

COUNCIL MEMBERS:

SHAWN	LANCE	DON	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	CLOW	HALL	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
		<i>Vice Mayor</i>	<i>Mayor</i>			



AGENDA

Meeting of the Twin Falls City Council
Monday, March 5, 2012
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

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

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		<u>Action</u>	<u>Staff Report</u>
1. Consideration of accounts payable for February 28 – March 5, 2012, total: \$713,564.49. March 5, 2012, Payroll total: \$103,751.08.			Sharon Bryan
2. Consideration of the February 27, 2012, City Council Minutes.			L. Sanchez
3. Consideration of a request to approve the Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 205 Shoshone Street North, for the addition of liquor.			Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. Consideration of a request to appoint members to the Twin Falls City Planning & Zoning Commission.		Action	Mitch Humble
2. Consideration of a request to adopt a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance the water system upgrades to serve the Chobani Yogurt plant being constructed in the southeast area of Twin Falls. Proposed Resolution No. 1880		Action	Carleen Herring Region IV
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00			
1. For the Vacation of dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way, c/o Brad Wills on behalf of Wills, Inc. (app. 2478)		Public Hearing	Mitch Humble
V. <u>ADJOURNMENT</u>			
Executive Session 67-2345(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.			

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

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

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

COUNCIL MEMBERS:

SHAWN BARIGAR	LANCE CLOW	DON HALL	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
		<i>Vice Mayor</i>	<i>Mayor</i>			



MINUTES
 Meeting of the Twin Falls City Council
Monday, February 27, 2012
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

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

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for February 22 – 27, 2012. 2. Consideration of the February 21, 2012, City Council Minutes.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to appoint a new member and to reappoint members to the Golf Advisory Commission. 2. Consideration of a request to approve a Resolution and Cooperative Agreement for an Encroachment Permit for State Highway: US-30. <i>Proposed Resolution #1879.</i> 3. Consideration of a request to reject all bids on UASB proposal for Pretreatment Facility Equipment Procurement. 4. Consideration of a request to authorize the Mayor to sign an agreement between the Blue Lakes Country Club, the Blue Lakes Trout Company, the State of Idaho, and the City of Twin Falls for road maintenance and an easement of the Blue Lakes grade. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Dennis Bowyer Lee Glaesemann Troy Vitek Travis Rothweiler
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 – NONE.		
V. <u>ADJOURNMENT</u> Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy of an elective office. Executive Session 67-2345(1)(c) To consider deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		

****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: Shawn Barigar, Lance Clow, Don Hall, Gregory Lanting, Jim Munn, Jr., Rebecca Mills Sojka, Chris Talkington
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Assistant City Engineer Troy Vitek, Project Engineer Lee Glaesemann, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested to add the following item to the Items for Consideration:

5. Consideration of a request to reject all bids on the Primary Procurement Package.

MOTION:

Councilperson Talkington made the motion to add the Consideration of a request to reject all bids on the Primary Procurement Package to the agenda. The motion was seconded by Councilperson Mills Sojka 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 February 22 – 27, 2012, total: \$784,239.80.
2. Consideration of the February 21, 2012, City Council Minutes.

MOTION:

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

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to appoint a new member and to reappoint members to the Golf Advisory Commission.

Parks & Recreation Director Bowyer explained the request.

The Mayor and staff recommend to reappoint Rich Birrell and Brett Semple and appoint Helen Brown to the Golf Advisory Commission.

Councilperson Clow stated that a discussion was made on changing the meeting schedule.

Parks & Recreation Director Bowyer stated at the last Commission meeting, the Commission decided to continue meeting at the regular scheduled meeting times with the understanding that some meetings might have to be canceled due to a lack of an agenda. The Commission will continue to organize the golf course's fund-raising tournament.

Councilperson Clow stated that it was in code that meetings are scheduled to be nine times a year.

Vice Mayor Hall asked what has changed significantly with the Golf Advisory Board.

Parks & Recreation Director Bowyer stated that with the new contract with Steve Meyerhoeffer in place, Steve Meyerhoeffer handles the day and day operation at the course. The role of the Golf Advisory Board has been reduced. The Commission wanted to wait and see how their role will change this year before a decision is made on reducing the number of meetings or even disbanding the Commission.

City Attorney Wonderlich stated that a decision can be made at a different time as to how many times the Commission meets.

MOTION:

Vice Mayor Hall made the motion to reappoint Rich Birrell and Brett Semple and appoint Helen Brown to three year terms from

March 2012 to February 2015. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 7 to Consideration of a request to approve a Resolution and Cooperative Agreement for an Encroachment Permit for State Highway: US-30.

Staff Engineer Glaesemann explained the request.

Staff recommends the Council approve the Resolution and Cooperative Agreement for an Encroachment Permit for State Highway: US-30.

Council discussion followed:

-Cost Savings of \$150,000.

Staff Engineer Glaesemann stated that there is an estimated up-front cost savings of \$150,000 to trench across Kimberly Road rather than to bore underneath it.

MOTION:

Councilperson Barigar made a motion to adopt Resolution 1879, and authorize the Mayor to sign the Cooperative Agreement for an Encroachment Permit for State Highway US-30. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request to reject all bids on UASB proposal for Pretreatment Facility Equipment Procurement.

Assistant City Engineer Vitek explained the request.

Staff recommends that the Council approve the request as presented.

MOTION:

Councilperson Talkington made the motion to reject all bids on the UASB proposal for Pretreatment Facility Equipment Procurement Package. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to authorize the Mayor to sign an agreement between the Blue Lakes Country Club, the Blue Lakes Trout Company, the State of Idaho, and the City of Twin Falls for road maintenance and an easement of the Blue Lakes grade.

City Manager Rothweiler explained the request. The proposed agreement describes the financial responsibilities of each party as it relates to maintaining the Blue Lakes Grade and secures the City's easement to Blue Lakes well sites.

City staff recommends approval of the agreement between the parties.

MOTION:

Councilperson Barigar made a motion to authorize the Mayor to sign an agreement between the Blue Lakes Country Club, the Blue Lakes Trout Company, the State of Idaho, and the City of Twin Falls for road maintenance and an easement of the Blue Lakes grade. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to reject all bids on the Primary Procurement Package.

Assistant City Engineer Vitek explained the request. Approval of the request will allow the City to formally withdraw the solicitation and return the bonds to the bidders.

Staff recommends that the Council approve the request as presented.

MOTION:

Councilperson Munn made a motion to reject all bids on the Primary Procurement Package. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

Paul Welch, 1204 Welch Lane, stated that he lives at the end of Welch Lane, and along the lane are trailers that are parked illegally along the lane. In addition, there are potholes on the east end of Grandview Drive.

Council directed staff to address Mr. Welch's complaints.

Councilperson Clow excused himself from the meeting at 5:37 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

A Citizen Finance Commission meeting will be held at the Twin Falls Council Chambers, Tuesday, February 28, 2012.

The Fur Ball Fundraiser sponsored by The Magic Valley People for Pets will be held at the Turf Club, Friday, March 2, 2012.

IV. PUBLIC HEARINGS: 6:00 – NONE.

V. ADJOURNMENT

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

Executive Session 67-2345(1)(c) To consider deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

MOTION:

Vice Mayor Hall made the motion to adjourn to Executive Session 67-2345(1)(a) and Executive Session 67-2345(1)(c), as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 5:45 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



March 5, 2012, City Council Meeting

To: Honorable Mayor and City Council

From: Sharon Bryan, Deputy City Clerk

Request:

Consideration of a request to approve the Alcohol License Application for Mezamie, Inc., DBA The Historic Ballroom, located at 205 Shoshone Street North, for the addition of Liquor.

Time:

Consent Calendar

Background:

They have been serving beer and wine to be consumed on premise and just recently have acquired a liquor license from the State.

History:

Mezamie, Inc dba The Historic Ballroom has been serving beer and wine to be consumed on premise.

Budget Impact:

Addition of liquor would be \$562.50 per year.

Regulatory Impact: None

Conclusion:

Staff recommends approval of the Liquor License.

Attachments:

Alcohol License Application

COPY



ALCOHOL LICENSE APPLICATION

BUSINESS NAME Mezame, Inc STATE LICENSE # 12326
 (Please attach a copy of your state license)
 DOING BUSINESS AS The Historic Ballroom
 BUSINESS ADDRESS 205 Shoshone St. N Twin Falls, Id 83301
 LEGAL DESCRIPTION OF PLACE OF BUSINESS _____
 Lot 29-32 Block 71 Subdivision Twin Falls Townsite
 MAILING ADDRESS 205 Shoshone St. N Twin Falls, Id 83301
 CONTACT PERSON Sarah Taylor PHONE # (208) 733-5313

			(Check)
BEER:	<i>Bottled for consumption off the premises only</i>	(\$ 50.00)	_____
	<i>Bottled for consumption on premise</i>	(\$ 150.00)	_____
	<i>Bottled & Draught for consumption on premises</i>	(\$200.00)	_____
WINE:	<i>Retail Sales for consumption off premises only</i>	(\$200.00)	_____
	<i>Wine by the Drink for consumption on premises only</i>	(\$200.00)	_____
LIQUOR:	<i>Liquor license & fees cover wine license & fees</i>	(\$562.50)	<u>X</u>

As provided by the laws of the City of Twin Falls, Idaho for the term ending **June 30, 2010** tendered herewith is the license fee of \$ 562.50 . (Ordinance #2708)

APPLICANT IS AN INDIVIDUAL () PARTNERSHIP () CORPORATION (X)

IF A PARTNERSHIP, NAME ALL PARTNERS: (PLEASE PRINT)

NAME: _____ RESIDENCE: _____
 NAME: _____ RESIDENCE: _____
 NAME: _____ RESIDENCE: _____

IF A CORPORATION OR ASSOCIATION, NAME ALL OFFICERS:

NAME: Sarah Taylor ADDRESS: 403 4th Ave N. Twin Falls, Id 83301
 TITLE: President
 NAME: Clark Parrish ADDRESS: 39 Canyon View Rd Jerome, Id 83338
 TITLE: Secretary

NAME: _____ ADDRESS: _____

TITLE: _____

NAME: _____ ADDRESS: _____

TITLE: _____

DATE OF INCORPORATION OR ORGANIZATION March 24, 2010

PLACE OF INCORPORATION OR ORGANIZATION Idaho

PRINCIPAL PLACE OF BUSINESS IN IDAHO Twin Falls

OWNER OF PREMISES (Please Print) Landmark Alliance

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:
(Please Print) Sarah Taylor

(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT [Signature]

NAME (Please Print) Sarah Taylor BIRTHDATE: 9/12/84

RESIDENCE OF APPLICANT 403 4th Ave N. Twin Falls, Id 83301

LENGTH OF RESIDENCE IN IDAHO 1yr 9 mon

SIGNATURE OF APPLICANT _____

NAME (Please Print) _____ BIRTHDATE: _____

RESIDENCE OF APPLICANT _____

LENGTH OF RESIDENCE IN IDAHO _____

SIGNATURE OF APPLICANT _____

NAME (Please Print) _____ BIRTHDATE: _____

RESIDENCE OF APPLICANT _____

LENGTH OF RESIDENCE IN IDAHO _____

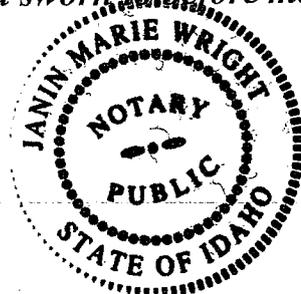
SIGNATURE OF APPLICANT _____

NAME (Please Print) _____ BIRTHDATE: _____

RESIDENCE OF APPLICANT _____

LENGTH OF RESIDENCE IN IDAHO _____

Subscribed and sworn to before me this 27 day of Feb, 20 12.



