. Presentation of the Annual Jim A. Mildon Safety Award. 3. Consideration of a request to recognize the service of Paula Brown Sinclair serving on the Parks & Recreation Commission. 4. Auger Falls Update 5. Consideration of a request to sign a contract with EHM Engineers, Inc., for design of Harrison Street between Addison Avenue and Falls Avenue. 6. Public input and/or items from the City Manager and City Council.	Action Presentation Action Update Action	Travis Rothweiler/ Stephanie Bonney Dennis Pullin Dennis J. Bowyer Lee Glaesemann Troy Vitek
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – 1. A public hearing to consider a request to disestablish the Old Towne Downtown Business Improvement District (BID). (To include spreadsheets.)	Action	Mitch Humble
V. <u>ADJOURNMENT:</u>		

*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, Lee Heider, Dave Johnson, Will Kezele; Greg Lanting arrived at 5:35 P.M.

Absent: None

Staff Members: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Economic Development Director Melinda Anderson, Assistant City Engineer Troy Vitek, Staff Engineer Lee Glaesemann, Parks and Recreation Director Dennis Bowyer, and Deputy City Clerk/Recording Leila Sanchez.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

Mayor Hall read the following Proclamations:

-Child Abuse Prevention Month. Roseanna Campbell – Early Headstart Specialist was present to accept the proclamation

-Medical Laboratory Week.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for March 23 – April 5, 2010.
Prepaid March 25, 2010, total: \$178,849.42.
2. Consideration of the March 22, 2010, Minutes.
3. Consideration of a request to accept the deferral agreement from Twin Falls Highway District for curb, gutter, and sidewalk on their property located at the North East corner of Orchard and Hankins intersection.
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5. Consideration of a request to accept Right of Way for Canyon Crest Drive.
6. Consideration of a request to accept the deferral agreement from Richard J. Kelley for curb, gutter and sidewalk along with required landscaping until April 5, 2013, across property fronting Addison Avenue East.
7. Consideration of a 4th extension of the final plat of Robbins PUD Subdivision, 1.5(+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West

MOTION:

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



Date: Monday, November 7th, 2011
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Consent Request:

Consideration of a request to approve an Improvement Agreement for Crowley's Corner Subdivision.

Background:

Crowley's Corner Subdivision is located at the corner of Pole Line Rd. East and Locust St. North. The final plat was approved on October 10, 2011. It is a 1 lot, .51 acre commercial subdivision.

Budget Impact:

None

Regulatory Impact:

Accepting the Improvement Agreement allows the developer to proceed with the approved construction plans.

Conclusion:

Staff recommends that the Council accept the agreement and authorize the Mayor to sign.

Attachments:

1. Improvement Agreement

IMPROVEMENT AGREEMENT

for
DEVELOPMENTS

This Agreement made and entered into this ____ day of _____, 20____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and ~~Twin Falls Holding Corp. and Cornelius J. Blom & Lanoma Blom~~ ^{TW/RC} hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Crowley's Corner Subdivision.

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

^{R.C. / A.W.} WHEREAS, Developer desires to develop said real property for the following purposes: ~~Two Commercial Lots~~ ONE COMMERCIAL LOT.

WHEREAS, the Developer is obligated to construct certain improvements pursuant to City Code Section 10-12-4.2, and;

WHEREAS, the Developer has committed to construct special features as part of the development, and;

WHEREAS, the City has certain policies, ordinances, rules and regulations governing the construction of improvements, and;

WHEREAS, it is in the best interest of the City and Developer to clearly establish in one concise document the policies, ordinances, rules and regulations which apply to developments of the type contemplated herein.

W I T N E S S E T H

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

I.

City agrees: (1) to operate and maintain all approved streets, alleys, service and roads, excluding state highways, constructed under the terms of this Agreement in any public rights-of-way

or easements and which are presently within or subsequently annexed into the City limits. Those streets, excluding state highways, lying outside the City limits and within the City Area of Impact shall be constructed to City standards but shall become the responsibility of the Twin Falls Highway District until such time as they are annexed or a maintenance agreement is signed by the City and the Twin Falls Highway District. (2) To operate and maintain all approved water lines, drainage lines, and sewer lines constructed under the terms of this Agreement in any public rights-of-way or easements and to provide water and sewer service to the Developer's real property, subject to all ordinances, rules and regulations governing sewer and water service. (3) To maintain non-pressure irrigation lines only where they cross City streets. All other maintenance of non-pressurized irrigation lines is the responsibility of the Twin Falls Canal Company or the irrigation users.

II.

In lieu of the actual installation of required public improvements before recording of the final plat, the Council may permit the subdivider to provide a financial guarantee of performance in one (1) or a combination of the following arrangements for those requirements which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.

a. Surety Bond

1. Accrual - The Bond shall accrue to the City covering construction, operation and maintenance of the specific public improvement.
2. Amount - the bond shall be in an amount equal to one hundred percent (100%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the Developer's Engineer and approved by the City Engineer.
3. Term Length - The term length in which the bond is in force, for the duration of that phase of the project, shall be until completed and accepted by the City Engineer.
4. Bonding for Surety Company - The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the Council.
5. The escrow agreement shall be drawn and furnished by the subdivider to the satisfaction of the Council.

b. Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.

1. Treasurer, Escrow Agent or Trust Company - A cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit such surety acceptable by the Council, shall be deposited with an escrow agent or trust company.
2. Dollar Value - The dollar value of the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be equal to one hundred percent (100%) of the estimated cost of construction for the specific public improvements, as estimated by Developer's Engineer and approved by the City Engineer.
3. Escrow Time - The escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be until all required improvements are completed and accepted by the City Engineer.
4. Progressive Payment - In the case of cash deposits or certified checks, an agreement between the City and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.

III.

Developer agrees to retain a Professional Engineer, hereinafter called the Developer's Engineer, registered by the State of Idaho to perform the following minimum Engineering Services in accordance with Title 10 Chapter 12 Section 4-1 of the City Code:

- a. Prepare a master utility plan showing the location of all existing and proposed utility lines to include but not be limited to sewer, water, gas, electricity, telephone, irrigation, pressure irrigation and storm sewer.
- b. Prepare detailed plans and specifications for construction of all improvements required by this Agreement and shall include but not be limited to a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All

- construction plans shall be prepared in accordance with the public agencies' standards and specifications.
- c. Perform construction surveying, staking, testing, inspection and administer the construction of all facilities required by this contract.
 - d. Submit all test reports, inspection reports, change orders and construction diaries to the City Engineer every week during the construction of the development or subdivision.
 - e. Prepare and submit an updated copy of the enclosed development and subdivision checklist to the City Engineer every week during the construction of the development or subdivision, and also upon completion of the project.
 - f. Submit to the City Engineer the final plans, and master utility plan for the City records showing any approved changes to the original plans and specifications. A permanent drawing in ink on approved transparent polyester drafting film and an electronic media copy of the plans in ACAD 2000 using City standard format shall be provided within thirty (30) days after completion of the project.
 - g. Submit a letter upon completion of construction stating that the work has been constructed in conformance to the plans and specifications, with the certification by the Developer's Engineer that improvements were constructed to the lines and grades shown.

The above work shall be subject to the approval of the City Engineer.

The City agrees to provide asphalt pavement testing for conformance with City standards, but it shall be the responsibility of Developer's Engineer to provide all necessary quality control during construction. All tests shall be taken at a frequency based upon City of Twin Falls Standard Specifications.

The Developer agrees to: (1) allow the City full and complete access to the work (2) provide all materials necessary to conduct all tests (3) supply all water necessary to test pipe joints and (4) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

The Developer shall submit a letter to the City Engineer upon completion of the project, requesting that the City assume the responsibility for maintenance and operation of all public improvements as stated herein.

IV.

The Developer agrees to obtain a permit or letter of approval from the Twin Falls Highway District or the State of Idaho Department of Highways prior to constructing improvements on their respective right-of-ways. The original or a certified copy of said permit or letter shall be submitted to the City Engineer prior to beginning of construction thereon.

V.

The Developer agrees to dedicate rights-of-way to the public for the development of all streets and alleys in accordance with the City Master Street Plan and to dedicate easements for the maintenance and operation of all public utilities. The size and location of said rights-of-way and easements shall be determined by the City Engineer.

VI.

The Developer hereby agrees and petitions the City to annex into the corporate limits of said City, the above described real property that is contiguous with the same or becomes contiguous to said City limits. Developer agrees to annexation of said real property by the City upon the terms and conditions as shall be set forth by said City.

VII.

The Developer and the City agree that the improvements listed herein are required unless specifically waived by action of the City Council and that said improvements will be constructed on any public rights-of-way or easements approved and accepted by the City Council all as designed by the Developer's Engineer and approved by the City Engineer and in accordance with standards established by the City Engineer and that all required improvements will be completed in a timely manner. If improvements are not completed in a timely manner, the Developer shall provide an updated, current version of the developer's agreement and financial guarantee for City Council consideration.

VIII.

The Developer agrees to pay the total actual costs of all materials, labor and equipment necessary to completely construct all of the improvements required herein, except those costs specifically shown to be paid by the City and to construct or contract for the construction of such improvements.

IX.

Developer agrees to pay the total extra cost of all additional materials, labor and equipment necessary to construct any streets the City requires to be wider or deeper than a standard street or any water or sewer lines the City requires to be larger than the size required to properly serve the

development. The requirement for wider and deeper streets shall be based on the City Master Street Plan. Requirements for larger water and sewer lines shall be based on the citywide sewer and water system sizing guidelines.

X.

The City shall provide no compensation for the cost of an oversize water or sewer line. In the case of water or sewer lines extended adjacent to or outside the limits of development, the Developer shall be eligible for payback from adjacent property owners pursuant to Resolution No. 1182. The Developer shall also be eligible for compensation when a private developer extends or connects to any water or sewer system previously installed by private developer, pursuant to Resolution 1651.

XI

Developer agrees to request in writing that the Developer's Engineers make the inspections required herein and the Developer or his Contractors shall not proceed with the next construction phase until the required inspection is complete and the work has been approved by the Developer's Engineer, the City Engineer or the Engineer's authorized inspector. All such inspections shall be scheduled in accordance with the City of Twin Falls Standard Specifications. Developer agrees to pay all costs resulting from: 1) his failure to properly schedule and request a required test or inspection or 2) proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials as required by the Developer's Engineer or the City Engineer. Any such defective work whether the result of poor workmanship, use of defective materials, damage through carelessness or any other cause, shall be removed within ten (10) days after written notice is given by the Developer's Engineer or the City Engineer, and the work shall be re-executed by the Contractor at his expense. The fact that either Engineer may have previously overlooked such defective work or materials shall not be a basis for acceptance of any part of it.

The issuance or approval of plans, specifications and computations shall not be construed as an approval of any violation of any provisions of City code, specifications, standards, policy, or any other ordinance of the City. Approvals of plans that may violate City code, specifications or departmental policies will not be valid.

The approval of construction plans, specifications, and other data shall not prevent the City from thereafter requiring the correction of errors or omissions in said plans or specifications prior to or during actual construction or final acceptance by the City.

The Developer shall remove from all public property all temporary structures, rubbish, and waste materials resulting from their operation or caused by his employees.

The Developer shall guarantee all materials, workmanship and equipment furnished for a period of one (1) year from the date of written acceptance of the work by the City Engineer or authorized representative.

The Developer shall be responsible for any damage to any existing public improvements and shall repair or replace any such damage as required by the City Engineer, during or after completion of this project.

XII.

The City and the Developer agree to the following minimum for Required Improvements, City Costs, Required Inspections and to any other improvements, approved or required by the City Council and shown on the approved construction plans.

PUBLIC WAYS

(a) Required Improvements

- (1) Curb, gutter and sidewalk on all public street rights-of-way.
- (2) A standard residential street thirty six feet (36') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Minor residential and private streets as specified in the City of Twin Falls Standard Drawings.
- (4) A standard commercial or collector street forty eight feet (48') wide with an eleven inch (11") gravel course and three inch (3") asphaltic concrete surface course on all public street rights-of-way serving commercial use property or as a collector street. Whenever a street serves an industrial use property the City Engineer will determine the appropriate structural section.
- (5) A service-road twenty four feet (24') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course and with concrete curb-gutter or curb and valley-gutter on all public service road rights-of-way.
- (6) A sidewalk five feet (5') wide minimum on all public pedestrian rights-of-way. Four foot (4') sidewalks by special permission of the City Council are allowed by City of Twin Falls Standard Drawings for minor residential streets under certain conditions.

- (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A tract of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets. Within that tract the developer shall install landscaping six feet (6') in depth with a sprinkler system and with grass and trees behind the curb line and shall also install a five foot (5') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).
 - (8) Street signs and traffic control devices on all public streets.
 - (9) Street lights as determined by City policy for street light installation.
- (b) City Costs
- (1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
 - (2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaires or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.
- (c) Required Inspections and Testing
- (1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

WATER SYSTEM

- (a) Required Improvements
- (1) Pursuant to City Code Section 7-8-3, 7-8-10 and 10-12-4.2 water line and fittings six inch (6") minimum diameter that will transport a flow of water, which will satisfy fire, domestic, other water demands of the development, based upon the City water pipe sizing plan and computer water model. Water line extension shall include connection from the existing City Water System to each building site and fire hydrants and then loop back to the City System in a manner that will provide a properly functioning system approved by the City Engineer, Water Superintendent and Fire

Chief. If the development is to be constructed in phases, the water system shall be looped back to the City system during the first phase. No dead-end lines will be allowed during any phase of the project.

- (2) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City water distribution network in accordance with existing sizing guidelines.
- (3) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users or creating a critical situation in the suppression of fires.
- (4) Fire hydrant connections and fire hydrants spacing to substantially comply with the minimum standards suggested by the Fire Rating Bureau and American Water Works Association. Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way.

During construction of the curb the letter W shall be stamped into the top or face of the curb directly in front of the water meter box. The impression shall be not less than one and one half inches (1½") high. Meters shall be grouped at adjacent side lot lines when possible or at another location if requested by the Developer and approved by the City Engineer and Water Superintendent.

Water meter boxes will not be allowed in driveway approaches. Any cost associated in relocating meters from driveway approaches will be the responsibility of the Developer or Lot Owner. Temporary address or lot number signs shall be staked at the location where the water meter box is to be installed. The City may install multiple water meters in a single water meter box.

The City will make the water line tap only after all appropriate tap fees for a Water Connection General Permit have been received and permits issued. All new water service line and connections made from existing water service mains to service any new development will be the responsibility of the

Developer. The City will make the necessary service line tap after payment of the required water connection general permit fees.

- (6) One water service line tap, meter box, and service line shall be constructed for each building connected to the City water system. It is understood and agreed that the City will make all service line taps and install all meter boxes and that the fee paid by the developer for a Water Connection General Permit will reimburse the City for such work.
- (7) It is further understood and agreed that the City will make all connections to the existing water system. The City will disinfect the new water system at the developer's expense.

(b) City Costs

- (1) None.

(c) Required Inspections

- (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-7-4, 7-7-11 and 10-12-4.2 a waste water collection system (eight-inch (8") minimum diameter) that will transport a flow of waste water, under conditions of maximum and minimum discharge from the development, to the existing City waste water system.
- (2) Waste water sewer lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Waste Water Collection System in accordance with existing sizing guidelines and computer sewer model.
- (3) Manholes to provide access for maintenance and cleaning of the sewer lines located at any change of grade or alignment of the sewer, at the end of each sewer and spaced not more than four hundred feet (400') apart.
- (4) During construction of the curb the letter S shall be stamped into the top or face of the curb directly in front of the sewer service line location. The impression shall be not less than one and one half inches (1½") high.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

DRAINAGE SYSTEM

(a) Required Improvements

(1) Any valley-gutters, ditching, grading or other surface drainage facilities necessary to convey any storm run-off originating from or traversing across the proposed development over the land surface to a point of retention, detention or discharge approved by the City Engineer.

(2) Any catch basin, storm sewer and other sub-surface drainage facilities necessary to convey any storm run-off, originating from or traversing across the proposed development, to a point of retention, detention or discharge approved by the City Engineer, that cannot, in the City Engineer's opinion, be conveyed over the land surface without causing damage to public or private property or without being an unreasonable inconvenience or hazard to a private individual, a group of individuals or the general public.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

GRAVITY IRRIGATION SYSTEM

(a) Required Improvements

(1) Any pipe, boxes or other appurtenances necessary to convey all irrigation water in underground pipe across the development and any adjacent public property. Irrigation facilities outside an established City irrigation district shall be constructed in an irrigation easement on private property except where it is necessary for irrigation water to cross the public right-of-way and all such crossings shall be perpendicular to the center line of said right-of-way unless otherwise approved by the City Engineer due to some unusual condition.

- (b) City Costs
 - (1) None.
- (c) Required Inspections and Testing
 - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

PRESSURE IRRIGATION SYSTEM

- (a) Required Improvements
 - (1) Pursuant to Section 7-8-3 of the City Code, the use of the City's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or PUD, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or PUD. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be deeded to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.
 - (2) Pressure irrigations water line and fittings shall be four inch (4") minimum diameter or larger that will transport a flow of water, which will satisfy all irrigation water demands of the development, based upon the computer irrigation water model that the developer's engineer has prepared.
 - (3) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City Pressure Irrigation water distribution network in accordance with existing sizing guidelines.
 - (4) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users. One pressure irrigation water service line shall be constructed to each subdivision

lot site at the time the pressure irrigation water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way. One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each subdivision lot connected to the City pressure irrigation water system.

- (5) The Developer shall be responsible for all costs incurred in designing and installing the pressure irrigation station. This includes the land, pumps, motors, filters, buildings, delivery system to the station from the TFCC head gate, storage pond, Supervisory Control and Data Acquisition (SCADA) system, and power to the station.
 - (6) All pressure irrigation system plans must be prepared by the Developer's engineer shall be according to the City's standard specifications and drawings. Plans submitted to the City shall be signed by a Professional Engineer for review and final approval, before the City Engineer will sign the plat or approve construction plans.
 - (7) The Pressure Irrigation System shall be located within easements, right of ways and/or property deeded to the City of Twin Falls.
- (b) City Cost.
- (1) None
- (c) Required Inspections and Testing
- (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

SPECIAL FEATURES

Pursuant to commitments made by the Developer as conditions of approval of the development, the following special features shall be constructed:

a) Required Improvements

b) City Costs

(1) None.

XIII.

The City and the Developer agree that the sequence of construction shall be as follows unless special approval in writing is obtained from the City Engineer:

1. Erosion and sedimentation controls.
2. Stormwater retention and detention facilities.
3. Waste water sewers and service connections.
4. Waste water manholes.
5. Storm sewers and catch basins.
6. Gravity irrigation pipes and boxes.
7. Pressure irrigation lines, service connections, etc.
8. Water lines and service connections.
9. Gas lines, power lines, telephone lines and cablevision lines.
10. Any other underground improvements that are required.
11. Sub-base preparation for public ways.
12. Gravel base course for public ways.
13. Curb-gutter, valley-gutter and sidewalk.
14. Gravel leveling course.
15. Asphalt paving.
16. Special Features.

XIV.

The Development may be phased as indicated on the attached development plan submitted by the Developer and approved by the City Engineer.

The terms of the basic agreement shall apply individually to each phase shown on the attached plan as though each phase were a separate and independent development providing each phase is begun in the sequence indicated on the development plan.

The two (2) year time limit, (indicated in Section VII of the Agreement) for completing the required improvements shall begin for each phase when the Developer sells a lot or an application or a building permit to construct a building within the phase has been received by the City.

The Developer may cease further development after completing any phase and before beginning the next phase and the basic agreement shall terminate in accordance with Section XVI, of the basic agreement for any undeveloped phases of the development originally proposed in the basic agreement.

XV.

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

XVI.

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

Attest:

CITY OF TWIN FALLS, IDAHO

City Clerk

Mayor

Developer

Richard Crowley

STATE OF IDAHO)
)ss.
County of Twin Falls)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

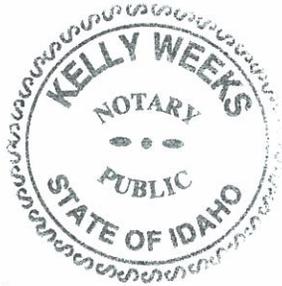
Notary Public for Idaho
Residing at Twin Falls, Idaho

CORPORATION

STATE OF IDAHO)
)ss.
County of Twin Falls)

On this 14th day of October, 2011, before me, the undersigned, a Notary Public for Idaho, personally appeared Richard Crowley, known or identified to me (or proved to me on the oath of _____) to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Kelly Weeks

Notary Public for Idaho
Residing at Twin Falls, Idaho
Expires: 10-28-2012

PARTNERSHIP
STATE OF IDAHO)
)ss.
County of Twin Falls)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known or identified to me (or proved to me on the oath of _____) to be one of the partners in the partnership of _____, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for Idaho
Residing at Twin Falls, Idaho

NOTICE OF DEVELOPER'S AGREEMENT

NOTICE IS HEREBY GIVEN, that a document entitled "Improvement Agreement for Developers" (hereafter "Agreement") has been executed and filed with the City of Twin Falls, Idaho, for the following named subdivision:

CROWLEY'S CORNER SUBDIVISION

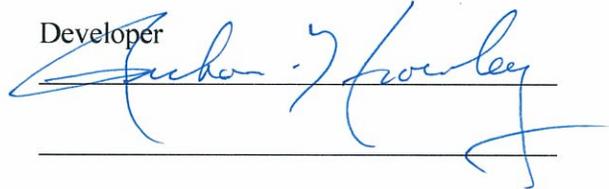
The Agreement imposes certain obligations upon the developer for the development of the subject property, and upon the developer's heirs, successors in interest and lawful assigns. Details of the conditions and obligations may be found by examining or photocopying the Agreement at the Office of the City Engineer, 321 2nd Avenue East, Twin Falls, Idaho 83301.

CITY OF TWIN FALLS, IDAHO

City Clerk

Mayor

Developer



STATE OF IDAHO)
)ss.
County of Twin Falls)

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public for Idaho
Residing at Twin Falls, Idaho



Date: Monday, November 7th, 2011
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to accept a deferral agreement for curb-gutter, sidewalk, and street improvements on property located at 1434 Pole Line Rd. East care of Richard Crowley.

Background:

The owner plans to build a shell building for commercial use on this parcel of land. The owner wishes to defer installing curb-gutter, sidewalk along Locust St. North and Pole Line Rd. East. There is not a need at this time to remove and replace what is existing or to proceed with street improvements with regards to this property.

Approval Process:

City Code section 10-11-5(B)(2) allows the City Engineer to defer the construction.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to receive a Certificate of occupancy for this property and defer the required improvements until such time as the adjacent property or properties allows the City Engineer to require construction under the conditions specified in City Code Section 10-11-5(B)(2).

Conclusion:

Staff recommends that the Council approval of the deferral as presented.

Attachments:

1. Deferral Agreement.
2. Copy of proof of ownership.
3. Arial photograph of property.

ORIGINAL

CURB-GUTTER AND SIDEWALK AND STREET IMPROVEMENT DEFERRAL AGREEMENT

This Agreement made and entered into this _____ day of _____, 20____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City", and TWIN FALLS HOLDING CORP., hereinafter called "Developer", for the purpose of constructing certain improvements on property sought to be developed at LOT 1 CROWLEY'S CORNER SUBDIVISION.

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

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

WHEREAS, Developer desires to develop said real property in the following manner: COMMERCIAL RETAIL BUILDING; and,

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

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

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

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

I.

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

II.

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

III.

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

IV.

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

V.

Developer agrees to request in writing that the City Engineer and any other required department of the City make the following inspections and to not proceed with construction

until the required inspection is complete and the work has been approved in writing by the City Engineer or his authorized inspector. All such inspections shall be scheduled fifteen (15) days prior to beginning work and the request for an inspection shall be made one working day before the required inspection. Developer agrees to apply all costs resulting from his failure to properly schedule and request a required inspection or from proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials all as required by the City Engineer.

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

VI.

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

VII.

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

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

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

CITY OF TWIN FALLS, IDAHO

BY _____
Mayor

DEVELOPER

Richard D Crowley

STATE OF IDAHO

On this _____ day of _____, 20____, before me a notary public in and for said State, personally appeared _____

known to me to be the person who name subscribed to the within instrument, and acknowledged to me that _____ executed the same.

Notary Public
Residing at Twin Falls, Idaho

STATE OF IDAHO

On this *14th* day of *October*, 20*11*, before me a notary public in and for said State, personally appeared *Richard Crowley*

known to me to be the person who name subscribed to the within instrument, and acknowledged to me that *he* executed the same.

Kelly Weeks

Notary Public
Residing at Twin Falls, Idaho
Expires: *10-28-2012*



Form No. 1402.06
ALTA Owner's Policy (6-17-06)
1100302P050600



RECEIVED
SEP 19 2011
CITY OF TWIN FALLS
PLANNING & ZONING

Policy No. 355207-TF
Policy Page 1

OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

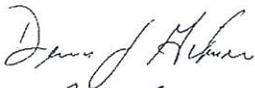
1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded

in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

First American Title Insurance Company

BY  PRESIDENT

ATTEST  SECRETARY

Countersigned: 



SCHEDULE A

First American Title Insurance Company

**First American Title Company
260 Third Avenue North
Twin Falls, ID 83301**

File No.: **355207-TF**
Address Reference: **1434 Poleline Road East Twin Falls, ID
83301**

Policy No.: **355207-TF**

 
Date of Policy: **February 2, 2011 at 11:32 A.M.**

1. Name of Insured:

Twin Falls Holding Corporation, an Idaho corporation

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Twin Falls Holding Corporation, an Idaho corporation

4. The Land referred to in this policy is described as follows:

**THE EAST 300.00 FEET OF LOT 9 OF EOFF TRACT, TWIN FALLS COUNTY, IDAHO,
RECORDED IN BOOK 1 OF PLATS, PAGE 29.**

**EXCEPT: A PARCEL OF LAND BEING THE NORTH 33.00 FEET OF THE EAST 300.00 FEET
OF LOT 9 OF EOFF TRACT, TWIN FALLS COUNTY, IDAHO, RECORDED IN BOOK 1 OF
PLATS, PAGE 29**

HIGHWAY STATION REFERENCE: 60+20.95 TO 63+21.