[Signature]
Notary Public for Idaho
Residing at: Twin Falls County
Notary Expiration Date: 12/30/17

State of Idaho

Idaho State Police

Cycle Tracking Number: 56408
ISLD ID: 6369

Premise Number: 2T-12326
Convention Center

Retail Alcohol Beverage License

License Year: 2012
License Number: 12326

This is to certify, that Mezamie Inc
doing business as: The Historic Ballroom

is licensed to sell alcoholic beverages as stated below at: 205 Shoshone St North, Twin Falls, Twin Falls County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

Liquor	Yes	<u>\$750.00</u>
Beer	Yes	<u>\$50.00</u>
On-premise consumption	Yes	<u>\$0.00</u>
Kegs to go	No	
Restaurant	Yes	<u>\$0.00</u>
Wine by the bottle	Yes	<u>\$0.00</u>
Wine by the glass	Yes	<u>\$0.00</u>
Multipurpose arena	No	

TOTAL FEE: \$800.00



Signature of Licensee, Corporate Officer, LLC Member or Partner

MEZAMIE INC
THE HISTORIC BALLROOM
205 SHOSHONE ST NORTH

TWIN FALLS, ID 83301

Mailing Address

License Valid: 02/21/2012 - 06/30/2012

Expires: 06/30/2012



Director of Idaho State Police

SEE REVERSE SIDE FOR SALE OR TRANSFER OF THIS LICENSE

THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED



MONDAY March 05, 2012

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

Request:

Consideration of a request to appoint members to the Twin Falls City Planning & Zoning Commission.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

As of February 29, 2012, there are three (3) vacancies on the Twin Falls City Planning & Zoning Commission. As per Twin Falls City Code 10-17-3; Article II - The Commission is comprised of 9 members; 7 members representing the area located within the City Limits and 2 members representing the area located within the Area of Impact. Each term is three (3) years. A Commissioner may serve a maximum of two (2) concurrent terms or a total of six (6) years.

There are two (2) vacancies for City Council appointed members and one (1) vacancy for an Area of Impact member appointed by the Board of County Commissioners. Eric Mikesell, Jim Schouten and Kevin Cope are all at the end of their terms on the Planning & Zoning Commission. All three are completing their second terms and are not eligible for reappointment. They have all served the Commission well and will be missed. Staff and the rest of the Commission want to thank them for their service.

Staff published the vacancies in early January 2012 and received seven (7) applications. A selection committee, consisting of Mayor Greg Lanting, Councilman Jim Munn, and Councilwoman Rebecca Mills-Sojka, P&Z Chairman Wayne Bohrn, and Zoning & Development Manager Renee Carraway interviewed applicants so they could make a recommendation to the City Council and the Board of County Commissioners for these appointments. Following are their recommendations.

The selection committee recommends Kevin Grey and Tom Frank to serve a three (3) year term on the Commission to fulfill the (2) vacancies representing the area located within the City Limits and recommends Steve Woods to represent the Area of Impact to the Board of County Commissioners. The applications are attached.

Budget Impact:

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

Regulatory Impact:

Approval of this request will insure that the Planning & Zoning Commission remains at full membership.

Conclusion:

The selection committee recommends that the Council make the following appointments to the Planning & Zoning Commission:

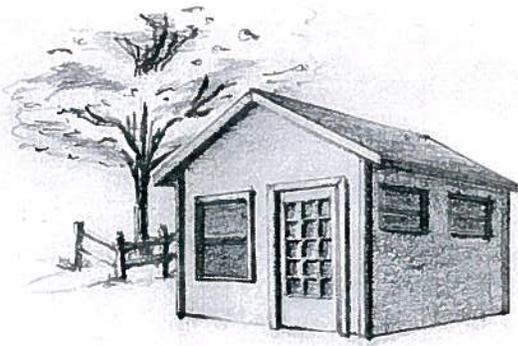
1. Appoint Kevin Grey and Tom Frank to a three (3) -year term on the Commission.

The selection committee recommends that the Council recommend to the Board of County Commissioners the following appointment to the City Planning & Zoning Commission to represent the Area of Impact:

1. Steve Woods to a three (3) –year term on the Commission.

Attachments:

Application letters from Kevin Grey, Tom Frank and Steve Woods



Structures

601 Sparks St., Twin Falls, Idaho, 83301
208.404.1166
email: greymatter601@yahoo.com

9 February 2012

City of Twin Falls
Attn: Rene'e V. Carraway
Zoning Development Manager
P.O. Box 1907
Twin Falls, Idaho, 83303-1907

Dear Sirs:

My name is Kevin Grey and I am writing to you concerning the openings within the city's Planning and Zoning Commission. I have lived in Twin Falls for fourteen years and have seen many changes and exceptional growth within the community since my arrival so many years ago. I would like to become a small part of what becomes of the future of this city and its surrounding area.

I am currently the sole proprietor of Structures, LLC. I am a remodel contractor and landscaper for homeowners and small businesses. I have successfully operated this venture for the past four years. Before that I was a store manager for Fred Meyer for fourteen years. During the winter months I substitute teach for Twin Falls, Kimberly and Filer School Districts.

I have a Bachelor of Arts in Communications Studies (Graphic Design) from California State University, Chico, with a minor in English. I have also studied Landscape Architecture at California Polytechnic State University, San Luis Obispo. My future goals include growing my company, completing my Masters degree (in either English or mathematics), and becoming more involved in community affairs.

I would very much like more information concerning, and to be considered for, a seat on this commission. My telephone number and e-mail address are listed at the top of this letter. Thank you for your time and I look forward to hearing from you soon.

Sincerely,

Kevin Grey



Structures

From: Renee Carraway
To: grey, kevin
Date: 2/10/2012 9:21 AM
Subject: Re: City Planning and Zoning Commission

Good Morning Kevin;

Thank you for your interest in serving on the City's Planning & Zoning Commission. The City Council will hold interviews with each applicant within the next week and you will be notified before the end of February on their appointment(s). The term of 3 years begins on March 1st. You are welcome to attend the next couple of P&Z meetings (Feb 14th & Feb 28th) and please don't hesitate to ask me any questions you may have. Have a great Friday. Rene'e

Rene'e V. Carraway
Zoning & Development Manager
City of Twin Falls
324 Hansen Street East
PO Box 1907
Twin Falls, Idaho 83303-1907

208-735-7267
208-736-2641 fax

rcarrawa@tfid.org

>>> kevin grey <greymatter601@yahoo.com> 2/10/2012 7:27 AM >>>
Good morning.

Attached, please find my letter stating my interest in the current openings on the city's Planning and Zoning Commission.

Have a great day.

From: "Tom Frank" <tomf@cableone.net>
To: "'Renee Carraway '" <RCARRAWA@tfid.org>
Date: 2/12/2012 4:24 PM
Subject: P&Z Position
Attachments: P&Z Resume.doc

Renee,

Please consider this note as a formal "letter of interest" for a position on the City of Twin Falls Planning & Zoning Commission. Attached is a short resume of my potential qualifications for the position. As you know, I am currently a member of the City of Twin Falls Urban renewal Agency. My term there ends on June 30th. The URA plans to have a request come before the P&Z before then, so I will stand down from any presentation, discussion, or vote on that issue if I am selected to serve on P&Z. When I first joined the URA, I had a similar conflict due to overlapping terms. I stood down from the P&Z on those issues too. If you have any questions or concerns, please do not hesitate to contact me. I understand that interviews are due to be scheduled this week. I will make every attempt to attend when requested, but I have several client meetings and URA meetings already scheduled during this week. Please note my cell phone number of 293-6853. I sometimes don't get to my work phone voice mails until late in the day.

Sincerely,

Tom Frank

Objective	Position on the City of Twin Falls Planning & Zoning Commission
Experience	<p>Creative Services Director Employed 1975 to current Neuhoff Communications (KMVT-TV)</p> <ul style="list-style-type: none">▪ In charge of those who produce commercial, public service, and promotional announcements. Work with businesses large and small throughout Southern Idaho. <p>City of Twin Falls P&Z Commissioner January 2001- April 2006</p> <ul style="list-style-type: none">▪ A six year member and chairman for 3 years, during a time of huge change in the community. From several new major subdivisions and commercial developments, including contentious public debates about a Neighborhood Commercial Development on Boy Scout corner on Hankins, Wal-Mart's arrival to a pre-existing business park, and the Twin Falls Temple. <p>City of Twin Falls Urban Renewal Agency Commissioner June 2006-June 2012</p> <ul style="list-style-type: none">▪ Have served as Secretary and as Vice-Chairman.▪ As member of executive Committee, helped negotiate C3, Chobani, and Glambia arrivals or expansions in Twin Falls.▪
Education	<p>Montana State University, Bozeman, Montana Graduated 1975</p> <ul style="list-style-type: none">▪ B.S. Film and Television Production
Interests	<p>History, Aviation.</p> <p>* I am into details and I am not afraid to ask questions. I read the provided paperwork from staff completely and listen to all oral presentations for further information in order to make a hopefully reasoned and rational decision. I like to come to meetings prepared.</p>

>>> "STEPHEN WOODS" <pandswoods@msn.com> 1/26/2012 10:17 PM >>>
The attached for your consideration

City of Twin Falls
Attn: Rene'e Carraway
Zoning and Development Manager

I would like to submit my name for consideration for the open position on the Planning and Zoning Commission.

My name is Steve Woods. I live in an impact area on the east side of town. I am a retired mechanical engineer who spent my career working for a major oil company at locations in the states of Washington, Wyoming, California, Kansas, and Texas. During that career I was exposed to many different P&Z philosophies and results in the locations where my family and I lived. I served a term on the El Dorado, KS (population 14,000) P&Z Commission in the mid-1990's.

I was born and raised in Twin Falls with the exception of my junior high years. I graduated from Twin Falls High School and attended the University of Idaho where I received my BS/ME. Upon my return to Twin Falls after retirement, I worked for nearly two years as a job superintendant for one of the area's largest residential builders.

I believe my diverse life's experiences combined with a "home town" attitude and technical background provide me with the tools to be a beneficial addition to the P&Z Commission.

My family and I live at 3210 Longbow Drive. We have lived there since 2003. My contact information is:

Steve Woods
Home phone: 732-1217
Cell Phone: 404-1604
E-mail: pandswoods@msn.com

Thank you for your consideration,
Steve Woods



March 5, 2012 --- City Council Meeting

To: Honorable Mayor and City Council

From: Carleen Herring, Region IV Development Association

Request: Approval of a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance the water system upgrades to serve the Chobani-Yogurt plant being constructed in the southeast area of Twin Falls.

Time Estimate:

The presentation will be approximately 15 minutes.

Background: This is another part of the funding needed to implement the infrastructure improvements required to support Agro-Farma's development on Kimberly Road. The company needs access to an adequate volume of process water and fire flow. The Idaho Department of Commerce – Community Development Block Grant (ICDBG) program is designed to assist communities build infrastructure that will generate new employment opportunities for the community's low- and moderate-income residents. The proposed water system improvements meet the guidelines and requirements of the ICDBG program.

History:

The Agro-Farma site is not currently served with sufficient water for their projected operational needs. The proposed water system improvements will provide adequate water for Agro-Farma's operation without adversely impacting other users on this side of the community.

The Idaho Department of Commerce – ICDBG program has been a valued partner in a number of other economic development/job creation infrastructure projects in Twin Falls including financing the public infrastructure associated with Jayco, Solo Cup, and Seastrom Manufacturing.

Budget Impact: The construction of the improvements will require a cash match. The ICDBG application request is for \$500,000 of a current estimated budget of \$4.4 million. Matching funds are anticipated to come from a combination of Urban Renewal and city resources.

Regulatory Impact: Unknown

Conclusion: In order to submit an application to the Idaho Department of Commerce, the Council must hold a public hearing on the application; and then determine if the Council will authorize the Mayor to sign and submit the application.

Attachments: Resolution

RESOLUTION # 1880

CITY OF TWIN FALLS
SIGN AND SUBMIT AUTHORIZATION

A RESOLUTION OF THE COUNCIL, CITY OF TWIN FALLS, IDAHO, AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT TO PARTIALLY FINANCE THE CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS.

WHEREAS, the City of Twin Falls understands the economic value of supporting business development in the community; and

WHEREAS, the City Council has determined it is in the best interest of the community to assist Agro-Farma expand its operation to Twin Falls; and

WHEREAS, Agro-Farma has committed to constructing a new, state-of-the-art, dairy processing plant in the community, but requires access to adequate water for processing and fire flow; and

WHEREAS, the City must upgrade their municipal water system to support the new facility; and

WHEREAS, the City of Twin Falls is seeking the financial assistance of the Idaho Department of Commerce through the Idaho Community Development Block Grant program to help finance a portion of these public improvements.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL FOR THE CITY OF TWIN FALLS, IDAHO, that the Mayor is hereby authorized to sign and submit appropriate application materials to the Idaho Department of Commerce for funds to assist the City with the construction of the infrastructure improvements that will support job creation and private sector investment.

Adopted this 5th day of March, 2012.

Greg Lanting, Mayor

Attest: _____
Leila Sanchez, Deputy City Clerk



Public Hearing: **MONDAY, MARCH 05, 2012**

To: Honorable Mayor and City Council

From: Rene'e V. Carraway, Community Development Department

ITEM IV-1

Request:

For the Vacation of dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way, c/o Brad Wills on behalf of Wills, Inc. (app. 2478)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff's presentation will take 5 minutes.

Background:

Applicant:	Status: Owner	Size: 2.7 (+/-) acres
Wills Inc. c/o Brad Wills 222 Shoshone St West Twin Falls, ID 83301 208-734-4411	Current Zoning: R-2	Requested Zoning: R-4 PRO PUD
	Comprehensive Plan: Medium Density Residential adjacent to Urban Village	Lot Count: PUD
	Existing Land Use: undeveloped lots platted for single family residential development	Proposed Land Use: Professional offices and multi-family residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers Inc. 621 North College Road, Ste. 100 Twin Falls, ID 83301 David Thibault 208-734-4888	North: C-1 PUD; Twin Falls Reformed Church	East: R-2; single-family dwellings
	South: R-2; North College Rd W, single-family and duplex dwellings	West: R-2 and R-6 PRO PUD; Fieldstream Way, undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-4-6, 10-4-18, 10-6-1 through 4, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 6	

Approval Process:

As per Twin Falls City Code 10-16-1 Dedications and Vacations:

Public Hearing: The Commission shall hold a public hearing and make recommendations on all petitions for vacation of an existing subdivision, plat or part thereof inside or within one mile of the boundaries of the City, or within the City "area of impact", and notice of said public hearing shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of the public hearing to all property owners within three hundred feet (300') of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven (7) days prior to the date of said hearing.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed to the City Council with their request for a vacation of the public right-of-way and easements. Approval of the request will allow the applicants to proceed with development plans for the property.

History:

In June 2004 this area was annexed into the City of Twin Falls with R-2 zoning. Fieldstone Subdivision (formerly Westview Meadows), consisting of 36 acres and 82 residential lots, and was recorded in December 2004. The property has been developed in phases. The plat for the western portion of the Fieldstone Subdivision was amended in 2009. On January 23, 2012, the City Council approved the re-zoning of a portion of the Fieldstone Subdivision from R-2 to R-4 PRO PUD to allow development of a mixed use project consisting of residential single-family and/or duplex dwellings and professional/medical uses.

Analysis:

This is a request to vacate public rights-of-way and easements in the undeveloped portion of the Fieldstone Subdivision and Fieldstone Subdivision 1st Amended. Wills, Inc., owns the western-most 35 undeveloped lots and is petitioning for the vacation of 2.7 (+/-) acres of the road way and easements to be vacated to allow for lot line adjustments of the property in conjunction with a proposed rezoning request.

The right-of-way was platted in 2004 as part of the Fieldstone Subdivision which has been developed in phases. A portion of Cobble Creek Road was already vacated in 2009. This request would vacate the remaining undeveloped portions of River Mist Path, Cobble Creek Road, and Misty Meadows Trail. It would also vacate public utility easements. Utility services exist within the area proposed to be vacated. The applicant indicates that the utilities, such as power, cable, and gas lines, will be relocated to new easements as part of the resubdivision of the property. The public utility companies have reviewed the proposal and were willing to abandon the current easements if the existing utilities were relocated at the developer's expense.

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

Concurrently the developer requested a rezoning of the undeveloped area of this subdivision. The applicant submitted this vacation request in anticipation of a zoning change that would necessitate re-platting of the property. Staff recommends that the approval of this request be subject to the approval of the zoning request as the actions are dependent on each other.

On September 27, 2011, the Commission unanimously recommended denial of the rezoning request.

On January 23, 2011, the City Council approved a rezone of a portion of the Fieldstone Subdivision from R-2 to R-4 PRO PUD subject to the following conditions:

1. Subject to the designation of the property as an R-4 and R-4 PRO PUD with the single-family and duplex areas being R-4 and the professional use area being R-4 PRO PUD. Assure Uses comply with the R-4 and Professional Overlay zones.
2. Subject to the property being replatted and recorded prior to any building permits being issued.
3. Subject to compliance in the cottage-style residential area with the following recommendations of the Fire Marshall:
 - a. addresses need to be posted in the alleys.
 - b. access roads (alleys) with hydrants shall be a minimum of 26 feet total width. (IFC, D103.1)
 - c. no on-street parking in alleys and alley marked with approved "no parking" signs.
 - d. rear, unobstructed access into the dwellings is maintained (not through the garage or through fences or gates), or as approved by the Fire Marshall.
 - e. no overhead utilities in the alley (power lines, phone lines, etc.).
 - f. hydrants are installed on the ends of each alley.
4. Subject to final approval and recordation of the PUD Agreement.
5. 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.

CONCLUSION:

Should the City Council approve the request to vacate a portion of the Fieldstone Subdivision, as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to meeting the conditions of utility companies for the abandonment and/or relocation of public utilities.
3. Subject to approval of the Fieldstone Professional Planned Unit Development Agreement.
4. Subject to the replatting of the portion of the Fieldstone Subdivision, as presented.

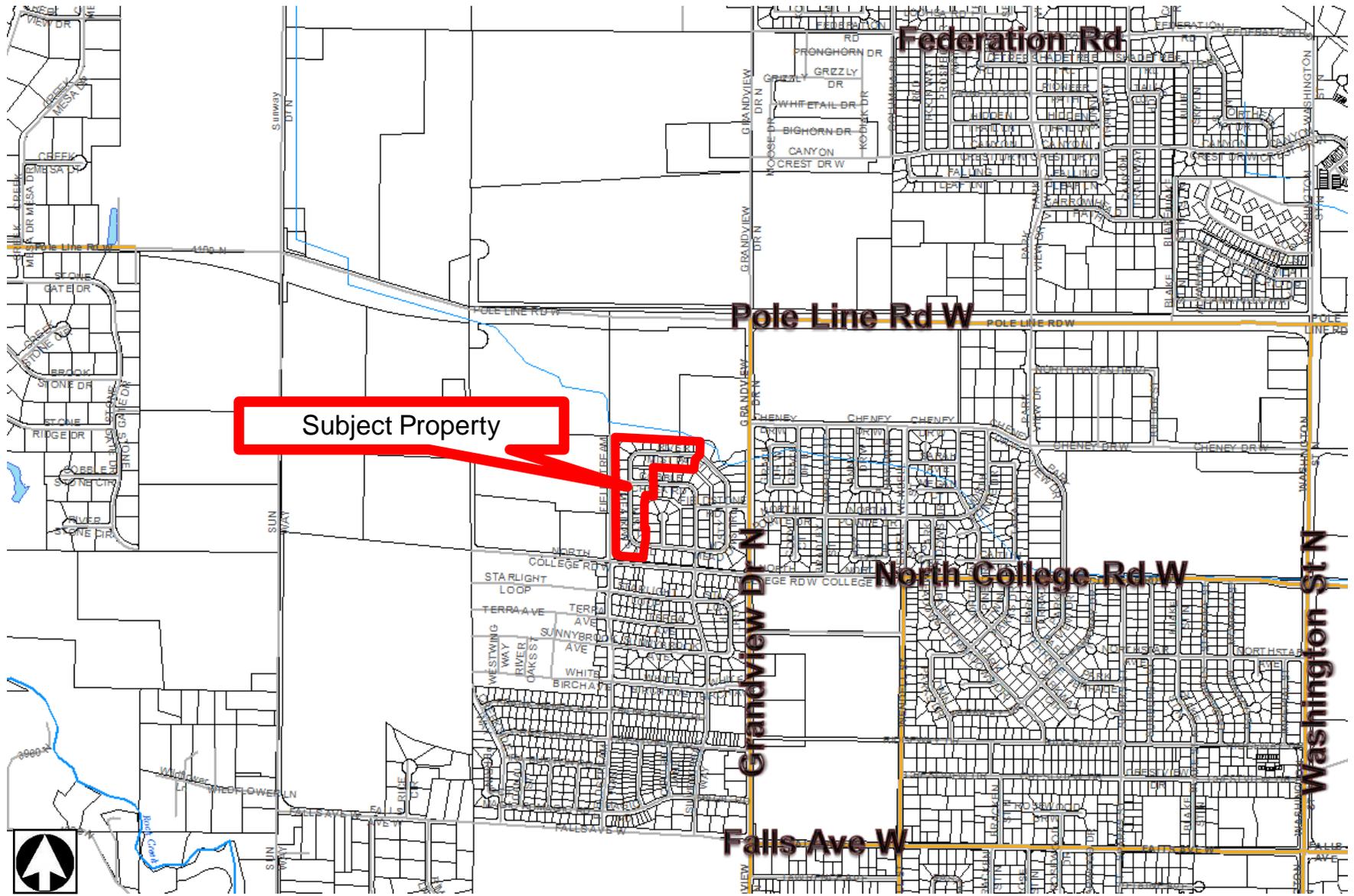
Attachments:

1. Narrative
2. Vicinity Map
3. Zoning Map
4. Aerial Map
5. Fieldstone Subdivision
6. Fieldstone Subdivision First Amended
7. Vacation Exhibit 2004-026186
8. Vacation Exhibit 2010-014680
9. Proposed Fieldstone Professional Subdivision
10. Portion of Sept 23, 2011 P&Z minutes (10 pgs)
11. Portion of Jan 23, 2012 CC minutes (5 pgs)

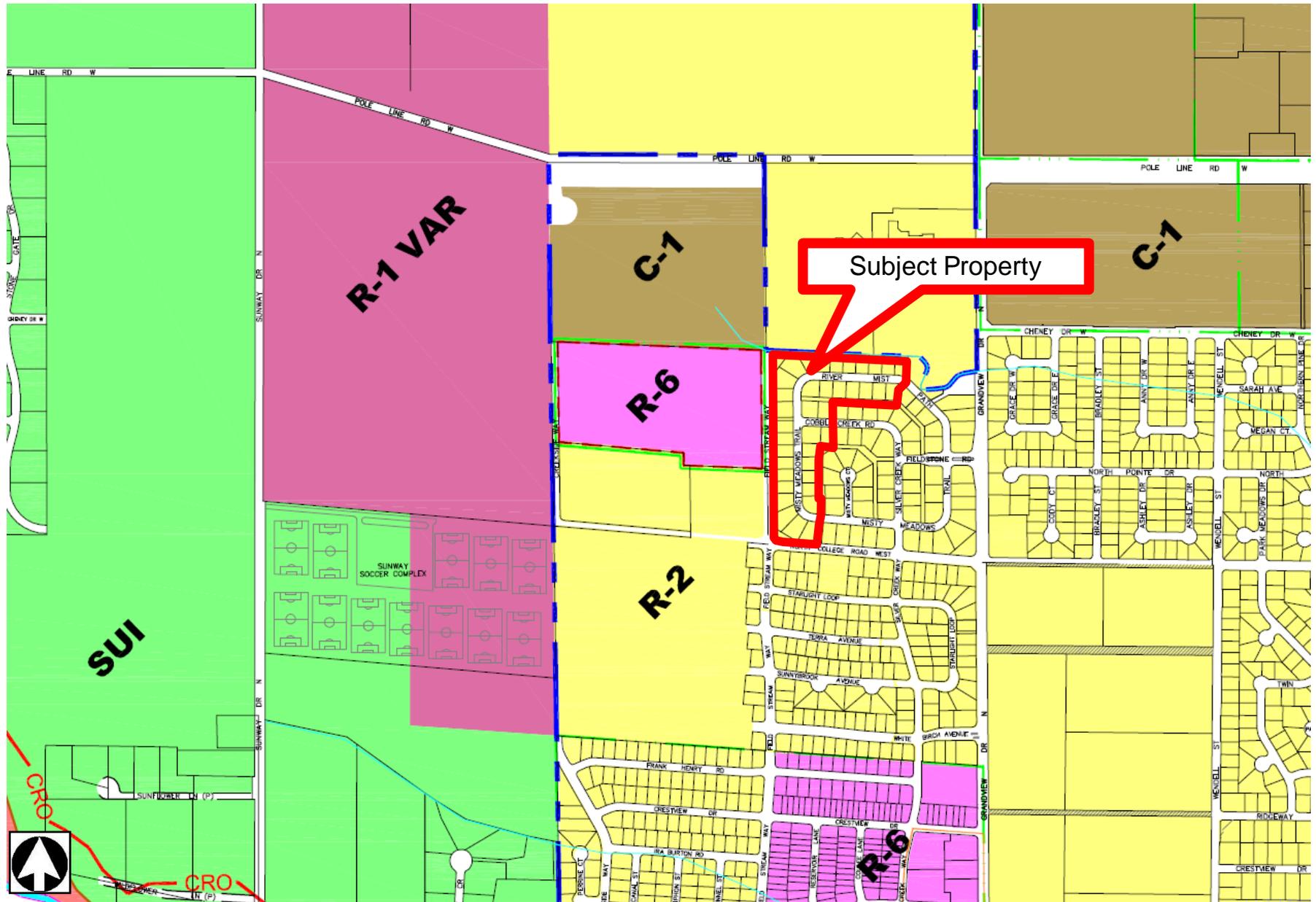
Fieldstone Vacation Request
Supplemental Information

Item 4b: The vacation of the right of way and easements will eliminate platted right of way and record easement currently established on the subject property. A concurrent application for a rezone has been submitted with this request. It is the intention of Mr. Brad Wills, the owner, to re-subdivide the subject property. Utility services exist within the limits of the proposed vacation and will be re-located as part of the re-subdivision development.

VICINITY MAP



ZONING MAP



AERIAL MAP

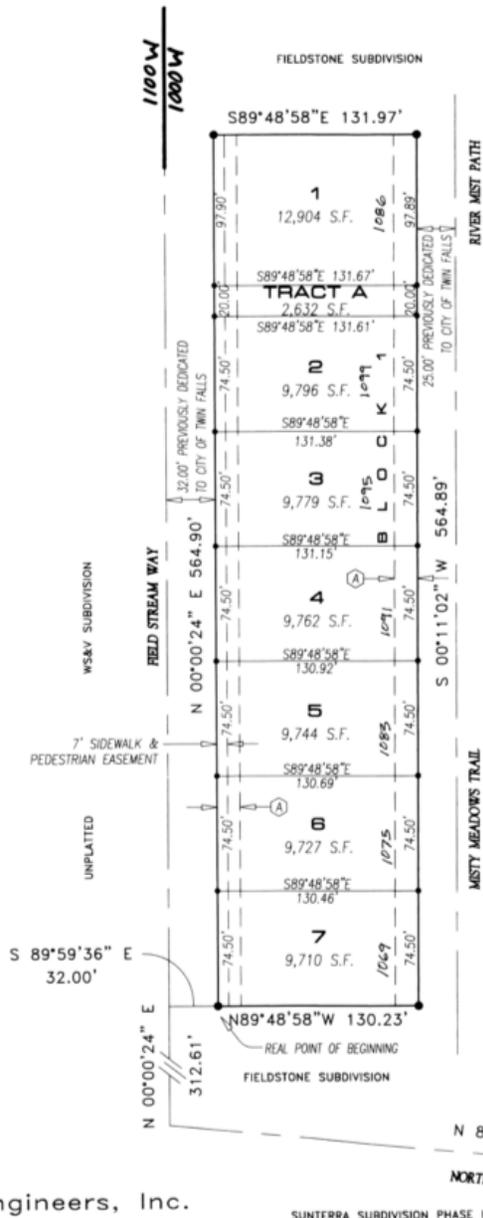


FIELDSTONE SUBDIVISION FIRST AMENDED

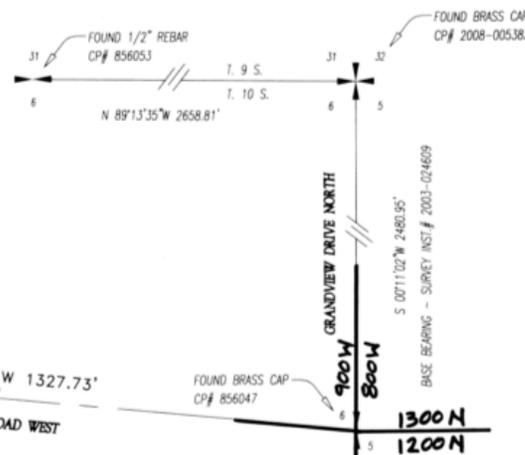
A RESUBDIVISION AND RENUMBERING
OF LOTS 1, 2, 3, 4, & 5 BLOCK 6
AND LOT 16 BLOCK 1 AND
A PORTION OF VACATED COBBLE CREEK ROAD OF
"FIELDSTONE SUBDIVISION"
LOCATED IN

THE SE1/4 NE1/4, SECTION 6
TOWNSHIP 10 SOUTH, RANGE 17 EAST,
BOISE MERIDIAN, TWIN FALLS COUNTY
IDAHO 2009

TWIN FALLS COUNTY
REGISTERED TO
EHM ENGINEERS
10-08-14 am 07-23-2010
2010-014680
No. Page: 3 Fee: \$ 33.00
KRYSTINA GLASCOCK
County Clerk
Deputy: SNAAPP



TWIN FALLS, IDAHO
Vicinity N.T.S.



- Legend:**
- Subdivision Boundary Line
 - Center Line of Street
 - Lot Line
 - Easement Line (See Table)
 - Set 1/2"x24" Rebar and Cap (LS 1000)
 - Found 1/2" Rebar & Cap (LS 1000) - Replaced
 - With 5/8"x24" Rebar and Cap (LS 1000)

Notes:
Tract A shall be reserved for emergency vehicle access and public utilities and shall be dedicated to the City of Twin Falls and maintained by the City of Twin Falls.