AND EXCEPT:

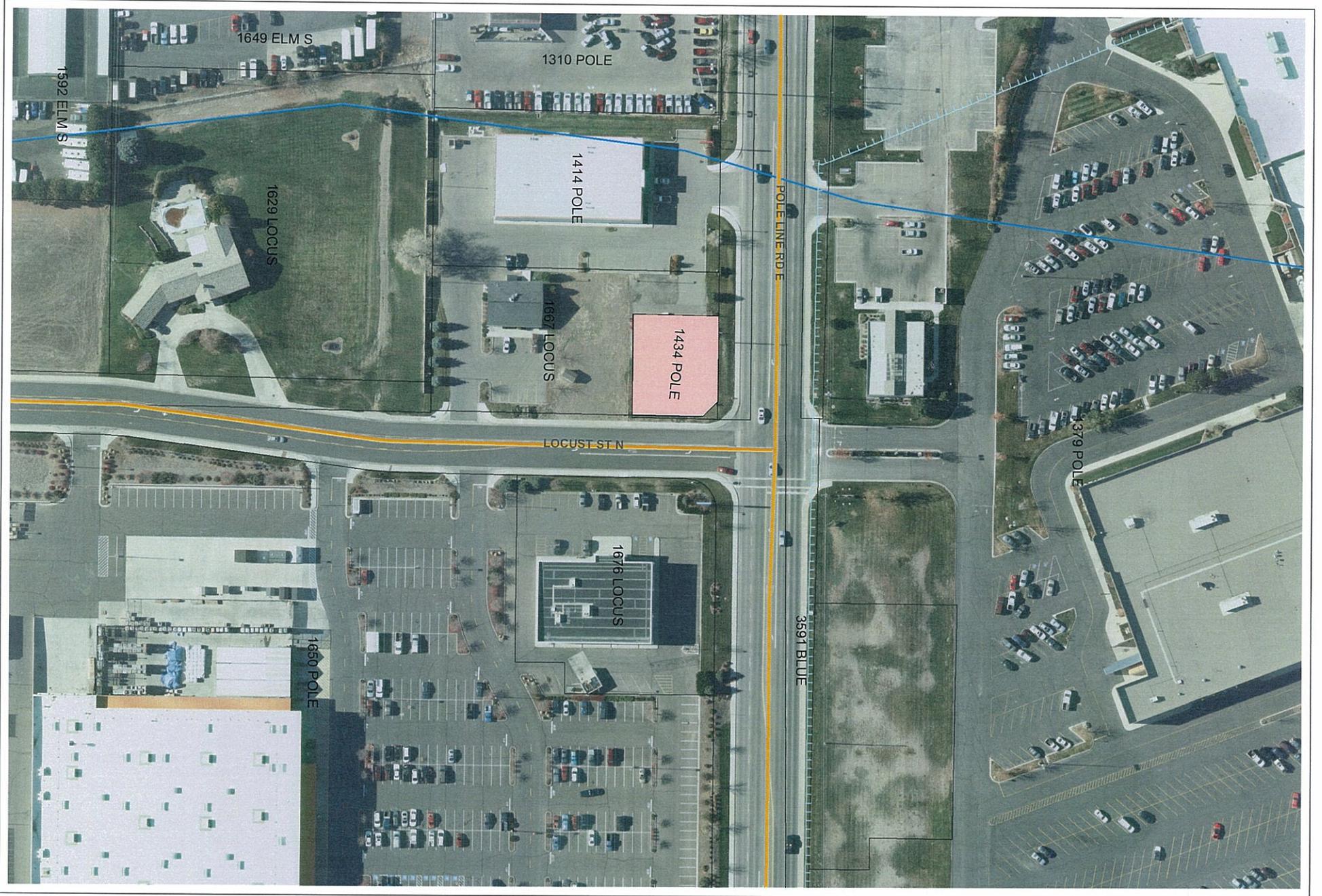
**LOTS 1 AND 2 OF REX SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF,
FILED JUNE 21, 2000, IN BOOK 17 OF PLATS AT PAGE 10 IN THE OFFICIAL RECORDS
OF TWIN FALLS COUNTY, IDAHO.**

AND EXCEPT:

**A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 17 EAST,
BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO, BEING A PORTION OF LOT 9 OF THE
EOFF TRACT AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3;
THENCE SOUTH 89°43'48" EAST 1321.02 FEET ALONG THE NORTH BOUNDARY OF
SAID SECTION 3 TO THE NORTHEAST CORNER OF THE NW¹/₄NW¹/₄;
THENCE SOUTH 00°56'46" WEST 58.00 FEET ALONG THE EAST BOUNDARY OF THE**

**NW¹/₄NW¹/₄ TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°56'46" WEST 84.95 FEET ALONG THE EAST
BOUNDARY OF THE NW¹/₄NW¹/₄;
THENCE NORTH 89°03'14" WEST 2.00 FEET;
THENCE NORTH 00°56'46" EAST 69.96 FEET;
THENCE NORTH 44°23'31" WEST 21.08 FEET;
THENCE SOUTH 89°43'48" EAST 17.00 FEET TO THE EAST BOUNDARY OF THE
NW¹/₄NW¹/₄ AND THE POINT OF BEGINNING.**





DATE: MONDAY, NOVEMBER 07, 2011

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

AGENDA ITEM I-

Request: Consideration of the 2nd and final Extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC / Mark Thayne.

Background:

Applicant: Renaissance Project Development, LLC <i>c/o Mark Thayne</i> NSC Properties LLC 1188 Sportsplex Drive Ste 203 Kaysville, UT 84037 (O) 801-499-5106 (C) 801-726-6141 (X) 801-444-0003	Status: Owner/Engineer	Size: 21.03 (+/-) acres
	Zoning: SUI CRO PUD Area of Impact	Requested Zoning: Approval of the 2 nd and final 2-year extension on the approval of a final plat
	Comprehensive Plan: Rural Residential	Lot Count: 19 s/f residential lots
	Existing Land Use: undeveloped	Proposed Land Use: Single family residential subdivision
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 10-4-19, 10-6-1, 10-8-1 thru 10-8-4, 10-12-2.4, 10-12-5.3	
Zoning Designation & Surrounding Land Uses:	North: OS Area of Impact; Snake River Canyon	East: SUI Area of Impact; agricultural
	South: SUI Area of Impact; agricultural	West: SUI Area of Impact; agricultural

Approval Process:

City Code 10-8-4(D) states:

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

TF City Code Title 10; Chapter 12-Subdivision Regulations; Section 2.4(I)-Final Plat:

(I)Approval Period: Final plat shall be filed with the county recorder within two (2) years after written approval by the council; otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council. Only one extension may be granted by the council for a term of two (2) years. (Ord. 3006, 7-25-2011)

Being aware the plat(s) would not be recorded by the 1 year time the developer/owner requested a final 2-year extension.

Budget Impact:

Approval of this specific request will have negligible impact on the City budget today however this is a step in a project that will have an impact on the budget. A Large Scale Development Information packet is included with the request. The developer indicates his reports state the benefit to cost ratios for government and quasi-government entities are positive- meaning that the cost to serve this area with Fire protection, Police protection, roads, and parks is less than the tax income that will be generated. Development costs of the Evil Kneivel jump site will be borne by the City. There is no cost estimate or specific time frame for this project as of today's date.

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop a Final Plat in conformance with the approved Preliminary Plat, PUD Agreement, and any conditions placed on the approval of the final plat.

History:

A preliminary Planned Unit Development presentation was made to the Planning and Zoning Commission followed by a public hearing which was held on Tuesday, June 26th, 2007. The request was for a Zoning District Change and Zoning Map Amendment from SUI CRO to SUI CRO PUD. A public hearing was held before the City Council on August 6, 2007. The Board of County Commissioners approved the rezoning of this property on September 5, 2007.

The original submission of this Preliminary Plat in June 2008 only included the southern 55 acres and 52 lots. The Parks and Recreation Commission reviewed this partial plat at their June 10, 2008, meeting and recommended approval of a Parks fee in-lieu of parkland dedication for the 55 acres only. The City Council approved the Parks In-Lieu request for the 52 lots indicated on the plat at the time. A revision of the plat adding the northern portion of the property was submitted on September 26, 2008.

On **November 19, 2008** the Parks and Recreation Commission recommended approval of the balance of the lots and on **November 24, 2008** the City Council approved the Parks In-Lieu request as presented for the entire development.

On **November 25, 2008** the Planning & Zoning Commission approved the preliminary plat, as presented, with conditions.

On **November 09, 2009** the City Council recommended approval of the Shoshone Heights PUD Subdivision, **No. 1**, as presented and subject to nine (9) conditions:

On **December 18, 2009** the Board of County Commissioners approved the final plat as presented subject to the recommended nine (9) conditions by the City Council.

On **December 13, 2010** the City Council unanimously recommended approval of a **1 yr extension** of the approval of the final plat of **Shoshone Heights PUD Subdivision, No. 1**, as presented, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

On **January 28, 2011** the Board of County Commissioners granted the request for a **1-yr extension** subject to the nine (9) conditions. **The extension expires on December 18, 2011.**

Conclusion:

Attached is an email, dated September 12, 2011, from Mark Thayne, Renaissance Project Development, LLC, requesting an **extension** of the approval of the **Shoshone Heights PUD Subdivision, No. 1** due to economic conditions and the sluggish housing market the progress toward the development has slowed.

Staff recommends the City Council recommend approval to the Board of County Commissioners of a final two year (2 yr) extension of the filing requirement on the final plat for **Shoshone Heights PUD Subdivision, No. 1**, as presented, subject to the original (9) conditions. If approved the extension will expire on DECEMBER 18, 2013.

This will automatically be scheduled for a decision by the County Commissioners with the City Council's recommendation.

Attachments:

1. Letter from Mark Thayne
2. Statement of Intended Use
3. Vicinity Map
4. Area Zoning Map
5. Subdivision Map
6. Aerial of the Project Area
7. Preliminary Plat
8. Final Plat, No.1
9. Final Plat, No. 2
10. Portion of minutes from the November 09, 2009 & December 13, 2010 City Council public meeting

From: "Mark Thayne" <mthayne@nscproperties.com>
To: "'Renee Carraway'" <RCARRAWA@tfid.org>
Date: 9/12/2011 1:13 PM
Subject: Extension

Renee,

I need to extend our entitlements for Shoshone Heights and was looking at the extensions requested last year. I am not sure of the timing on this but suspect we are coming up on these dates. Please forward me the dates we need to extend by and any form you would like me to use, otherwise I will just use the same one we used last year.

Please consider this e-mail notice that we would like to request an extension.

I await your call or e-mail.

Thanks

Mark Thayne

*NSC Properties LLC
1188 Sportsplex Drive Ste 203
Kaysville, UT 84037
(O) 801-499-5106
(C) 801-726-6141
(X) 801-444-0003*

RENAISSANCE PROJECT DEVELOPMENT, LLC

P. O. BOX 2000 · LAYTON, UT 84041

November 19, 2010

Attention: Renee Carraway
Zoning and Development Manager
City of Twin Falls
Community Development Department
P. O. Box 1907
Twin Falls, ID 83303-1907

Re: Extension Request, December 18, 2009 Approval
Shoshone Heights Subdivision, Phase 1

Dear Ms. Carraway,

Renaissance Project Development, LLC is pleased to report that interest in the subdivision remains strong. However, due to economic conditions and the sluggish housing market, progress toward development has slowed.

The company requests an extension on the Final Plat for Phase 1 of the Shoshone Heights Subdivision so that progress in the direction of development can continue.

Please let us know if there is any other information that you require to facilitate this request. My direct line is (801) 499-5106.

Sincerely,


Mark Thayne
Renaissance Project Development, LLC

RECEIVED
NOV 22 2010
CITY OF TWIN FALLS
PLANNING & ZONING

RV. 11/30/10

Lisa Strickland - Shoshone extension

From: "Mark Thayne" <mthayne@nscproperties.com>
To: <rcarrawa@tfid.org>
Date: 11/22/2010 11:55 AM
Subject: Shoshone extension
CC: "Mitch Humble" <Mhumble@tfid.org>, "Bell, Dexter" <dbell@nscpropert...
Attachments: Extension request Phase 1 Nov 2010.pdf; Extension request Phase 2 Nov 2010.pdf

Ranee,

Please find attached two documents requesting an extension on the Shoshone Heights Subdivision.

I will follow up with hard copies which will be mailed out today.

I would appreciate your attention in this matter.

Let me know what else you may need in order to process this request.

Best regards,

Mark Thayne

*NSC Properties LLC
1188 Sportsplex Drive Ste 203
Kaysville, UT 84037
(O) 801-499-5106
(C) 801-726-6141
(X) 801-444-0003*

SHOSHONE HEIGHTS SUBDIVISION
STATEMENT OF INTENDED USE

RECEIVED
JUN 10 2008

The Shoshone Heights Subdivision will be an upscale single family residential subdivision with the following features;

- The lots will be a minimum of 1 acre in size as required by the South Central Public Health District and the City Code regarding the SUI zone.
- The development will have private roads constructed to the Twin Falls Highway District Standards with a 30' pavement width.
- Potable water will be provided to the lots by individual wells.
- Sewer disposal will be individual advanced treatment septic and drainfield systems.
- The development is subject to a previous Land Trade Agreement dated May 7, 2007 that provides for property at the Evel Knievel jump site for a future City Park.
- A 70' radius turnaround will be provided at the north end of Hankins Road.
- The South Central Public Health District has reviewed the subdivision and their comment letter is included with this application
- The Twin Falls Highway District has reviewed the subdivision and their comment letter is attached.
- The Twin Falls Canal Company does not have any facilities within the subdivision property and a letter is pending regarding that finding.

Review of Shoshone Heights Subdivision and applicable requirements and/or recommendations.

Number of lots and acreage of development:

You have proposed 102 lots on 108.60 acres which meets and exceeds South Central Public Health District's one acre minimum requirement.

Soils information

Test holes were dug on your proposed subdivision. Your engineers have classified the soils as Silt loam; this soil type is confirmed by the Natural Resources Conservation Service soil maps of the area. The soil is a B soil as defined in Idaho "RULES FOR INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEMS." This soil is suitable for standard and alternative septic systems.

Soil depth

Soil depth ranges from 1.0 feet to over 6.0 feet.

Septic systems

Six foot deep soils are suitable for standard septic systems. Soils that are less than six feet deep will require alternative septic systems based on depth.

Ground water nitrates and Nutrient Pathogen Study

Water samples from wells near the proposed subdivision were tested for nitrates and found to be 5 or more parts per million. However, a nutrient Pathogen study will not be required since you are proposing to use nitrate reducing septic systems on all lots of this subdivision.

Well and septic system location

Wells and septic systems are located on your plat and will meet the separation distance requirement if placed as planned.

Requirements

Further test holes may be required for individual lots due to the shallow soils and rock outcrops that exist throughout the development. As a result, some individual lots may require additional soil to be brought in for the septic systems in addition to the nitrate reducing systems.

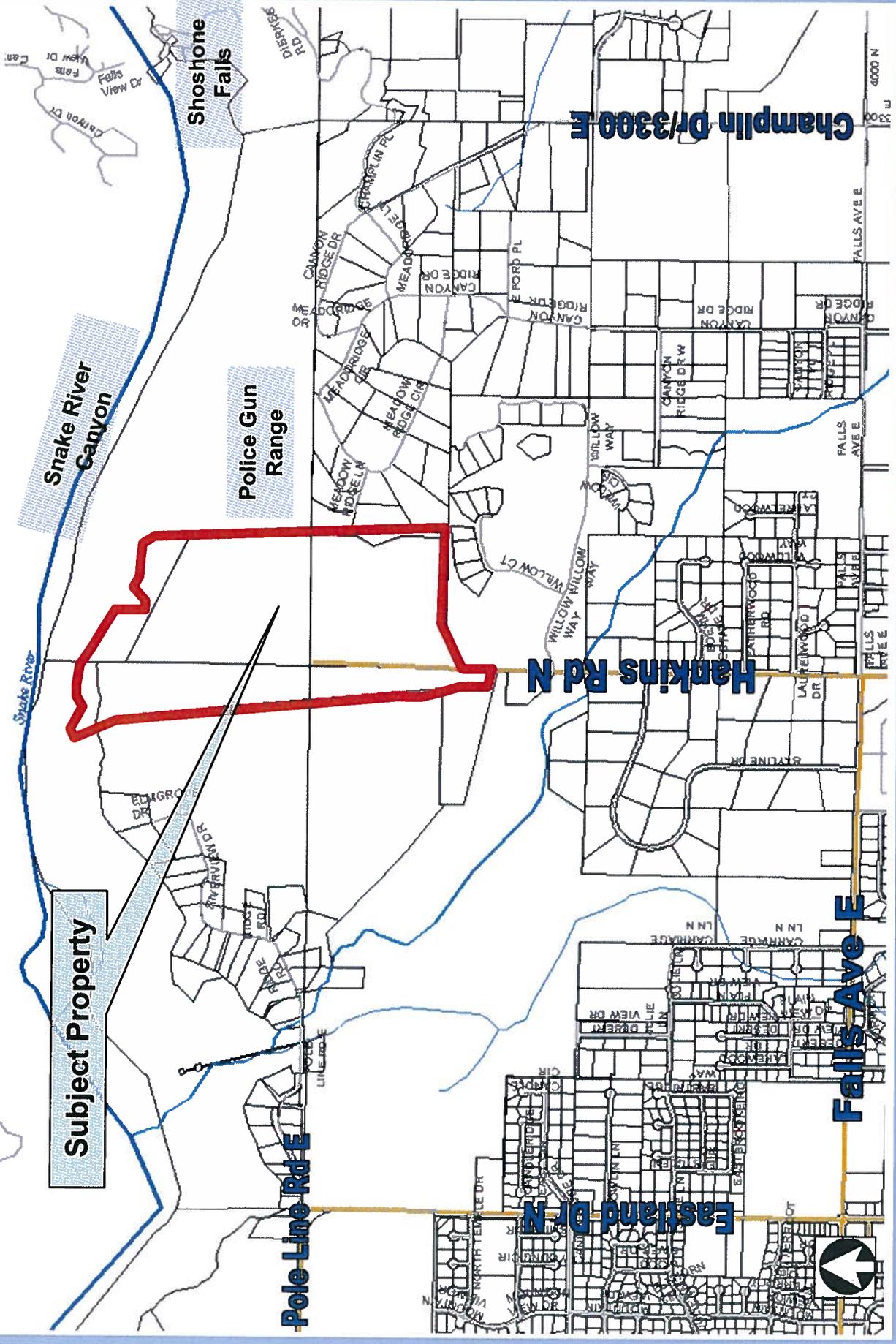
The pond/excavation pit will need to be filled for Lot 5.

The existing well on Lot 24 needs to be marked on the plat. This well may need to be abandoned and a new well drilled. The new well location is designated on the plat drawing.

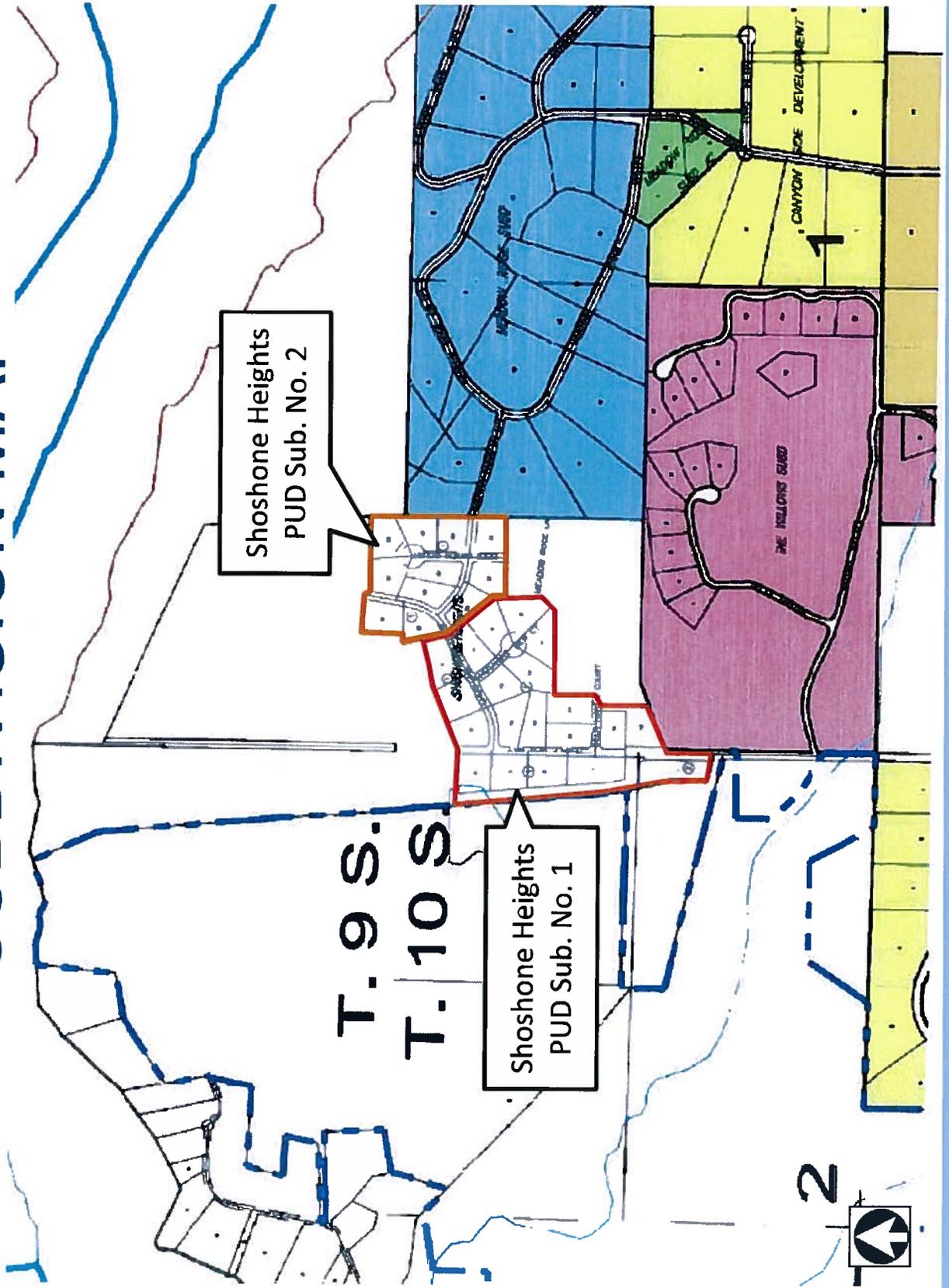
For all ditches and ponds that are to remain on the proposed development, we need clear descriptions as to where they traverse and drain. Additionally, septic systems near ditches require a 50 foot setback.

The small cement slabs or tanks located on Lots 62 & 84 will need to be abandoned or disposed of properly.

VICINITY MAP



SUBDIVISION MAP



AERIAL VIEW



5. Consideration to authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 08469).	Action	Jackie Fields
6. Consideration of a request to purchase a 15 foot wide sewer easement from the Magic Valley Mall, LLC.	Action	Jackie Fields
7. Consideration of the Final Plat of Eastland Professional Subdivision 1.22 (+/-) acres consisting of 3 lots located on the west side of the 1000 – 1100 block of Eastland Drive, c/o EHM Engineering, Inc. on behalf of Rob Sturgill.	Action	Mitch Humble
8. Consideration of the request of Loren Haugee on behalf of Tabernacle of Twin Falls, Inc., for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 315 4 th Avenue North.	Action	Mitch Humble
9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 1, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.	Action	Mitch Humble
10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 2, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.	Action	Mitch Humble
11. Public input and/or items from the City Manager and City Council.		
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M. –		
1. Public Hearing for the Water System Facilities Plan, dated October 2009, and the Environmental Information Document (EID) for Water System Improvements, dated October 2009.	Action	Jackie Fields
2. Conduct a public hearing to consider approving a request to sign ICDBG application for \$499,452 to redevelop one block and work toward curing slum & blight in Old Town Twin Falls.	Action	Melinda Anderson
3. Request for an amendment to PUD Agreement #247 Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement to allow for commercial development for a 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision – a PUD located at the southwest corner of Cheney Drive West and Washington Street North, c/o The Land Group on behalf of Wiley Dobbs/Twin Falls School District #411. (app.2337)	Action	Mitch Humble
4. Consideration of 37.2 acres (+/-) proposed for annexation for property located on the north side of Fall Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, c/o City of Twin Falls. (app.2336)	Action	Mitch Humble
V. ADJOURNMENT: 67-2345 Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student.		

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

COUNCIL MEMBERS PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson via telephone, Gregory Lanting, and Will Kezele

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Police Chief Jim Munn, Captain Bryan Krear, Engineer Mike Trabert, Public Works Director Jon Caton, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila Sanchez.

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

AGENDA ITEMS

II. ITEMS FOR CONSIDERATION:

Community Development Director Humble presented Items for Consideration 9 and 10 at one time.

9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, **No. 1**, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.
10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, **No. 2**, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding.

Community Development Director Humble reviewed both of the requests.

Should the City Council recommend approval of Shoshone Heights PUD Subdivision, No. 1 and No. 2, as presented, staff recommends the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Subject to recordation of the revised Land Swap Agreement.

Discussion followed.

MOTION:

Councilperson Lanting made the motion to approve the final plat for the Shoshone Heights PUD Subdivision, **No. 1**, consisting of 21.03 (+/-) acres with 19 single family residential lots, located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding. With the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion.

Approved 7 to 0..

MOTION:

Councilperson Lanting made the motion to approve the final plat for the Shoshone Heights PUD Subdivision, **No. 2**, consisting of 11.87 (+/-) acres with 11 single family residential lots, located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding. With the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0.**

COUNCIL MEMBERS:

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

Mayor Vice Mayor



MINUTES
 Meeting of the Twin Falls City Council
 December 13, 2010
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 5:00 P.M.
PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR: Consideration of accounts payable for December 7 – 13, 2010, total: \$2,191,695.48. Consideration of the December 06, 2010, Minutes.	Action	Staff Report Sharon Bryan Leila Sanchez
II. ITEMS FOR CONSIDERATION: <ol style="list-style-type: none"> 1. Consideration of a request to review a bicycle helmet ordinance. <i>Proposed Ordinance 2997.</i> 2. Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee, including a resolution waiving the inflation adjustment for the 2011 impact fee rates. <i>Proposed Resolution 1860.</i> 3. Consideration of the extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, <u>c/o Renaissance Project Development, LLC/Mark Thayne.</u> 4. Consideration of the extension of the approval of the Shoshone Heights PUD Subdivision, No. 2, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, <u>c/o Renaissance Project Development, LLC/Mark Thayne.</u> 5. Consideration of adoption of the following ordinance: Request for a Zoning Title Amendment which would allow the modification of Twin Falls City Code; Title 10; Chapter 2; Section 1 by adding a definition for "Zip Line," and by adding a land use to Title 10; Chapter 4; Section 11.2(B)8 providing for a "Zip Line" by Special Use Permit, <u>c/o Jolinda Tatum o behalf of Magic Valley Flight simulation, LLC (app.2339) Proposed Ordinance 2998.</u> 6. Public input and/or items from the City Manager and City Council. 	Action Action Action Action Action	Dennis Bowyer Mitch Humble Mitch Humble Mitch Humble Mitch Humble
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M.		
<ol style="list-style-type: none"> 1. Request for the vacation of a portion of undeveloped right-of-way, aka Willow Street, located on the west side of the 150-200 block of Grandview Drive, <u>c/o Lee Harmon on behalf of Triple C Concrete, Jeff Coats, KC and Tess Belieu, and Lee and Diane Harmon. (app.2403)</u> 2. Request for a Zoning District Change and Zoning Map Amendment from R-4 to M-2 for 6.6 (+/-) acres located at 202 Grandview Drive, <u>c/o Jeff Coats on behalf of Triple C Concrete. (app.2404)</u> 3. Request for a Zoning Title Amendment that would amend Twin Falls City Code by adding a new City Code Section 10-4-23: Residential Business District, c/o City of Twin Falls. (app.2400) 	Action Action Action	Mitch Humble Mitch Humble Mitch Humble
V. ADJOURNMENT:		

Present: Lance Clow, Trip Craig, Don Hall, Lee Heider, Dave Johnson, Will Kezele, Greg Lanting

Absent: None.