Easement Table

(A)	15.00' WIDE UTILITY EASEMENT
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Health Certificate

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on the DEQ approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water or sewer/septic facilities were constructed. Building construction can be allowed with appropriate building permits if drinking water or sewer facilities have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities or meet the other conditions of DEQ, then sanitary restrictions may be reimposed, in accordance with Section 50-1306, Idaho Code. If the developer obtains a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

Date: 5/11/10
District Health Department, EHS



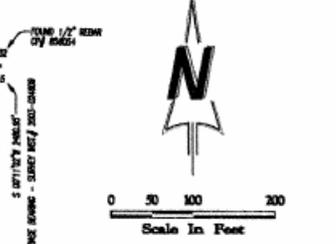
EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

FIELDSTONE SUBDIVISION

LOCATED IN A PORTION OF
THE SE1/4 NE1/4, SECTION 6
TOWNSHIP 10 SOUTH, RANGE 17 EAST,
BOISE MERIDIAN, TWIN FALLS COUNTY
IDAHO 2004

CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	CHORD	CHORD BRG
C1	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C2	89°00'00"	12.87	8.00	6.00	11.31	N44°48'30"E
C3	89°00'00"	12.87	8.00	6.00	11.31	N44°48'30"E
C4	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C5	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C6	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C7	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C8	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C9	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C10	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C11	89°00'00"	42.84	30.00	26.00	36.38	N48°11'30"E
C12	117°00'14"	24.01	125.00	12.01	11.97	S89°22'00"E
C13	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C14	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C15	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C16	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C17	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C18	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C19	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C20	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C21	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C22	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C23	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C24	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C25	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C26	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C27	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C28	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C29	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C30	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C31	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C32	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C33	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C34	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C35	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C36	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C37	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C38	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C39	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C40	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C41	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C42	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C43	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C44	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C45	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C46	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C47	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C48	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C49	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C50	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C51	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C52	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C53	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C54	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C55	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C56	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C57	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C58	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C59	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C60	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C61	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C62	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C63	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C64	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C65	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C66	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C67	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C68	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C69	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C70	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E
C71	117°00'14"	48.02	125.00	24.01	23.94	S89°22'00"E

LINE TABLE					
LINE	LENGTH	BEARING	LINE LENGTH BEARING		
L1	52.89'	S47°31'17"E	L38	20.00'	S44°48'30"E
L2	23.88'	S27°00'18"E	L39	10.24'	S20°11'30"E
L3	18.14'	S27°00'18"E	L40	20.20'	S20°11'30"E
L4	21.62'	S27°00'18"E	L41	20.11'	S20°11'30"E
L5	21.62'	S27°00'18"E	L42	20.11'	S20°11'30"E
L6	18.41'	S27°00'18"E	L43	20.11'	S20°11'30"E
L7	13.69'	S47°31'17"E	L44	20.00'	S44°48'30"E
L8	18.17'	S27°00'18"E	L45	4.77'	S20°11'30"E
L9	20.61'	S27°00'18"E	L46	20.00'	S20°11'30"E
L10	20.61'	S27°00'18"E	L47	20.00'	S20°11'30"E
L11	23.07'	S27°00'18"E	L48	14.20'	S20°11'30"E
L12	17.24'	S20°11'30"E	L49	23.10'	S27°00'18"E
L13	40.52'	S27°00'18"E	L50	20.10'	S27°00'18"E
L14	20.62'	S27°00'18"E	L51	20.10'	S27°00'18"E
L15	27.67'	S27°00'18"E	L52	20.10'	S27°00'18"E
L16	20.62'	S27°00'18"E	L53	20.10'	S27°00'18"E
L17	20.62'	S27°00'18"E	L54	20.10'	S27°00'18"E
L18	20.62'	S27°00'18"E	L55	20.10'	S27°00'18"E
L19	20.62'	S27°00'18"E	L56	20.10'	S27°00'18"E
L20	20.62'	S27°00'18"E	L57	20.10'	S27°00'18"E
L21	20.62'	S27°00'18"E	L58	20.10'	S27°00'18"E
L22	20.62'	S27°00'18"E	L59	20.10'	S27°00'18"E
L23	20.62'	S27°00'18"E	L60	20.10'	S27°00'18"E
L24	20.62'	S27°00'18"E	L61	20.10'	S27°00'18"E
L25	20.62'	S27°00'18"E	L62	20.10'	S27°00'18"E
L26	20.62'	S27°00'18"E	L63	20.10'	S27°00'18"E
L27	20.62'	S27°00'18"E	L64	20.10'	S27°00'18"E
L28	20.62'	S27°00'18"E	L65	20.10'	S27°00'18"E
L29	20.62'	S27°00'18"E	L66	20.10'	S27°00'18"E
L30	20.62'	S27°00'18"E	L67	20.10'	S27°00'18"E
L31	20.62'	S27°00'18"E	L68	20.10'	S27°00'18"E
L32	20.62'	S27°00'18"E	L69	20.10'	S27°00'18"E
L33	20.62'	S27°00'18"E	L70	20.10'	S27°00'18"E
L34	20.62'	S27°00'18"E	L71	20.10'	S27°00'18"E
L35	20.62'	S27°00'18"E	L72	20.10'	S27°00'18"E
L36	20.62'	S27°00'18"E	L73	20.10'	S27°00'18"E
L37	20.62'	S27°00'18"E	L74	20.10'	S27°00'18"E
L38	20.62'	S27°00'18"E	L75	20.10'	S27°00'18"E
L39	20.62'	S27°00'18"E	L76	20.10'	S27°00'18"E
L40	20.62'	S27°00'18"E	L77	20.10'	S27°00'18"E
L41	20.62'	S27°00'18"E	L78	20.10'	S27°00'18"E
L42	20.62'	S27°00'18"E	L79	20.10'	S27°00'18"E
L43	20.62'	S27°00'18"E	L80	20.10'	S27°00'18"E
L44	20.62'	S27°00'18"E	L81	20.10'	S27°00'18"E
L45	20.62'	S27°00'18"E	L82	20.10'	S27°00'18"E
L46	20.62'	S27°00'18"E	L83	20.10'	S27°00'18"E
L47	20.62'	S27°00'18"E	L84	20.10'	S27°00'18"E
L48	20.62'	S27°00'18"E	L85	20.10'	S27°00'18"E
L49	20.62'	S27°00'18"E	L86	20.10'	S27°00'18"E
L50	20.62'	S27°00'18"E	L87	20.10'	S27°00'18"E
L51	20.62'	S27°00'18"E	L88	20.10'	S27°00'18"E
L52	20.62'	S27°00'18"E	L89	20.10'	S27°00'18"E
L53	20.62'	S27°00'18"E	L90	20.10'	S27°00'18"E
L54	20.62'	S27°00'18"E	L91	20.10'	S27°00'18"E
L55	20.62'	S27°00'18"E	L92	20.10'	S27°00'18"E
L56	20.62'	S27°00'18"E	L93	20.10'	S27°00'18"E
L57	20.62'	S27°00'18"E	L94	20.10'	S27°00'18"E
L58	20.62'	S27°00'18"E	L95	20.10'	S27°00'18"E
L59	20.62'	S27°00'18"E	L96	20.10'	S27°00'18"E
L60	20.62'	S27°00'18"E	L97	20.10'	S27°00'18"E
L61	20.62'	S27°00'18"E	L98	20.10'	S27°00'18"E
L62	20.62'	S27°00'18"E	L99	20.10'	S27°00'18"E
L63	20.62'	S27°00'18"E	L100	20.10'	S27°00'18"E



VACATION EXHIBIT
SPECIFIC TO
INSTRUMENT
2004-026186

Legend:

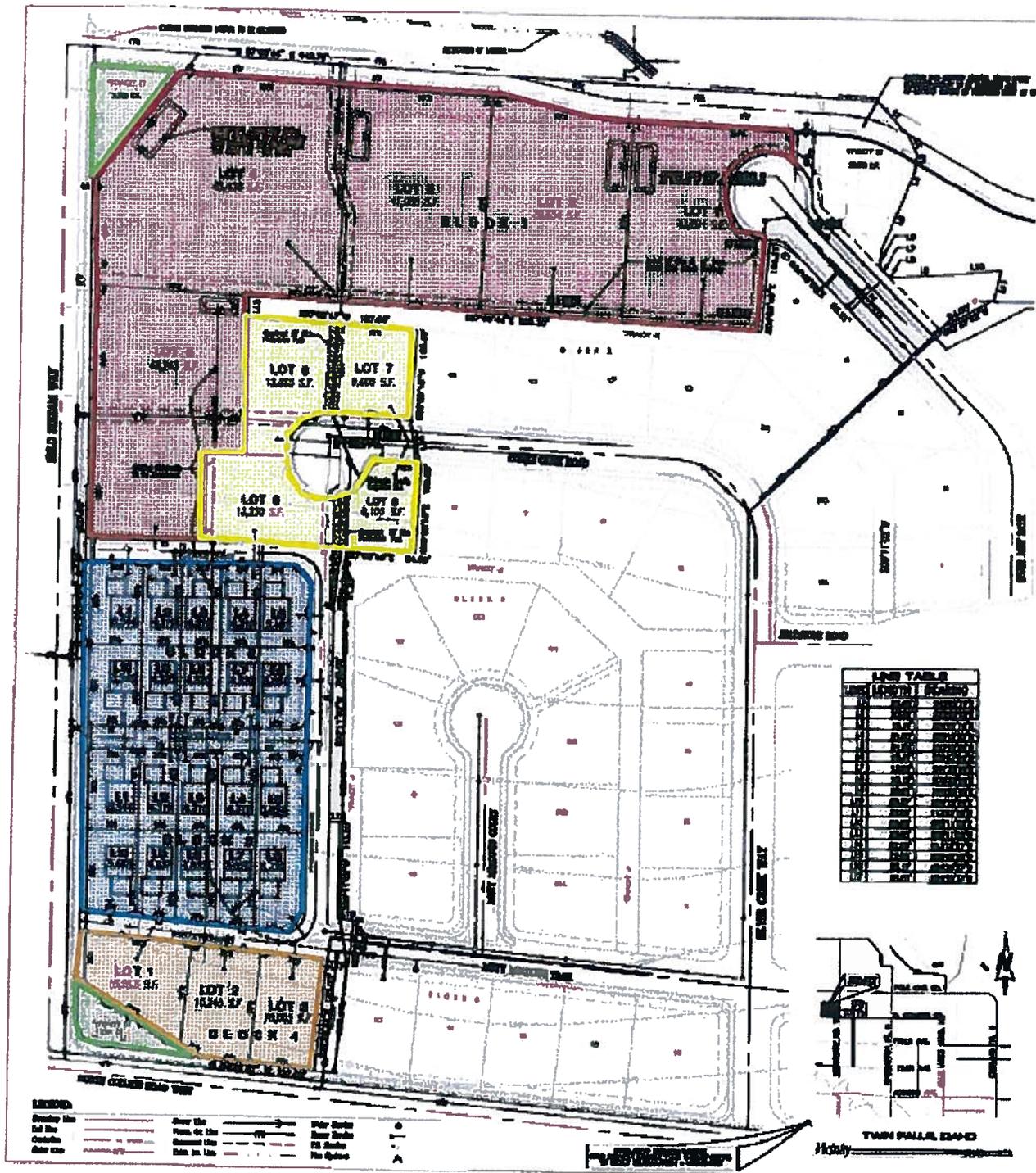
—	Boundary Line
—	Center Line of Street
—	Lot Line
—	Easement Line (See Table)

Easement Table

10.00'	UTILITY EASEMENT
15.00'	UTILITY AND IRRIGATION EASEMENT
CONTROLLED ON LOT LINES	
15.00'	IRRIGATION EASEMENT



Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS



5 Professional Office overlay use area lots

4 Single-family residential lots

3 Duplex residential lots

20 Single-family cottage-style residential lots

2 Tracts



MINUTES
Twin Falls City Planning & Zoning Commission
September 27, 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
Ihler
Jacobson
Schouten
Sharp

ABSENT:

Derricott

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Mikesell

ABSENT:

CITY COUNCIL MEMBERS PRESENT:

Mills Sojka

CITY STAFF PRESENT:

Carraway, Strickland, Vitek

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION: NONE

IV. PUBLIC HEARING ITEMS

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-6 PRO PUD for 12.5 (+/-) acres to allow for a planned mixed use development consisting of residential multi-family, professional uses and medical uses on property located on a portion of the Fieldstone Subdivision south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way c/o Brad Wills on behalf of Wills, Inc. (app. 2475)
2. Requests the Vacation of dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way c/o Brad Wills on behalf of Wills, Inc. (app. 2478)
3. Requests a Special Use Permit to operate a restaurant with a drive-through window on property located at 1671 Washington Street North c/o Lupe Sandoval Vigen Associates, on behalf of Panda Express (app. 2480)

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.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **SEPTEMBER 13, 2011**
2. Approval of Findings of Fact and Conclusions of Law:
 - May (Variance 09-13-11) Sabia (SUP 09-13-11)
 - Ford & Connors (SUP 09-13-11)

III. ITEMS OF CONSIDERATION: NONE

IV. PUBLIC HEARING ITEMS:

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-6 PRO PUD for 12.5 (+/-) acres to allow for a planned mixed use development consisting of residential multi-family, professional uses and medical uses on property located on a portion of the Fieldstone Subdivision south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way c/o Brad Wills on behalf of Wills, Inc. (app. 2475)
2. Requests the Vacation of dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way c/o Brad Wills on behalf of Wills, Inc. (app. 2478)

Chairmn Bohrn announced that Items IV-1 & IV-2 will be discussed as one item with two individual motions to be made after the presentation.