Staff Present: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Zoning & Development Manager Renee Carraway, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

Removal: Consideration of the December 6, 2010, Minutes.

Addition: Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 122 2nd Avenue North. (Beer and Wine)

Councilperson Lanting made a motion to amend the agenda as presented. The motion was seconded by Vice Mayor Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for December 7 – 13, 2010, total: \$2,191,695.48.
2. Consideration of the December 6, 2010, Minutes.

Councilperson Lanting made the motion to approve the Consent Calendar with the removal of the December 6, 2010, Minutes and the addition of an Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 122 2nd Avenue North. (Beer and Wine)

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to review a bicycle helmet ordinance. Proposed Ordinance 2997.

Parks & Recreation Director Bowyer reviewed the request. On November 8, 2010, the City Council directed staff to prepare an ordinance requiring bicycle helmets for children. The Council also directed staff to research and present options for children of the community to receive helmets at little or no cost. Page Geske with Safe Kids can purchase Bell helmets at a cost of \$7.75 per helmet. Page has contacted several companies for possible grants to help purchase helmets. At this time she has not been able to secure any grants.

Councilperson Johnson and members of the Council agreed education is an important element in keeping children safe.

Staff Sergeant Pullin stated that the Police Department offers bike safety rodeos for groups that request them. Helmets are provided to those who do not have a helmet.

MOTION:

Councilperson Clow made the motion to suspend the rules and place Ordinance 2997, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE BY ENACTING NEW §9-2-24. REQUIRING BICYCLE HELMETS FOR CHILDREN UNDER SIXTEEN,

on third and final reading by title only. The motion was seconded by Vice Mayor Heider and roll call vote showed Councilpersons Clow Johnson, and Lanting voted in favor of the motion. Councilperson Craig, Hall, Heider, and Kezele voted against the motion. Failed 3 to 4.

Discussion followed.

Page Geske, Magic Valley Safe Kids, explained that she has applied for a grant through the Department of Transportation for \$5,000, in which the funds could be used for education. She stated that she would be applying for other grants in the future.

Councilperson Kezele stated that he would donate \$1,000 to go towards helmets.

Kevin Dane would like to know if the cost issue was the reason the ordinance was not passed.

Minutes

December 13, 2010

Page 3 of 3

2. Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee, including a resolution waiving the inflation adjustment for the 2011 impact fee rates. Proposed Resolution 1860.

Community Development Director Humble reviewed the request. Staff recommends that the Council review the Development Fee Advisory Committee's annual report. The Committee recommends that the Council adopt a resolution waiving the automatic inflation adjusts for 2011.

Extensive discussion followed on the purchasing of right of way.

MOTION:

Councilperson Johnson made the motion to adopt Resolution 1860, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, WAIVING THE AUTOMATIC ANNUAL INFLATION ADJUSTMENT FOR IMPACT FEES FOR 2011. The motion was seconded by Vice Mayor Heider and roll call vote showed all members present voted in favor of the motion.

Discussion followed:

City Manager Courtney explained the municipal cost index.

3. Consideration of the extension of the approval of the **Shoshone Heights PUD Subdivision, No. 1**, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne.

Community Development Director Humble explained the request. Staff recommends the City Council recommend approval of a one-year extension of the filing requirement on the final plat for Shoshone Heights PUD Subdivision, No. 1, as presented, subject to the original 9 conditions. If approved as presented the extension will expire on December 18, 2011.

Councilperson Lanting made the motion to approve the extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne, as presented, with the following 9 conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Park and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge Subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge Subdivision.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0. This request will automatically go to the County Commissioners for final approval.**



DATE: MONDAY, NOVEMBER 07, 2011
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Department

ITEM I-

Request: Consideration of the 2nd and final Extension of the approval of the Shoshone Heights PUD Subdivision, No. 2, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC / Mark Thayne.

Background:

Applicant: Renaissance Project Development, LLC <i>c/o Mark Thayne</i> NSC Properties LLC 1188 Sportsplex Drive Ste 203 Kaysville, UT 84037 (O) 801-499-5106 (C) 801-726-6141 (X) 801-444-0003	Status: Owner/Engineer	Size: 11.87 (+/-) acres
	Zoning: SUI CRO PUD Area of Impact	Requested Zoning: Approval of the 2 nd and final 2-year extension on the approval of a final plat
	Comprehensive Plan: Rural Residential	Lot Count: 11 s/f residential lots
	Existing Land Use: undeveloped	Proposed Land Use: Single family residential subdivision
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 10-4-19, 10-6-1, 10-8-1 thru 10-8-4, 10-12-2.4, 10-12-5.3	
Zoning Designation & Surrounding Land Uses:	North: OS Area of Impact; Snake River Canyon	East: SUI Area of Impact; agricultural
	South: SUI Area of Impact; agricultural	West: SUI Area of Impact; agricultural

Approval Process:

City Code 10-8-4(D) states:

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

TF City Code Title 10; Chapter 12-Subdivision Regulations; Section 2.4(I)-Final Plat:

(I)Approval Period: Final plat shall be filed with the county recorder within two (2) years after written approval by the council; otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council. Only one extension may be granted by the council for a term of two (2) years. (Ord. 3006, 7-25-2011)

Being aware the plat(s) would not be recorded by the 1 year time the developer/owner requested a final 2-year extension.

Budget Impact:

Approval of this specific request will have negligible impact on the City budget today however this is a step in a project that will have an impact on the budget. A Large Scale Development Information packet is included with the request. The developer indicates his reports state the benefit to cost ratios for government and quasi-government entities are positive- meaning that the cost to serve this area with Fire protection, Police protection, roads, and parks is less than the tax income that will be generated. Development costs of the Evil Kneivel jump site will be borne by the City. There is no cost estimate or specific time frame for this project as of today's date.

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop a Final Plat in conformance with the approved Preliminary Plat, PUD Agreement, and any conditions placed on the approval of the final plat.

History:

A preliminary Planned Unit Development presentation was made to the Planning and Zoning Commission followed by a public hearing which was held on Tuesday, June 26th, 2007. The request was for a Zoning District Change and Zoning Map Amendment from SUI CRO to SUI CRO PUD. A public hearing was held before the City Council on August 6, 2007. The Board of County Commissioners approved the rezoning of this property on September 5, 2007.

The original submission of this Preliminary Plat in June 2008 only included the southern 55 acres and 52 lots. The Parks and Recreation Commission reviewed this partial plat at their June 10, 2008, meeting and recommended approval of a Parks fee in-lieu of parkland dedication for the 55 acres only. The City Council approved the Parks In-Lieu request for the 52 lots indicated on the plat at the time. A revision of the plat adding the northern portion of the property was submitted on September 26, 2008.

On **November 19, 2008** the Parks and Recreation Commission recommended approval of the balance of the lots and on **November 24, 2008** the City Council approved the Parks In-Lieu request as presented.

On **November 25, 2008** the Planning & Zoning Commission approved the preliminary plat, as presented, with conditions.

On **November 09, 2009** the City Council recommended approval of the Shoshone Heights PUD Subdivision, **No. 2**, as presented and subject to nine (9) conditions:

On **December 18, 2009** the Board of County Commissioners approved the final plat as presented subject to the recommended nine (9) conditions by the City Council.

On **December 13, 2010** the City Council unanimously recommended approval of a **1 yr extension** of the approval of the final plat of **Shoshone Heights PUD Subdivision, No. 2**, as presented, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

On **January 28, 2011** the Board of County Commissioners granted the request for a **1-yr extension** subject to the nine (9) conditions. **The extension expires on December 18, 2011.**

Conclusion:

Attached is an email, dated September 12, 2011, from Mark Thayne, Renaissance Project Development, LLC, requesting an **extension** of the approval of the **Shoshone Heights PUD Subdivision, No. 2** due to economic conditions and the sluggish housing market the progress toward the development has slowed.

Staff recommends the City Council recommend approval to the Board of County Commissioners of a final two year (2 yr) extension of the filing requirement on the final plat for **Shoshone Heights PUD Subdivision, No. 2**, as presented, subject to the original (9) conditions. If approved the extension will expire on DECEMBER 18, 2013.

This will automatically be scheduled for a decision by the County Commissioners with the City Council's recommendation.

Attachments:

1. Letter from Mark Thayne
2. Statement of Intended Use
3. Vicinity Map
4. Area Zoning Map
5. Subdivision Map
6. Aerial of the Project Area
7. Preliminary Plat
8. Final Plat, No.2
9. Final Plat, No. 1
10. Portion of minutes from the November 09, 2009 & December 13, 2010 City Council public meeting

From: "Mark Thayne" <mthayne@nscproperties.com>
To: "'Renee Carraway'" <RCARRAWA@tfid.org>
Date: 9/12/2011 1:13 PM
Subject: Extension

Renee,

I need to extend our entitlements for Shoshone Heights and was looking at the extensions requested last year. I am not sure of the timing on this but suspect we are coming up on these dates. Please forward me the dates we need to extend by and any form you would like me to use, otherwise I will just use the same one we used last year.

Please consider this e-mail notice that we would like to request an extension.

I await your call or e-mail.

Thanks

Mark Thayne

*NSC Properties LLC
1188 Sportsplex Drive Ste 203
Kaysville, UT 84037
(O) 801-499-5106
(C) 801-726-6141
(X) 801-444-0003*

RENAISSANCE PROJECT DEVELOPMENT, LLC

P. O. BOX 2000 · LAYTON, UT 84041

November 19, 2010

Attention: Renee Carraway
Zoning and Development Manager
City of Twin Falls
Community Development Department
P. O. Box 1907
Twin Falls, ID 83303-1907

Re: Extension Request, December 18, 2009 Approval
Shoshone Heights Subdivision, Phase 2

Dear Ms. Carraway,

Renaissance Project Development, LLC is pleased to report that interest in the subdivision remains strong. However, due to economic conditions and the sluggish housing market, progress toward development has slowed.

The company requests an extension on the Final Plat for Phase 2 of the Shoshone Heights Subdivision so that progress in the direction of development can continue.

Please let us know if there is any other information that you require to facilitate this request. My direct line is (801) 499-5106.

Sincerely,


Mark Thayne
Renaissance Project Development, LLC

RECEIVED
NOV 22 2010
CITY OF TWIN FALLS
PLANNING & ZONING

W. 11/30/10

Lisa Strickland - Shoshone extension

From: "Mark Thayne" <mthayne@nscproperties.com>
To: <rcarrawa@tfid.org>
Date: 11/22/2010 11:55 AM
Subject: Shoshone extension
CC: "Mitch Humble" <Mhumble@tfid.org>, "Bell, Dexter" <dbell@nscpropert...
Attachments: Extension request Phase 1 Nov 2010.pdf; Extension request Phase 2 Nov 2010.pdf

Ranee,

Please find attached two documents requesting an extension on the Shoshone Heights Subdivision.

I will follow up with hard copies which will be mailed out today.

I would appreciate your attention in this matter.

Let me know what else you may need in order to process this request.

Best regards,

Mark Thayne

*NSC Properties LLC
1188 Sportsplex Drive Ste 203
Kaysville, UT 84037
(O) 801-499-5106
(C) 801-726-6141
(X) 801-444-0003*

SHOSHONE HEIGHTS SUBDIVISION
STATEMENT OF INTENDED USE

RECEIVED
JUN 18 2008

The Shoshone Heights Subdivision will be an upscale single family residential subdivision with the following features;

- The lots will be a minimum of 1 acre in size as required by the South Central Public Health District and the City Code regarding the SUI zone.
- The development will have private roads constructed to the Twin Falls Highway District Standards with a 30' pavement width.
- Potable water will be provided to the lots by individual wells.
- Sewer disposal will be individual advanced treatment septic and drainfield systems.
- The development is subject to a previous Land Trade Agreement dated May 7, 2007 that provides for property at the Evel Knievel Jump site for a future City Park.
- A 70' radius turnaround will be provided at the north end of Hankins Road.
- The South Central Public Health District has reviewed the subdivision and their comment letter is included with this application
- The Twin Falls Highway District has reviewed the subdivision and their comment letter is attached.
- The Twin Falls Canal Company does not have any facilities within the subdivision property and a letter is pending regarding that finding.

Review of Shoshone Heights Subdivision and applicable requirements and/or recommendations.

Number of lots and acreage of development:

You have proposed 102 lots on 108.60 acres which meets and exceeds South Central Public Health District's one acre minimum requirement.

Soils information

Test holes were dug on your proposed subdivision. Your engineers have classified the soils as Silt loam; this soil type is confirmed by the Natural Resources Conservation Service soil maps of the area. The soil is a B soil as defined in Idaho "RULES FOR INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEMS." This soil is suitable for standard and alternative septic systems.

Soil depth

Soil depth ranges from 1.0 feet to over 6.0 feet.

Septic systems

Six foot deep soils are suitable for standard septic systems. Soils that are less than six feet deep will require alternative septic systems based on depth.

Ground water nitrates and Nutrient Pathogen Study

Water samples from wells near the proposed subdivision were tested for nitrates and found to be 5 or more parts per million. However, a nutrient Pathogen study will not be required since you are proposing to use nitrate reducing septic systems on all lots of this subdivision.

Well and septic system location

Wells and septic systems are located on your plat and will meet the separation distance requirement if placed as planned.

Requirements

Further test holes may be required for individual lots due to the shallow soils and rock outcrops that exist throughout the development. As a result, some individual lots may require additional soil to be brought in for the septic systems in addition to the nitrate reducing systems.

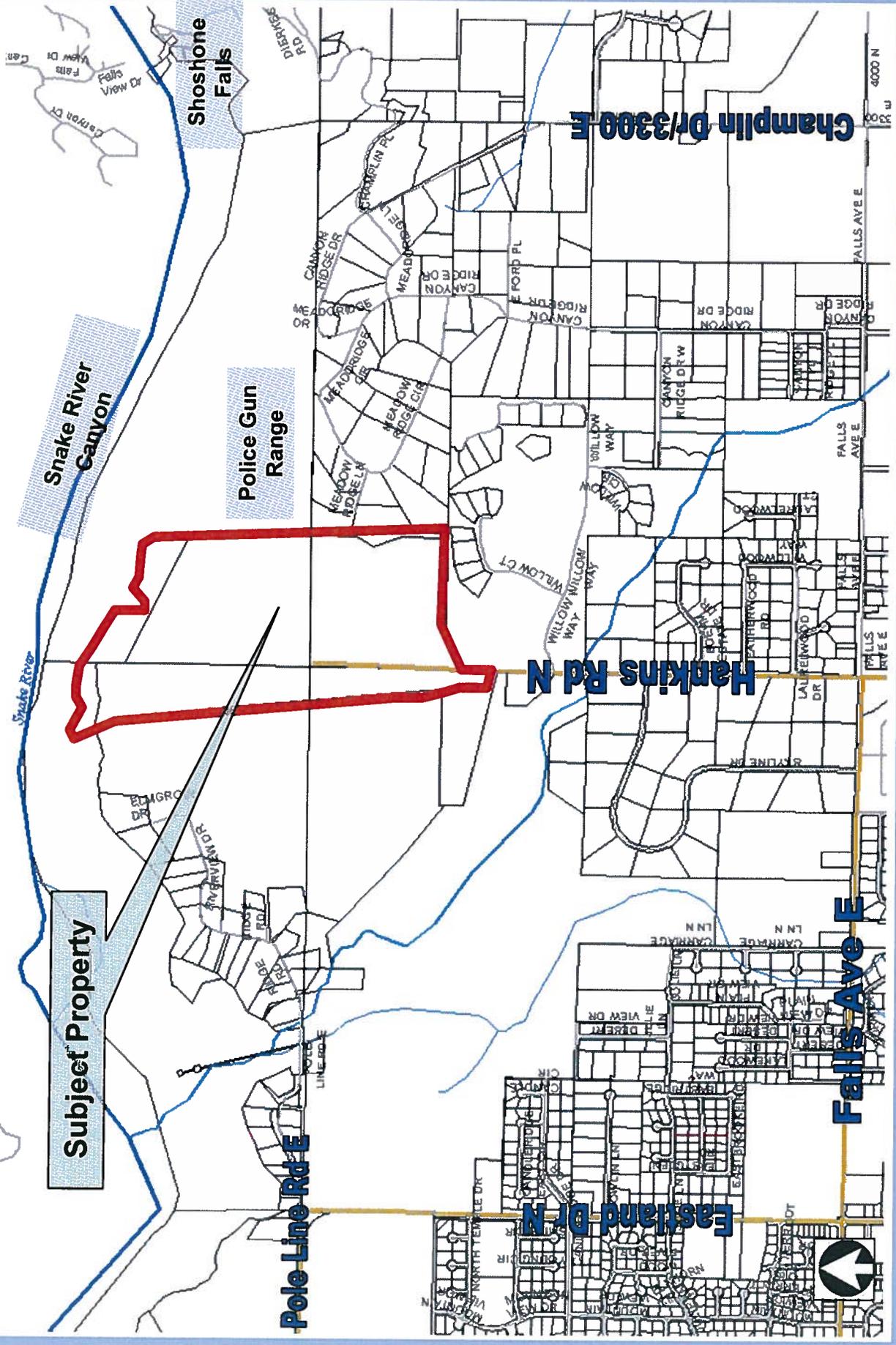
The pond/excavation pit will need to be filled for Lot 5.

The existing well on Lot 24 needs to be marked on the plat. This well may need to be abandoned and a new well drilled. The new well location is designated on the plat drawing.

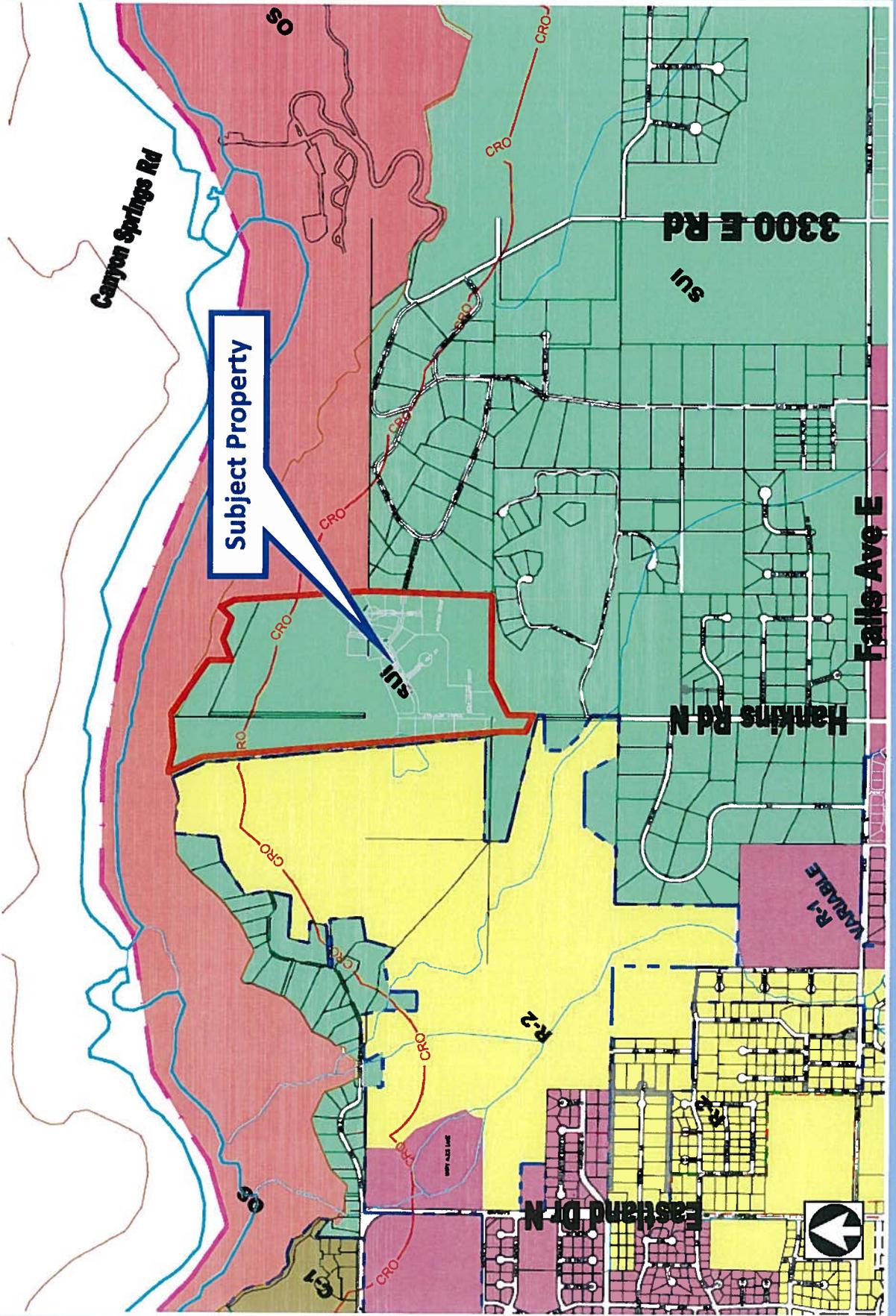
For all ditches and ponds that are to remain on the proposed development, we need clear descriptions as to where they traverse and drain. Additionally, septic systems near ditches require a 50 foot setback.

The small cement slabs or tanks located on Lots 62 & 84 will need to be abandoned or disposed of properly.