APPLICANT PRESENTATION:

Brad Wills, the applicant, stated the first request is for a rezoning request from R-2 to R-6 PRO PUD for 12.5 (+/-) acres. He understands that concerns have been expressed regarding this request from the surrounding property owners. He is interested in the concerns, this request is a land use change and this portion is for the third phase of the Fieldstone Subdivision. Fieldstone Subdivision is one of the first subdivisions to develop in this area and was here prior to the new hospital and several other develops in this location. Some of the concerns are related to CCR's that govern Fieldstone Subdivision and he plans on dealing with this in the future if this request is approved. Some of the other concerns is that the project will turn into low income housing, three story buildings, none of which is true.

The remaining 36 lots have been closed off at the west entrance and re-platted this section because of development that has occurred around this subdivision and to avoid traffic shortcuts through the residential area. This change was approved and final platted.

He reviewed exhibits on the overhead and explained what has developed around the Fieldstone Subdivision. He has been reviewing the land use and growth that has occurred throughout this area and there is an excess of residential land in Twin Falls and he is looking at what might be the best use of this property as a land owner. The idea is that with the Hospital as closely located to this property it was felt that there would be a need for more professional zoned property. One of the issues is that in order for Cheney Drive to continue west to this area of town it will most likely need to be an off-set intersection around the mobile home park and the best location would be to construct just south of the mobile home park and extend the road adjacent to the northern boundary of Fieldstone Subdivision creating a need for more professional zoned property.

Currently there is no future plan for this land use to change where the mobile home park is located so for the City to have Cheney continue the direction that is planned it would have to acquire property currently owned by the mobile home park and by the Twin Falls Reformed Church. Creating an off-set intersection would be a way to possibly help Cheney Drive develop without the added expense of acquiring land and an off-set intersection has been found to be safer. This plan would free up North College and offer the commercial property and the church parking north of Fieldstone Subdivision another route to travel.

If this proposal is approved the plan would be to have office buildings along the north portion of the Fieldstone Subdivision with residential character with a 5/12 minimum pitch and eaves that are similar to the residential area with lighting that doesn't pollute the neighboring properties, trash receptacles would need to be screened and access to the professional offices would be directed away from the residential area and would operate during business hours with little impact to the subdivision. To the south there will be 3 lots approximately 10,000 sq. ft that would allow for duplexes which is what is directly across the street from this property. The lots along Fieldstone Way, seem to be the biggest concern at this time, his concept for this area is multi-family that would be for more of senior independent living area, but to allow for this type of density R-6 allows for this type of development. The design criteria with 5/12 minimum pitch, masonry and windows for a residential feel would eliminate the idea of a three story apartment complex type development. This will not be a low income housing development, there is control of the use and design through the PUD Agreement and zoning process. He doesn't have control over the property to the west that has been designated R-6 PRO PUD, but he does have in mind what he wants this project to look like and has specified that in the PUD Agreement. He has made his developments very nice and still owns 20 of the lots in the Fieldstone Subdivision and cares about how things develop. He does understand the neighbors' concerns.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed the request on the overhead and stated in June 2004 this area was annexed into the City of Twin Falls with R-2 Zoning. Fieldstone subdivision (formerly Westview Meadows), consisting of 36 acres and 82 residential lots, was recorded in December 2004. The property has been developed in phases. There was an amendment approved in 2009 to allow vacation of public right-of-way. This is a request for a zoning district change & zoning map amendment from R-2 to R-6 PRO PUD.

It was explained that this is a two part request

- First is a request for a Zoning District Change & Zoning Map Amendment from R-2 to R-6 PRO PUD for 12.54 (+/-) acres to allow for a planned mixed use development consisting of multi-family residential, professional and medical uses on property located on the remaining portion of the fieldstone subdivision; and
- Second Is A Request To Vacate The Dedicated Public Rights-Of-Way And Easements Within That Portion Of The Fieldstone Subdivision That Is Being Proposed To Be Included With The Rezone/Pud Request.

The development, upon approval, would rezone a portion of an area that is currently platted for thirty-five (35) residential dwellings. The planned unit development description indicates that it would replace those single family residential lots with an area that would allow for six (6) professional offices along the future alignment of Cheney Drive West, seven (7) multi-family residential buildings along Field Stream Way, two (2) single family lots at the end of Cobble Creek Road, and three (3) duplexes fronting along North College Road West.

The change of the base zone from R-2 to R-6 with a Professional Office Overlay would allow for a number of additional uses in the area.

The current R-2 zoning designation allows for single-family and duplex residences. Non-residential uses are limited to some cultural and public amenities such as parks, schools, and churches.

The R-6 zone, as proposed in the PUD, allows for single-family, duplex, up to a 6 unit multi-family dwelling, and nursing/rest homes with an occupancy of 16 residents/including on-site care givers as allowed uses. Some professional office uses are proposed to be allowed without a special use permit such as doctor's offices, finance and real estate offices. Some additional uses may be permitted with a special use permit. Also, in general, non-residential uses are restricted to hours of 7:00 am to 9:00 pm and less than 14,000 sq ft building unless allowed by special use permit.

A preliminary PUD presentation was made to the Commission and public on September 13, 2011. there were some questions from the public on the development of Cheney Drive and if a traffic impact study would be required. At this point a traffic impact study has not been required. There has been discussion on Cheney Drive West with the applicant. The most-likely alignment of Cheney Drive West would go through the southern-most portion of the County Villa Estates Mobile Home Park and then along the northern boundary of fieldstone subdivision and the southern boundary of the reformed church property. Currently, North College Road West is the only way that the Fieldstone Professional Area could be accessed. This would be an increase in traffic impacts to the area as North College Road West is already servicing the Xavier Charter School, a future LDS Stakehouse and existing residential development. There has not been any additional information provided on the proposed phasing and development of Cheney Drive West.

Access to individual lots is to be developed individually per lot. There are currently eight (8) lots proposed that front on Field Stream Way. The property development standards indicate that there would eight (8) separate accesses onto Field Stream Way. The development standards also state that parking, landscaping, and water retention standards will need to be met on each individual lot. Generally in PUD developments of this size there is an allowance for consolidated accesses with cross-use easements for traffic, parking, landscaping and storm water retention with a common property owners association to maintain.

The majority of the other property development standards proposed are consistent with the R-6 zone in terms of setbacks, maximum building height (35'), and landscaping. Screening would be required between the residential areas and non-residential areas. The type and/or materials of the screening has yet to be decided.

There are some design standards proposed to decrease the impact of non-residential development such as a requirement for 5/12 pitched roofs on the buildings. Approved materials are listed and a minimum of 15% and maximum of 85% residential development is stated to require a mix of uses in the development. There are building elevation samples that illustrate the type of development design that is proposed.

This request is in conformance with the Comprehensive Plan which designates this area as appropriate for Medium Density Residential development and the Urban Village/Urban Infill land use concept.

There is not a zoning designation specific to the Urban Village/Urban Infill classification within City Code but it encourages mixed density residential development and a mix of non-residential uses that support the area which can be met with the Professional Office Overlay designation.

The applicant indicates that this project will provide a buffer to transition between the single-family residential area and the areas to the north and west that have zoning allowing for commercial-retail, professional, and multi-family development.

Zoning & Development Manager Carraway stated upon conclusion the Commission needs to make 2 separate motions: both are recommendations only which means that both requests will automatically be scheduled for another public hearing whereby the City Council shall make a decision on the request(s).

IV-1 Staff Recommendations:

Should the Commission recommend the R-6 PRO PUD zoning to the City Council, as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the property being re-platted and recorded prior to any building permits being issued.
3. Subject to final approval and recordation of the PUD agreement.
4. Subject to approval of vacation request, as presented.

IV-2 Staff Recommendations:

Should the Commission recommend approval of the request for vacation, as presented, staff recommends the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to meeting the conditions of utility companies for the abandonment of the public utility easements.
3. Subject to approval of the Fieldstone Professional Planned Unit Development.

PUBLIC HEARING: OPENED

- Steve Dixon, 1006 Cobble Creek Road, representing several property owners, state they understand that Brad Wills has submitted a rezoning request for the undeveloped portion of the Fieldstone Subdivision. He would like to rezone the property from R-2 to R-6 PUD with a PRO overlay. We also understand that following the rezoning, he will proceed with a process to vacate the right-of-way that was dedicated to serve the future phase of Fieldstone and submit a new plat for redevelopment of the area. They are opposed to the Zoning request in its current form. They think it leaves too many issues unanswered. Several of the residents have had conversations with Brad. He has shared some of his ideas and given some assurances, however, Brad may not be the builder or developer who does all this work. Following this process, he may sell off the property to someone else. At such a point, Brad's ideas and assurances will mean little. The zoning document has to be drafted to protect the current residents of Fieldstone and the other neighborhoods around. Following are some concerns they have with this request:

- 1) Conformance to the Future Land Use Plan -The Future Land Use Plan appears to show a designation change between Urban Village and Medium Density Residential along Field Stream Way, with the Fieldstone subdivision being designated as Medium Density Residential. They understand that the Future Land Use Plan is meant to be

somewhat flexible and that the line between the two designations should be allowed to shift either way a little. In this case, they would argue that the line between the two designations should remain along Field Stream Way, leaving the Medium Density Residential designation in place for the Fieldstone subdivision. The subdivision was platted and partially developed as a medium density subdivision. The homeowners who invested in the subdivision invested in a complete vision and have an expectation that the plan will be maintained. So, while the Commission has the ability to interpret the Future Land Use Plan designation for this property as Urban Village, they urge you to maintain the Medium Density Residential designation for the property.

- 2) Lots 6 & 7 at the west end of Cobble Creek Rd. -If this plan is approved, these two lots will be located within and accessed through the Fieldstone subdivision. Yet, the zoning on these two lots will be R-6. According to the proposed PUD language, these two lots would then be able to be developed as multifamily lots. They are not big enough lots to have a 6-unit apartment building constructed on them, but are certainly big enough to have a duplex or triplex constructed. These two lots should be removed from the zoning request. Perhaps an acceptable alternative would be to add a restriction in the proposed PUD language limiting these two lots to single family units only.
- 3) Trailer and RV parking The Fieldstone subdivision currently has a trailer and RV parking area for residents to utilize at the north end of River Mist Path. This plan appears to show a cul-de-sac being built on that parking area. Reducing the size of this area will mean that homeowners will have less area to use there and potentially have to make costly improvements to their own yards or pay a monthly fee at a storage facility.
- 4) Gravel Access Road -The plan appears to show a gravel access road running along the backs of the new lots being proposed. At one point, this gravel access road ties to the cul-de-sac in the Fieldstone subdivision at the end of Cobble Creek Rd. Are all of these proposed high density housing and office uses going to have access through the subdivision? The plan is unclear. The proposed PUD should eliminate all access from the proposed new lots to any street within the Fieldstone subdivision, with the exception of Lots 6 & 7 as discussed above in item #2.
- 5) Fencing -The proposed PUD language says that the proposed office lots will have a fence between them and the residences in Fieldstone. The language doesn't say anything about the proposed high density housing lots and Fieldstone. Will they have to have a fence as well? The language is also silent on who or when shall construct the fence, and what material the fence will be. Will the developer install a single uniform fence along the entire boundary, or will Fieldstone residents be left with a hodgepodge of different fence styles at the discretion of whoever builds each building? They would like the PUD to state that the developer shall construct the fence with the subdivision development, rather than each lot's fence being built with each lot's building permit. They would also like the fence to match the fence that the developer has already constructed around the perimeter of the Fieldstone subdivision so far.

- 6) Walking Trail-There is currently a walking trail planned to run behind the homes on the north side of Cobble Creek Rd. The property for the trail has been dedicated to the HOA, but the trail has not been constructed. This plan shows that trail continuing into the requested new subdivision a little ways, then dead-ending there. It does not continue to Field Stream Way, or stop short of the new subdivision and turn south to Cobble Creek Rd. This is a terrible plan. A dead-end trail surrounded by fencing will just create an isolated spot for suspicious behavior. The trail needs to either turn south to Cobble Creek Rd. or continue on to Field Stream Way.
- 7) Requested Residential Density -The R-6 zone allows for apartment buildings. This PUD language limits the number of units on an R-6 lot to 6 units, but six units is still an apartment building. Many of the residents in Fieldstone have a real problem with apartment buildings being allowed within what it now zoned and platted as our single family subdivision. That is not what they bought into. This residential density should be reduced duplex, perhaps a maximum of triplex.
- 8) Building Standards -They appreciate that he has include the building standards in the proposed PUD language. In addition to those already proposed, they suggest that there be a one-story building height as well.
- 9) Traffic Concerns -With the construction of the Xavier School, traffic around our subdivision has significantly increased, particularly along North College Road. Adding more high density residential and office uses into this area will only increase the already heavy traffic. The development of Cheney Drive, west of Grandview may help deal with the heavy traffic loads in the area. If this plan is approved, development of the property should not be allowed to proceed until Cheney Drive is constructed.

In conclusion, when the residents of Fieldstone bought their homes, they invested in a platted, zoned, and recorded subdivision. It was not an idea or rumor, it was a certainty. They want to thank the Commission for their time and consideration of our thoughts, and ask that the Commission deny this request.

- Ted Booth, 446 Pierce St, stated his father owns a home in the Fieldstone Subdivision and would like to remind the Commission of City Code 10-1-5(E) and stated the purpose of zoning is to protect and conserve the value of land throughout the Municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings. He stated when people purchased their property in this subdivision they knew what was planned and this will create a negative impact on the property values in this subdivision, particularly the lots that have been designated as multi-family. He does agree that getting Cheney Drive routed through the area as presented would be beneficial but changing the zoning would not be beneficial.
- Kristy Hill, 932 Starlight Loop, representing a group of property owners, stated she lives in Sunterra the subdivision south of this property and knows many people in the Fieldstone Subdivision. This will impact the values of their home and would like to have input in how this area grows and changes and they have several concerns with this proposal.
 - 1) Density is the first concern, the original plan allows for single family dwellings only. The new plan allows for multi-family dwellings up to 6 units per lot. If they assume that the lots facing Fieldstream Way were to become 4 plex to 6-plex apartment

buildings, and the lots facing North College Road were to become duplexes, then the density of people significantly increases. Where 17 households were originally to be, they would be replaced with 30-42 households. This does not take into account the increased amount of traffic from the employees and patrons of the professional buildings.

- 2) Buffer Zone concept is the second concern, a neighborhood does not need to be buffered from a church or school. R-6 zoning does not offer any kind of buffer to another R-6 zoning. Fieldstone is designed to be an internal neighborhood. The homes don't face Fieldstream Way, so the idea of the buffer is not necessary. The street itself acts as a buffer and divider for the neighborhood to the other R-6 zoned property as opposed to Will's plan to butt the R-6 zoning right up to the subdivision.
- 3) Rental Property is another concern, they agree that varied and diverse housing is necessary and desirable in Twin Falls. However, we also feel that there is plenty of high density housing already planned in the area, or already existing in the area. About a mile away on Caswell Avenue there already exist several different apartment complexes. Higher density housing puts a strain on schools and other resources.
- 4) Home Values, raises another concern with rental property is the impact it has on home values in the surrounding area. Homeowners tend to put a lot more effort into the upkeep of the exterior of their house. Rental properties tend to get rundown more quickly; the tenants often don't take as much pride in the appearance of the exterior. This leads to less attractive properties which then impacts the value and appeal of the surrounding houses.
- 5) Safety, becomes an issue with rental properties because of the turnover of tenants. When permanent residents are in place, we get to know the neighbors, the cars become familiar, providing a level of safety for our children based on familiarity. We want to protect our children and our way of life in the neighborhood.
- 6) Compatibility with the Comprehensive Plan, is a point that we disagree with in the proposal. The plan states "Twin Falls residents have high expectations for the future of their city and the quality of life it offers. Rapid development in the recent past, the lack of sufficient water to accommodate such growth, a sprawling development pattern and strained infrastructure are viewed as primary threats to continued growth and development. In order to continue to grow and prosper in a sustainable manner, these conditions must be addressed. They feel this change does not adequately adhere to the vision that the citizens want for this city.

In closing, they think that, as citizens who are not impacted by this proposed change, would like to be heard. Over a hundred signatures were collected from the surrounding neighborhoods, opposing this request. The residents of Fieldstone have a right to expect the neighborhood that they invested in to become the neighborhood they were sold. They requested that the Commission represent the citizens and object to this zoning change.

- George Burkett, 1380 Silver Creek Way, wanted to make sure that the access from Silver Creek Way to North College Road was not going to be closed.
- Tato Munoz, 410 Aspenwood Dr, stated his concerns are related to traffic issues and not requiring a traffic study. Even with the future road plans in place the roads are not going to be developed for years leaving heavy traffic on a small road that already has issues. His other concern is that this proposal is trying to address a need that doesn't currently exist. The Comprehensive Plan designates this area as medium density and the proposed zoning R-6 allows for higher density development. There needs to be a Comprehensive Plan amendment that would allow this area to have high density residential before this request gets approved.

PUBLIC HEARING: CLOSED

CLOSING STATEMENTS:

- Mr. Wills stated it seems the biggest concern is based on misinformation and the idea that this will be high density, low income development. The plan is not intended to be for low income housing. He reviewed the exhibits once again and explained the boundaries explaining the pieces were excluded from the request because the land does not belong to him. He understands that a lot of people have invested in this subdivision, and unfortunately the property values are all down. Some of the proposed uses could already be done, except the CCR's prevent the uses from happening. He has never promised what type of wall will go in around the rest of the subdivision but there will be a fence. The walking path is a concern but is not part of the request, and will have to be dealt with through the home owner's association. The traffic has been generated by the development around the subdivision but by having Cheney Drive developed it would help relieve some of the problems. He understands that if the zoning designation was developed to its fullest potential he could see how the density would be scary. He is confident however, that whatever gets developed he will work to make palatable to the people most impacted.

P&Z QUESTIONS/COMMENTS:

- Commissioner Cope stated there were two people that spoke that are worried that the property will be sold making the assurances void, does he know what his plans are with the land.
- Mr. Wills stated they have a good point as long as he owns it he has the ability to do what he says he is going to do. He owns 20 lots still within this subdivision and is the one that has designed and invested in the development, it would be against his nature to not continue in this way.
- Commissioner Schouten asked about the vacation and if it was designated for utilities.
- Mr. Wills stated there was suppose to be a 20 foot easement for fire with a fire gate, the utilities are located in this area and the easement will stay in place the only thing that has changed is the need for the 20 foot fire easement.

DELIBERATIONS FOLLOWED:

- Commissioner Mikesell stated that they vacated roadways to reduce traffic, now they want to come through face the buildings the other way and create more traffic through this area. We need to protect the people in the subdivision. This is not going to protect the residents. There is almost 30 acres that is set aside for office space north of this area and it isn't going to be developed any time soon. There may be some need for this in 10 years but not now.
- Commissioner Sharp agreed and stated his concern is with the residents that are already there, they bought thinking this was going to be developed as single family residences.
- Commissioner Schouten stated properties change hands and become run down over town. He likes the idea of Cheney Drive being developed and but is not in favor of this request.

MOTION I:

Commissioner Schouten made a motion to recommend approval of the request, as presented, to City Council. Commissioner DeVore seconded the motion. All members present against the motion.

RECOMMENDED DENIAL TO CITY COUNCIL

MOTION II:

Commissioner Cope made a motion to recommend approval of the request, as presented, to City Council. Commissioner Schouten seconded the motion. All members present voted against the motion.

RECOMMENDED DENIAL TO CITY COUNCIL

COUNCIL MEMBERS:

SHAWN	LANCE	DON	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	CLOW	HALL	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
		<i>Vice Mayor</i>	<i>Mayor</i>			



MINUTES
Meeting of the Twin Falls City Council
Monday, January 23, 2012
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

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

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for January 18 – 23, 2012. 2. Consideration of the January 17, 2012, City Council Minutes.	Action	Staff Report Sharon Bryan L. Sanchez
II. <u>ITEMS FOR CONSIDERATION:</u> 1. A presentation by the Recreation Center Committee reporting the Committee's project status and seeking additional project direction from the City Council. 2. Consider contract Amendment No. 11 from CH2M HILL for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations. 3. Consideration of a request to award the 2012 Northeast Sewer Stage 2 Project to Stutzman, Inc., of Twin Falls, Idaho, in the amount of \$848,248.62. 4. Consideration of an appeal of a decision by the Planning & Zoning Commission to grant a Special Use Permit to install and operate an aerial tour business on a southeast portion of the Canyon Springs Golf Course within the Snake River Canyon in the City's Area of Impact. Appellant: John T. Lezamiz.	Presentation Action Action Presentation	Dennis Bowyer Jon Caton/ Shawn Moffitt Lee Glaesemann Renée Carraway
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 1. A public hearing to consider a request for a Zoning District Change and Zoning Map Amendment for 12.5± acres located on a portion of the Fieldstone Subdivision, south of 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way, from R-2 to R-4 PRO PUD, to develop a mixed use project consisting of residential single-family and/or duplex dwellings and professional/medical uses. (app.2475)	Public Hearing	Renée Carraway
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.***

MINUTES

January 23, 2012

Page 2 of 5

Present: Shawn Barigar, Lance Clow, Don Hall, Gregory Lanting, Jim Munn, Jr., Rebecca Mills Sojka, Chris Talkington.