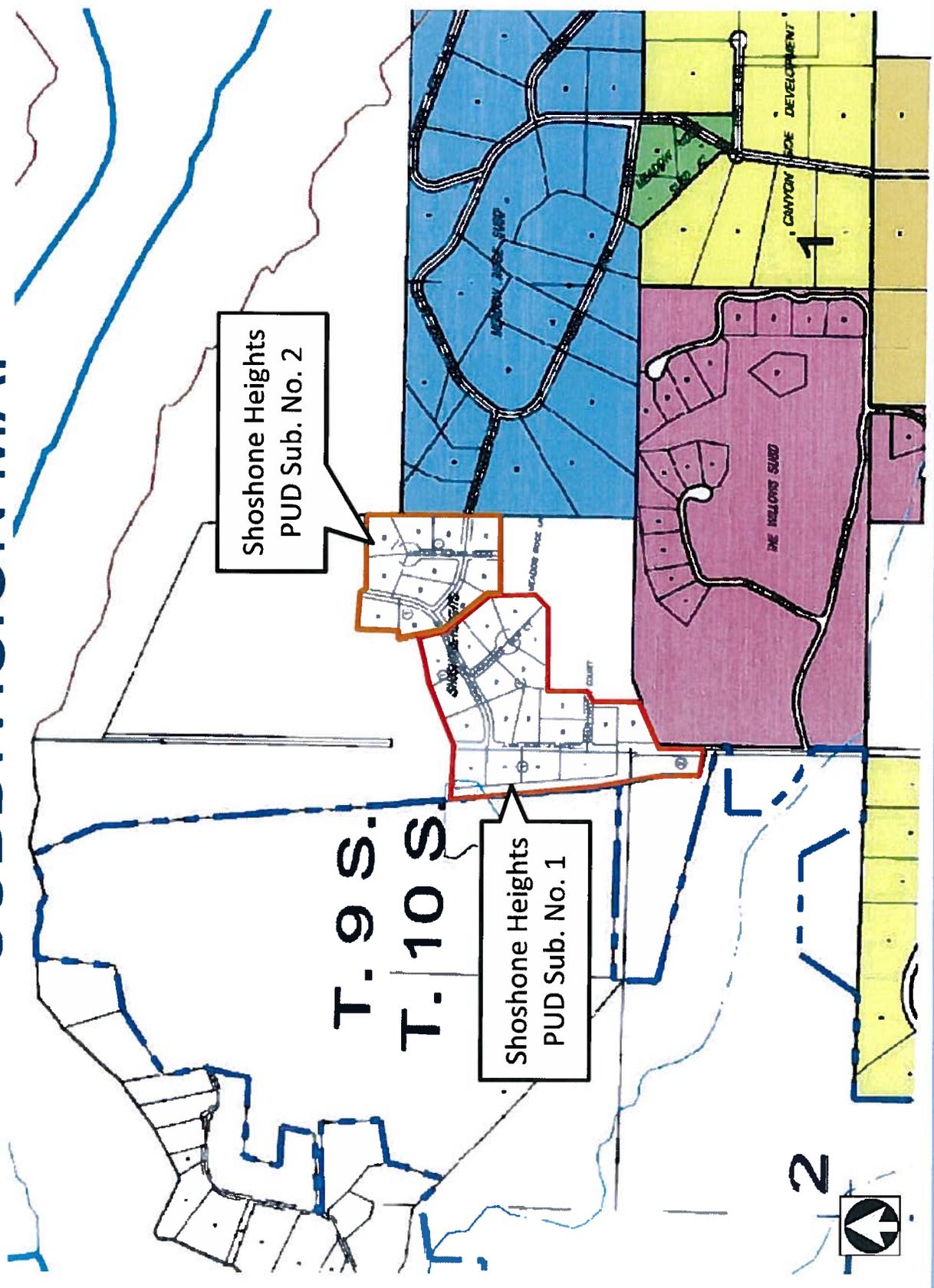
VICINITY MAP



ZONING MAP



SUBDIVISION MAP



Shoshone Heights
PUD Sub. No. 2

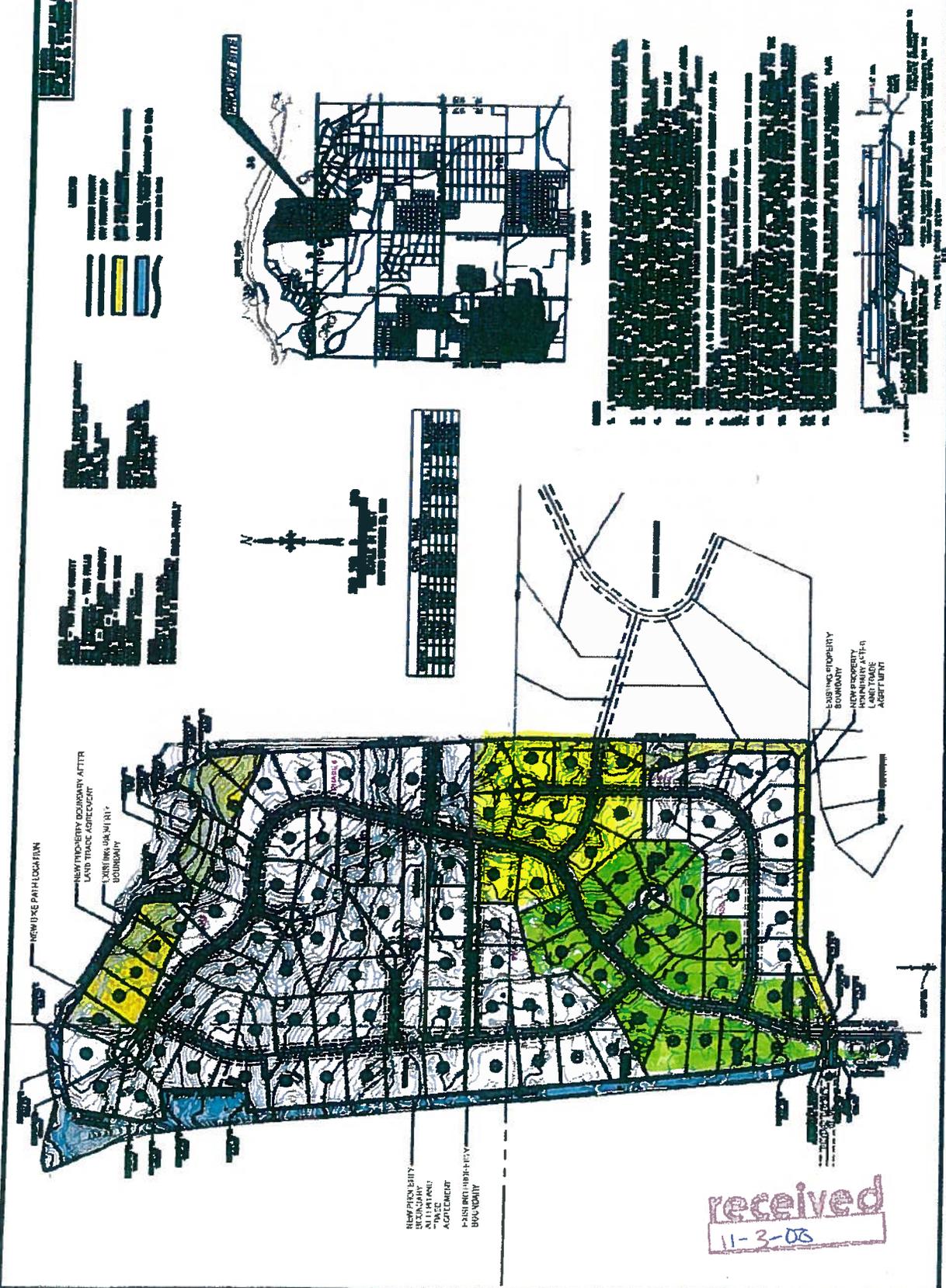
Shoshone Heights
PUD Sub. No. 1

T. 9 S.
T. 10 S.



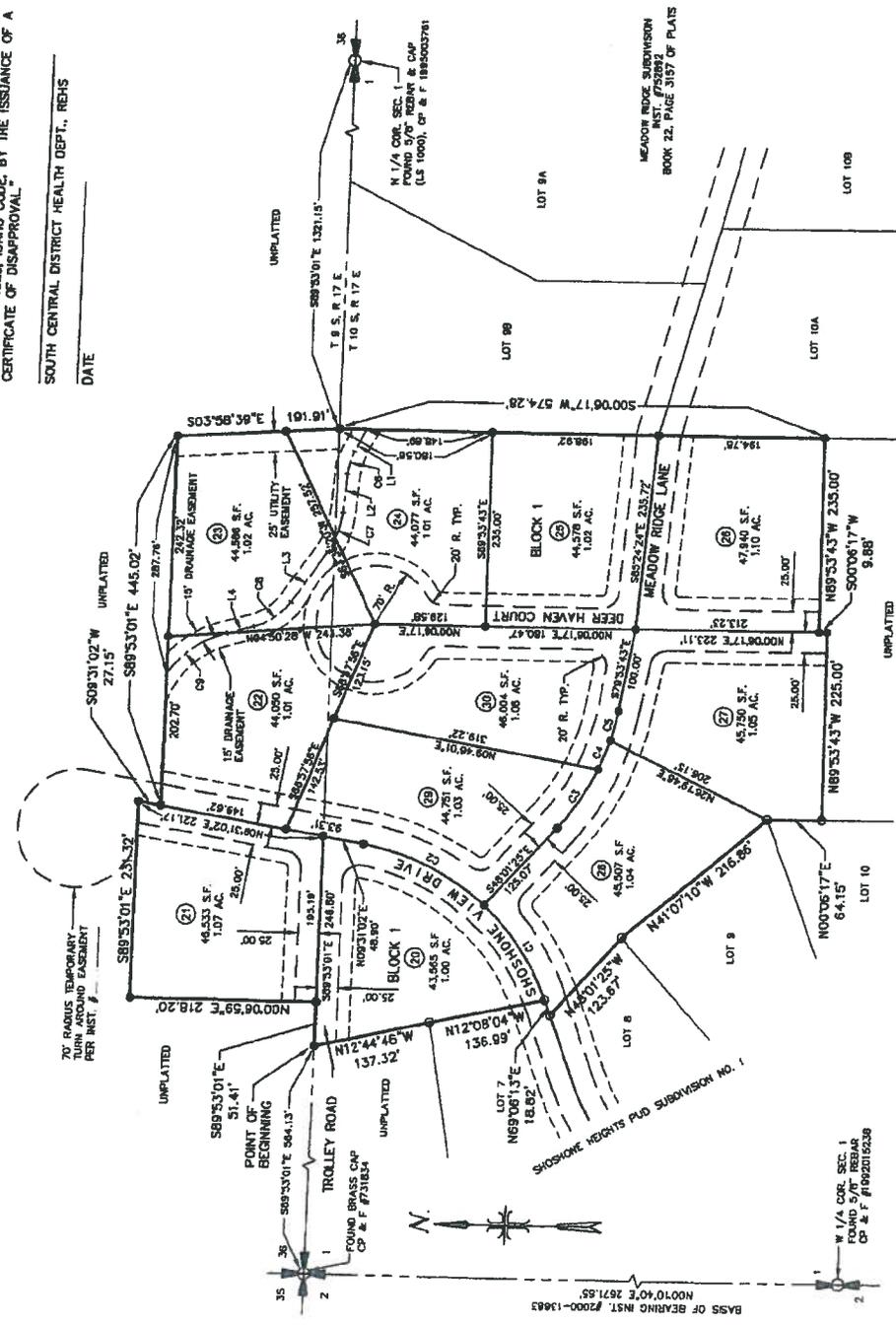
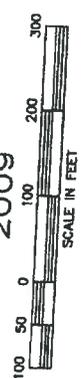
AERIAL VIEW





SHOSHONE HEIGHTS PUD SUBDIVISION NO. 2

LOCATED IN SW/4 SECTION 36, TOWNSHIP 9 SOUTH, RANGE 17 EAST AND
 GOVT LOT 4 SECTION 1, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN
 TWIN FALLS COUNTY, IDAHO
 2009



PREVIOUS SURVEYS
 AMENDED SUBDIVISION - INST. #19206130
 MEADOW RIDGE SUBDIVISION - INST. #188003781
 R.O.S. FOR REITH CHALLS - INST. #188003771
 R.O.S. FOR CITY OF TWIN FALLS - INST. #200004475
 SHOSHONE HEIGHTS PUD SUBDIVISION NO. 1 - INST. #1177717

HEALTH CERTIFICATE

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

SOUTH CENTRAL DISTRICT HEALTH DEPT., REHS
 DATE _____

NOTES:
 1. NO SEWER OR WATER SERVICE IS AVAILABLE. ALL LOTS WILL BE SERVED BY INDIVIDUAL WELLS AND INDIVIDUAL SEPTIC SYSTEMS WITH MIRAGE RETRAKES AND DIMENSIONAL STANDARDS IN THIS ZONING SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING ORDINANCES.
 2. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS ZONING SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING ORDINANCES.
 3. LOTS FRONTING ON A STREET OF 60 FEET OR MORE SHALL BE SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE 15.00 FEET IN WIDTH LYING ALONG THE ADJACENT SIDE OF THE LOT.
 4. ALL LOTS ARE SUBJECT TO THE REQUIREMENTS OF AS SHOWN. EASEMENTS FOR DRAINAGE AND ROAD EASEMENTS ARE SHOWN. EASEMENTS SHALL BE RECORDED WITH THE DEED FOR EACH LOT.
 5. THERE SHALL BE A PERMANENT ACCESS EASEMENT TO THE CITY OF TWIN FALLS ALONG SHOSHONE VIEW DRIVE FOR ACCESS TO THE GOLF CLUB PROPERTY.

LOT CURVE DATA

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH. L.	CH. BEARING
C1	134.94	285.00	27.0728°	83.78	133.16	185°32'21"E
C2	181.48	285.00	32.2733°	80.98	153.31	155°33'48"E
C3	84.85	285.00	17.0326°	42.74	84.85	155°33'48"E
C4	37.21	285.00	7.7819°	18.67	37.18	161°33'11"E
C5	38.48	285.00	7.7072°	19.27	38.48	172°13'42"E

CENTER LINE DRAINAGE EASEMENT CURVE DATA

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH. L.	CH. BEARING
C6	28.87	75.00	22.8545°	14.84	28.74	174°42'28"W
C7	31.88	100.00	21.5722°	26.54	31.30	170°58'40"E
C8	33.36	75.00	29.4537°	27.87	32.24	189°44'01"E
C9	86.52	115.00	43.8324°	45.36	84.40	159°32'43"W

CENTER LINE DRAINAGE EASEMENT CURVE TABLE

LINE	LENGTH	BEARING
L1	30.36	163°44'37"W
L2	31.36	163°56'21"W
L3	31.36	163°56'21"W
L4	33.30	163°56'21"W

- LEGEND
- BOUNDARY LINE
 - LOT LINE
 - LOT NUMBER
 - SECTION LINE
 - CENTER LINE DRAINAGE EASEMENT
 - ROAD EASEMENT
 - 15' PUBLIC UTILITY AND DRAINAGE EASEMENT (TYP.)
 - 5/8" x 30" REBAR w/ CAP SET
 - 5/8" REBAR w/ CAP FOUND
 - SECTION CORNER
 - QUARTER CORNER

SHOSHONE HEIGHTS PUD SUBDIVISION NO. 1

LOCATED IN GOVT LOT 4 & SW/4 NW/4, SECTION 1 AND GOVT LOT 1 & SW/4 NE/4, SECTION 2
TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN



RECEIVED
OCT 28 2025

PLAT SHOWING

2009

SCALE IN FEET



PREVIOUS SURVEYS

ADJOINED THE WILLOWS SUBDIVISION - INST. #22006138
MEADOW RIDGE SUBDIVISION - INST. #16200077
ROS FOR KEITH CHALLS - INST. #16200077
ROS FOR KEITH CHALLS - INST. #2200013683
ROS FOR CITY OF TWIN FALLS - INST. #2200400473
ROS FOR CITY OF TWIN FALLS - INST. #2200604186

70' RADIUS
TEMPORARY TURN
AROUND EASEMENT
FOR INST. #

N 1/4 COR. SEC. 1
FOUND 5/8" REBAR & CAP
(C & F #1985003761)

FOUND BRASS CAP
C & F #731834

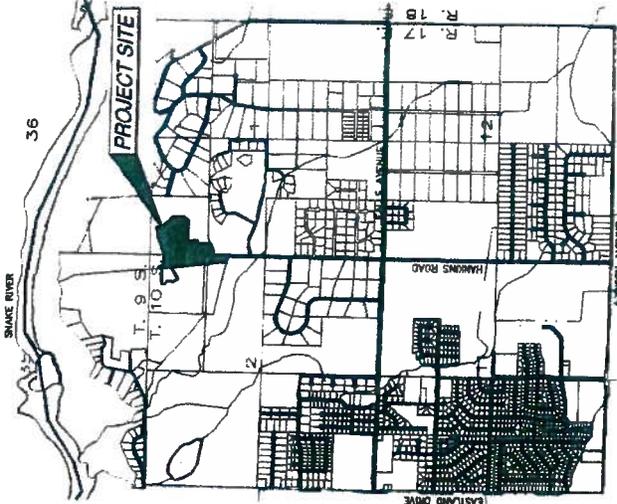
BASES OF BEARING
INST. #2000-13683
N001°40'E 267'1.85"
(TO W/4 COR. SEC. 1)

UNPLATTED

NOTES:
1. NO SEWER OR WATER SERVICE IS AVAILABLE. ALL LOTS WILL BE SERVED BY PRIVATE WELL AND NONDUAL SEPTIC SYSTEMS WITH NITRATE REDUCTION TREATMENT.
2. PERMITS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF TWIN FALLS.
3. SUBSISTING ON A STREET OR ROAD WITHIN SHOSHONE HEIGHTS PUD DRAINAGE 15.00 FEET IN WIDTH AND 15.00 FEET DEPTH TO ADJOINING S/D ROAD EASEMENT. ADDITIONAL EASEMENTS FOR DRAINAGE AND PUBLIC UTILITIES ARE:
4. A LOT IN BLOCK 1 IS DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND RUNOFF RETENTION PURPOSES. THIS LOT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
5. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE MISNANCE WATER THAT WILL BE REQUIRED WITHIN THE DRAINAGE LOT TO THE CITY OF TWIN FALLS.
6. THERE SHALL BE A PERMANENT ACCESS EASEMENT TO THE SHOSHONE VIEW DRIVE AND ALONG SHOSHONE VIEW DRIVE FOR ACCESS TO THE GOLF CLUB PROPERTY.

LEGEND

- BOUNDARY LINE
- LOT LINE
- LOT NUMBER
- SECTION LINE
- ROAD EASEMENT
- 15' PUBLIC UTILITY AND DRAINAGE EASEMENT (TYP.)
- 5/8" x 30" REBAR w/ CAP SET
- 5/8" REBAR w/ CAP FOUND
- SECTION CORNER
- QUARTER CORNER



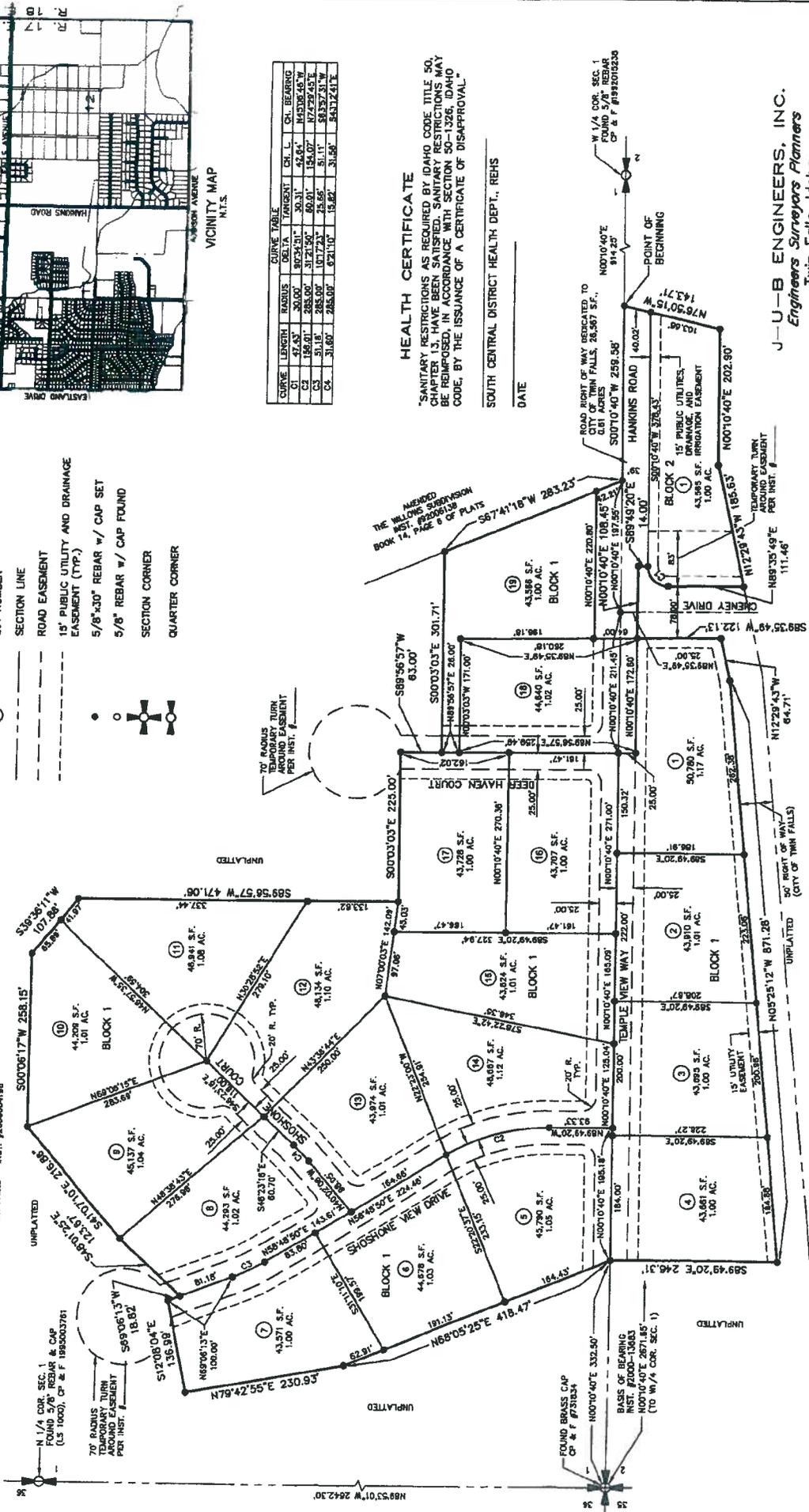
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH. L.	CH. BEARING
C1	47.63	303.00	80°34'31"	30.31	42.64'	N 11°17'41"E
C2	156.01	285.00	31°21'50"	80.91	154.07'	N 72°29'43"E
C3	51.18	285.00	101°22'31"	28.85	51.11'	S 83°37'51"W
C4	31.60	285.00	6°21'10"	15.82	31.58'	S 84°32'41"E

HEALTH CERTIFICATE

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

SOUTH CENTRAL DISTRICT HEALTH DEPT., REHS

DATE



J-U-B ENGINEERS, INC.
Engineers Surveyors Planners

COUNCIL MEMBERS:

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

Mayor

Vice Mayor



Minutes

Meeting of the Twin Falls City Council
November 9, 2009
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATIONS: TWIN FALLS HOSPICE/PALLIATIVE CARE MONTH – NOVEMBER 2009.

AGENDA ITEMS

	Purpose	By:
<p>I. <u>CONSENT CALENDAR:</u></p> <ol style="list-style-type: none"> 1. Consideration of accounts payable for October 27 – November 9, 2009. 2. Consideration of the October 26, 2009, Minutes. 3. Consideration of a request to accept a piece of property from Monarch Holding Company, LLC and authorize the Mayor to sign the agreement for donation of real property and deed of gift. 	Action	Staff Report L. Sanchez Jackie Fields
<p>II. <u>ITEMS FOR CONSIDERATION:</u></p> <ol style="list-style-type: none"> 1. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council: Communications Specialists Sue Spain and Tina Kelley, Lead Dispatcher Leslie Jones, and Officer Dusty Solomon. 2. Consideration of a request to canvass the Twin Falls Municipal Election. Proposed Resolution #1826. 3. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project: <ol style="list-style-type: none"> a. Reginald Larsen, Parcel 30, 603 Falls Avenue West, with the compensation amount of \$4,207.50. b. Thomas and Jann Hutchison, Parcel 37, 341 Falls Avenue West, with the compensation amount of \$7,590.00. c. Rusty and Alisa Bowman, Parcel 19, 648 Falls Avenue West, with the compensation amount of \$20,000.00. 4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for parcels of the Washington Street N. Phase III project, Key 08469: <ol style="list-style-type: none"> a. Mitch Campbell, Parcels 32, located south of Wirshing near Zulu Bagels, and 42, located north of Wirshing near a storage unit business, with the compensation amount \$17,000. b. Sid Lezamiz, Parcel 35 and 36, located on the east side of Washington Street North, south of Wirshing Avenue West, with compensation amount of \$27,044.44 c. Dennis and Donna Clark, Parcel 38, located on the east side of Washington Street North, between Caswell Drive and Wirshing Avenue West, with the compensation amount of \$15,481.07. d. College Meadows Condominiums, Inc., and Washington Street Condominiums, Parcel 50 & 57, located south of Fall Avenue West, with a compensation amount of \$74,300.00 e. Dr. William Fitzhugh, Parcel 59, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$6,786.15. f. Daniel D. and Jann Moss, Parcel 62, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$435.00. g. Southern Idaho Medical Park, LLC, Parcel 64, located on the west side of Washington Street North at Falls Avenue West, with a compensation amount of \$38,857.74. 	Presentation Action Action Action	Jim Munn Sharon Bryan Jackie Fields Jackie Fields

5. Consideration to authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 08469).	Action	Jackie Fields
6. Consideration of a request to purchase a 15 foot wide sewer easement from the Magic Valley Mall, LLC.	Action	Jackie Fields
7. Consideration of the Final Plat of Eastland Professional Subdivision 1.22 (+/-) acres consisting of 3 lots located on the west side of the 1000 – 1100 block of Eastland Drive, c/o EHM Engineering, Inc. on behalf of Rob Sturgill.	Action	Mitch Humble
8. Consideration of the request of Loren Haugee on behalf of Tabernacle of Twin Falls, Inc., for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 315 4 th Avenue North.	Action	Mitch Humble
9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 1, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.	Action	Mitch Humble
10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 2, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding.	Action	Mitch Humble
11. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. PUBLIC HEARINGS: 6:00 P.M. –		
1. Public Hearing for the Water System Facilities Plan, dated October 2009, and the Environmental Information Document (EID) for Water System Improvements, dated October 2009.	Action	Jackie Fields
2. Conduct a public hearing to consider approving a request to sign ICDBG application for \$499,452 to redevelop one block and work toward curing slum & blight in Old Town Twin Falls.	Action	Melinda Anderson
3. Request for an amendment to PUD Agreement #247 Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement to allow for commercial development for a 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision – a PUD located at the southwest corner of Cheney Drive West and Washington Street North, c/o The Land Group on behalf of Wiley Dobbs/Twin Falls School District #411. (app.2337)	Action	Mitch Humble
4. Consideration of 37.2 acres (+/-) proposed for annexation for property located on the north side of Fall Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, c/o City of Twin Falls. (app.2336)	Action	Mitch Humble
V. <u>ADJOURNMENT:</u> 67-2345 Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student.		

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

COUNCIL MEMBERS PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson via telephone, Gregory Lanting, and Will Kezele

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Police Chief Jim Munn, Captain Bryan Krear, Engineer Mike Trabert, Public Works Director Jon Caton, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila Sanchez.

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

AGENDA ITEMS

II. ITEMS FOR CONSIDERATION:

Community Development Director Humble presented Items for Consideration 9 and 10 at one time.

9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, **No. 1**, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.

10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, **No. 2**, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding..

Community Development Director Humble reviewed both of the requests.

Should the City Council recommend approval of Shoshone Heights PUD Subdivision, No. 1 and No. 2, as presented, staff recommends the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Subject to recordation of the revised Land Swap Agreement.

Discussion followed.

MOTION:

Councilperson Lanting made the motion to approve the final plat for the Shoshone Heights PUD Subdivision, **No. 1**, consisting of 21.03 (+/-) acres with 19 single family residential lots, located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding. With the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion.

Approved 7 to 0..

MOTION:

Councilperson Lanting made the motion to approve the final plat for the Shoshone Heights PUD Subdivision, **No. 2**, consisting of 11.87 (+/-) acres with 11 single family residential lots, located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding. With the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0.**

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
December 13, 2010
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 5:00 P.M.
PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR: Consideration of accounts payable for December 7 – 13, 2010, total: \$2,191,695.48. Consideration of the December 06, 2010, Minutes.	Action	Staff Report Sharon Bryan Leila Sanchez
II. ITEMS FOR CONSIDERATION: <ol style="list-style-type: none"> Consideration of a request to review a bicycle helmet ordinance. <i>Proposed Ordinance 2997.</i> Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee, including a resolution waiving the inflation adjustment for the 2011 impact fee rates. <i>Proposed Resolution 1860.</i> Consideration of the extension of the approval of the Shoshone Heights PUD Subdivision, <u>No. 1</u>, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, <u>c/o Renaissance Project Development, LLC/Mark Thayne.</u> Consideration of the extension of the approval of the Shoshone Heights PUD Subdivision, <u>No. 2</u>, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, <u>c/o Renaissance Project Development, LLC/Mark Thayne.</u> Consideration of adoption of the following ordinance: Request for a Zoning Title Amendment which would allow the modification of Twin Falls City Code; Title 10; Chapter 2; Section 1 by adding a definition for "Zip Line," and by adding a land use to Title 10; Chapter 4; Section 11.2(B)8 providing for a "Zip Line" by Special Use Permit, <u>c/o Jolinda Tatum o behalf of Magic Valley Flight simulation, LLC (app.2339) Proposed Ordinance 2998.</u> Public input and/or items from the City Manager and City Council. 	Action Action Action Action Action	Dennis Bowyer Mitch Humble Mitch Humble Mitch Humble Mitch Humble
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M. <ol style="list-style-type: none"> Request for the vacation of a portion of undeveloped right-of-way, aka Willow Street, located on the west side of the 150-200 block of Grandview Drive, <u>c/o Lee Harmon on behalf of Triple C Concrete, Jeff Coats, KC and Tess Belieu, and Lee and Diane Harmon. (app.2403)</u> Request for a Zoning District Change and Zoning Map Amendment from R-4 to M-2 for 6.6 (+/-) acres located at 202 Grandview Drive, <u>c/o Jeff Coats on behalf of Triple C Concrete. (app.2404)</u> Request for a Zoning Title Amendment that would amend Twin Falls City Code by adding a new City Code Section 10-4-23: Residential Business District, <u>c/o City of Twin Falls. (app.2400)</u> 	Action Action Action	Mitch Humble Mitch Humble Mitch Humble
V. ADJOURNMENT:		

Present: Lance Clow, Trip Craig, Don Hall, Lee Heider, Dave Johnson, Will Kezele, Greg Lanting

Absent: None.

Staff Present: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Zoning & Development Manager Renee Carraway, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

Removal: Consideration of the December 6, 2010, Minutes.

Addition: Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 122 2nd Avenue North. (Beer and Wine)

Councilperson Lanting made a motion to amend the agenda as presented. The motion was seconded by Vice Mayor Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for December 7 – 13, 2010, total: \$2,191,695.48.
2. Consideration of the December 6, 2010, Minutes.

Councilperson Lanting made the motion to approve the Consent Calendar with the removal of the December 6, 2010, Minutes and the addition of an Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 122 2nd Avenue North. (Beer and Wine)

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to review a bicycle helmet ordinance. Proposed Ordinance 2997.

Parks & Recreation Director Bowyer reviewed the request. On November 8, 2010, the City Council directed staff to prepare an ordinance requiring bicycle helmets for children. The Council also directed staff to research and present options for children of the community to receive helmets at little or no cost. Page Geske with Safe Kids can purchase Bell helmets at a cost of \$7.75 per helmet. Page has contacted several companies for possible grants to help purchase helmets. At this time she has not been able to secure any grants.

Councilperson Johnson and members of the Council agreed education is an important element in keeping children safe.

Staff Sergeant Pullin stated that the Police Department offers bike safety rodeos for groups that request them. Helmets are provided to those who do not have a helmet.

MOTION:

Councilperson Clow made the motion to suspend the rules and place Ordinance 2997, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE BY ENACTING NEW §9-2-24. REQUIRING BICYCLE HELMETS FOR CHILDREN UNDER SIXTEEN,

on third and final reading by title only. The motion was seconded by Vice Mayor Heider and roll call vote showed Councilpersons Clow Johnson, and Lanting voted in favor of the motion. Councilperson Craig, Hall, Heider, and Kezele voted against the motion. Failed 3 to 4.

Discussion followed.

Page Geske, Magic Valley Safe Kids, explained that she has applied for a grant through the Department of Transportation for \$5,000, in which the funds could be used for education. She stated that she would be applying for other grants in the future.

Councilperson Kezele stated that he would donate \$1,000 to go towards helmets.

Kevin Dane would like to know if the cost issue was the reason the ordinance was not passed.

Minutes

December 13, 2010

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2. Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee, including a resolution waiving the inflation adjustment for the 2011 impact fee rates. Proposed Resolution 1860.

Community Development Director Humble reviewed the request. Staff recommends that the Council review the Development Fee Advisory Committee's annual report. The Committee recommends that the Council adopt a resolution waiving the automatic inflation adjusts for 2011.

Extensive discussion followed on the purchasing of right of way.

MOTION:

Councilperson Johnson made the motion to adopt Resolution 1860, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, WAIVING THE AUTOMATIC ANNUAL INFLATION ADJUSTMENT FOR IMPACT FEES FOR 2011. The motion was seconded by Vice Mayor Heider and roll call vote showed all members present voted in favor of the motion.

Discussion followed:

City Manager Courtney explained the municipal cost index.

3. Consideration of the extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne.

Community Development Director Humble explained the request. Staff recommends the City Council recommend approval of a one-year extension of the filing requirement on the final plat for Shoshone Heights PUD Subdivision, No. 1, as presented, subject to the original 9 conditions. If approved as presented the extension will expire on December 18, 2011.

Councilperson Lanting made the motion to approve the extension of the approval of the Shoshone Heights PUD Subdivision, No. 1, Final Plat, consisting of 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne, as presented, with the following 9 conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Park and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge Subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge Subdivision.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0. This request will automatically go to the County Commissioners for final approval.

4. Consideration of the extension of the approval of the **Shoshone Heights PUD Subdivision, No. 2**, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne.

Community Development Director Humble reviewed the request.

Staff recommends the City Council recommend approval of a one-year extension of the filing requirement on the final plat for Shoshone Heights PUD Subdivision, No. 2, as presented, subject to the original 9 conditions.

MOTION:

Councilperson Johnson made the motion to approve the extension of the approval of the Shoshone Heights PUD Subdivision, No. 2, Final Plat, consisting of 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o Renaissance Project Development, LLC/Mark Thayne as presented subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Park and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge Subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge Subdivision.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0. This request will automatically go to the County Commissioners for final approval.**



Date: Monday, November 7, 2011
To: Honorable Mayor and City Council
From: Jacqueline D. Fields, City Engineer

Consent Request:

Consideration of a request to establish a posted speed limit for North College Rd. from Grandview Dr. N. to Xavier Charter School.

Time Estimate:

None anticipated.

Background:

The City Engineering Department received a request to consider part of North College Rd. near the new Xavier Charter School for a 20 mph school zone. Engineering completed a speed study on this segment of North College Rd. to determine where to place the 20 mph School Zone as well as the appropriate speed limit to post for the remainder of North College Rd. east to Grandview Dr. N.

This section of North College Rd. has been recently extended through to the new Xavier Charter School where it essentially dead ends even though it turns north and then turns into the fire lane on the north side of the school. Eventually this will become Creekside Way.

The school grounds are on the north side of North College Rd. and extend from about 480' west of Fieldstream Way to their existing western boundary near the end of North College Rd. There is an approach into the school parking lot about in the middle of the school property on North College Rd. and where Creekside Way turns into the fire lane.

North College Rd. from the dead end to the west of Fieldstream Way only has the north half of North College Rd. built so it is currently only 24' wide with curb, gutter and sidewalk only on the north side.

The rest of North College Rd. to Grandview is a 48' wide residential collector. It has curb, gutter and sidewalk on both sides. There is no striping on the roadway. There are two intersecting streets, Fieldstream Way and Silver Creek Way. Silver Creek Way approaches are stop controlled. Fieldstream Way approaches are scheduled to have stop signs installed soon.

The intersection of Grandview Dr. and North College Rd. has been recently changed to an All-Way stop controlled intersection with crosswalks painted on the west North College approach and the north Grandview approach.

To collect data, a traffic counter was set out to record motorist speeds, volumes, etc. Data was collected from 5-18-10 through 5-26-10.

The 85thtile speed was 34 mph. The pace speed was 24 – 34 mph. The percentage of drivers operating within the pace speed was 71%.

Approval Process:

The Twin Falls Traffic Safety Committee will review this request and forward their recommendation to the City Council for approval.

Budget Impact:

There is no significant budget impact associated with the Committee’s approval of this request. This will be paid for under the Street Dept.’s annual budget for new street signs.

Regulatory Impact:

Since this section of North College Rd. currently has no posted speed limit, it is a therefore a 25 mph speed zone per City Code. Establishing a speed limit based on this speed study will be consistent with State speed zoning requirements.

Conclusion:

Other than the limited residential traffic using North College Rd., the only other traffic is parents, staff and vendors traveling to and from Xavier. Weekday volumes are less than 1000 vehicles per day with about 1/3 of that volume morning and afternoon school related traffic. Weekend volumes are less than 200 vehicles per day. This will likely change when North College Rd. and Creekside Way get built out.

Engineering recommends the following;

1. Post North College Rd. from about 100’ west of Fieldstream Way to the dead end at Xavier as a 20 mph School Speed Zone.
2. Post the remainder of North College Rd. as a 30 mph speed zone. A 30 mph speed limit is within 5 mph of the 85thtile speed and well within the pace speed.
3. When North College gets built full width, stripe and sign a School Crosswalk at the parking lot approach. At that time the intersection of Creekside Way and North College should be a 4-way stop controlled with marked crosswalks. The 20 mph School Speed Zone should then be reviewed and extended to the west, north and south of the intersection.
4. Until North College gets built out school pedestrians wanting to cross North College going to or coming from the south side can do so safely at the intersection of Fieldstream Way and North College since the volumes are so light at this time.

Attachments:

1. Guidance for Establishing Speed Limits

COMMISSION MEMBERS:

RANDALL	MARY	KIRK	REBECCA	TED	ROD	KEVIN
WATSON	BRAND	BROWER	DUKE	WARREN	MATHIS	HAIGHT

Co-Chairman

Chairman



Minutes

Meeting of the Twin Falls Traffic Safety Commission

April 14, 2011

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

CONFIRMATION OF QUOROM		
CALL MEETING TO ORDER: 9:00 A.M.		
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:		
AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of the Minutes for March 10, 2011.		SSgt. Dennis Pullin
II. <u>ITEMS FOR CONSIDERATION:</u> None 1. Vote on new Chairperson and Vice Chairperson 2. Discuss speed studies at Cheney and North College	Discussion Discussion	SSgt. Dennis Pullin Mike Sullivan
III. <u>PUBLIC HEARINGS</u> None		
IV. <u>ADJOURNMENT</u> 9:48 A.M.		Rod Mathis

COMMITTEE MEMBERS PRESENT: Mary Brand, Kirk Brower, Rebecca Duke, Rod Mathis, Ted Warren, Lieutenant Kevin Haight, Randall Watson

STAFF PRESENT: Staff Sergeant Dennis Pullin, City Engineer Jackie Fields, Traffic Technician Mike Sullivan, Recording Secretary Tina Kelley

STAFF ABSENT: City Council Liaison Greg Lanting

Staff Sergeant Dennis Pullin called the meeting to order at 9:00 a.m. A quorum was present. Randall Watson arrived at the meeting at 9:02 a.m. after the consideration of the minutes for March 10, 2011.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

I. CONSENT CALENDAR:

1. Consideration of the Minutes for March 10, 2011.
Rebecca Duke noticed that Orion, a citizen, that came to ask for an open forum to include bicyclist and motorist, was not on the Minutes for March 10, 2011.

MOTION:

Rebecca Duke made the motion to approve the Minutes for March 10, 2011 with the addition of the citizen speaker added to the minutes. The motion was seconded by Kirk Brower and roll call vote showed all members present voted in favor of the motion. It was approved 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Vote on New Chairperson and Vice Chairperson. Staff Sergeant left it up to the board members to nominate the new positions.

MOTION:

A motion was made by Kirk Brower to nominate Rod Mathis for Chairperson. The motion was seconded by Rebecca Duke. All members present voted in favor of the motion. It was approved 7 to 0.

MOTION:

A motion was made by Mary Brand to nominate Kirk Brower for Vice Chairperson. The motion was seconded by Kevin Haight. All members present voted in favor of the motion. It was approved 7 to 0.

2. Discussion on the speed studies at Cheney and North College.
Mike Sullivan discussed the results of the speed study at Cheney and North College.

MOTION:

A motion was made by Lieutenant Kevin Haight to adopt what staff is proposing, by posting the speed limit at 35 mph, with the stipulation that there will be forthcoming studies that could alter in the future what needs to be done on Cheney Dr. from Grandview to Washington St. The motion was seconded by Rebecca Duke. All members present voted in favor. It was approved 7 to 0.

Mike Sullivan will be working with C.O.P.'s in doing a pedestrian study in the area of Canyon Ridge High School on Cheney. The results of the study will be discussed at next month's meeting.

3. Discussion on the speed studies at North College Rd. to the west of Grandview Dr. by the Xavier charter school.

MOTION:

A motion was made by Ted Warren to go with the staff member's recommendation of 30 mph from Field stream Way to Grandview Dr. and 20 mph school Zone in the area of Xavier School. Rebecca Duke seconded the motion. All members present voted in favor. It was approved 7 to 0.

OLD BUSINESS:

Jackie Fields gave a brief discussion in reference to the Zip Line project to update the new members on what was going on. Jackie will be getting data for the project, with weather permitting, and will present that at the next meeting.

NEW BUSINESS:

III. **PUBLIC INPUT/QUESTIONS:**

IV. **PUBLIC HEARINGS:** None.

V. **ADJOURNMENT:**

The meeting was adjourned at 9:48 a.m. by Chairman Rod Mathis.

Tina Kelley
Recording Secretary

Guidance for Establishing Speed Limits

INTRODUCTION

Idaho statutes require that speed zoning shall be determined on the basis of an engineering and traffic investigation. The Manual on Uniform Traffic Control Devices (MUTCD) has been adopted for application on all public roadways in Idaho and the manual also requires an engineering study for speed zoning determinations.

The two most frequently cited reasons for speed zones include increased safety and informing the motorist of a reasonable speed for a particular segment of roadway. If there are serious inconsistencies in the practice of speed zoning, then it is difficult to justify some speed zoning as either a safety measure or a means of communicating a reasonable speed for the motorist. First, speed zones are frequently established in response to citizen requests rather than actual collisions or potential safety problems. If speed zones are to be an effective safety measure, the profession needs consistent guidelines based on engineering analysis to determine where and when to establish these speed zones. Secondly, most traffic engineers support the use of the 85th-percentile speed as a basis for determining the appropriate speed limit. Speed limits often reflect legislatively created limits or are set to accommodate public demands resulting in limits well below the speed motorists are driving. The speed limits must be determined consistently with guidelines and applied uniformly if they are expected to be accepted by the public. The consistent use of established guidelines accepted throughout the country will support uniform speed zoning, safety measures and consistent treatment of motorists.

SPEED ZONING

Speed zoning is a traffic engineering tool that has been employed for many years to influence motorist behavior. The following fundamental concepts have been well documented as guidelines in establishing reasonable and enforceable speed limits:

1. The majority of drivers drive at a speed they consider reasonable, safe and convenient for the existing conditions. Posted limits which are set higher or lower than dictated by roadway and traffic conditions are ignored by the majority of motorists, are difficult to effectively enforce and promote disrespect for all speed zone signing.
2. A speed limit should be set so that the majority of motorists observe it voluntarily and enforcement can be directed to small minority exceeding that speed. That speed is considered the 85th-percentile speed. The Manual on Uniform Traffic Control Devices (MUTCD) recommends that when a speed limit within a speed zone is posted, it should be within 5 mph of the 85th-percentile speed of free-flowing traffic.

3. Accident severity increases with increasing speeds. The number of accidents, however, appears to depend less on speed and more on the variations in speed. The lowest accident involvement rate occurs when vehicles are traveling one standard deviation, about 6 to 8 mph, above the average speed, which is equivalent to the 85th-percentile speed.

SPEED CHARACTERISTICS

Three criteria used to determine reasonable and effective speed limits are, the 85th-percentile speed, the Pace Speed and the Percent in Pace.

1. The 85th-percentile speed is the speed at which 85% of motorists are traveling at or below. Traffic engineering practice has found that the 85th-percentile speed is a good indication of a safe and reasonable speed with good driver compliance and is easy to enforce.
2. The Pace Speed is the 10 mph speed range that represents the highest percentage of drivers. The "Top of Pace Speed" is also a speed characteristic used for determining speed limits and is usually close to the 85th-percentile speed.
3. The Percent in Pace is the percent of vehicles represented by the pace speed. It is desirable to have about 70% of the vehicles in the speed distribution to be in the pace speed. One of the functions of speed zoning is to consolidate more vehicles in the pace speed, raising the speed of slower vehicles and lowering the speed of faster vehicles.

PUBLIC ACCEPTANCE

Speed limits established on the basis of the above listed concepts using a realistic traffic engineering analysis have many benefits including:

1. Providing a factual, scientific basis for determining limits that are not arbitrarily set in response to emotional or political issues.
2. Invite public compliance by conforming to the behavior of the majority of motorists.
3. Encourage motorists to drive at or near the same speed, resulting in smoother flow and a reduction in accident risk.



Monday, November 7, 2011 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request:

Consideration of a request from Jayne Fisher to appeal the decision of the Tree Commission denying her request to remove a tree located at 106 Main Avenue North.

Time Estimate:

Jayne Fisher's presentation will take approximately 3-5 minutes. Staff presentation will take approximately 3-5 minutes also. Following the presentations, we expect some time for questions and answers.

Background:

Jayne Fisher, owner of the Cookie Basket located at 106 Main Avenue North, filled out a tree removal permit to remove a Linden tree in the City's right of way located in front of her store. She stated the tree is completely blocking her sign above the store front and she felt concerned that the roots could buckle up the sidewalk. She was willing to plant a smaller tree if the Tree Commission approved of the tree removal permit.

The Tree Commission held a special meeting in front of her store on Monday March 8, 2010 to review her request. City's Parks & Recreation International Society of Arboriculture (ISA) certified arborist Kevin Skelton said the tree is healthy and doing well and it would be quite some time before there would be any problems with the buckling of the sidewalk. Kevin also said there could be some minor pruning done to the tree.

The Tree Commission denied her request to remove the tree by a unanimous vote. On October 4, 2011, via a phone call, Ms. Fisher requested an appeal of the Commission's May 8, 2010 denial.

Attached are the staff report and the minutes from the March 8, 2010 meeting. Also attached are photos taken in October 2009 and October 2011.

Budget Impact:

None, it has been the policy of the City to pay for pruning of trees in the downtown area. Certain sections of Main Avenue and the parking lots are scheduled to be pruned each year. Also the City pays for any removing of a hazard or a dead tree in the downtown area, there are funds in the Parks Department budget for downtown maintenance. If a property owner requests to remove a tree that has not been determined to a hazard tree (by an ISA certified arborist) or if the tree is not dead, and if the Tree Commission approves the request, the cost to remove the tree is paid for by the person who requested the removal.

Regulatory Impact:

Approval of this request will allow Jayne Fisher to remove a tree in the City's right of way.

Conclusion:

The Tree Commission denied Jayne Fisher's request to remove the tree in front of her store at 106 Main Avenue North. Staff concurs with the Commission's decision.

Attachments:

1. March 8, 2010 Tree Commission Staff Report
2. March 8, 2010 Tree Commission Minutes
3. Photos of the Tree
4. Letter from Dave Kiesig, Evaluation of Tree
5. Letter from S.J. O'Connor – Owner of O'Dunkens Draught House



TWIN FALLS PARKS AND RECREATION

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



TREE CITY USA.

SPECIAL MEETING OF THE TWIN FALLS TREE COMMISSION

March 8, 2010

The Cookie Basket
106 Main Avenue North

AGENDA

1:15pm Call to Order

1. Request for Tree Removal Downtown
2. Adjournment

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Christi Green at (208)736-2265 at least two working days before the meeting.*

The Benefits are Endless...



TWIN FALLS PARKS AND RECREATION

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



TREE CITY USA.

TWIN FALLS TREE COMMISSION

March 8, 2010

STAFF REPORT

1. Request for Tree Removal Downtown - Jayne Fischer

Jayne Fischer is the owner of the Cookie Basket; she is requesting to remove the tree in front of her store located at 106 Main Avenue North. She states the tree is completely blocking her sign above the store front. The Commission is meeting on site to review the request. Photos from the fall when the leaves are on the tree will be available at the meeting to review.

The Commission will need to make a recommendation to remove the tree or deny the request. If the Commission approves of the request, it should put the following conditions on the removal: 1) all removal and grinding of the stump costs shall be paid by the applicant and 2) the Commission needs to decide if a replacement tree should be required or not and that cost is also be paid by the applicant.

2. Adjournment

The Benefits are Endless...

TONY BRAND	SHARON BUCKLE	VACANT	BILL MANKER	OLIVIA ROWE	VACANT
CHAIRPERSON		ALTERNATE			VICE-CHAIR

EX-OFFICIO MEMBERS

TOM COURTNEY	CITY MANAGER
GREGORY LANTING	COUNCIL REPRESENTATIVE
DENNIS J. BOWYER	PARKS & RECREATION DIRECTOR
KEVIN SKELTON	PARKS COORDINATOR

TWIN FALLS CITY SPECIAL TREE COMMISSION MEETING

March 8, 2010 * * * * * 1:15pm * * * * * The Cookie Basket

Members Present: Tony Brand, Sharon Buckle and Olivia Rowe

Members Absent: Bill Manker

Non-Voting Member Absent: Dave Kiesig

Council Absent: Gregory Lanting

Staff Present: Dennis Bowyer and Kevin Skelton

Guests: Jayne Fischer, owner of The Cookie Basket; Steven O'Connor, owner Of O'Dunkens

MINUTES

Chairperson Tony Brand called the meeting to order at 1:20pm. Introductions were made to Jayne Fischer and Steven O'Connor.

Item #1 Request for Tree Removal Downtown – Jayne Fischer

Jayne Fischer, owner of the Cookie Basket, is requesting to remove a Linden tree in front of her store located at 106 Main Avenue North. She feels the root system has taken over the space where the tree is planted and is concerned there isn't a lot of room to grow. She is also concerned the roots will soon buckle the sidewalk in front of her business and will have to repair the sidewalk at her expense. Jayne stated the tree is blocking her store front when the tree is in full bloom. She thinks it is a beautiful tree and would be willing to re-plant a tree of a smaller size if the Commission recommends removing the existing tree.

The Commission discussed their concerns with removing the tree. Kevin mentioned that staff can do some maintenance pruning to possibly thin the tree out and remove a branch or two at the bottom of the tree. He feels it will be quite some time before there will be any problems with buckling the sidewalk and it is a nice, healthy tree. The Commission feels that pruning can be done to resolve the problem of blocking the signage.

Olivia made a motion to deny the request to remove the tree located at 106 Main Avenue North. Sharon seconded the motion. The motion passed unanimously.

Dennis explained to Jayne that she can appeal the Commission's recommendation to City Council. He asked that she let him know if she decides to appeal so no extra work is done on pruning the tree before Council makes a decision.

The meeting adjourned at 1:41pm.

The next meeting of the Tree Commission will be held **Friday, March 26, 2010 at 11:00 am** in the **City of Twin Falls Council Chambers, located at 305 3rd Ave E.**

Christi Green

Christi Green
Administrative Assistant
Parks and Recreation

October 21, 2009



October 21, 2009



October 10, 2011



October 10, 2011



October 10, 2011



From: Dave Kiesig <dkiesig@csi.edu>
To: Dennis Bowyer <DBOWYER@tfid.org>
Date: 10/26/2011 11:36 AM
Subject: RE: Tree Evaluation

Dennis,

Went by and looked the tree and situation over last evening. Here is my evaluation of the tree.

The Little leaf Linden in front of the cookie basket shop is a nice healthy specimen with no noticeable hazard or potential hazardous condition or tendencies. I see no rational reason for it needing to be removed. I actually believe it would be detrimental to the overall downtown environment in that vicinity if it were removed based on Dr. Kathleen Wolf's (University of Washington) research and findings related to trees in downtown areas and their contributions not only physically but emotionally, economically and socially. Species and variety wise it is one of our best available choices for a street tree for this area as well.

The crown of the Linden has obviously been raised to allow traffic passing by to see the store fronts/entrances, and for 6 months (late fall thru spring) out of the year there are small leaves or no leaves on the tree at all,

and this species is not susceptible to any particular disease or insect problems ...

I believe it would be a sad mistake to remove that tree. The rose bush adjacent to it - towards O'Dunkens- has not been properly cared for or maintained and presents a bigger hazard than the Linden tree...

That is my evaluation of the Tilia cordata located in front of the Cookie Basket Shop on Main Street Twin Falls. :)

Dave 'Treeman' Kiesig

Horticulture Professor

College of Southern Idaho

315 Falls Ave., Evergreen A-32

Twin Falls, ID 83301

208-732-6431

O'Dunken's Draught House

October 30, 2011

Twin Falls Chamber of Commerce

Dear Sir or Madam:

In regard to the tree removal in front of O'Dunkens and Cookie Basket. I would like to state for the record that I am unequivocally against it for the following reasons.

A; It provides picture postcard beauty along our outside tables and sitting area.

B; If the Cookie Basket is allowed to remove that beautiful and healthy tree what is there left to stop other Main Street businesses from doing the same thing. Next thing you know we will be amongst each other in a concrete environment with little or No landscape left.

C; The Twin Falls Park and Rec Tree experts have already been out to the site and have established that the Tree is a healthy beautiful specimen and is not causing any damage to property including sidewalks or street. Her request for tree removal was denied.

D; It is my understanding that her main reason for removal of the tree in question is that nobody can see her soon to be new sign located approx 15 to 20 high on her building. This tree just happens to be growing in the wrong location for her.

Possible remedies:

Use her large glass front and put her signs there where everybody walking or driving can see them with ease.

Sincerely,



S.J. O'Connor
Owner O'Dunkens Draught House

Cc Mayor Don Hall and City Council Members

RECEIVED
OCT 31 2011
BY: _____

.....



Date: Monday, November, 7, 2011
To: Honorable Mayor and City Council
From: Jacqueline D. Fields, City Engineer

Request:

Consideration of a request to authorize the Mayor to sign a contract with EHM Engineers, Inc. to design, provide right of way acquisition services and construction administration services for the Northeast Sewer project.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

The Northeast Sewer is a major collection facility that will handle industrial flows from the southeast portion of the City, a portion of the permit flow for the City of Kimberly and the residential area on the east side of the city. This project completes design of the trunk line from approximately the intersection of Hankins and US-30 to the intersection of Poleline Road and Eastland Drive. It also includes certain downstream sections of sewer line in the Snake River Canyon between the bottom of the grade and the wastewater treatment plant.

The contract doesn't include funding for a separate contract to identify rock depths and utility conflicts. It is anticipated that this construction will commence in late winter and complete in early summer.

Approval Process:

Budget Impact:

The current budget includes \$250,000 for this project with the remainder to be funded from cash reserves. Construction of the work will be partially funded by the Urban Renewal Agency and City.

Regulatory Impact:

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Contract

AUTHORIZATION FOR PROFESSIONAL SERVICES

DATE: 10/24/11

PROJECT NAME: Northeast Sewer Extension

PROJECT NUMBER: 284-11

CLIENT: City of Twin Falls

hereby requests and authorizes EHM Engineers, Inc., to perform the following services:

SCOPE:

Complete all preliminary design, final design, right-of-way acquisition and construction administrative services as outlined in the attached Scope of Services and Task Summary.

COMPENSATION on the basis of:

In accordance with attached Fee Summary.

Each task shall require written authority to proceed prior to beginning work.

MISCELLANEOUS:

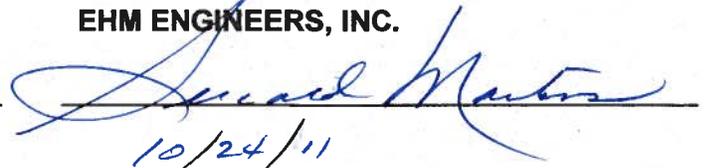
The owner may terminate work at any time by written directive. Work completed shall be billed on a time and materials basis not to exceed the amount authorized.

Services covered by this authorization shall be performed in accordance with PROVISIONS included.

**APPROVED for:
CLIENT**

**ACCEPTED for:
EHM ENGINEERS, INC.**

By: _____


10/24/11

Title: _____

Date: _____

Direct costs for mailing and printing will billed on time and materials.

To expedite your project, return one copy of signed proposal to the attention of:
and keep one copy of signed proposal for your records

EHM Engineers, Inc.
621 College Rd., Ste. 100
Twin Falls, ID 83301

EHM ENGINEERS, INC.
TERMS AND CONDITIONS TO AGREEMENT FOR ENGINEERING AND SURVEYING SERVICES

1. AUTHORIZATION TO PROCEED
Signing this form shall be construed as authorization by CLIENT for EHM ENGINEERS, INC., to proceed with the work, unless otherwise provided for in the authorization.
2. OUTSIDE SERVICES
When technical or professional services are furnished by an outside source, when approved by CLIENT, an additional 15% shall be added to the cost of these services for EHM ENGINEERS, INC. administrative costs.
3. COST ESTIMATES
Any cost estimates provided by EHM ENGINEERS, INC., will be on a basis of experience and judgment, but since it has no control over market conditions or bidding procedures, EHM ENGINEERS, INC. cannot warrant that bids or ultimate construction costs will not vary from these cost estimates.
4. PROFESSIONAL STANDARDS
EHM ENGINEERS, INC., shall be responsible, to the level of competency presently maintained by other practicing professional engineers in the same type of work in CLIENT'S community, for the professional and technical soundness, accuracy and adequacy of all designs, drawings, specifications, and other work and materials furnished under this authorization. EHM ENGINEERS, INC., makes no other warranty, express or implied.
5. LIMITATION OF PROFESSIONAL LIABILITY
EHM ENGINEERS, INC., liability for damages due to professional negligence will be limited to a sum not to exceed \$50,000.00 or the fee, whichever is greater.

CLIENT further agrees to notify any Contractor and Subcontractor who may perform work in connection with any design, report or study prepared by EHM ENGINEERS, INC., of such limitation of Professional Liability for design, defects, errors, omissions or professional negligence, and to require, as a condition precedent of their performing their work a like indemnity and limitation of liability on their part as against EHM ENGINEERS, INC.
6. TERMINATION
Either CLIENT or EHM ENGINEERS, INC., may terminate this Authorization by giving thirty (30) days written notice to the other party. In such event CLIENT shall forthwith pay EHM ENGINEERS, INC., in full for all work performed prior to effective date of termination. If no notice of termination is given, relationships and obligations created by this Authorization shall be terminated upon completion of all applicable requirements of this Authorization.
7. LEGAL EXPENSES
In the event of any controversy, resulting in litigation, the party adjudged to be in default by a Court of competent jurisdiction shall pay to the aggrieved party all court costs, including a reasonable attorney's fee. By signing this agreement, the parties hereto agree that the State of Idaho shall have jurisdiction over all parties and the subject matter of this agreement. In connection therewith, it is further agreed that all controversies shall be determined under the laws of the State of Idaho.
8. PAYMENT TO EHM ENGINEERS, INC.
Monthly invoices will be issued by EHM ENGINEERS, INC., for all work performed or materials furnished under the terms of this agreement. All amounts for which invoices are mailed shall be due and payable by the NET 30 DAYS after the billing date of said invoice. If the amount of said invoice, or any part thereof, is not paid within said period, then and in that event, the amount not paid shall bear interest from the date of billing at the rate of 1.5% per month for an annual rate of 18%.

EHM ENGINEERS, INC.

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**FEE SUMMARY
NORTHEAST SEWER EXTENSION**

The following summarizes the professional fees proposed for the project:

<u>Task</u>	<u>Preliminary</u>	<u>Total Project</u>
Preliminary Design	\$53,000.00	\$ 53,000.00
Right-of-Way Acquisition	0	\$189,000.00
Design/Bidding/Contracting	0	\$282,000.00
Construction/Inspection	<u>0</u>	<u>\$ 14,000.00</u>
Total	\$53,000.00	\$538,000.00

The fee includes all design, contract administrator, construction surveying and quality control.

Fees do not include subcontractor charge for rock and conflict probing.

Any change in scope or additional services required fee additional or reductions will utilize the EHM Engineers, Inc rate schedule attached hereto.

SCOPE OF SERVICES NORTHEAST SEWER EXTENSION

General

The general scope is to evaluate options for and design a new sewer transport system beginning approximately one half mile East of the Kimberly Road/Hankins Road intersection and terminating at the end of an existing sewer main near the intersection of Pole Line Road East and Eastland Avenue North. Also included is the analysis of and design of additional sewer capacity for approximately 4,955 feet of the Canyon Springs trunk line within the Snake River Canyon and design of an energy attenuator structure at the end of the Canyon springs Grade Road sewer main.

The facility will accommodate current and future flows from the City of Kimberly, a new industrial user and provide capacity for 817 acres of future commercial/industrial growth in the Southeast section of Twin Falls. The design will accommodate additional flows from existing trunk lines and lift stations where appropriate.

The construction contracts will be modified to assure completion of the work within the attached time proposed for the project.

The entire project will be evaluated, designed, obtain reviewing agency approvals and be constructed within 8 months. No additional time can be obtained for weather, right-of-way acquisition or other unforeseen conditions.

To accommodate the scope of work, the accelerated schedule and the contractor capabilities, the project will be divided into multiple procurement and construction contracts to expedite construction and provide opportunities for local contractors.

The schedule will require modified agency review procedures involving phased approvals to allow work to begin in a segmented basis. Part of the preliminary design phase will include a pre design meeting with all agencies to establish review and approval standards and procedures.

To facilitate and coordinate construction and assure all contractors maintain the schedule, EHM will provide a full time contract administrator. The administrator will monitor agency reviews, provide weekly project status reports and keep all parties informed of the progress.

**SUMMARY OF TASKS
NORTHWEST SEWER - PHASE 2**

TASK	PROJECT MANAGER	CONTRACT ADMINISTRATOR	DESIGN ENGINEER	CAD DRAFTSMAN	LAND SURVEYOR	SURVEY CREW	FIELD INSPECTION
PRELIMINARY DESIGN							
Establish Design Criteria	16		8				
Identify Alternative Horizontal Alignments	8		16				
Complete Preliminary Profile Surveys					24	40	
Establish Pre Vertical Profiles	8		24	24			
Evaluate Alternatives	8		8				
Select Preferred Alternate	8		8				
Rock/Conflict Probe/Identification	4		16	16			16
Model Flows for Preferred Alternate			24				
Preliminary Quantity Summary	8		16				
Preliminary Cost Estimate	8		8				
Prepare Pre Engineering Report	16		24				
Determine Right-of-Way Requirements	8		8	8			
Initial Right-of-Way Contacts	16		16				
DESIGN							
Develop Base Plans	24		40	80			
Finalize Horizontal Alignment	8		24	24			
Field Profile			8		40	120	
Establish Vertical Alignment	8		40	40			
Field Survey Conflicts			8		16	40	
Design Conflict Adjustments	16		40	40			
Field Survey - Canyon Springs Trunk Line	4		4		16	24	
Evaluate Options - Canyon Springs Trunk Line	16		16	16			
Design Canyon Springs Upgrade	4		40	40			
Design Energy Attenuator	8		16	16			
Prepare Contract Documents							
Material Acquisition	8	24	16				
Pipe Installation	8	72	32				
Quantity Calculations			24				
Prepare Cost Estimates	16		24				
Obtain ITD approval	16	8	24	8			
DEQ Coordination	8	16	64	32			
BIDDING/CONTRACTING							
Prepare Bid Document	16	48	24				
Solicit Bids	16	24	8				
Evaluate Bids	16	16	8				
Contract Award	16	16	8				

TASK	PROJECT MANAGER	CONTRACT ADMINISTRATOR	DESIGN ENGINEER	CAD DRAFTSMAN	LAND SURVEYOR	SURVEY CREW	FIELD INSPECTION
RIGHT OF WAY							
Field Surveys					16	24	
Prepare Legals			8		24		
Negotiate Easements	16		8		8	8	
CONSTRUCTION							
Contract Administration							
Procurement	16	40					
Pipe Installation	16	400					
Canyon Springs Trunk Line Upgrade		80			24	64	
Construction Survey							
Pipe Installation					40	160	
Canyon Springs Trunk Line					24	64	
INSPECTION							
Quality Control Inspection							
Pipe Installation	16	60					320
Canyon Springs Trunk Line	4	20					160
Quality Control Testing							
Pipe Installation	16	60					320
Canyon Springs Trunk Line	4	20					160
POST CONSTRUCTION							
Prepare As Built Plans	4		40	40			
Project Closeout Document	10	40					
Startup / Warranty Work	20	20					
TOTAL	438	964	700	384	232	544	976

PROJECT PERSONNEL NORTHEAST SEWER EXTENSION

Project Manager: Gerald Martens, P.E.

As project manager, Gerald Martens will be responsible for development of the project design concepts, evaluation of alternatives, assuring accuracy of estimates and assuring adequate qualified staff for all phases of evaluation, design, contract administration, survey and quality control.

During the design and construction phases of the project Gerald Martens will carefully monitor the schedule and progress and will make necessary adjustments to assure compliance of the project schedule.

Contract Administrator: Brett Broadhead, P.E.

Mr. Broadhead will be responsible for administering as many as 5 simultaneous procurement and construction contracts. This will include preparation of bid documents, solicitation of bids, evaluation of bids, tracking construction quantities, preparation of progress billings, confirming contractor compliance with all aspects of the contract. Upon completion of all construction a final project closeout and report will be prepared that summarizes all aspects of the work.

Design Engineers: Gary Burkett, P.E.

Tim Vawser, Senior Designer

Gary Burkett and Tim Vawser will be responsible for all phases of design including plan development and preparation of all specifications. The plans will be developed in such a manner that allows the total work to be constructed in multiple segments by multiple contractors. All work will be accomplished in accordance with City of Twin Falls standards and requirements and approved by DEQ prior to beginning work.

Due to the established time schedule the design will require especially close coordination with City and DEQ staff to obtain approvals without negatively impacting the project schedule.

CAD Draftsmen:

EHM Engineers will use appropriately qualified and experienced CAD drafting personnel to complete the plan preparation in accordance with the project schedule.

Land Surveyor/Survey Crew: Roger Kruger

All design, construction and right-of-way surveys will be accomplished under the direct control of Roger Kruger, L.S.

Mr. Kruger is extremely familiar with survey control in the project area allowing for the survey work to be completed efficiently and within the allowances of the project schedule. The construction survey requirements will be performed by EHM Engineers survey personnel. Coordination of the various contractor requirements will be accomplished by the contract administrator and Mr. Kruger.

Field Inspection/Quality Control Testing: EHM Engineers Quality control

All field quality control testing and inspection will be completed by EHM quality control personnel under the direct supervision of Gary Burkett. This coordination will assure uniformity and consistency in construction without overlaps or omissions.

EHM ENGINEERS, INC.
Basic Fee Schedule
October 2010

Principal	\$ 125.00/hr
Senior Structural Engineer	\$ 125.00/hr
Structural Engineer	\$ 100.00/hr
Senior Professional Engineer	\$ 125.00/hr
Professional Engineer	\$ 90.00/hr
Engineer	\$ 75.00/hr
Registered Land Surveyor	\$ 90.00/hr
Survey Manager	\$ 60.00/hr
Survey Technician	\$ 50.00/hr
Survey Crew	
<i>Two Man</i>	\$ 90.00/hr
<i>Three Man</i>	\$ 100.00/hr
<i>Four Man</i>	\$ 110.00/hr
Satellite Survey RTK GPS	
<i>One Man</i>	\$ 100.00/hr
<i>Two Man</i>	\$ 105.00/hr
<i>Three Man</i>	\$ 110.00/hr
Senior Designer	\$ 85.00/hr
Designer	\$ 60.00/hr
CAD Draftsman	\$ 50.00/hr
Inspector	\$ 50.00/hr
Engineer Technician	\$ 50.00/hr
Laboratory Technician	\$ 50.00/hr
Secretary	\$ 25.00/hr
Mileage	\$ 0.50/mile
Materials	Invoice + 15%
Per Diem – if required (overnight)	
<i>Meals</i>	Direct Cost
<i>Room</i>	Direct Cost

Work on Weekends, Holidays and after 5:00 P.M. or before 7:00 A.M. will be billed at 1½ times rates listed.

EHM Engineers, Inc.
Quality Control Services
October 2010

Engineer Field Technician	\$ 50.00/hr
Inspector	\$ 50.00/hr
Laboratory Technician	\$ 50.00/hr

Concrete

Cylinders Processed	\$ 15.00/ea*
Slump Test	\$ No Charge*
Air Test	\$ No Charge*
Flexural Beam Test	\$145.00 set of 3

Masonry Testing

Mortar Break	\$ 12.50/ea
Grout Break	\$ 12.50/ea
Prism Testing	
8 X 8 X 16	\$ 65.00/ea
12 X 8 X 16	\$ 125.00/ea

Gradations

+4" Pit-Run	\$250.00/ea
+2 1/2" Pit-Run	\$150.00/ea
+1" Pit-Run	\$125.00/ea
Gradation with Full Wash	\$125.00/ea
Gradation without Full Wash	\$ 90.00/ea

Soil and Gravel Testing

Standard Proctor	\$125.00/ea
Modified Proctor	\$150.00/ea
Sand Equivalent	\$ 50.00/ea
Cleanliness Value	\$ 50.00/ea
Specific Gravity and Absorption:	
CR	\$ 45.00/ea
FN	\$ 65.00/ea
Absorption Only on fines	\$ 45.00/ea
Soil Texture	\$ 50.00/ea
Hydrometer Analysis	\$ 75.00/ea
Unit Weight	\$ 35.00/ea
Mechanical Analysis	
PI, Gradation and Classification	\$150.00/ea
Atterberg Limit	\$ 75.00/ea

Compaction

Individual Test	\$ 15.00/ea*
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Asphalt

Gradation / Extraction NCAT	\$150.00/ea
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*** plus field technician time**

Quality

Idaho Degradation	\$250.00/ea
Na or Mg Soundness	\$200.00 - \$800.00/ea
Durability Index	\$ 65.00/ea
LA Abrasion	\$175.00/ea
Lab Crush	\$ 25.00/bucket

Other tests as per quote. Testing rate may vary according to location, frequency, and complexity.

Mileage

\$ 0.50/mile

Materials

Invoice + 15%

Per Diem – if required (overnight)

Meals

Direct Cost

Rooms

Direct Cost

- **plus field technician time**
- **Overtime rate will be charged and 1 1/2 times the regular rate for hours before 8:00am and After 5:00pm and on Saturday or Sunday.**



DATE: MONDAY, NOVEMBER 07, 2011

To: Honorable Mayor Hall and City Council

From: Mitch Humble, Community Development Department

ITEM IV-1

Request: Request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 +/- acres located at the south west corner of Hwy 30 / Kimberly Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app. 2484)

Time Estimate:

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

Background:

Applicant:	Status: Property Owner	Size: 57.7 (+/-) acres
Kimberly Road Partners, LLC and Margaret Sligar	Current Zoning: C-1	Requested Zoning: M-2
	Comprehensive Plan: Commercial and Industrial	Lot Count: multiple properties
	Existing Land Use: agricultural	Proposed Land Use: M-2 property
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc c/o Gerald Martens 621 North College Road Twin Falls, ID 83301 208-734-4888	North: R-2 Aol (Area of Impact) & R-1 VAR Aol; Kimberly Road, agricultural	East: Twin Falls County- Kimberly City Agriculture Aol; 3300 E Rd, agricultural
	South: M-2; undeveloped/agricultural	West: C-1 and C-1 Aol; residential and agricultural
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-4-8, 10-4-10, 10-14-1 through 8	

APPROVAL PROCESS:

As per Twin Falls City Code 10-6-1.4(E) Approval of a PUD Sub-District:

1. Preliminary Development Plan. The petitioner for a planned unit development sub-district 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. (Ord. 2124, 10-15-1984)

As per Twin Falls City Code: 10-14-6: Approval or Denial of Amendment:

Within sixty (60) days from the receipt of the proposed amendment, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The Commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives. (Ord. 2012, 7-6-1981)

As per Twin Falls City Code: 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)

As per Twin Falls City Code: 10-14-8: Resubmission of Application::

No application for a reclassification of any property which has been denied by the Council shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one year from the date of such final action; unless there is an amendment in a comprehensive plan which resulted from a change in conditions as applying to the specific property under consideration. (Ord. 2012, 7-6-1981)

Budget Impact:

Approval of this request will have negligible immediate impact the City budget. Ultimately the City budget may be affected as commercial and industrial development may be assessed at different levels.

Regulatory Impact:

Following a public hearing and recommendation from the Planning and Zoning Commission, the request will be scheduled for a public hearing and decision by the City Council.

Approval of this request will allow the applicant to develop the property in compliance with M-2 manufacturing land use regulations and property development standards.

History:

There are three (3) properties included in this request and portions of the full properties were annexed at different times. In 2007, the 77 acres at the southwest corner of 3300 E Rd and Kimberly Rd was annexed and the western-most 17 (+/-) acres that is part of this request was annexed. The 37 (+/-) acre property in the middle was annexed in April of 2008.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment for 57.7 (+/-) acres of property from C-1; Commercial Highway zoning district to M-2; the Heavy Manufacturing zone. The property is located southwest of the corner of 3300 E Road and Kimberly Road. The applicants have indicated in their narrative that they wish to rezone these properties so that they will have a uniform industrial zoning to allow for future development.

The property is currently undeveloped and being used as agricultural land. The properties to the north and east are also being used agriculturally. There are areas to the south of these properties that are used for manufacturing such as JayCo and some other smaller manufacturers and supporting industry.

The City's Comprehensive Plan designates the Sligar / Kimberly Road Partners properties as both Commercial/Retail and Industrial.

The Commercial/Retail designation runs along both sides of Hwy 30/Kimberly Road. The Plan leaves some room for interpretation regarding how much of each designation is appropriate for the properties. The Plan also contains a statement that future industrial development should be located along the railroad corridor. Therefore, it is my position that since the properties in question are located within the railroad corridor, they have an industrial designation, and that there is adjacent M-2 zoning, that the M-2 zone is appropriate for the two properties and will allow for the railroad corridor to uniformly develop as an industrial park.

The designated Commercial/Retail corridor shown on the plan is more appropriate on the north side of Hwy 30/Kimberly Road to provide a buffer between the industrial area on the south side of the roadway and future residential development to the north.

In addition, at their 10/11/11 meeting, the Planning & Zoning Commission agreed with this interpretation and recommended approval of the zoning request to the City Council.

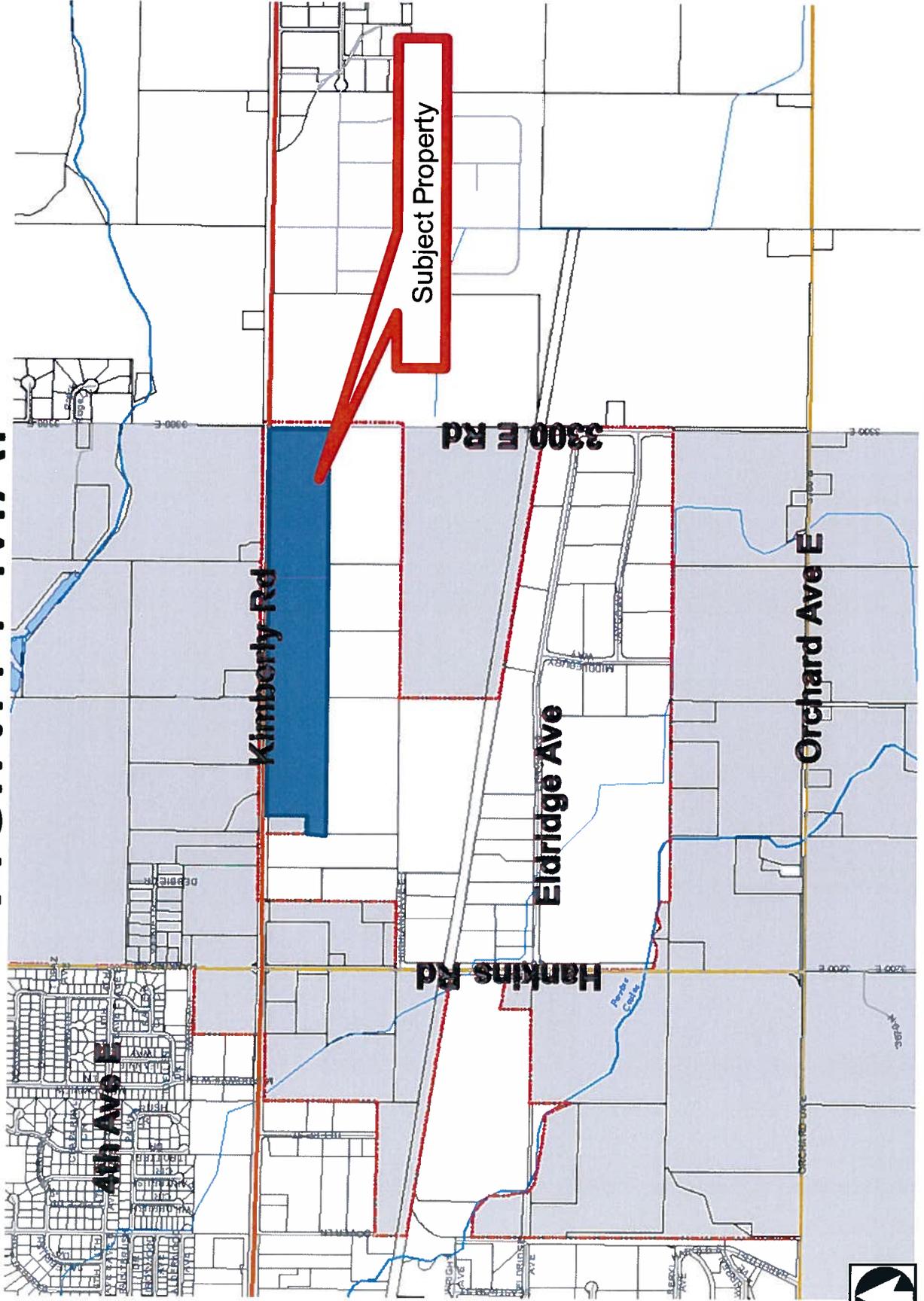
Attachments:

1. Reason for Request
2. Vicinity Map
3. Area Zoning Map
4. Aerial of the Project Site
5. Comprehensive Plan – Future Land Use Map portion
6. Site Photos
7. Portion of October 11, 2011 P&Z minutes

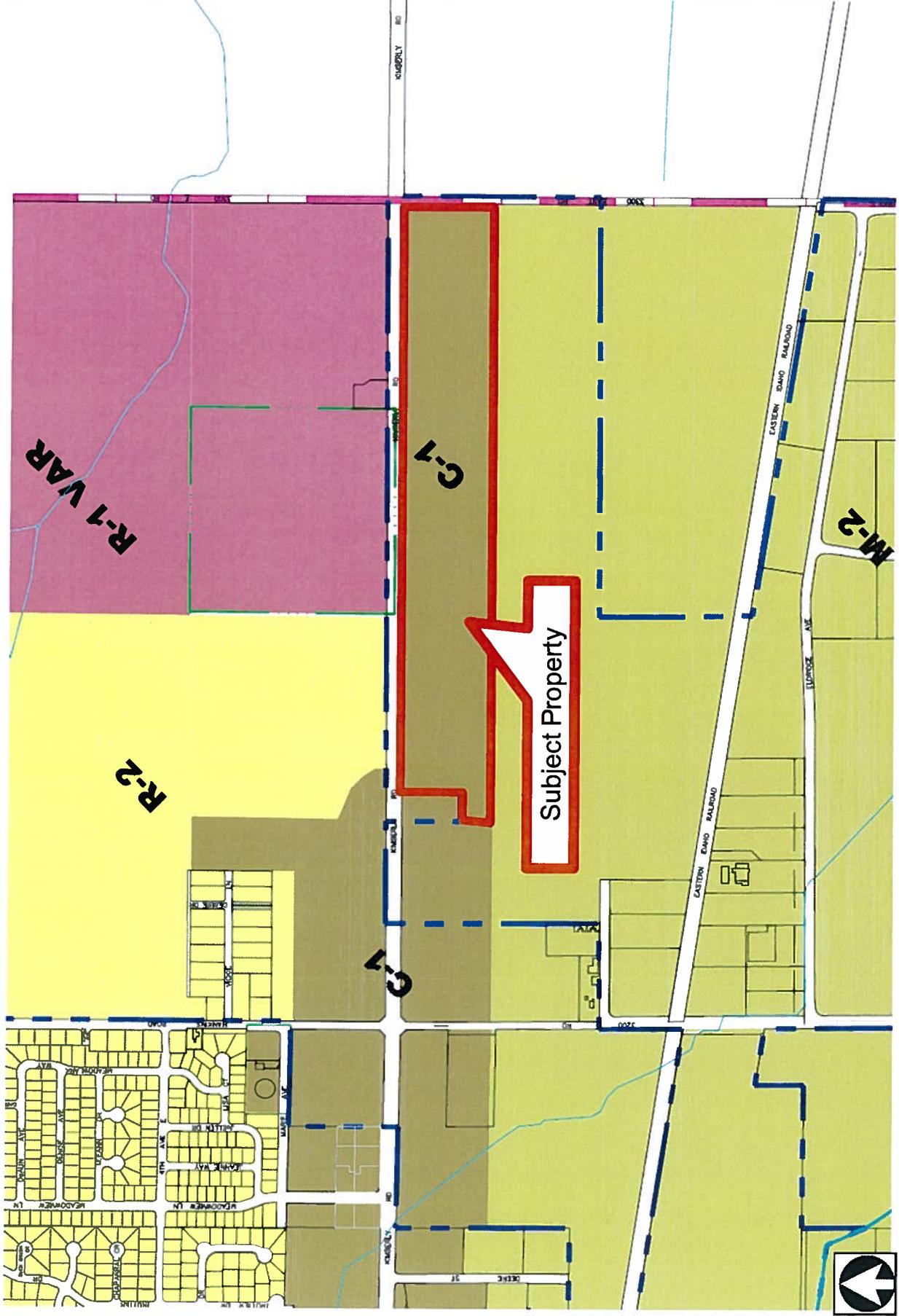
REASON FOR REQUEST

The purpose for this request is to allow development of the property under a common M-2 zoning. This will allow the frontage to be utilized for development that will be compatible with the balance of property currently zoned M-2 and existing uses located to the West and South of the subject parcel. The proximity of Highway 30 and the railroad further encourages the development of the property in accordance with M-2 standards.

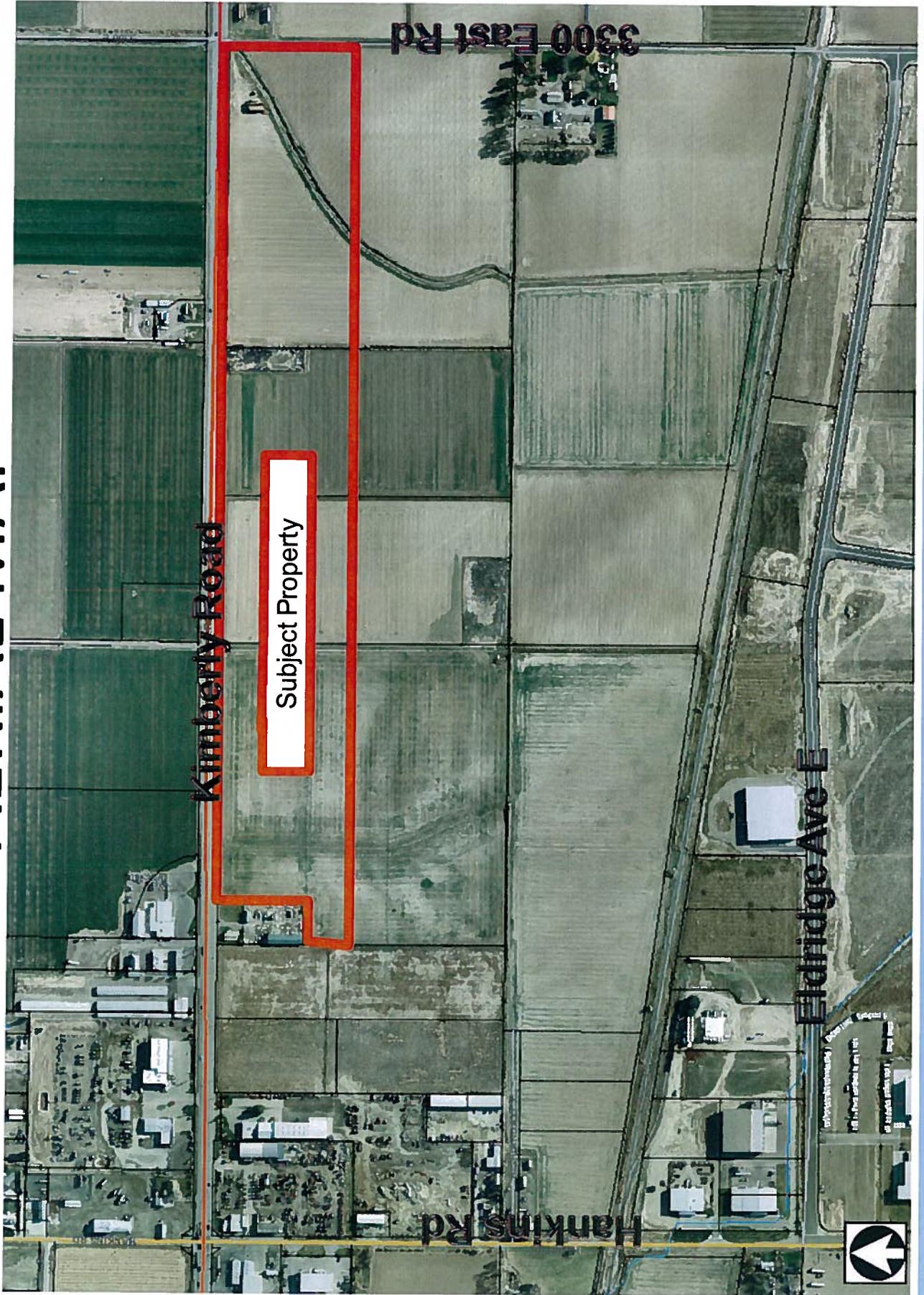
VICINITY MAP



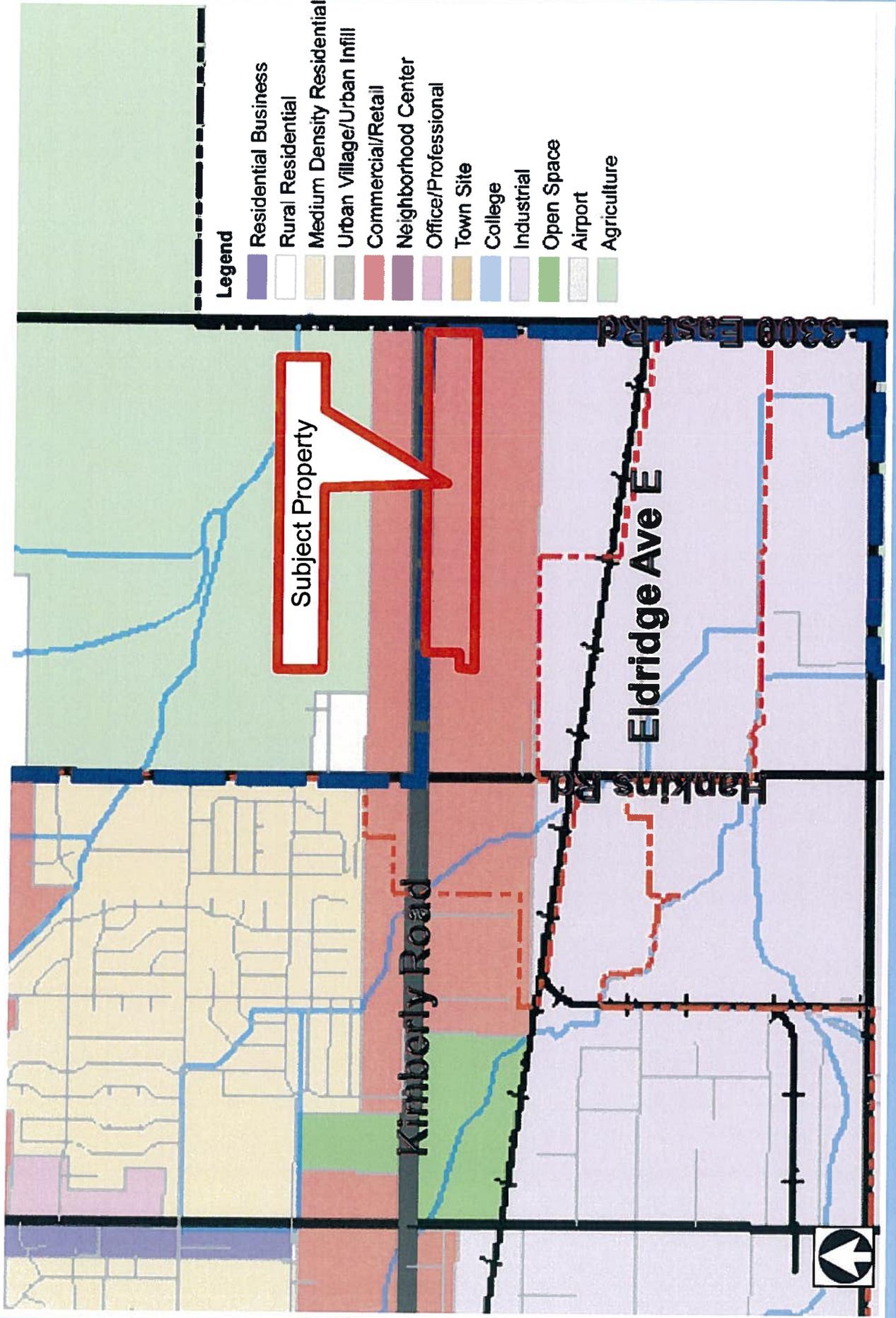
ZONING MAP



AERIAL MAP



COMPREHENSIVE PLAN MAP









MINUTES
Twin Falls City Planning & Zoning
Commission
OCTOBER 25, 2011-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Kevin Cope Jason Derricott Terry Ihler V. Lane Jacobson Jim Schouten Chuck Sharp

Chairman Vice-Chairman

AREA OF IMPACT:

Lee DeVore R. Erick Mikesell

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Cope
Derricott
Ihler
Schouten
Sharp

ABSENT:

Jacobsen

AREA OF IMPACT MEMBERS

PRESENT:

Mikesell

ABSENT:

DeVore

CITY COUNCIL MEMBERS PRESENT:

Mills Sojka

CITY STAFF PRESENT: Carraway, Strickland, Vitek,

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Consideration of the Preliminary Plat of the Platinum Trio Subdivision, 0.195 (+/-) acres consisting of two (2) residential lots and located on the west side of the 300 block of Tyler Street, c/o Riedesel Engineering, Inc. on behalf of Habitat For Humanity of the Magic Valley, Inc.

IV. PUBLIC HEARING ITEMS

1. Request for a Special Use Permit to operate an automobile sales business on property located at 269 Washington Street North, c/o Nelson and Co. (app. 2479)
2. Request for a Special Use Permit to construct an 1800 sq. ft. detached accessory building on property located at 3549 North 3000 East within the City's Area of Impact, c/o Justin and Jessica Simmons. (app. 2481)
3. Request for a Special Use Permit to construct an 1800 sq. ft. detached accessory building on property located at 2996 Anderson Lane within the City's Area of Impact, c/o Jared and Sonya Povey. (app. 2482)
4. Request for a Special Use Permit to expand an existing medical office including physical therapy by more than 25% on property located at 1426 Falls Avenue, c/o Paul Lloyd on behalf of Bryan Wright. (app. 2483)
5. Request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 +/- acres located at the southwest corner of Kimberly Road aka 3800 North Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app. 2484)

I. CALL MEETING TO ORDER:

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

IV. PUBLIC HEARING ITEMS

5. Request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 +/- acres located at the southwest corner of Kimberly Road aka 3800 North Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app. 2484)

APPLICANT PRESENTATION:

Todd Blass, representing Kimberly Road Partners, the application has three parcels with several ownerships. The property is located along the south side of Kimberly Road and they are requesting a change from C-1 zoning designation to M-2 zoning designation. The current use of the property is agricultural the property to the south is zoned M-2 and the property to the north is Commercial. As it stands now the current map identifies the front portion of the property as C-1 and this is designated by a line. This property is 58 acres and there is not much development in this area currently and should have minimal impact with the change. He asked that the Commission make a positive recommendation to the Council.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed the exhibits on the overhead and stated this is a request for a Zoning District Change and Zoning Map Amendment for 57.7 (+/-) acres of property from C-1; commercial highway zoning district to M-2; the heavy manufacturing zone.

She explained there are three (3) properties included in this request and portions of the full properties were annexed at different times. Both the 77 acres located at the southwest corner of 3300 E Rd and Kimberly Rd, and the western-most 17 (+/-) acres that is part of this request was annexed in 2007. The 37 (+/-) acre property in the middle was annexed in April of 2008.

The applicants have indicated in their narrative that they wish to rezone these properties so that they will have a uniform industrial zoning to allow for future development.

The property is currently undeveloped and being used as agricultural land. The properties to the north and east are also being used agriculturally. There are areas to the south of these properties that are used for manufacturing such as Jayco and some other smaller manufacturers and supporting industry.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: The first is 1- to determine whether the request is in conformance with the comprehensive plan....

1. The Comprehensive Plan's Future Land Use Map 2-4 designates this area as commercial/retail.

This land use designation was established in February 2009 with the adoption of the comprehensive plan. At the time this area's designation was considered it was determined that undeveloped areas of Kimberly Road would be geared towards an attractive commercial/industrial gateway into Twin Falls. This is still desired. For the north side of Kimberly Road as that property transitions into residential and agricultural uses it is determined

that commercial / retail uses would be more consistent and compatible with future growth. The south side area transitions to more industrial uses and has good access to Highway 30 and the railroad so therefore it has been determined by staff to be consistent and compatible with existing development and projected growth in the area.

The properties on the south side are all split by the current zoning designations which make them difficult to master plan and develop uniformly. The northern part of Twin Falls has a substantial amount of commercially-zoned property to serve retail, office, and medical uses. City staff believes that this area is a prime location for expansion of surrounding industrial and manufacturing uses.

The 2nd main task is to evaluate the request to determine the extent and nature of the amendment requested.

2. The proposal of expanding manufacturing uses adjacent to Kimberly Road would be compatible with the adjacent development in the area. The area where Jayco is located to the south is supported by the Urban Renewal Agency and proximity to the railroad and highways make it a desirable industrial location. It is one-half mile from the nearest residential development and much of the surrounding property is undeveloped and being used agriculturally. the M-2 zone may allow for uses that would bring additional impacts such as traffic, lighting, odors, vibrations and noise however there are not adjacent uses that would be incompatible with this type of development.

Zoning & Development Manager Carraway stated to make a positive recommendation to the City Council the Commission must determine that the request is in conformance with the comprehensive plan and the extent and nature of changing the zoning of this property to M-2 would be harmonious and compatible with industrial development established in the area.

Zoning & Development Manager Carraway stated upon conclusion should the Commission determine that both standards apply then staff recommends the Commission recommend approval of this request to the City Council, as presented.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED:

- Commissioner Schouten asked if the M-2 zoning designation would reduce the landscaping requirements.
- Zoning & Development Manager Carraway stated that the gateway arterial landscaping would be required along Kimberly Road.

MOTION:

Commissioner Schouten made a motion to recommend approval of this request to the City Council. Commissioner Cope seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL
CITY COUNCIL PUBLIC HEARING SCHEDULED FOR NOVEMBER 7, 2011



DATE: MONDAY -- NOVEMBER 07, 2011

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Director

AGENDA ITEM IV-2

Request:

Consideration of adoption of one (1) ordinance(s) regarding a request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 +/- acres located at the south west corner of Hwy 30 / Kimberly Road and 3300 East Road, c/o Margaret Sligar and Kimberly Road Partners, LLC. (app. 2484)

Ordinance # _____

Time Estimate:

Staff presentation may be approximately two (2) 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 zoned as approved and developed in compliance with the M-2 requirements.

History:

On November 07, 2011 the City Council approved a request for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 +/- acres located at the south west corner of Hwy 30 / Kimberly Road and 3300 East Road, as presented, by a unanimous vote.

Analysis:

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

Conclusion:

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

Attachments:

1. Ordinance

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, **MARGARET SLIGAR & KIMBERLY ROAD PARTNERS, LLC** had made application for a rezone of property located at the southwest corner of Kimberly Road aka 3800 North Road and 3300 East 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 11th day of October, 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 7th day of November, 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 at the southwest corner of Kimberly Road aka 3800 North Road and 3300 East Road is the subject of a Zoning District Change and Zoning Map Amendment from C-1 to M-2:

SEE ATTACHMENT "A"

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

SECTION 3. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the rezoning of the real property above described.

PASSED BY THE CITY COUNCIL

, 20__

SIGNED BY THE MAYOR

, 20__

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday,

, 20__

ATTACHMENT "A"

A parcel of land located in the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 24, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

The Northerly 660 feet of the N $\frac{1}{2}$ NE $\frac{1}{4}$;

TOGETHER WITH

The Northerly 660 feet of a parcel of land located in the NW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the North one-quarter corner of said Section 24 from which the Northwest Section corner of said Section 24 bears South 89°48'00" West 2638.80 feet;

THENCE South 00°31'07" East along the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24 for a distance of 50.00 feet to a point on the Southerly right-of-way of U.S. Highway 30 and being the TRUE POINT OF BEGINNING;

THENCE continuing South 00°31'07" East along the East boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24 for a distance of 1269.01 feet to the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24;

THENCE South 89°46'46" West along the South boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24 for a distance of 1320.34 feet to the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24;

THENCE continuing South 89°46'46" West along the South boundary of the NW $\frac{1}{4}$ of said Section 24 for a distance of 6.39 feet;

THENCE North 00°12'00" West for a distance of 2.39 feet to a found 5/8" rebar;

THENCE continuing North 00°12'00" West for a distance of 890.83 feet to a found 5/8" rebar;

THENCE South 89°43'47" East for a distance of 181.24 feet;

THENCE North 00°39'29" East for a distance of 377.78 feet to a point on the Southerly right-of-way U.S. Highway 30;

THENCE North 89°48'00" East parallel with the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24 and along the Southerly right-of-way of U.S. Highway 30 for a distance of 1132.79 feet to the TRUE POING OF BEGINNING.

Containing approximately 54.65 acres.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

ITEM IV-3

In Re:)	
)	
<u>Zoning District Change & Zoning Map Amendment,</u>)	FINDINGS OF FACT,
Application,)	
)	CONCLUSIONS OF LAW,
<u>Kimberly Road Partners & Mary Sligar</u>)	
<u>c/o EHM Engineers, Inc.</u>)	
)	AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on November 7, 2011 for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 acres (+/-) for property located at the south west corner of Kimberly Road aka 3800 North Road and 3300 East Road and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 acres (+/-) for property located at the south west corner of Kimberly Road aka 3800 North Road and 3300 East Road
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: September 22, 2011 & October 20, 2011
3. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial & Industrial 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, Kimberly Road/Agricultural; to the south, Undeveloped/Agricultural; to the east, 3300 East Road/Agricultural; to the west, Residential/Agricultural.

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

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 acres (+/-) for property located at the south west corner of Kimberly Road aka 3800 North Road and 3300 East Road is consistent with the purpose of the M-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

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

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

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

5. The application for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 acres (+/-) for property located at the south west corner of Kimberly Road aka 3800 North Road and 3300 East Road 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 a for a Zoning District Change and Zoning Map Amendment from C-1 to M-2 for 58 acres (+/-) for property located at the south west corner of Kimberly Road aka 3800 North Road and 3300 East Road 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

APPLICATION #: 2484



Date: Monday, November 7, 2011
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Director

Request:

Consideration of a request for additional height for buildings in a future manufacturing development located on 190+/- acres at the southwest corner of Kimberly Road and 3300 East.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

Earlier on this agenda, the Council considered a request to rezone 58 acres along Kimberly Road from C-1 to M-2. The purpose of that rezoning was the property owners' desire to create a future manufacturing development opportunity for their properties. The two applicants in that request are working with the three property owners adjacent and south of their properties to create this potential manufacturing development. This request is for approximately 190 acres and includes all five properties. Assuming the earlier rezoning request was approved, all 190 acres are now zoned M-2.

This request is for additional manufacturing building heights on the property, pursuant to City Code 10-7-3, which says:

The council may allow greater than standard building heights with or without extra setback requirements, in the CB, C1, M1 and M2 zoning districts and subdistricts, providing all floors have a fire sprinkler system approved by the fire chief and city engineer. The requirement for a fire sprinkler system may be waived by the council, based on recommendations from the fire chief, for a building which is accessory to a farming use and not intended for human occupancy providing the property owner releases the city from all fire protection responsibility and liability.

The maximum building height in the M-2 zone is 50 feet. The applicants would like to create a little more flexibility on the property in hopes of accommodating a greater range of potential users. Therefore, they are requesting that future buildings be permitted to be built up to 60 feet tall. All floors in a building taller than 50 feet will have fire sprinklers. Also, all buildings taller than 50 feet will have a setback of 50 feet from all property lines. The request also includes additional building height of up to 120 feet for agricultural accessory buildings not intended for human occupancy, such as storage silos used in agricultural processing. The Fire Chief has reviewed the request and is comfortable waiving the fire sprinkler requirement for these agricultural accessory buildings. All other zoning, engineering, fire, and building requirements will be reviewed and complied with as the future development proceeds through the appropriate development and/or building processes.

Approval Process:

A simple majority vote by the Council is needed to approve the request.

Budget Impact:

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

Regulatory Impact:

Approval of the request will allow a manufacturing development to occur with increased occupied building heights of up to 60 feet and increased heights of up to 120 feet for agricultural accessory buildings not intended for human

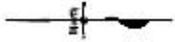
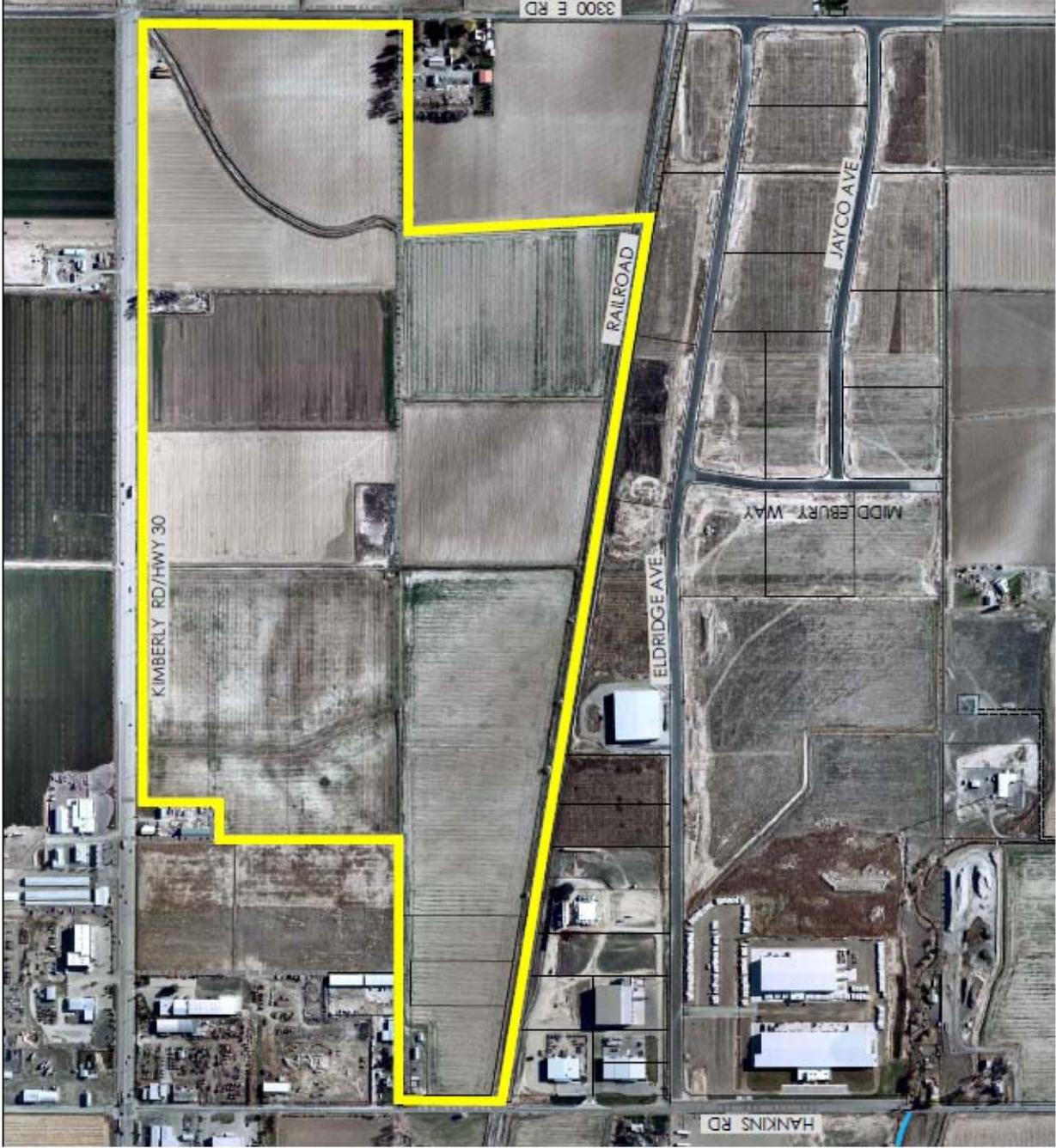
occupancy. Any buildings taller than 50 feet will have to be set back 50 feet from all property lines. All other zoning, engineering, fire, and building codes will have to be complied with. All buildings taller than 50 feet that are intended for human occupancy will have to provide fire sprinklers on all floors.

Conclusion:

Staff recommends that the City Council approve the request for additional building height as presented.

Attachments:

Location Map



NOT TO SCALE

PROPERTY
BOUNDARY



DATE: MONDAY -- NOVEMBER 07, 2011
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Director

ITEM IV-5

Request: Request to establish two (2) new communication towers; one (1) sixty-foot (60') communication tower to be placed on property located at the TWIN FALLS CHAMBER VISITORS CENTER, 3591 Blue Lakes Boulevard North and one (1) one-hundred foot (100') communication tower to be placed on property located at the CITY OF TWIN FALLS GUN RANGE, located east Of The 4100 Block Of Hankins Road East/3200 EAST ROAD and south of the Snake River Canyon Rim Trail. c/o Craig Stotts/Lieutenant, Communications -PD on behalf of the City of Twin Falls.

Time Estimate:

The Applicant/Staff presentation will be approximately ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 2 towers; 1-60' & 1-100'
Craig Stotts, Lieutenant, Communications – PD City of Twin Falls PO Box 1907 Twin Falls, ID 83303-1907	Current Zoning: OS	Requested Zoning: approval to place two new communication towers
	Comprehensive Plan: Open Space	Lot Count: N/A
	Existing Land Use: Tourist/Visitors Center & the City of Twin Falls PD Gun Range	Proposed Land Use: Placement of two new communication towers
Representative:	Zoning Designations & Surrounding Land Use(s)	
Riedesel Engineering, Inc. c/o Rod Mathis 202 Falls Ave Twin Falls, ID 83301 208-733-2446	North: OS; Visitor Center & Gun Range	East: OS; Visitor Center & Gun Range
	South: SUI & OS; undeveloped property & Gun Range	West: SUI & OS; undeveloped property & Gun Range
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-11, 10-7-17, 10-7-19	

Approval Process:

TF City Code Title 10; Chapter 7-Zoning Supplementary Regulations; Section 19; City Services:

(C) Approval Of New Uses By City Council: Any proposed new use to be established on real property owned and/or operated by the city of Twin Falls, not already permitted by other provisions of this zoning ordinance or already approved as required utility improvements in new developments, must be approved by the city council after a public hearing at which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of time and place and a description of the proposed use shall be published in the official newspaper or paper of general circulation within the jurisdiction of this city. Additional notice shall be provided by posting the property; by mail to property owners and residents within three hundred feet (300') of the external boundaries of the land being considered; and any additional area that may be impacted by the proposed use, as determined by the zoning administrator. (Ord. 2985, 5-3-2010)

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the placement of two (2) new communication towers which is the first step in ensuring compliance with the FCC and providing adequate portable radio coverage for our public safety employees and the citizens or our community.

History:

No known zoning history.

Analysis:

The request is to establish two (2) new communication towers; one (1) sixty-foot (60') communication tower to be placed on property located at the TWIN FALLS CHAMBER VISITORS CENTER, 3591 Blue Lakes Boulevard North and one (1) one-hundred foot (100') communication tower to be placed on property located at the CITY OF TWIN FALLS GUN RANGE, located east of the 4100 Block of Hankins Road East/3200 EAST ROAD and south of the Snake River Canyon Rim Trail.

On April 12, 2010 the City Council approved a code amendment to allow City owned and/or operated uses to be located in the zoning district where the City determines as appropriate to best provide the associated service to its residents. Approval of this amendment also allowed current City uses that are operating under a non-conforming use status to be considered conforming uses. The code amendment was generated due to acknowledgement of the challenges the city was experiencing with the communication system.

The City of Twin Falls has faced several challenges with our communications system since it was designed in 2003. Our current system is a single-tower site, which isn't sufficient to cover the 18-square-mile area in the city limits and the 75-square-mile fire district that our Fire Department is responsible for. Key areas of town receive limited coverage to no communications coverage, which poses a danger for emergency personnel, citizens, and tourists.

The most significant problem facing the City is the poor or unreliable radio communications for first responders in the northwest, northeast, and Shoshone Falls/Dierkes areas of town. This is attributed to the significant growth in the north end area of town in the last couple of years. This growth includes a new high school, Walmart, housing developments, Walgreens, St. Luke's Hospital, and three multiple-story hotels.

The Shoshone Falls/Dierkes area is extremely busy during the spring, summer, and fall months. Once emergency responders go down into the canyon, they can't communicate with dispatch and/or other emergency personnel. There is limited to no radio coverage in this particular area where there are occasional drowning victims, suicide attempts, fights, and alcohol-related incidents. Such incidents require an emergency response and put the City's public safety employees, citizens, and tourists in danger.

The City of Twin Falls hired a radio communications consultant last year to evaluate our situation and propose a phased approach to correct our deficiencies. Praecom Consulting, out of St. Charles, Missouri, was selected as the independent communications consultant. Based on their recommendation, the City of Twin Falls would need a tower site at the City's gun range and one at the Visitors Center. The tower at the gun range would be guyed and consist of a three-sided lattice structure approximately 18 to 24 inches wide across the face of the tower and approximately 100 feet in height. This particular site is crucial to our current and future radio communication needs. The tower at the visitors center would be a monopole approximately 60 feet in height.

On October 13, 2011 a public open house was held at the City Council Chambers. There were two neighbors from the Meadowridge Subdivision who attended.

Conclusion:

Staff recommends approval of the request as presented.

Attachments:

1. Narrative
2. Area Zoning Maps(2)
3. Aerial of the Project Sites(2)
4. Site Photos
5. Letter from ITD
6. Open House letter & attachments



PHASE I PUBLIC SAFETY RADIO COMMUNICATIONS PLAN

The City of Twin Falls has faced several challenges with our communications system since it was designed in 2003. Our current system is a single-tower site, which isn't sufficient to cover the 18-square-mile area in the city limits and the 75-square-mile fire district that our Fire Department is responsible for. Key areas of town receive limited coverage to no communications coverage, which poses a danger for emergency personnel, citizens, and tourists.

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The Gun Range site and the Visitor Center site have several advantages from a communications and cost perspective. When researching specific tower sites, Praecom Consulting looked at the availability and feasibility of the sites with regard to general infrastructure items. This includes accessibility, i.e. road driveway, etc.; on-site power from the local utility company; security, both physical and psychological (if the site is regularly used or manned); and the availability of existing structures. For these reasons, Praecom Consulting felt that the proposed sites were the optimal locations.

To be specific, the Gun Range has existing access roads, power, and physical security, as well as being regularly visited by City personnel. There is adequate space for a guyed tower, which has a lower overall cost. In addition, after the initial selection of this site, it was found by City Staff that there may be potential for other City services to utilize a tower in this location. With regard to the Visitor Center, many of the same criteria still hold true. Visually, a utility pole has a low impact and is adequate for the radio system requirements. There is an existing building with power that can house the equipment securely. The location, next to the restroom building, is highly visible, reducing the chance of random vandalism.

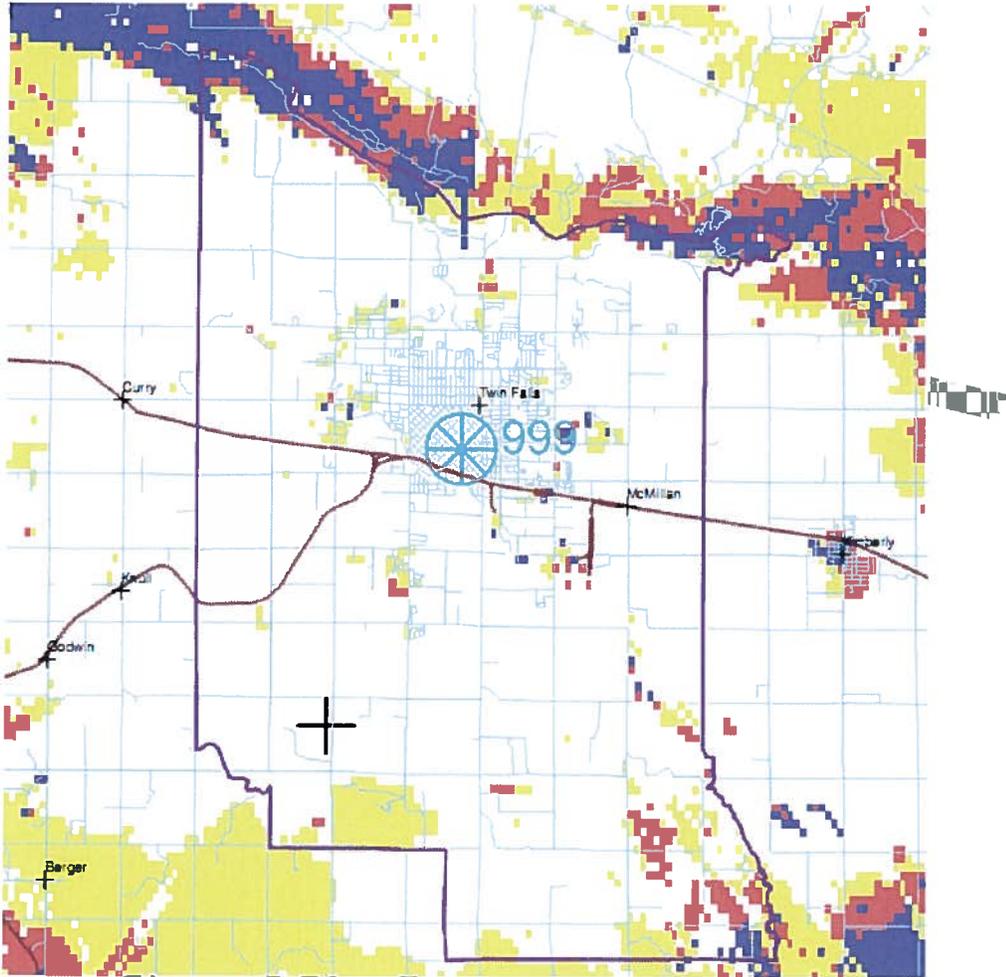
The Federal Communications Commission (FCC) has mandated that all radio frequencies be narrowband compliant by January 1, 2013. What does this mean? In essence, the current bandwidth that we operate under will be split in half, which many experts predict could reduce coverage as much as twenty percent (20%). We cannot afford to lose anymore coverage; in fact, we need to increase our coverage in the areas mentioned above, as well as the fire district. Phase I is the first step to ensure that we are compliant with the FCC and that we are working toward providing adequate portable radio coverage for our public safety employees and the citizens we serve.

Respectfully submitted,



CRAIG STOTTS
Lieutenant, Communications

UHF Communications – Existing coverage



• Figure 1 Existing portable talk-back from main PD tower

Praecom Consulting

RAPTR Version 17.0 XP b29

Tuesday, February 01, 2011 10:46:48

Project: Twin Falls UHF

MBP: 9

Figure: Portable Talk Back Indoors - Interium

Design: Bounded Area

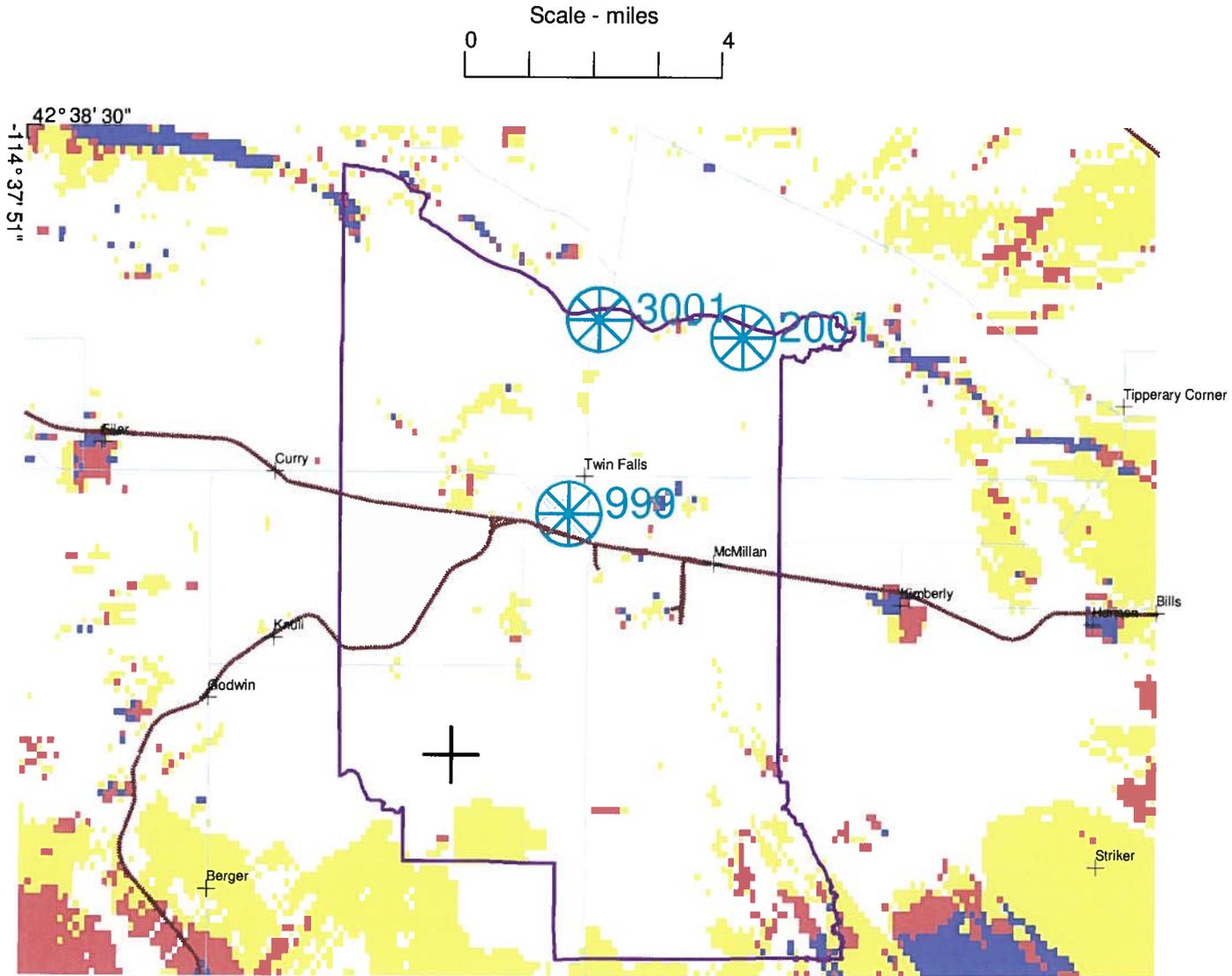
Service: Portable, Talkback, Indoors, No SMA, NB Analog Conventional

Engineer: P9RL

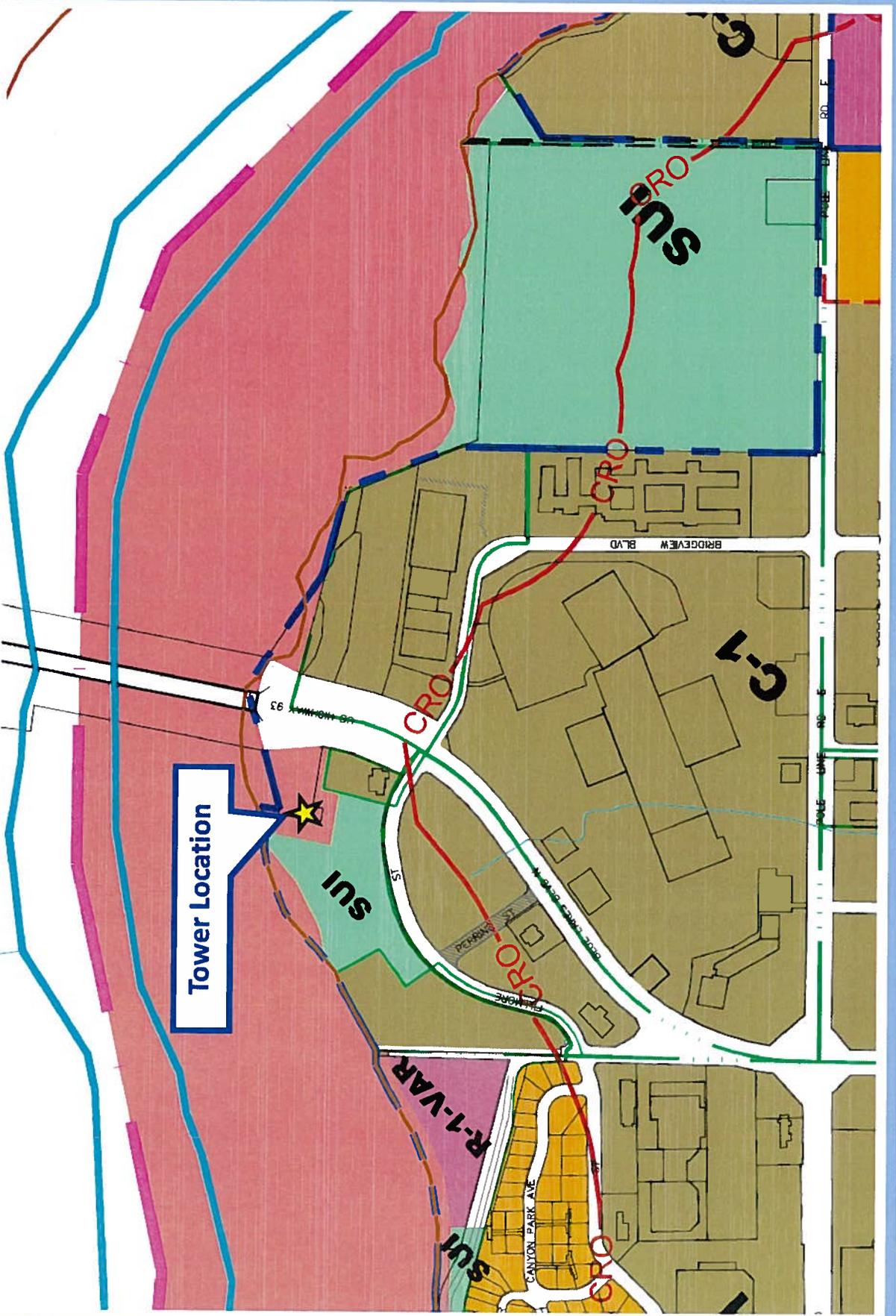
Map type - 1:159,952



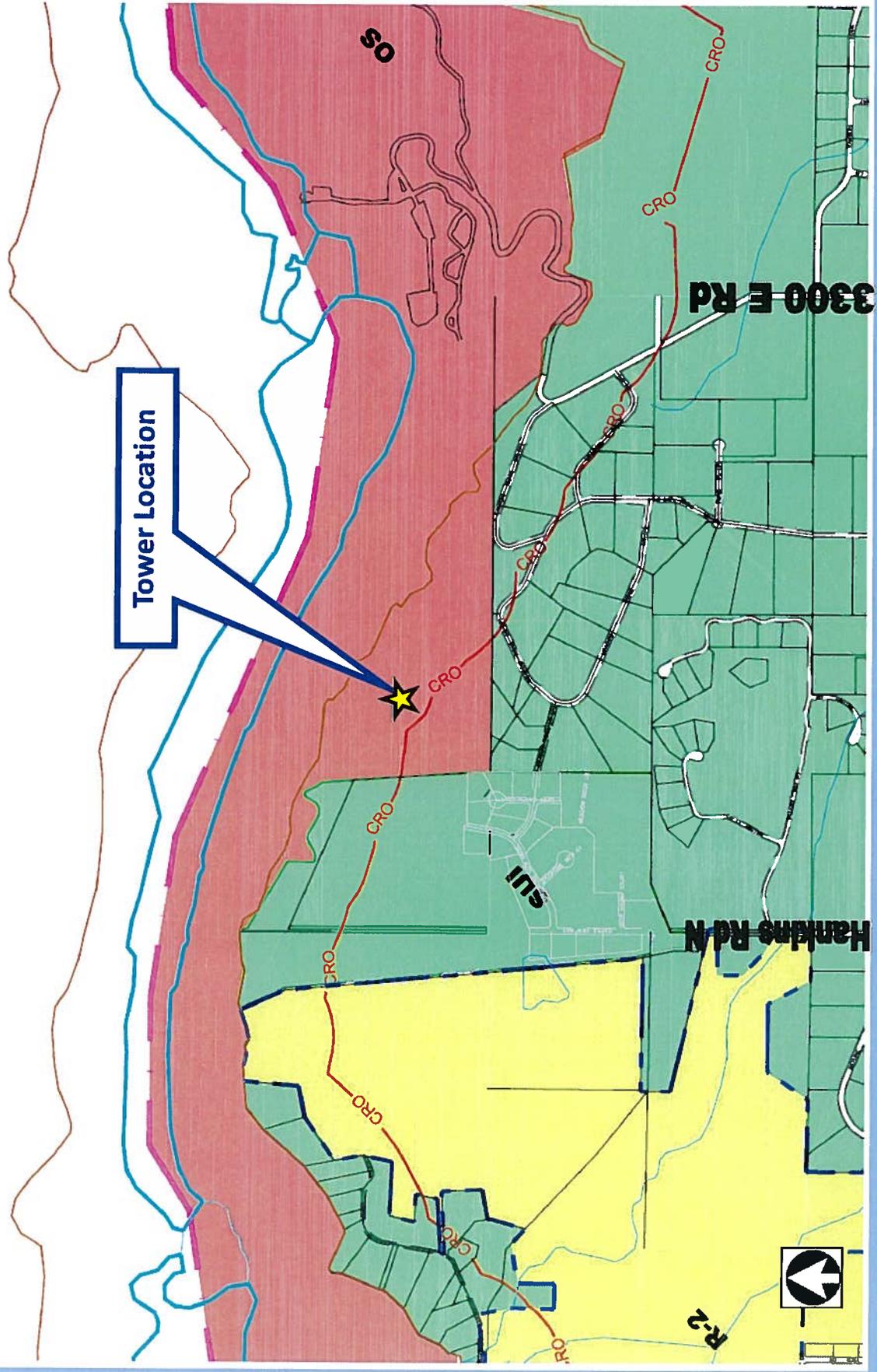
< -113.0dBm < -107.0dBm < -101.0dBm



ZONING MAP



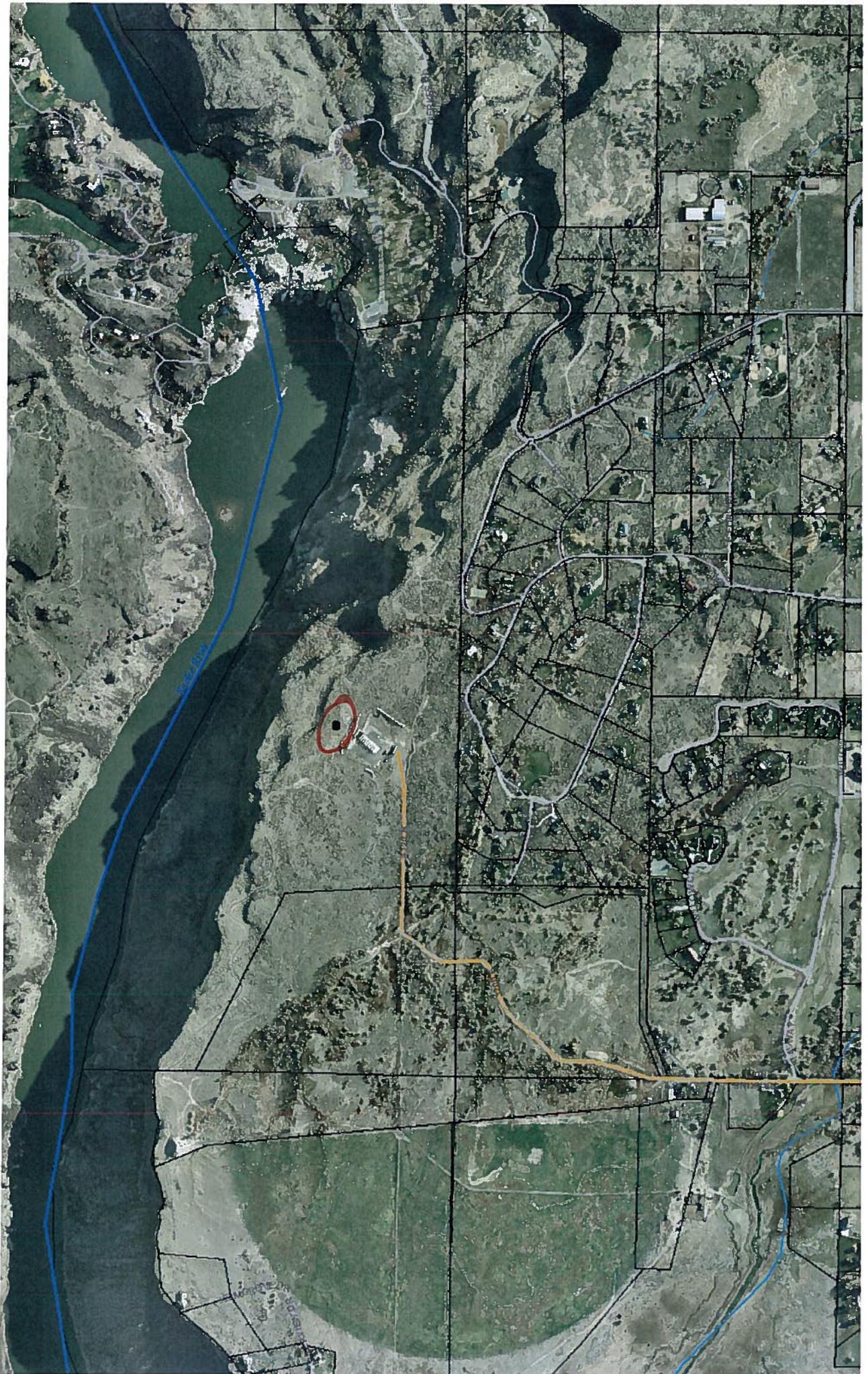
ZONING MAP

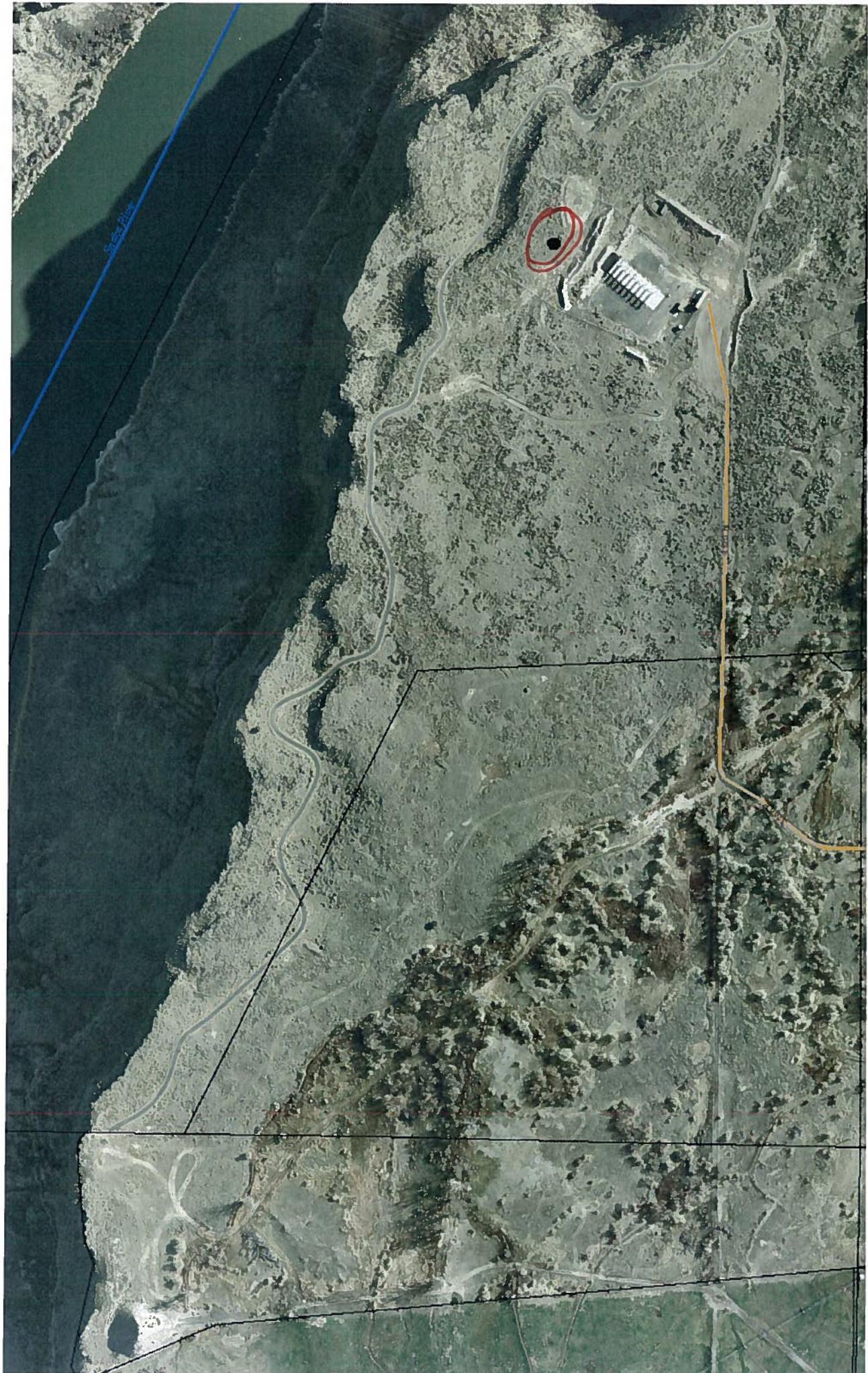














IDAHO TRANSPORTATION DEPARTMENT

216 S. Date Street
Shoshone, ID 83352

(208) 886-7800
itd.idaho.gov

June 30, 2011

Mitch Humble
Community Development Director
P.O. Box 1907
Twin Falls, ID 83303-1907

RE: Antenna installation at Visitor Center facility

Dear Mitch:

I am writing in response to your request of June 27, 2011 to install a communication pole on ITD property south and west of the Perrine Bridge.

You have described the wood pole to be installed as approximately 50 feet tall with a 10 foot antenna attached to the top of the pole. The location will be on the south side of the restroom facilities currently operated by the Chamber of Commerce. The need for communication with emergency responders in the Snake River Canyon is recognized by ITD as a critical issue.

ITD staff has reviewed your request and have no objection to the installation of the antenna on our property. We would note as a reminder that if the lease agreement we currently have with the City of Twin Falls should ever terminate, any improvements installed by the City would need to be removed.

If you have any questions concerning your lease agreement with the Idaho Transportation Department, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Michael Scott".

MICHAEL SCOTT
Senior Right of Way Agent

MS:ms

October 6, 2011

Dear Residents:

The purpose of this letter is to seek your input on an issue that the City of Twin Falls is forced to deal with that directly affects the safety of our police officers and firefighters. The City of Twin Falls has faced several challenges with our communications system since it was designed in 2003. Our current system is a single-tower site, which isn't sufficient to cover the 18-square-mile area in the city limits and the 75-square-mile fire district that our Fire Department is responsible for. Key areas of town receive limited coverage to no communications coverage, which poses a danger for emergency personnel, citizens, and tourists.

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across the face of the tower and approximately 100 feet in height. This particular site is crucial to our current and future radio communication needs.

I have attached a flyer with an elevation view of the proposed site at the gun range. City officials are inviting you to attend an open house meeting on Thursday, October 13, 2011, at 6:00 p.m. to discuss our proposed plan and answer any questions you may have. We will be meeting in the City Council Chambers located at 305 3rd Avenue East.

Sincerely,

CRAIG STOTTS
Lieutenant, Communications

CS:aed

Attachment

Public Safety Radio Communications Open House Meeting

When: Thursday, October 13, 2011, at 6:00 p.m.

Where: City Council Chambers
305 3rd Avenue East
Twin Falls, ID 83301

Why: Informative meeting to discuss the need for a radio communications tower at the City's gun range.

Presenters: Twin Falls Police Chief Brian Pike and Twin Falls Fire Chief Ron Clark