Absent: None.

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Zoning & Development Manager Renée Carraway, Parks & Recreation Director Dennis Bowyer, Public Works Director Jon Caton, Project Engineer Lee Glaesemann, City Engineer Jackie Fields, Deputy City Clerk/Recording Secretary Leila A. Sanchez

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

AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested that Consent Calendar Item 2. Consideration of the January 17, 2012, City Council Minutes. be removed from the agenda.

MOTION:

Vice Mayor Hall made the motion to approve the amended agenda. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

AGENDA ITEM

Recess 7:02 p.m. Reconvened 7:14

I. PUBLIC HEARINGS: 6:00

1. A public hearing to consider a request for a Zoning District Change and Zoning Map Amendment for 12.5± acres located on a portion of the Fieldstone Subdivision, south of 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way, from R-2 to R-4 PRO PUD, to develop a mixed use project consisting of residential single-family and/or duplex dwellings and professional/medical uses. (app.2475)

Brad Wills, 222 Shoshone Street West, applicant, explained the request using overhead projection. The subdivision started in 2004, and at that time there were no residential areas west of Grandview and north of Falls. There are 36 remaining lots in Fieldstone. Density is about three lots per acre. Review has been made of the best use of the remaining properties. On overhead projection he showed the transportation plan and stated that the development complies with the comprehensive plan.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

The Planning & Zoning Commission held a hearing on this request at their December 13, 2011, meeting. The Commission does not recommend approval of this request, by a vote of 3 for and 4 against. However, should the City Council approve the request, staff recommends that the approval be subject to the following conditions:

1. Subject to the designation of the property as an R-4 and R-4 PRO PUD with the single-family and duplex areas being R-4 and the professional use area being R-4 PRO PUD. Assure Uses comply with the R-4 and Professional Overlay zones.
2. Subject to the property being replatted and recorded prior to any building permits being issued.
3. Subject to development of Cheney Drive West prior to issuing a building permit.
4. Subject to compliance in the cottage-style residential area with the following recommendations of the Fire Marshall:
 - a. addresses need to be posted in the alleys.
 - b. access roads (alleys) with hydrants shall be a minimum of 26 feet total width. (IFC, D103.1)
 - c. no on-street parking in alleys and alley marked with approved "no parking" signs.
 - d. rear, unobstructed access into the dwellings is maintained (not through the garage or through fences or gates), or as approved by the Fire Marshall.
 - e. no overhead utilities in the alley (power lines, phone lines, etc.).
 - f. hydrants are installed on the ends of each alley.

5. Subject to final approval and recordation of the PUD Agreement.
6. 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.

Council discussion followed.

Zoning & Development Manager Carraway clarified that the proposal is for a 15' setback and 35' height restriction, explained the ingress and egress parking, and block wall fencing will be in the perimeter of the interior of the Field Subdivision.

The public input portion of the hearing was opened.

Megan Humble, 931 Misty Meadows Subdivision, speaking on behalf of neighbors, spoke against the request. She requested that the Council uphold the Planning & Zoning Commission's recommendation to not approve the request. However, if the City Council decides to approve the request, to place the following conditions:

1. Permitted Uses – The proposed PUD language includes several uses that are requested to be permitted that differ from those permitted in the R-4 with PRO overlay. The permitted uses in the proposed development should be the same as the City Code already regulates for R-4 with a PRO overlay. Most of the uses mentioned are permitted by Special Use Permit in the City Code and should stay that way. They are concerned that the proposed permitted uses would allow title loan kind of office to be developed, which is a very different next door neighbor than a doctor's office. Any non residential uses should require a Special Use Permit so that neighbors get notice and a chance to participate in the approval process.
2. Block Wall – The subdivision has been developed with a 6' block around its east and south boundaries. They request that the developer be required to install a continuation of that block wall along the new dividing line between the current subdivision and proposed future non-Fieldstone development. That wall should be installed as part of the proposed subdivision's development, before any building permits in the new development are issued.
3. Rear Building Setbacks – The proposed rear building setback in the new development is requested to be 15'. That is a reduction from the Code required 20'. For adjacent residential uses, the reduced setback is not a big concern. However, adjacent non-residential uses would have the same reduced setback. If anything, non-residential uses should have an increased rear building setback to push these less compatible uses further from the existing homes in the subdivision. The setback should be changed to at least 20', preferably greater, for non-residential uses in the new development.
4. Cheney Drive – They understand that part of this request includes the dedication and future construction of Cheney Drive west of Grandview Dr. along the north edge of this property. Cheney Drive should be constructed as part of the subdivision and in place prior to any building permits being issued in the new development so that the additional traffic generated by the uses in the new development will be able to access Cheney Drive. Without Cheney Drive, all that additional traffic would have nowhere to go but on North College Drive, which is very busy during its peak usage times.
5. Vehicle Access – Properties within the proposed development should not be allowed to have vehicle access to the existing street within Fieldstone, with the exception of the four single family lots located at the end of Cobble Creek Drive.
6. Common Tracts – There are some common area tracts owned by the Fieldstone HOA that will be located within the proposed new development. As they would no longer be located within the boundaries of Fieldstone, they should be maintained by the new development, not our HOA.

Dave Thibault, EHM Engineers, stated that he prepared the plan. With regard to the 15' setback, immediately adjacent is a common area tract with a 10', 20', 25' green belt area. Buildings will not be any closer than the 20' setback that is identified in the code, however, it is a PUD, and it is allowable to specify those type of restrictions and agreements within the PUD agreement. The common area tracts will not be included in the rezone PUD. The traffic will be greatly alleviated with the improvement of Cheney Drive, however, Fieldstone is a phase subdivision, and the developer would like to continue constructing in phases. He requested that no restriction be placed on the development phasing, but should be up to the developer's discretion. The developer will comply with the fencing requirement but a masonry type wall should not be imposed upon the developer.

Christina Hill, 932 Starlight Loop, stated that if the cottages are developed first prior to Cheney being developed, increased traffic will develop on North College Road.

The public input portion of the hearing was closed.

Rebuttal:

Brad Wills stated that he will meet the requirements of a screening fence. The cul de sacs will not be accessed by Cheney Drive, Fieldstream Way, or North College Road. The retention/detention areas will stay and were deeded to the homeowner's association. The project does not include the areas.

Council discussion followed.

-Walking path.

Brad Wills, on overhead projection, showed the proposed location of the walking path and cottages. The cottages face in, the property does go to the center which is a common area, homes are 7' apart, and 2 story. The alleyway will have full driveways. He requested that City funding will be needed to put in part of the roadway, which may be several years down the road. Discussion has been made with staff.

Councilperson Barigar stated there is a discrepancy on the uses in the PUD and asked for clarification. Brad Wills stated that he is requesting approval within the R-4 specification.

Councilperson Mills Sojka asked how enforcement will take place in regards to the no parking in alleyways where the cottages are located. Brad Wills stated that vehicles will be towed. David Thibault stated that the streets will be posted and signed with red curbs to indicate a fire lane and will be policed.

City Manager Rothweiler stated that the alleyways will not be policed by city police officers.

Vice Mayor Hall asked the City Manager to explain Brad Wills' comment that Cheney Drive will be built with City funds.

City Manager Rothweiler stated that over the course of two years, discussion has been made in regards to the alignment of Cheney Drive. A conversation has taken place that the City indicated that resources will be dedicated to assist in the realignment of Cheney Drive. In philosophy, agreement has been made to the approach and the concept, but the City does not have any money allocated toward the section of the roadway discussed in this coming year or a subsequent year, and no dollars have been planned in moving forward. The City funds roadways upon strategic priorities and importance and the list is developed by the Engineering Department. The roadway does not appear on the list as of yet.

Mayor Lanting asked how many feet of the project would be the City's responsibility. Brad Wills stated there is 1,320' from Grandview to Field Stream Way. He believes the City's part is 300' to 330' at a cost of \$100,000, with full width participation.

City Engineer Fields stated she has not scaled the length and is unclear on how many feet would be City's responsibility. She explained that collector streets are nice facilities when they extend to arterials. Traffic can be reduced on any given collectors.

The public hearing was closed.

Deliberations:

City Attorney Wonderlich stated that an ordinance will come back to the Council for adoption.

Brad Wills requested that staff's recommendation 3. Subject to development of Cheney Drive West prior to issuing a building permit, be removed.

MOTION:

Councilperson Clow made a motion to consider a request for a Zoning District Change and Zoning Map Amendment for 12.5± acres located on a portion of the Fieldstone Subdivision, south of 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way, from R-2 to R-4 PRO PUD, to develop a mixed use project consisting of residential single-family and/or duplex dwellings and professional/medical uses. (app.2475), **as presented**, with the following conditions:

1. Subject to the designation of the property as an R-4 and R-4 PRO PUD with the single-family and duplex areas being R-4 and the professional use area being R-4 PRO PUD. Assure Uses comply with the R-4 and Professional Overlay zones.
2. Subject to the property being replatted and recorded prior to any building permits being issued.
3. **Subject to development of Cheney Drive West prior to issuing a building permit.**
4. Subject to compliance in the cottage-style residential area with the following recommendations of the Fire Marshall:
 - a. addresses need to be posted in the alleys.
 - b. access roads (alleys) with hydrants shall be a minimum of 26 feet total width. (IFC, D103.1)
 - c. no on-street parking in alleys and alley marked with approved "no parking" signs.
 - d. rear, unobstructed access into the dwellings is maintained (not through the garage or through fences or gates), or as approved by the Fire Marshall.
 - e. no overhead utilities in the alley (power lines, phone lines, etc.).
 - f. hydrants are installed on the ends of each alley.
5. Subject to final approval and recordation of the PUD Agreement.
6. 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.

The motion was seconded by Councilperson Mills Sojka.

AMENDED MOTION:

Councilperson Barigar made the motion to **exclude 3.** *Subject to development of Cheney Drive West prior to issuing a building permit.* The motion was seconded by Vice Mayor Hall. Roll call vote showed Councilpersons Barigar, Clow, Hall, Lanting, Munn, and Talkington voted in favor of the motion. Councilperson Mills Sojka voted against the motion. **Approved 6 to 1.**

ROLL CALL VOTE ON THE MAIN MOTION:

Councilpersons Barigar, Clow, Hall, Lanting, Munn, and Talkington voted in favor of the motion. Councilperson Mills Sojka voted against the motion. **Approved 6 to 1.**

- ii. **ADJOURNMENT:** The meeting adjourned at 8:36 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary