



5. Request for Vacation of the 2000-2190 blocks of Fillmore Street, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)		Mitch Humble
<b>V. ADJOURNMENT:</b> 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.

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

# Proclamation



## *Child Abuse Prevention Month*

*Whereas*, child abuse is a serious and growing problem affecting more than 3.2 million of our nation's children annually and thousands of children locally; and

*Whereas*, this societal malignancy called child abuse respects no racial, religious, class or geographic boundaries, and, in fact, has been declared a national emergency; and

*Whereas*, CSI/ Head Start/Early Head Start through its support of parent aide programs, parenting classes, educational programs, and community service activities is making significant progress in stopping this crime against families and children;

*NOW, THEREFORE*, Gregory Lanting, Mayor of the City of Twin Falls, Idaho, do hereby proclaim the month of April 2012 as

## *Child Abuse Prevention Month*

In the City of Twin Falls, Idaho, and urge citizens to use this time to better understand, recognize and respond to this grievous problem. I would like to congratulate CSI-Head Start/Early Head Start for their continued success in helping families break the cycle of child abuse.

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

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*Mayor Gregory Lanting*

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*Deputy City Clerk Leila A. Sanchez*

*Date: April 9, 2012*

# Prevent Child Abuse and Neglect

As part of Child Abuse/Neglect Prevention month  
CSI Head Start/Early Head Start would like to invite you to celebrate:

**Keeping Children Safe and Families Strong!**



## **Fun Walk**

**Date: WEDNESDAY, April 11<sup>th</sup>, 2012**

**Time: 12:30 -1:30**

**Place: College of Southern Idaho Campus**

Meet at the Bus Stop in front of the Taylor Building

Twin Falls Head Start Unit 3 children, parents,  
College of Southern Idaho Basket Ball Players, Head Start/Early Head Start Staff,  
Management Staff and  
Community partners will be walking to a planting spot

For More Information Please Contact:

Rosanna Campbell 734-5550 or Beth Cothorn 736-0741 ext. 122

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

# Proclamation



## *National Library Week 2012*

**Whereas**, libraries have historically served as our nation's great equalizers of knowledge by providing free access to all;

**Whereas**, libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming;

**Whereas**, our nation's libraries provide a forum for diverse ideas and points of view that help us better understand each other and ourselves;

**Whereas**, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy;

**Whereas**, libraries are part of the American dream, places for education, opportunity and lifelong learning;

**Whereas**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, be it resolved that I, Mayor Lanting, proclaim National Library Week, April 8-14, 2012. I encourage all residents to visit the library this week to take advantage of the wonderful library resources available at your library. You belong at your library.

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

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*Mayor Gregory Lanting*

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*Deputy City Clerk Leila A. Sanchez*

*Date: April 9, 2012*

**Leila Sanchez - For City Council Agenda April 9, 2012**

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**From:** Susan Ash  
**To:** Sanchez, Leila  
**Date:** 4/2/2012 3:17 PM  
**Subject:** For City Council Agenda April 9, 2012  
**Attachments:** NLW\_2012\_proclamation\_FINAL.docx

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Dear Mayor Lanting, Library Liaison Chris Talkington, and City Council,

National Library Week is April 8th through April 14th. At the City Council Meeting of April 9th, would you please proclaim National Library Week for the City of Twin Falls. Please find attached a copy of the Proclamation. The Library Trustees and Library Staff are planning to attend.

Thank you and be sure to visit us at the Library during this special week. We always appreciate all the support that the City Council, and the citizens of Twin Falls, gives to the Library.

Susan

Take Time to Read!

Susan Ash, Director  
Twin Falls Public Library  
201 Fourth Avenue East  
Twin Falls, ID. 83301  
208-733-2964, ext. 118



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

Wills, Inc.

c/o EHM Engineers, Inc.

Applicant(s)

)  
 ) FINDINGS OF FACT,  
 )  
 ) CONCLUSIONS OF LAW,  
 )  
 )  
 )  
 ) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on March 5, 2012 for public hearing pursuant to public notice as required by law for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: February 16, 2012 & February 23, 2012
3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density Residential adjacent to Urban Village in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Twin Falls Reformed Church; to the south, North College Road West/Residential; to the east, Residential to the west, Fieldstream Way/undeveloped

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

#### CONCLUSIONS OF LAW

1. The application for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way is consistent with the purpose of the R-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.

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

4. The application for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

#### DECISION

1. The application Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

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MAYOR - TWIN FALLS CITY COUNCIL

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DATE

Exhibit No. A

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to 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.

APPLICATION #:2478



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

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In Re:	)	
	)	
<u>Final Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>Eldridge Commercial Condominium Subdivision</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

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This matter having come before the City Council of the City of Twin Falls, Idaho on February 6, 2012 for consideration of the final plat of the Eldridge Commercial Condominium Subdivision , located on Lot 30, Block 1, or the Highland View Tract, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Eldridge Commercial Condominium Subdivision , located on Lot 30, Block 1, or the Highland View Tract.
2. The property in question is zoned M-2; Manufacturing-Heavy pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Eldridge Avenue/Commercial; to the east, Commercial/Residential; to the west, Residential/Agricultural.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The

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

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

#### CONCLUSIONS OF LAW

1. The final plat of the Eldridge Commercial Condominium Subdivision , located on Lot 30, Block 1, or the Highland View Tract is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

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

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

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

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

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

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

DECISION

The request for approval of the final plat of the Eldridge Commercial Condominium Subdivision , located on Lot 30, Block 1, or the Highland View Tract is hereby granted, subject to final technical review by the City Engineer’s Office and subject to the conditions which are attached as “Exhibit No. A”, and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

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MAYOR - TWIN FALLS CITY COUNCIL

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DATE

“EXHIBIT NO. A”

1. Subject to compliance with the building code for condominiums



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

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In Re: )  
) )  
Final Plat Application, ) FINDINGS OF FACT,  
) )  
W, S & V Subdivision-a PUD ) CONCLUSIONS OF LAW,  
Applicant(s). ) )  
) ) AND DECISION

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This matter having come before the City Council of the City of Twin Falls, Idaho on February 6, 2012 for consideration of the final plat of the W, S & V, LLC Subdivision-a PUD, approximately 19.31 (+/-) acres consisting of 5 lots located on property between the 1300-1450 blocks of Field Stream Way and Creekside Way, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the W, S & V, LLC Subdivision-a PUD, approximately 19.31 (+/-) acres consisting of 5 lots located on property between the 1300-1450 blocks of Field Stream Way and Creekside Way.
2. The property in question is zoned R-6 PRO PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Urban Village/Urban Infill in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Agricultural; to the south, Xavier Charter School & proposed LDS Church building; to the east, Field Stream Way/Residential; to the west, Creekside Way (extended)/Agricultural.

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

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

#### CONCLUSIONS OF LAW

1. The final plat of the W, S & V, LLC Subdivision-a PUD, approximately 19.31 (+/-) acres consisting of 5 lots located on property between the 1300-1450 blocks of Field Stream Way and Creekside Way is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

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

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

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

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

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

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

DECISION

The request for approval of the final plat of the W, S & V, LLC Subdivision-a PUD, approximately 19.31 (+/-) acres consisting of 5 lots located on property between the 1300-1450 blocks of Field Stream Way and Creekside Way is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

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MAYOR - TWIN FALLS CITY COUNCIL

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DATE

"EXHIBIT NO. A"

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to recorded Cross-Use/Access Agreements being provided prior to recordation of final plat.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to Cheney Drive West being allowed to be 38' from face-of-curb to face-of-curb with turn bays where necessary and posted "No Parking" by the developer.
5. Subject to sewer lines being a gravity system unless determined by the City Engineer to be an unnecessary hardship.
6. Subject to a note on the final plat stating that the owners of the lots will be subject to a Parks In-Lieu fee that will need to be accepted and paid before development occurs on the lots.
7. Subject to all the construction issues being addressed which includes, sewer design and easements, possible PI & water upgrade requirements, along with alignment of Cheney at the intersection of Field Stream Way, as approved by the City Engineer.



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

## **SPECIAL USE PERMIT**

**City Council Amended 02-06-12**

**Permit No. 1255**

Granted by the Twin Falls City Planning and Zoning Commission and amended on February 6, 2012 by the City Council to All State Auto c/o Allen Nagel whose address is 284 Washington Street North Twin Falls, ID 83301 for the purpose of expanding by more than 25% an existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North and legally described as Twin Falls Moorman's 1<sup>st</sup> Addn N 156.21' of W 130.7' Block 5 Exc N & W .102A (9-10-17 SW)

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

### **This permit corresponds to Zoning Application No.2494**

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 four (4) pad sites being allowed in the landscaped area, at least ten (10') feet back from the back of curb on Washington Street North, minimum of 9' x 20' and hard surfaced to meet code.
3. Subject to compliance with C-1 zone landscaping requirements and including a minimum ten feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements.
4. Subject to compliance with City Code §10-11-3 by implementing screening on the southern boundary of the property.
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code §10-11-4 all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved.
6. Subject to compliance with paving and landscaping requirements by June 28, 2012.
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business.
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business.
10. Subject to review by the Twin Falls Canal Company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business.
11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business.
12. Subject to allow the hours of operation from 7:00am to 8:00pm.

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MAYOR-CITY OF TWIN FALLS

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DATE

**This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



BEFORE THE CITY COUNCIL  
OF THE CITY OF TWIN FALLS

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In Re:	)	
	)	
<u>Appeal of Condition on Special Use Permit,</u>	)	FINDINGS OF FACT,
	)	
<u>All State Auto</u>	)	CONCLUSIONS OF LAW,
<u>c/o Allen Nagel &amp; Jeffery E Rolig</u>	)	
Appellant	)	AND DECISION
	)	

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This matter having come before the City Council of the City of Twin Falls, Idaho on February 6, 2012 for public hearing on the appeal of a condition(s) attached to an approved Special Use Permit for the purpose of expanding by more than 25% and existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North on property located at 284 Washington Street North. The City Council having heard testimony from interested parties being fully advised in the matter, now makes the following,

FINDINGS OF FACT

1. The Planning and Zoning Commission approved a Special Use Permit for the purpose of expanding by more than 25% and existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North on property located at 284 Washington Street North, and the appellant has appealed a condition attached to that permit.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: January 18, 2012
3. The property in question is zoned C-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial/Retail in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the

north, Heyburn Avenue/Residential; to the south Residential; to the east; Alley/Residential; and to the west, Washington Street North/Commercial.

5. The Appellant has appealed the following condition(s) attached to the Special Use Permit stating the approval is subject to: Condition #5, all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, there shall be no vehicles on undeveloped surface at any time, Condition #6; compliance with paving and landscaping requirements by May 31, 2012, Condition #12; hours of operation no later than 6:00pm, as presented, and no earlier than 7:00pm per City Code 10-4-8.2.

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

#### CONCLUSIONS OF LAW

1. The application for a Special Use Permit approved by the Planning and Zoning Commission for the purpose of expanding by more than 25% and existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North on property located at 284 Washington Street North should be amended as Condition #5, all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved Condition #6; compliance with paving and landscaping requirements by June 28, 2012, Condition #12; to allow the hours of operation from 7:00am to 8:00pm

#### DECISION

1. The application for a Special Use Permit approved by the Planning and Zoning Commission for the purpose of expanding by more than 25% and existing used automobile dealership to include up to (4) display pad sites for property located at 284 Washington Street North on property located at 284 Washington Street North is amended as to condition number(s) 5,6 & 12.

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 four (4) pad sites being allowed in the landscaped area, at least ten (10') feet back from the back of curb on Washington Street North, minimum of 9' x 20' and hard surfaced to meet code.
3. Subject to compliance with C-1 zone landscaping requirements and including a minimum ten feet (10') of landscaped area along the frontage to meet the gateway arterial landscaping requirements.

4. Subject to compliance with City Code §10-11-3 by implementing screening on the southern boundary of the property.
5. Subject to all parking and maneuvering areas being hard-surfaced per City Code §10-11-4. all parking and maneuvering areas being hard-surfaced per City Code 10-11-4, and to allow the applicant to park inventory for sale and to allow for sale of automobiles on the undeveloped property in the four lots described up to and until June 28, 2012 at which time the lots will be paved.
6. Subject to compliance with paving and landscaping requirements by June 28, 2012.
7. Subject to limiting the existing accesses on Washington Street North to one (1) access for ingress/egress.
8. Subject to signage being approved by staff prior to operation of the business.
9. Subject to approval and implementation of a storm water retention plan for the property prior to operation of the business.
10. Subject to review by the Twin Falls Canal Company of the coulee on the property and compliance with any requirements that they may have for development. A copy of the approved plan to be provided prior to operation of the business.
11. Subject to compliance with all DMV dealership requirements. A copy of the approved dealership license to be provided prior to operation of the business.
12. Subject to allow the hours of operation from 7:00am to 8:00pm.

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MAYOR - TWIN FALLS CITY COUNCIL

---

DATE

APPLICATION #2494  
SUP 1255



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

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In Re:	)	
	)	FINDINGS OF FACT,
<u>Vacation Application,</u>	)	
	)	CONCLUSIONS OF LAW,
<u>Will, Inc.</u>	)	
<u>c/o EHM Engineers, Inc.</u>	)	
	)	
Applicant(s)	)	AND DECISION

---

This matter having come before the City Council of the City of Twin Falls, Idaho on March 5, 2012 for public hearing pursuant to public notice as required by law for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: February 16, 2012 & February 23, 2012
3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density Residential adjacent to Urban Village in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Twin Falls Reformed Church; to the south, North College Road West/Residential; to the east, Residential to the west, Fieldstream Way/undeveloped

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

CONCLUSIONS OF LAW

1. The application for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way is consistent with the purpose of the R-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.

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

4. The application for Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

DECISION

1. The application Vacation of dedicated public right-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 block of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

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MAYOR - TWIN FALLS CITY COUNCIL

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DATE

Exhibit No. A

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to 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.

APPLICATION #:2478



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

UMPQUA Bank

c/o Mike Bideganeta

Applicant(s)

)  
)  
)  
)  
)  
)

FINDINGS OF FACT,

CONCLUSIONS OF LAW,

AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on March 12, 2012 for public hearing pursuant to public notice as required by law for Vacation of Pillar Falls Subdivision-a PUD consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

## FINDINGS OF FACT

1. Applicant has applied for Vacation of Pillar Falls Subdivision-a PUD consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: February 23, 2012 & March 1, 2012
3. The property in question is zoned C-1 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Neighborhood Center/Urban Village/Urban Infill in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Snake River Canyon; to the south, Pole Line Road East/Undeveloped Property; to the east, Snake River Canyon/Residential to the west, Residential/Agricultural

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

CONCLUSIONS OF LAW

1. The application for Vacation of Pillar Falls Subdivision-a PUD consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East is consistent with the purpose of the C-1 PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.

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

4. The application for Vacation of Pillar Falls Subdivision-a PUD consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

DECISION

1. The application Vacation of Pillar Falls Subdivision-a PUD consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

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MAYOR - TWIN FALLS CITY COUNCIL

---

DATE

Exhibit No. A

1. Subject to amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for intermountain Gas Company facilities on the property
4. The historic water to Rick Geisler's property should be examined to determine responsibility of the disruption to the water flow.
5. Dedication of right-of-way for Pole Line (58') by separate instrument prior to vacation of plat
6. Dedication of a trail easement for rim trail to match the trail shown on the master plan
7. The City returning water rights dedicated with the plat back to the property owner.

APPLICATION #: 2464



**Date:** April 9, 2012, City Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Staff Sergeant Dennis Pullin, Twin Falls Police Department

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**Request:**

Consideration of a request to approve the Western Days Special Events Application and Western Days Parade Application. Western Days is scheduled to be held on Friday, June 1; Saturday, June 2; and Sunday, June 3, 2012. The Western Days Parade is scheduled to be held on Saturday, June 2, 2012.

**Time Estimate:**

Staff requests that this item be placed on the Items of Consideration calendar. Estimated time is ten minutes with additional time to address any questions Council Members may have.

**Background:**

The opening ceremonies for the 30<sup>th</sup> Annual Twin Falls Western Days Event are scheduled for Friday, June 1, 2012, at 5:00 p.m. at the City Park. The Western Days Committee is requesting the following:

- Friday, June 1, 2012                      5:00 p.m. to 9:00 p.m. - Opening ceremonies at the City Park with live music from 6:00 p.m. to 9:00 p.m.; beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.
- Saturday, June 2, 2012                9:00 a.m. to 9:00 p.m. - Parade to start at 10:00 a.m. Events in the park will include live music from 1:00 p.m. to 9:00 p.m.; beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.
- Sunday, June 3, 2012                  10:00 a.m. to 8:00 p.m. - Live music from 1:30 p.m. to 8:00 p.m.; beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.

The Western Days Committee is requesting to host the Funtime Carnival Company from Payette, Idaho, for the 2012 Western Days Event. There will be six (6) rides which will include a Ferris wheel, merry-go-round, and four kiddie rides. There will also be midway games, and cotton candy and funnel cakes will be sold. The amusement rides will be contained within the boundaries of the Twin Fall City Park, located on the north side of the park.

The Pressbox will obtain the alcohol catering license for this event. The proposed beer garden schedule is as follows:

<b>Friday, June 1, 2012</b>	<b>5:00 p.m. to 8:00 p.m.</b>
<b>Saturday, June 2, 2012</b>	<b>11:00 a.m. to 8:00 p.m.</b>
<b>Sunday, June 3, 2012</b>	<b>12:00 p.m. to 6:00 p.m.</b>

In an effort to work with the City of Twin Falls, the Western Days Committee has reduced the hours of beer sales within the park. Identification bracelets will be issued and required to be worn in order to be served at the designated beer garden. Those purchasing and consuming beer will have to remain in the designated beer garden boundaries and will not be allowed to possess or consume alcohol outside of the designated area. The boundaries will be constructed of fencing, and signs will be in place designating the beer garden area. This area will be approximately 70 feet by 70 feet. All event activities in the park will cease by 9:00 p.m. on Friday and Saturday and 8:00 p.m. on Sunday. During the after-hours time frame of the Western Days Event, the Pressbox will have to have someone stay on-site at the beer garden while beer is left at the park. The beer from the beer garden cannot be left unattended at any time.

Event organizers are required to arrange for all trash to be picked up after each day's activities. The Western Days Committee will not be providing private security.

After a review of last year's event, the Twin Falls Police Department's Administrative Staff has decided that Twin Falls Police Officers will provide security in the park for these events. The Officers will be scheduled to begin work one (1) hour after the beer garden is opened and will continue until one (1) hour after the beer garden is closed each day. The schedule for Officers will be as follows:

<b>Friday, June 1, 2012</b>	<b>6:00 p.m. through 9:00 p.m.</b>	<b>Six (6) Police Officers</b>
<b>Saturday, June 2, 2012</b>	<b>12:00 p.m. through 9:00 p.m.</b>	<b>Eight (8) Police Officers</b>
<b>Sunday, June 3, 2012</b>	<b>1:00 p.m. through 7:00 p.m.</b>	<b>Six (6) Police Officers</b>

It should be noted that, during the past five years, the Twin Falls Police Department has recommended law enforcement security for this event. The number of sworn Officers required is based primarily on the last five years' documented history and expected crowd size. The number of Officers working this event over the past few years had been reduced. However, due to the size of the event increasing each year and based on calls for service last year which required all on-duty Patrol Officers to respond to the park on two separate occasions, the number of security Officers is being increased by two additional Officers each day of the event. The success of this year's event will determine the number of Officers needed in future years. The Twin Falls Police Department feels that, in order to make this a safe event for the community, we must increase the number of Officers working security.

Our evaluation of this event considered the following factors:

**1. History: 2011 Western Days Event**

- The Twin Falls Police Department responded to 66 total calls for service over the three-day event. Each call requires a minimum two-Officer response due to the crowd size.

- Friday, June 3, 2011, 5:00 p.m. to 9:00 p.m.
  - Seven (7) calls for service
  - Two separate physical fights occurred, requiring Officers to deploy TASERS with each altercation. One Officer was injured. All on-duty Twin Falls Police Department Officers had to respond to the park to control the situations.
  - Four (4) subjects were ejected from the park with trespass forms completed.
  - Four (4) Officers worked with no Dispatcher.
- Saturday, June 4, 2011, 11:00 a.m. to 10:00 p.m.
  - 37 calls for service
  - Nine (9) of these calls were missing or found children.
  - One (1) non-injury vehicle crash inside the park
  - Two (2) domestic calls for service
  - Two (2) medical calls
  - Six (6) Officers worked with one Dispatcher.
- Sunday, June 5, 2011, 11:00 a.m. to 9:00 p.m.
  - Eight (8) calls for service
  - Two (2) calls were missing or found children.
  - One (1) theft from a vendor call
  - Several dog issues
  - Four (4) Officers worked with one Dispatcher.

**2. Expected Crowd Size:**

- Based on previous years' estimates from Chairwoman Lisa Cuellar, it is anticipated that 30,000 to 40,000 people will be attending the three-day event.

**3. Traffic Concerns:**

- This event requires the closure of numerous intersections and coordination between various City Departments and the Idaho Transportation Department. I have reviewed the application, traffic control plan, and the manpower issues that events of this nature create. In my opinion, there is an effective plan in place which addresses these issues. I will be available to discuss the various coordination efforts at this Council meeting.
- The parking spaces that border the park along Shoshone Street, between 4<sup>th</sup> Avenue East and 6<sup>th</sup> Avenue East, will be blocked off as a safety barrier.

**4. Alcohol Sales/Live Amplified Music:**

- Alcohol will be sold in conjunction with live bands playing amplified music for several hours during each day of the event. Those purchasing and consuming alcohol will be required to stay within the designated boundaries of the beer garden.

**5. Electrical Concerns:**

- The Twin Falls Building Department requires that an electrical permit be purchased by the Western Days Committee in the event any electric-powered rides or entertainment are provided for the public, excluding the use of the Band Shell. The power source and equipment must pass an electrical inspection per the Twin Falls City Electrical Inspector.

**6. Insurance Security Bond:**

- The Western Days Committee will provide the required comprehensive general liability insurance policy in the amount of Five Hundred Thousand Dollars (\$500,000), with the City of Twin Falls named as a certificate holder, written by a company authorized to write insurance policies within the State of Idaho and filed with the Chief of Police or his/her designee. Applicants must also execute indemnification and hold harmless provisions contained within the application.

**7. Interest to City of Twin Falls:**

- The Twin Falls Police Department and the City of Twin Falls feel the necessity to make this a safe event for the citizens of our community.

**Approval Process:**

Approval of the Western Days Parade Application and the Western Days Special Events Application by the City Council.

**Budget Impact:**

The Council's approval of this request will impact the City budget as follows:

In order to make the Western Days Parade successful each year, we have approximately 50 people from various volunteer groups (Reserves and Citizens on Patrol) and different law enforcement agencies assisting with this parade event. Without their assistance, we could not host a special event of this size. In addition to the volunteers, the Twin Falls Police Department requires that 24 of our employees staff this event to cover the parade route and road closures. Special events of this kind require a briefing of personnel, sufficient time to block intersections and allow traffic to become accustomed to the change, the event itself, and the breakdown of traffic control devices. I anticipate this event to take approximately six (6) hours; therefore, the approximate overtime cost to the City will be \$5,928.00. Costs associated with this special event were included in the Police Department's overtime budget.

The Twin Falls City Street Department will also have two employees available for four (4) hours each to assist with cones and barricades at a total overtime cost of \$320.00.

The total overtime hours for sworn Officers to provide security for all three days in the park are 26 hours; therefore, the total cost of overtime is \$5,292.00. Representatives from the Western Days Committee were advised in the fall of 2007 and again in January of 2008, 2009, 2010, and 2011 that they will be responsible for the overtime costs associated with security. These costs will be included in the 2012 recommendations to Council. The Western Days Committee will be responsible for additional security costs if more Officers are required to respond to the City Park during this event.

Overtime security costs for which the Western Days Committee is responsible for the 2012 event are \$5,292.00. Any additional costs incurred by the Western Days Committee or their vendors, such as electrical company call outs to the City Park or other incidents which incur a billing, will be paid by the Western Days Committee. The Western Days Committee will be required to make payment in full to the City of Twin Falls within sixty (60) days of the conclusion of the event for the total cost of security and any additional costs incurred.

**Regulatory Impact:**

N/A

**Conclusion:**

Several relevant City Staff Members met and approved the Parade Application and Special Events Application submitted for the annual Twin Falls Western Days Parade and festivities to be held June 1 through June 3, 2012, based on the information provided above.

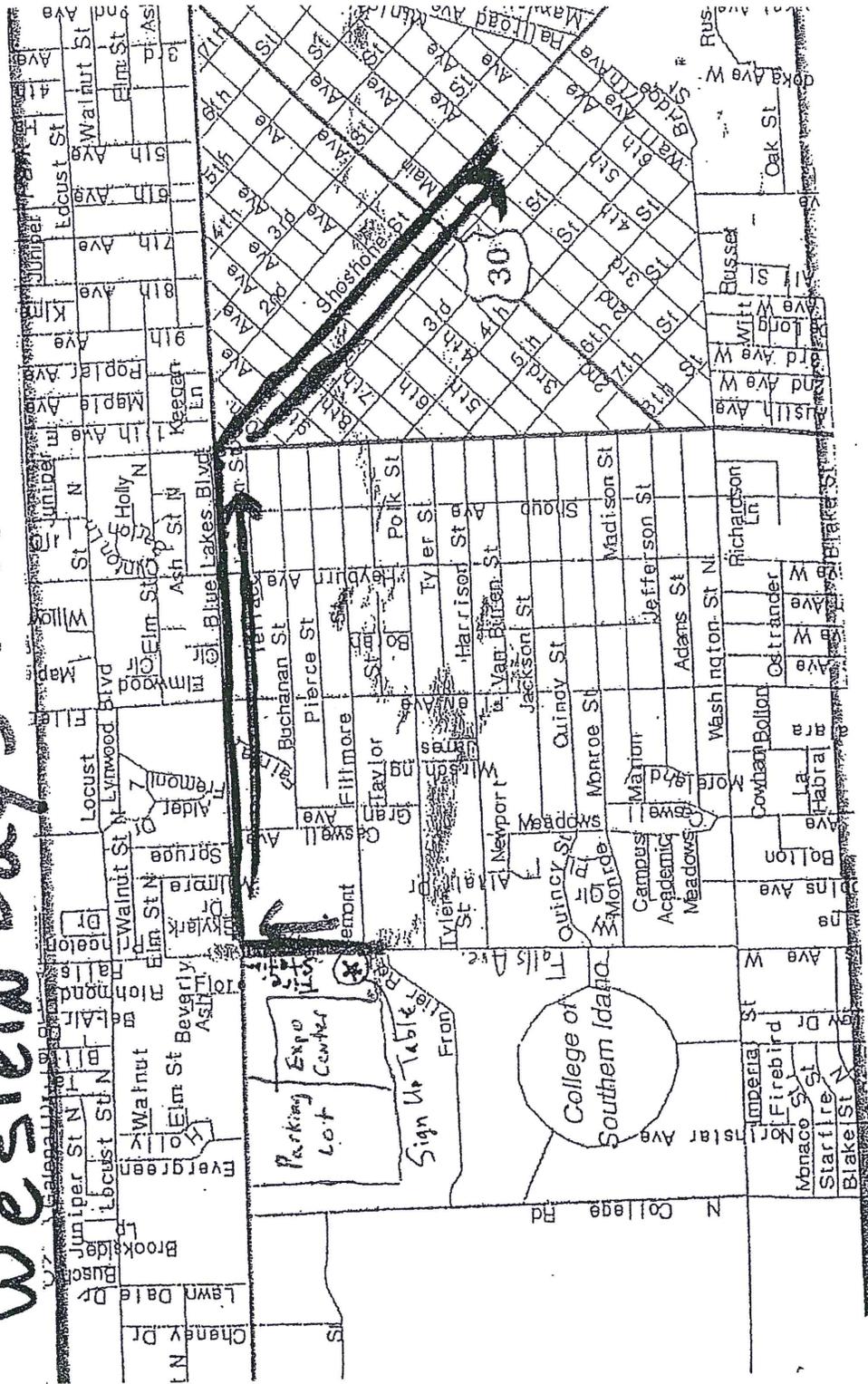
Twin Falls Police Staff recommends that the City Council approve the Parade Application and Special Events Application submitted for the annual Twin Falls Western Days Parade and festivities to be held June 1 through June 3, 2012, based on the information provided above.

**Attachments:**

1. 2012 Parade Route Map

DP:aed

# Western Days Parade Route





**Date:** April 9, 2012, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Staff Sergeant Dennis Pullin

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**Request:**

Consideration of a request to approve a Half Marathon sponsored by the Magic Valley Community Fun Run Organization. This event will be held on Saturday, June 2, 2012, and will coincide with the Western Days Event and Parade.

**Time Estimate:**

Staff requests that this item be placed on the Consideration Calendar. It is estimated that this will take approximately ten minutes with additional time to answer any questions City Council Members may have.

**Background:**

The Magic Valley Community Fun Run Organization's Half Marathon is a two-part event. This event is planned to coincide with the Western Days Event and Parade. The race starts in the lot east of the Depot Grill. The Half Marathon walkers will begin at 6:30 a.m. and the Half Marathon runners will begin at 8:00 a.m. There will be an additional 5K race starting at 8:30 a.m.

The Half Marathon participants will leave the area of the Depot Grill and go south onto Shoshone Street South to the walking trail at the Old Towne Bridge where participants will enter Rock Creek Park. Participants will then travel in a westbound direction on the Rock Creek Trail, come out of Rock Creek Canyon at Morrison Street and Addison Avenue West, and will cross Addison Avenue West. From there, participants will travel west for a short distance on Addison Avenue West where they will go down into Rock Creek Canyon at Rock Creek Park. Participants will continue on the trail until they come out of the canyon onto Filer Avenue West; they will continue to Grandview Drive and proceed north. Runners will cross Pole Line Road, continue north to the Canyon Rim Drive, and work their way to the east around to the area of the Gun Club. Runners will then utilize the canyon walking trail, traveling eastbound to the area by Canyon Crest towards the Montana Steak House. They will proceed to Pole Line Road where participants will travel underneath Pole Line Road through the underground tunnel and then travel east to North Fillmore Street. Participants will then travel south on North Fillmore Street to North College Road. They will travel through the CSI Campus to Falls Avenue, proceed east on Falls Avenue to Blue Lakes Boulevard North, then south on Blue Lakes Boulevard North to Shoshone Street North. From there, participants will travel south on Shoshone Street North to the area of the Depot Grill where the event will end.

The event organizers will supply traffic cones to block off the far right southbound lane of Blue Lakes Boulevard North from Falls Avenue to Shoshone Street. The far right southbound lane of Shoshone Street North and West will also be blocked off. The lanes of traffic will be blocked off at 8:30 a.m. This buffer zone will allow for runners/walkers to travel the route safely. These cones will be picked up after the streets are closed along the

Western Days Parade Route at 9:00 a.m. At this time, the street closures should allow for safe travel for the runners/walkers. Traffic control in the major intersections will be controlled by sworn law enforcement officers. Officers will provide assistance at Addison Avenue West and Morrison Street, Grandview Drive and Pole Line Road West, Falls Avenue and Blue Lakes Boulevard North, Caswell Avenue and Blue Lakes Boulevard North, Filer Avenue and Blue Lakes Boulevard North, Heyburn Avenue and Blue Lakes Boulevard North, Addison Avenue and Blue Lakes Boulevard North, 6<sup>th</sup> Avenue North and Shoshone Street North, 4th Avenue North and Shoshone Street North, 2<sup>nd</sup> Avenue North and Shoshone Street North, and 2<sup>nd</sup> Avenue South and Shoshone Street South. The event sponsors will have volunteers available to provide additional assistance along the route for safety.

The 5K participants will leave the lot east of the Depot Grill and go south onto Shoshone Street South to the walking trail at the Old Towne Bridge and will enter Rock Creek Park. They will then proceed in a westbound direction on the Rock Creek Trail and will come out of Rock Creek Canyon at the Washington Street/Victory Avenue area. Participants will continue east on 6<sup>th</sup> Avenue West, back to Shoshone Street, and then back to the point of beginning.

The event organizers will provide water stations and port-a-potties every two miles. The event organizers will provide cleanup in these areas at the conclusion of the event.

The Magic Valley Community Fun Run Organization will provide volunteer flaggers at streets with a traffic control light: Addison Avenue at Fillmore Street and in the area of Grandview Drive North and Pole Line Road. The Magic Valley Community Fun Run Organization will also have assistance from sworn law enforcement officers.

**Approval Process:**

Consent of the City Council.

**Budget Impact:**

Though this event has occurred over the last few years, the travel route requested along Blue Lakes Boulevard North and Shoshone Street North has been added. This event will require the assistance from ten (10) Police Officers to assist with major intersections to allow for safe crossings for runners/walkers of the half marathon. Officers will control most intersections from 8:30 a.m. until approximately 9:00 a.m., at which time the street will be closed in its entirety for the Western Days Parade. There are two intersections that Officers will have to begin controlling at 8:00 a.m. This event will require six (6) hours of overtime for the Officers, one-half hour each for eight (8) Officers, and one (1) hour each for two Officers. The total cost overtime cost will be \$252.00. This event has not been approved in the Twin Falls Police Department's overtime budget.

**Regulatory Impact:**

N/A

Agenda Item for April 9, 2012  
From Staff Sergeant Dennis Pullin  
Page Three

**Conclusion:**

Several members of relevant City Staff Members have met and approved this Parade Application based on the fact that the Magic Valley Community Fun Run Organization will provide volunteers for assistance while participants travel and cross roadways, following the listed criteria mentioned above.

Twin Falls Police Staff have met and approved this Parade Application based upon the following:

The Magic Valley Community Fun Run Organization has been advised that no Twin Falls Police Officers will be assisting along the route, except for the major intersections listed above, due to the Western Days Event and Parade occurring at the same time. The Magic Valley Community Fun Run Organization will be responsible for all participants; the Twin Falls Police Department will not be able to ensure that this is a safe event for the participants, except at the major intersections listed above.

**Attachments:**

1. Map of Half Marathon

DP:aed





**Date:** April 9, 2012, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Staff Sergeant Dan Lewin, Twin Falls Police Department

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**Request:**

Consideration of a request to acknowledge the recent graduation of Twin Falls Police Officer Matt Triner from the FBI's Hazardous Devices School and to present Officer Triner with his Bomb Technician certification.

**Time Estimate:**

The presentation will take approximately five minutes. Following the presentation, staff anticipates some time for questions and answers.

**Background:**

The Twin Falls Police Department Bomb Squad was created to develop a professionally-trained and specialized unit within the Twin Falls Police Department tasked with the rendering safe of and/or disposing of suspicious items to include, but not limited to, explosives and explosive devices located in the City of Twin Falls or at the request of other outside agencies.

The Twin Falls Police Department has a fully-certified and nationally-accredited Bomb Squad. The Bomb Squad achieved national accreditation in 2000 after meeting all the requirements set forth by the FBI and the National Bomb Squad Commanders Advisory Board.

Since meeting the basic requirements for national accreditation, the Bomb Squad has continuously enhanced its response capabilities through training, experience, research, and by obtaining a host of specialized equipment. Each year, the Bomb Squad responds to incidents in Twin Falls and neighboring communities involving or suspected to involve explosives. The Bomb Squad has achieved the ability to equip and deploy two Bomb Squad Teams, providing assistance to neighboring communities while maintaining local coverage.

The majority of Bomb Squad equipment and specialized training received has been provided or funded by the FBI, ATF, U.S. Air Force, and through Homeland Security Grants managed by the Idaho Department of Homeland Security. The Bomb Squad has acquired nearly \$500,000 in equipment and, to date, Homeland Security has funded over \$30,000 for training expenses of Twin Falls Police Department Bomb Squad personnel.

There are currently less than 500 nationally accredited bomb squads within the entire United States and the TFPD is proud to have not only achieved, but maintained, this resource for the community and its neighbors. The TFPD has one of only four bomb squads in the State of Idaho. Considering that there are less than 2,700 FBI-certified bomb technicians among all the police and fire departments nationwide, the TFPD is additionally proud to employ six such highly-trained professionals, with the newest being Officer Matt Triner.

Agenda Item for April 9, 2012  
From Staff Sergeant Dan Lewin  
Page Two

**Approval Process:**

N/A

**Budget Impact:**

None

**Regulatory Impact:**

None

**Conclusion:**

As the TFPD Bomb Squad Commander, Staff Sergeant Dan Lewin would like to present Officer Triner with his Basic Bomb Technician Certification and Squad Achievement Award.

**Attachments:**

None

DL:aed



Date: April 9, 2012 City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, Public Works Director

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**Request:**

Tour to view the Public Works Facilities and provide an update to the plans staff is developing to construct a public works building.

**Time Estimate:**

The staff presentation will take approximately 30 minutes or as time allows.

**Background:**

The objective of this agenda item is to share the challenges that Public Works is facing with regard to their existing facilities. I would like share some ideas I have been considering. One option is to purchase a triple-wide prefabricated office building that would cost approximately \$200,000. Other options would involve an in depth discussion and funding options. I believe the tour will help demonstrate the condition of our current issues Public Works facilities.

**Current issues:**

- Structurally Condemned Street's building
- Water Department is renting office space
- Water Department's lack of adequate shop space
- Water Department's lack of adequate yard to store pipe or large parts
- Lack of a professional and ADA accessible office for public access
- Lack of fiber connection to existing office doesn't allow us to optimize the use of asset management programs such as GIS
- Office and yard space is at capacity with no available room for future growth
- Limited employee parking
- Office and shop space for Streets, Water, Sewer and Shop are all at capacity and there is no room for growth

**Approval Process:**

This agenda item is for discussion and any proposed action will require Council approval.

**Budget Impact:**

I currently have \$150,000 in the budget to address a new office project.

**Regulatory Impact:**

NA



Public Hearing: **MONDAY APRIL 09, 2012**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

## ITEM IV-

### Request:

For a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

### Time Estimate:

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

### Background:

#### Applicant:

Urban Renewal Agency, c/o Gary Garnand  
321 2<sup>nd</sup> Avenue East  
P.O. Box 1907  
Twin Falls, ID 83303  
208-735-7240

**Applicable Regulations:** 10-4-7.2, 10-4-13.2, 10-14-1 through 10-14-7

### Approval Process:

10-14-7: ACTION BY COUNCIL:

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

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

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

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

### History:

The City Council approved Ordinance 2012 on July 6, 1981, which replaced Title 10 of the Twin Falls City Code in its entirety.

On January 8, 1996, the Council approved Ordinance 2515 which created the OT, Old Town district. The OT use regulations were last modified with Ordinance 2620 (08-02-1999) when "Packing and crating" was added as a Transportation use requiring a Special Use Permit.

The CB, Central Business commercial zoning district has had modifications a number of times. Uses were modified by Ord. 2620 in 1999. Later that year "Open parking lots and garages" was removed as a permitted use and remained a special use (Ord. 2635, 11-15-1999). In 2004 there was a change to allow alcohol consumption on premise to be a permitted use (Ord. 2798, 08-02-2004). The last time changes were made to the CB zone use regulations was in 2006. There was an ordinance that removed a maximum size restriction on detached accessory buildings and separating "Eating places" from eating places allowing alcohol consumption

(Ord. 2850, 02-21-2006) and adding "Agricultural equipment sales and service" as a use allowed by Special Use Permit (Ord. 2865, 06-02-2006).

**Budget Impact:**

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

**Regulatory Impact:**

A recommendation from the Planning and Zoning Commission on the proposed Zoning Title Amendment will allow the request to proceed to the City Council.

**Analysis:**

This is a request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for residential dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for dwellings-attached single household, dwellings-duplex, dwellings-triplex and four-plex. Presently this type of new residential construction is not permitted.

The Urban Renewal Agency is making this request as they have determined that "vibrant new uses for the downtown area should include new housing options, especially urban-style housing". The Urban Renewal Agency of the City of Twin Falls met on February 13, 2012, and voted to pursue this process as currently the City Code only allows for new multi-family residential development in the CB zone if it is for 5-units or more. This proposed change would allow for multi-family units of 5 or more units to be allowed by Special Use Permit in the OT zone. It is also proposed that attached single-household dwellings, duplexes, triplexes and fourplexes would be permitted by Special Use Permit in both the OT and CB zones.

This request is supported by the City's Comprehensive Plan which was adopted in 2009. The Comprehensive Plan's land use chapter described the long-range vision of the "Townsite" area. It states that: "The greater Downtown area should encourage new development that recognizes existing uses and patterns, while allowing for positive redevelopment opportunities" (pg. 2-37). This included high-density residential. A goal of the plan was to encourage the re-establishment of Downtown Twin Falls as the "heart" of the community and some stated policies include promoting and encouraging new and appropriate downtown housing models, including lofts, downtown infill, and other urban models as part of mixed use development. This request is in conformance with the direction of the Comprehensive Plan to modify existing ordinances and codes to allow and encourage mixed use development in the Downtown area.

A request for a Zoning Title Amendment is initially made to the Commission. The Planning and Zoning Commission holds a public hearing to evaluate the request and to determine the extent and nature of the amendment. Upon conclusion of the public hearing the Commission makes a recommendation to the City Council on whether or not to approve the request as presented, deny the request, or approve the request with conditions and/or modifications. *If the Commission recommends approval they shall assure the request is compatible with the comprehensive plan.*

The City Council shall then hold an additional public hearing where they may approve the application as recommended by the Commission, deny the application, or remand the application back to the Commission for further proceedings. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the City Code is officially amended.

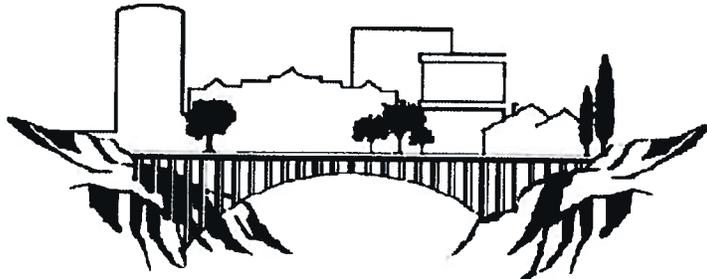
**On March 13, 2012, the Commission unanimously recommended approval of this request, as presented.**

**Conclusion:**

Staff concurs with the Commission's recommendation for approval of the attached code amendment as presented.

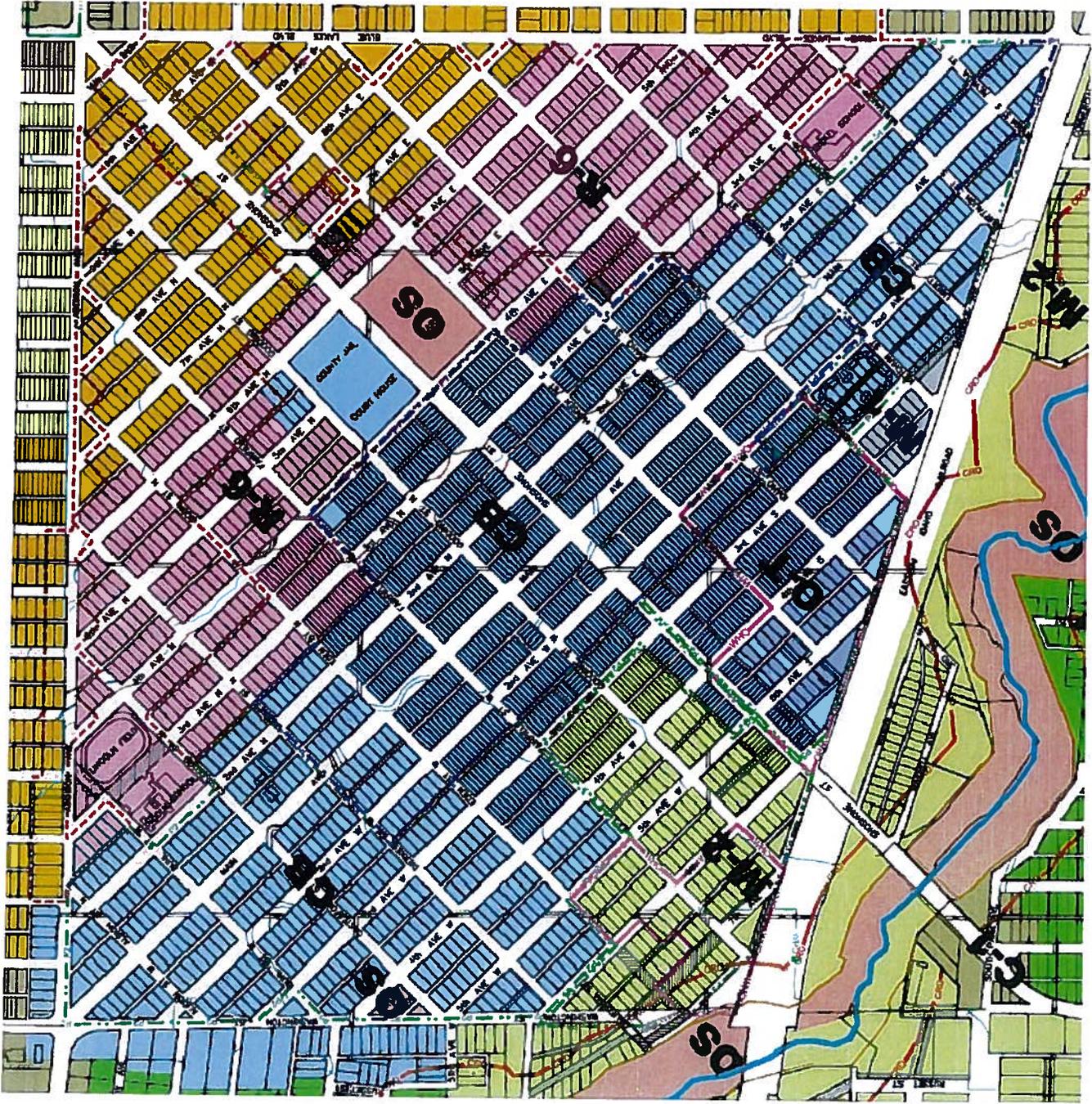
**Attachments:**

1. Letter of Request
2. Zoning Map
3. Proposed Zoning Title Amendment - CB Zone
4. Proposed Zoning Title Amendment – OT Zone
5. Portion of March 13, 2012 P&Z minutes



**THE URBAN RENEWAL AGENCY  
OF THE CITY OF TWIN FALLS**

Several years ago the Agency determined that vibrant new uses for the downtown area should include new housing options, especially urban-style housing that is often seen in downtowns. Urban-style housing could be rowhouses, condominiums, or apartments. As staff discovered recently, those uses are not allowed in Old Town under the O-T zone designation and are limited in the Central Business; CB Zone . This request is to include these types of uses in the OT & CB zones. This request is also supported by the Comprehensive Plan Amendment that was adopted in 2009.



## **10-4-7: CB, COMMERCIAL CENTRAL BUSINESS DISTRICT:**

### **10-4-7.1: PURPOSE:**

This district is intended to provide for commercial activities of various sizes from large retail stores to small specialty shops with residential opportunities for persons wishing to work and live in a unified environment. (Ord. 2526, 5-20-1996)

### **10-4-7.2: USE REGULATIONS:**

**(A) Permitted Uses:** Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

#### **1. Communications And Utilities:**

- a. Radio and television stations without transmission and receiving towers.
- b. Telegraph centers and telegraph stations.
- c. Telephone exchange stations.
- d. Underground and aboveground transmission lines.
- e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

#### **2. Cultural Facilities:**

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

#### **3. Governmental Facilities:**

- a. Fire stations and police stations.
- b. Governmental office buildings.
- c. Judicial facilities.

**10-4-7.2: USE REGULATIONS: (A) Permitted Uses: cont.**

**4. Medical Facilities:**

- a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
- b. Ambulance service.
- c. Doctors' offices.
- d. Drug and alcohol treatment centers.
- e. Hospitals and clinics.
- f. Rehabilitation services.

**5. Parks:**

- a. Open space.
- b. Park concessions.
- c. Private parks and playgrounds without crowd attracting facilities.
- d. Public parks and playgrounds without crowd attracting facilities.

**6. Public Assembly:**

- a. Auditoriums.
- b. Funeral chapels.
- c. Schools - private, single purpose.
- d. Schools - private vocational and/or academic.
- e. Schools - public.
- f. Theaters - indoor.
- g. Wedding chapels and/or reception halls.

**10-4-7.2: USE REGULATIONS: (A) Permitted Uses: cont.**

**7. Residential:**

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Bed and breakfast facilities.
- c. Dwellings - multiple household (5 units or more).
- d. Home occupations.
- e. Household units existing at the time this title was adopted.
- f. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
- g. Household units in upper floors of commercial or professional buildings.
- h. Motels and transient hotels.
- i. Nursing homes and rest homes.
- j. Residence halls, residence hotels, rooming houses.

**8. Retail Trade:**

- a. Alcoholic beverages when consumed on premises where sold.
- b. Apparel and accessories.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. Craft shop, in conjunction with retail business.
- g. Eating places.
- h. Farm and garden supplies.
- i. Florist shop.
- j. Food, drugs, etc.
- k. General merchandise.

**10-4-7.2: USE REGULATIONS: (A) Permitted Uses:**

**8. Retail Trade: cont.**

- l. Hardware store.
- m. Hobby and toy store.
- n. Home furnishings and equipment.
- o. Ice cream store.
- p. Import store.
- q. Laundering and dry cleaning.
- r. Laundromats.
- s. Music store.
- t. Pawnshop.
- u. Pet shop.
- v. Sporting goods store.
- w. Taxidermy studio.

**9. Services:**

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Construction trade offices.
- g. Consumer credit collection offices.
- h. Copy center - self-service.
- i. Daycare services.
- j. Duplicating and stenographic offices.
- k. Employment agencies.

**10-4-7.2: USE REGULATIONS: (A) Permitted Uses: 9. Services: cont.**

- l. Finance and investment offices.
- m. Horticultural services.
- n. In home daycare services.
- o. Insurance and related business.
- p. Labor unions and organizations.
- q. Photography studios.
- r. Professional organizations.
- s. Professional services.
- t. Real estate and related business.
- u. Tourist information center.

**10. Transportation:**

- a. Bus facilities, including pick up shelters.
- b. Taxicab office.
- c. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999; amd. Ord. 2635, 11-15-1999; Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006)

**(B) Special Uses:** A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

**1. Communications And Utilities:**

- a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

**2. Cultural Facilities:**

- a. Zoos.

**10-4-7.2: USE REGULATIONS: (B) Special Uses: cont.**

**3. Governmental Facilities:**

- a. Jails, detention centers, work release centers.
- b. Water treatment plants.

**4. Manufacturing:**

- a. Handcrafted furniture.

**5. Medical Facilities:**

- a. Animal hospital - small animals.
- b. Prosthetics - sales, service and construction.

**6. Miscellaneous:**

- a. Any facility with drive-through service.

**7. Parks:**

- a. Amusement parks.
- b. Public parks and playgrounds with crowd attracting facilities.

**8. Public Assembly:**

- a. Exhibition halls.
- b. Religious facilities.
- c. Sports arena.
- d. Theaters - outdoor.

**9. Residential:**

- a. Dwellings - attached single household dwellings.**
- b. Dwellings - duplex.**
- c. Dwellings - triplex and fourplex. (Ord. 2526, 5-20-1996)**
- ~~a-~~ **d. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.**
- ~~b-~~ **e. Shelter homes.**

**10-4-7.2: USE REGULATIONS: (B) Special Uses: cont.**

**10. Retail Trade:**

- a. Agricultural equipment sales and service.
- b. Automobile and truck sales and/or rentals.
- c. Car wash facilities.
- d. Commercial greenhouses.
- e. Equipment rental.
- f. Fuel sales (bulk).
- g. Gasoline service stations.
- h. Lumber, plumbing and/or electrical supply stores.
- i. Manufactured/mobile home sales and/or rentals.
- j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- k. Sporting vehicles and motorcycles - sales and/or rentals.
- l. Storage unit rentals.
- m. Tire shops.

**11. Services:**

- a. Appliance repair.
- b. Automobile and truck service and/or repair.
- c. Civic, social and fraternal organizations.
- d. Dog grooming and/or kennels.
- e. Furniture repair/upholstery.
- f. Publishing and printing business.
- g. Sporting vehicle and motorcycle service and/or repair.
- h. Tattoo parlors or dermagraphic studios approved by the south central district health department or other state regulatory agency.
- i. Testing laboratories.
- j. Welfare and charitable facilities.

**12. Sports Facilities:**

- a. Athletic areas.
- b. Golf courses and country clubs.
- c. Golf driving ranges.
- d. Indoor recreation facility.
- e. Miniature golf courses.
- f. Outdoor, public and commercial ice and roller skating facilities.
- g. Outdoor, public and commercial swimming pools.
- h. Outdoor, public and commercial tennis courts.

**13. Transportation:**

- a. Freight transfer points.
- b. Open parking lot or garage for automobiles.
- c. Open parking lot or garage for trucks and buses.
- d. Packing and crating.
- e. Trucking facilities.

**14. Wholesale:**

- a. Wholesale distribution and warehousing, excluding H-1 facilities. (Ord. 2620, 8-2-1999; amd. Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2865, 6-12-2006)

**(C) Prohibited Uses:** Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

## 10-4-13: OT, OLD TOWN DISTRICT:

### 10-4-13.2: USE REGULATIONS:

**(A) PERMITTED USES:** Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

#### 1. Communications And Utilities:

- a. Radio and television stations without transmission and receiving towers.
- b. Telegraph centers and telegraph stations.
- c. Telephone exchange stations.
- d. Underground and aboveground transmission lines.
- e. Utility-owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

#### 2. Cultural Facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

#### 3. Governmental Facilities:

- a. Governmental office buildings.

#### 4. Medical Facilities:

- a. Acupuncture facilities approved by the South Central District Health Department or other State regulatory agency.
- b. Doctors' offices.
- c. Drug and alcohol treatment centers.
- d. Hospitals and clinics.
- e. Prosthetics - sales, service and construction.
- f. Rehabilitation services.

#### 5. Parks:

- a. Open space.
- b. Park concessions.
- c. Private parks and playgrounds without crowd attracting facilities.
- d. Public parks and playgrounds without crowd attracting facilities.

#### 6. Public Assembly:

- a. Auditoriums.
- b. Exhibition halls.
- c. Funeral chapels.
- d. Schools - private, single purpose.
- e. Schools - private, vocational and/or academic.
- f. Schools - public.
- g. Theaters - indoor.
- h. Wedding chapels and/or reception halls.

#### 7. Residential:

- a. Bed and breakfast facilities.
- b. Household units in same building as an allowed use and occupied by the owner or an employee of the allowed use.
- c. Household units in upper floors of commercial or professional buildings.

**(A) PERMITTED USES: cont.**

**8. Retail Trade:**

- a. Apparel and accessories.
- b. Automobile parts store.
- c. Bakery.
- d. Bookstore.
- e. Craft shop, in conjunction with retail business.
- f. Eating places.
- g. Farm and garden supplies.
- h. Florist shop.
- i. Food, drugs, etc.
- j. General merchandise.
- k. Hardware store.
- l. Hobby and toy store.
- m. Home furnishings and equipment.
- n. Ice cream store.
- o. Import store.
- p. Laundering and dry-cleaning.
- q. Laundromats.
- r. Music store.
- s. Pawnshop.
- t. Pet shop.
- u. Sporting goods store.
- v. Taxidermy studio.

**9. Services:**

- a. Advertising.
- b. Apparel repair and alteration.
- c. Appliance repair.
- d. Beauty and barbershops.
- e. Building care contracting office.
- f. Business associations.
- g. Civic, social and fraternal organizations.
- h. Construction trade offices.
- i. Consumer credit collection offices.
- j. Copy center - self-service.
- k. Daycare services.
- l. Duplicating and stenographic offices.
- m. Employment agency.
- n. Finance and investment offices.
- o. Horticultural services.
- p. In-home daycare services.
- q. Insurance and related business.
- r. Labor unions and organizations.
- s. Photography studios.
- t. Professional organizations.
- u. Professional services.
- v. Publishing and printing business.
- w. Real estate and related business.
- x. Testing laboratory.
- y. Tourist information center.
- z. Welfare and charitable facilities.

**(A) PERMITTED USES: cont.**

**10. Transportation:**

- a. Bus facilities, including pickup shelters.
- b. Open parking lot or garage for automobiles.
- c. Taxicab office.
- d. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, Any Such Use Which Broadcasts Amplified Music Or Sound By Speakers To The Exterior Of A Building Shall Also Require A Special Use Permit.

**(B) SPECIAL USES:** A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the District unless special provisions are taken. Special use permits may be granted for the following uses:

**1. Communications And Utilities:**

- a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

**2. Governmental Facilities:**

- a. Fire stations and police stations.
- b. Water treatment plants.

**3. Manufacturing:**

- a. Apparel and related items.
- b. Furniture and fixtures.
- c. Handcrafted furniture.
- d. Miscellaneous products.
- e. Paper products.
- f. Plastic products.
- g. Professional and scientific products.
- h. Rubber products.
- i. Textile products.

**4. Medical Facilities:**

- a. Animal hospital - small animal.

**5. Miscellaneous:**

- a. Any facility with drive-through service.

**6. Public Assembly:**

- a. Exposition and recreational vehicle shows.
- b. Farmers' markets, flea markets.
- c. Religious facilities.
- d. Sports arena.

**7. Residential:**

- a. Dwellings - attached single household dwellings.
- b. Dwellings - duplex.
- c. Dwellings - multiple household (5 units or more).
- d. Dwellings - triplex and fourplex. (Ord. 2526, 5-20-1996)
- ~~a~~ e. Motels and transient hotels.
- ~~b~~ f. Nursing homes and rest homes.
- ~~e~~-g. Residence halls, residence hotels, rooming houses.
- ~~d~~-h. Shelter homes.

**8. Retail Trade:**

- a. Alcoholic beverages when consumed on the premises where sold.
- b. Equipment rental.
- c. Lumber, plumbing and/or electrical supply stores.
- d. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- e. Sporting vehicles and motorcycles - sales and/or rentals.
- f. Storage unit rentals.

**9. Services:**

- a. Auction and/or public sales.
- b. Automobile and truck service and/or repair.
- c. Sporting vehicle and motorcycle service and/or repair.

**10. Sports Facilities:**

- a. Athletic areas.
- b. Indoor recreation facility.
- c. Miniature golf course.
- d. Outdoor, public and commercial ice and rollerskating facilities.
- e. Outdoor, public and commercial swimming pools.
- f. Outdoor, public and commercial tennis courts.

**11. Transportation:**

- a. Freight transfer points.
- b. Open parking lot or garage for trucks and buses.
- c. Packing and crating. (Ord. 2620, 8-2-1999)

**(C) Prohibited Uses:** Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this Title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. Also prohibited is the storage of manufacturing materials and/or supplies outside an enclosed structure.



**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**Tuesday, March 13, 2012-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Wayne Bohrn      Jason Derricott      Tom Frank      Kevin Grey      Terry Ihler      V. Lane Jacobson      Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore      Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISON**

Rebecca Mills Sojka      Jim Munn

**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

**PRESENT:**

Bohrn  
Frank  
Grey  
Jacobson  
Sharp

**ABSENT:**

Derricott  
Ihler

**AREA OF IMPACT MEMBERS**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**

Jim Munn

**CITY STAFF PRESENT:**

Anderson, Carraway, Reeder, Vitek, Wonderlich

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**IV. ITEMS OF CONSIDERATION:      None.**

**V. PUBLIC HEARINGS:**

1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)
2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)
3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507)  
**WITHDRAWN**
4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)
5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

#### IV. PUBLIC HEARING ITEMS

5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

##### **APPLICANT PRESENTATION:**

Melinda Anderson, Economic Development Director and Executive Director of the City of Twin Falls Urban Renewal Agency. Several years ago the Urban Renewal Agency started looking at continuing revitalization of downtown and Old Town. They looked at putting new uses into the downtown area- such as new employment, open space, restaurant, retail uses. They recently discovered that there is no new housing allowed in the OT zone and very limited in the CB zone. Ms. Anderson oriented the Commission to the location of the CB zone and OT zone. The agency is very interested in its revitalization efforts to ask the Commission allow for new housing. It could be single-family attached housing, condominiums, apartments, tri-plex and four-plexes. The agency wants to promote them in the downtown. It is also part of the City's Comprehensive Plan adopted in 2009, it does conform with that plan.

##### **STAFF PRESENTATION:**

Zoning & Development Manager Carraway reviewed stated this is a request for a Zoning Title Amendment which if approved would amend Twin Falls City Code Title 10; Chapter 4; Section 13- which is the Old Town Zone by requiring a Special Use Permit for multi-household residential dwellings consisting of 5 residential units or more; and also amending Title 10; Chapter 4; Section 7- which is the Central Business Zone and Tile 10; Chapter 4; Section 13- Old Town Zone by requiring a Special Use Permit for attached single household residential dwellings, duplex residential dwellings and triplex and/or 4-plex residential dwellings. Multi-household residential dwellings consist of 5 residential units or more is currently a permitted use in the CB Zone. Presently the other types of new residential construction are not permitted in these zones.

You have just heard the presentation by Melinda Anderson that there is interest in these types of uses in the area. There are sections of the Comprehensive Plan included in the staff report packet. This request is supported by the City's Comprehensive Plan which was amended and adopted in 2009. It states that: "The greater downtown area should encourage new development that recognizes existing uses and patterns, while allowing for positive redevelopment opportunities" (pg. 2-37). This includes high-density residential.

A goal of the Comp Plan is to encourage the re-establishment of downtown Twin Falls as the "heart" of the community and some stated policies within the Comp Plan include promoting and encouraging new and appropriate downtown housing opportunities, including lofts, downtown infill, and other urban residential/commercial opportunities as part of mixed use development.

This request is in conformance with the direction of the Comprehensive Plan to modify existing ordinances and codes to allow and encourage mixed use residential/commercial development in the downtown area.

This is the first step of the Zoning Title Amendment approval procedure. A request for a Zoning Title Amendment is initially made to the Commission. The Planning and Zoning Commission holds a public hearing to evaluate the request and to determine the extent and nature of the amendment. Upon conclusion of the public hearing the Commission makes a recommendation to the City Council on whether or not to approve the request as presented, deny the request, or approve the request with conditions and/or modifications. If the Commission recommends approval they shall assure the request is compatible with the comprehensive plan.

This request is also in conformance with a list approved by the City Council last year of the top 10 potential Title 10 code amendments to be reviewed and presented through the public hearing process. Downtown redevelopment to consider mixed uses such as additional residential household development is listed as #4 on the list of top 10 priorities to be considered.

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Once the Commission makes a recommendation, the City Council shall then hold an additional public hearing where they may approve the application as recommended by the Commission, deny the application, or remand the application back to the Commission for further proceedings.

If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the City Code is officially amended.

Upon conclusion, Staff recommends that the Commission recommend approval of the code amendment as presented this evening.

**P&Z COMMENTS/QUESTIONS:**

- Commissioner Woods- Since this request is looking at putting family housing in the downtown area, has staff looked at parking for additional residences, enhanced sewer and water, and fire department concerns of a residence above a business?
- Planning and Development Manager Carraway- In both of these zones the parking requirements are minimal to encourage development. As these changes are requiring Special Use Permits it would allow each individual development to come to you separately and for conditions to be placed as seen appropriate. Any type of development would have to meet current fire codes and would be reviewed. Infrastructure would also be addressed at the point of new and reviewed.

**PUBLIC HEARING: OPENED**

- Tom Frank, 1060 Pahsimeroi Dr-- He stepped down from the Commission as he is currently the Vice Chairman of the Twin Falls Urban Renewal Agency. Housing is very important to the long term viability of our downtown. If you have people living downtown it can spur mom-and-pop type businesses. They have been pitching the idea and have had interest. It is part of the long-term viability of the area. You start to develop an actual community there and so they think it is important to have this type of possibility.

**PUBLIC HEARING: CLOSED**

**DELIBERATIONS FOLLOWED:**

- Chairman Bohrn- He is a true believer of people living downtown to make it viable.
- Commissioner Grey- He asked if they are actively seeking proposals from developers?
- Tom Frank-Representing the Twin Falls Urban Renewal Agency addressed the question and stated yes. The dream would be for professionals, especially young professionals at the St. Luke's office and the proposed Glanbia facility to be able to walk to work. There are always people for looking.
- Commissioner Grey- Has this come to the P&Z before?
- Tom Frank- No, there were talks about reviewing code. He is happy to see it taking place- the time is now. The economy is taking an up-tick. We want to maintain momentum of what the Agency is trying to do in the downtown.

**MOTION:**

Commissioner Sharp made a motion to recommend approval of this request to the City Council as presented. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

**RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED**  
**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**



Public Hearing: **MONDAY APRIL 09, 2012**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

## ITEM IV-

### REQUEST:

For annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)

### TIME ESTIMATE:

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

### BACKGROUND:

<b>Applicant:</b>	<b>Status:</b> Owner/Developer	<b>Size:</b> 37 (+/-) acres
Agro Farma 147 State Highway 320 Norwich, NY 13815	<b>Current Zoning:</b> M-2 Area of Impact (Aol)	<b>Requested Zoning:</b> Annexation
	<b>Comprehensive Plan:</b> Industrial	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> Agricultural	<b>Proposed Land Use:</b> Future development
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
c/o John Winnie Chobani Director of Operations 3450 Kimberly Rd Twin Falls, ID 83301 208-316-7689 John.winnie@agro-farma.com	<b>North:</b> M-2; manufacturing, Chobani	<b>East:</b> 3300 East Rd, City of Kimberly Area of Impact
	<b>South:</b> M-2; Railroad tracks, undeveloped property	<b>West:</b> M-2; manufacturing, Chobani
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-10, 10-11-1 through 9, 10-15-2	

### APPROVAL PROCESS:

#### §10-15-2: Annexation

(C) The Council, prior to adoption, amendment or repeal of the plan or Zoning Ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the Commission.

Following the hearing of the Council, if the Council makes a material change in the plan or zone, further notice and hearing shall be provided before the Council adopts the plan or zone.

(D) Concurrently or immediately following the adoption of an ordinance of annexation, the Council shall amend the planning and zoning regulations as shall be found to be necessary. (Ord. 2012, 7-6-1981)

### BUDGET IMPACT:

Approval of this request will have an impact on the City budget as the City may receive revenue from property taxes collected on properties within the City limits.

### REGULATORY IMPACT:

Approval of this request will allow the applicant to proceed with development of this property with adjacent property in the City limits.

**HISTORY:**

On November 7, 2011 the City Council approved height increase of up to 60’ of occupied buildings and up to 120’ of agricultural accessory buildings not intended for human occupancy. Any structure taller than 50’ is to have a setback of 50’ from all property lines. All buildings taller than 50’ that are intended for human occupancy are to provide fire sprinklers on all floors.

On November 8, 2011 the Planning & Zoning Commission recommended approval of a request from Urban Renewal Agency to amend Urban Renewal Plan #4 that creates Revenue Allocation Area #4-3.

On December 12, 2011 the City Council approved Ordinance #3022 approving the Urban Renewal Plan for Revenue Allocation Area #4-3.

On December 19, 2011 the City Council approved a request to amend the Council’s prior height exception approval to allow increased occupied building heights of up to 90’. All other aspects of the prior height exceptions were to stay in place.

**ANALYSIS:**

This request is to annex 37 (+/-) acres with a zoning designation of M-2. Currently the property is zoned M-2 in the City’s Area of Impact. The property is part of Chobani yogurt facility currently being constructed. The property is contiguous to City limits on three boundaries and thus able to request annexation.

The M-2 zone is the City’s Heavy Manufacturing zoning District.

Twin Falls City Code sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed. Section 10-15-2(A) states: “The Commission hearing shall not consider comments on annexation and shall be limited to the proposed development plan and zoning changes.” The City Council shall then hold an additional public hearing to determine whether the designated area should be annexed and if so what the zoning designation shall be. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the published ordinance is sent to the State and the official zoning map is officially amended.

The property is surrounded by M-2 zoning on all boundaries. To the east is a residence and agricultural land in the area of impact. The Comprehensive Plan designates this area as appropriate for Industrial uses.

**On March 13, 2012 the Commission unanimously recommended the existing M-2 zoning as appropriate.**

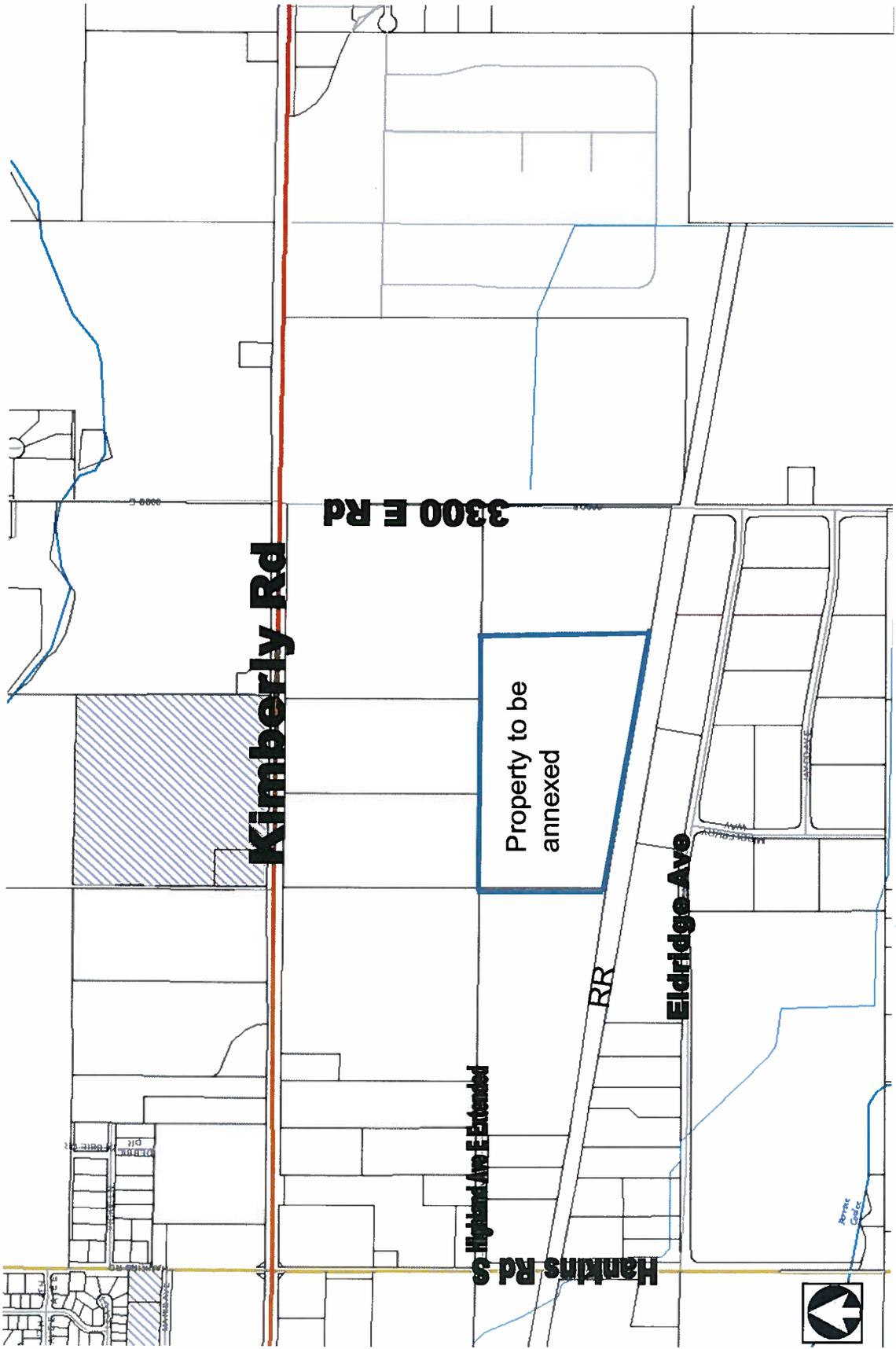
**CONCLUSION:**

If the City Council should approve the request for annexation staff would concur the existing M-2 zoning designation as appropriate.

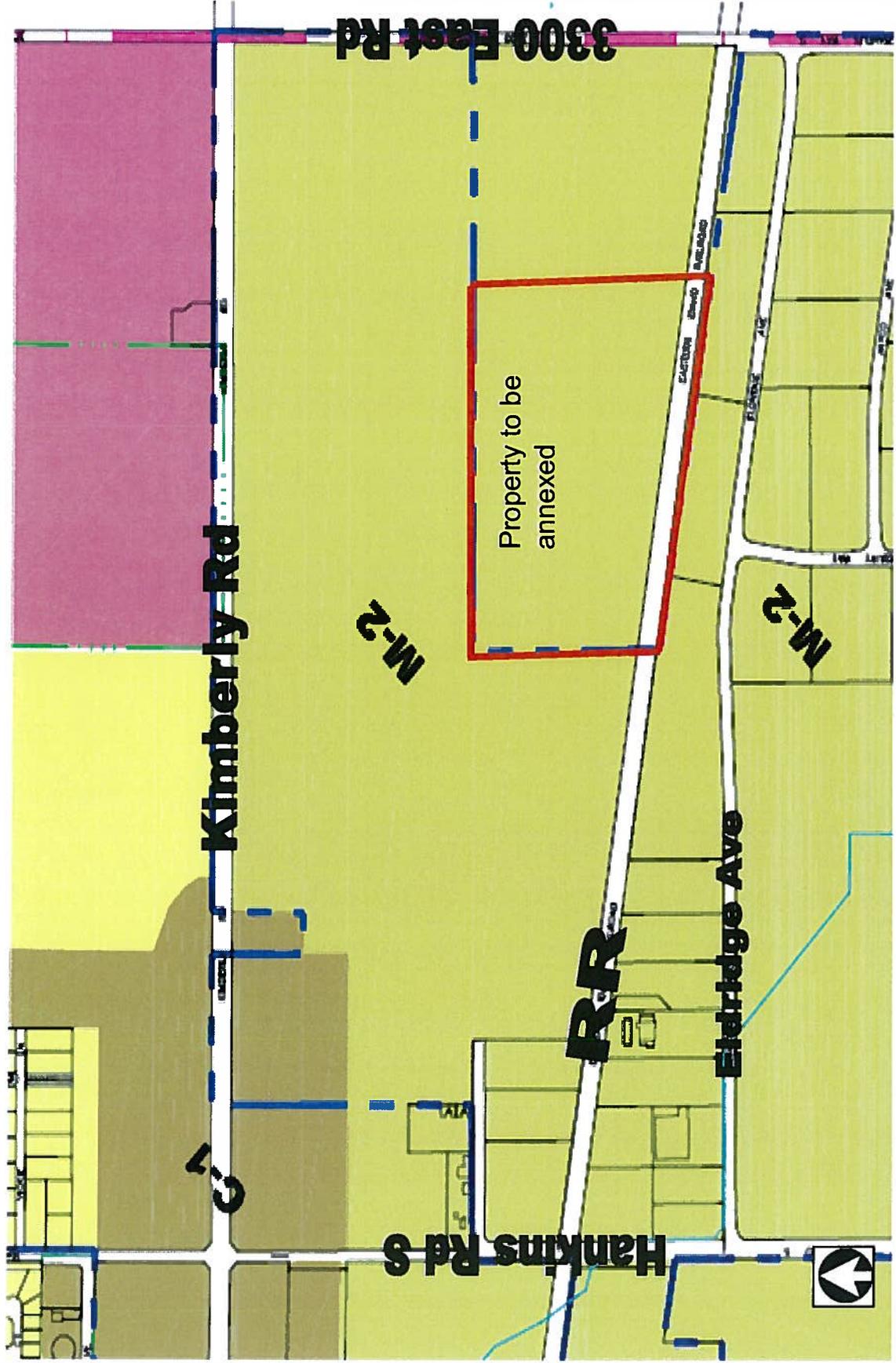
**ATTACHMENTS:**

- 1. Vicinity Map
- 2. Zoning Map
- 3. Aerial View Map
- 4. Portion of the March 13, 2012 P&Z minutes.

# VICINITY MAP



# ZONING MAP







**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**Tuesday, March 13, 2012-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Wayne Bohrn    Jason Derricott    Tom Frank    Kevin Grey    Terry Ihler    V. Lane Jacobson    Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore    Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISON**

Rebecca Mills Sojka    Jim Munn

**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

**PRESENT:**

Bohrn  
Frank  
Grey  
Jacobson  
Sharp

**ABSENT:**

Derricott  
Ihler

**AREA OF IMPACT MEMBERS**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**

Jim Munn

**CITY STAFF PRESENT:**

Anderson, Carraway, Reeder, Vitek, Wonderlich

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**IV. ITEMS OF CONSIDERATION:        None.**

**V. PUBLIC HEARINGS:**

1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)
2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)
3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507)  
**WITHDRAWN**
4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)
5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

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**IV. PUBLIC HEARING ITEMS**

Commissioner Tom Frank stepped down.

4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)

**APPLICANT PRESENTATION:**

Fran Florence, 4129 Hidden Lakes Dr, Kimberly. He is here on behalf of John Winnie. This is one of the steps of several that have been taken to get the properties aligned and zoning in place for the ongoing project for Chobani. The request is not for a change of zoning but to change it from M-2 in the Area of Impact to M-2 in the City. The property is 37 acres. The balance of the property is already zoned M-2. This piece was part of a larger acreage that has been farmed for a number of years. At some point the remainder may come into the City. The impact is minimal since it is already surrounded by M-2. City services are there. It is fairly critical to the process to get it into City limits because it is part of the agreement between the City, Urban Renewal, and Agro-Farma to get this portion into the City.

**STAFF PRESENTATION:**

Zoning & Development Manager Carraway reviewed the exhibits on the overhead. The property is contiguous to City limits on three boundaries and thus able to request annexation.

The M-2 zone is the City's Heavy Manufacturing zoning District. This site and the adjoining properties are all zoned M-2 and have been used for agricultural use. The adjacent property is part of the Chobani yogurt facility currently being constructed.

Twin Falls City Code sections 10-15-1 and 10-15-2 require a hearing and recommendations from the Commission on planning and zoning designations for areas proposed to be annexed into the City limits. Section 10-15-2(A) states: "The Commission hearing shall not consider comments on annexation and shall be limited to the proposed development plan and zoning changes." The City Council shall then hold an additional public hearing to determine whether the designated area should be annexed and if so what the zoning designation shall be. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the published ordinance is sent to the State and the official City of Twin Falls and Area of Impact zoning map is officially amended.

The Comprehensive Plan does designate this area as appropriate for manufacturing uses. If the Commission finds the zoning of M-2 appropriate they should make a motion recommending to the City Council that the current M-2 zoning on this property is appropriate.

**P&Z COMMENTS/QUESTIONS:**

- none

**PUBLIC HEARING: OPENED & CLOSED**

- none

**DELIBERATIONS FOLLOWED:**

- none

**MOTION:**

Commissioner Sharp made a motion to recommend the zoning as presented with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

**RECOMMENDED M-2 ZONE AS APPROPRIATE TO THE CITY COUNCIL, AS PRESENTED**  
**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**



Date: Monday, April 09, 2012

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

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**Request:**

Appeal of a required improvement as part of the approval for a Special Use Permit to operate a chiropractor's office and to include a residential apartment for the business owner or an employee of the business on property located at 1015 Washington Street North.

**Time Estimate:**

Applicant may take up to ten minutes followed by a staff presentation for approximately five minutes.

**Background:**

Property is owned by Spencer Williams. In May 2009, the City Council granted Dr. Williams' request for a rezone of this property from R-4 to R-4 w/PRO which could allow for change of use from a residence to a doctor's/professional office by Special Use Permit. On February 14, 2012, by unanimous vote, The Planning & Zoning Commission granted a special use permit to allow Dr. Williams to operate his chiropractic office, as presented, at 1015 Washington St N and to allow either he, as the business owner, or an employee to reside there as part of the business operations. This approval was subject to 4 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 this Special Use Permit being for the operation of a Chiropractic Clinic, as presented.
3. Subject to the apartment being occupied by the owner of the Chiropractic Clinic or an employee.
4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business.

As part of the approval a Certificate of Occupancy from the Building Department for a Change of Use of the property from a residence to a professional office is required to be issued prior to operation of the business. There are site improvements, such as all parking/maneuvering areas being hard surfaced, adequate access, screened trash container, specified parking spaces, storm drainage, possible parking lot lighting and landscaping, required as part of a change of use from a residence to a professional/commercial use. The required improvements were reviewed with the applicant and his contractor prior to the public hearing. One of those required site improvements is 10-7-10; Special Landscaping Requirement For Properties Fronting the College of Southern Idaho Property. This code section states that in addition to the professional office landscaping requirements properties fronting CSI property on Washington Street North, North

College Road and Falls Avenue shall install a berm of at least 3' in height and 12' in width immediately behind the sidewalk or future sidewalk. The berm shall be grass with a minimum of 1 conifer tree per 300sf of berm area and a minimum of 1 deciduous shrub per 300sf. The site plan submitted and approved as part of the special use permit application showed a 12' landscape buffer with trees & bushes along Washington Street North plus a landscape buffer with trees & bushes along Crestview Drive and some additional interior landscaping. During the public hearing the applicant stated he now wished to defer the CSI gateway landscaping along Washington St N. The Commission discussed the applicant's request and determined there was not a process to allow the deferral of the CSI gateway landscaping.

On February 17, 2012, Dr. Williams submitted a letter of appeal regarding the requirement to install the Special CSI Gateway Landscaping. Staff reviewed this appeal with City Attorney Fritz Wonderlich who felt there was not a process within the code that would permit deferral of this requirement, see attached email. The applicant was contacted and informed there was not a process to defer this condition. He indicated he wished to proceed with his appeal.

**Approval Process:**

**City Code 10-13-2.2: Special Use Permit**

(J) Appeal To The Council: Upon receipt of an appeal from the action of the commission, the council shall set a hearing date, under the same provisions as the commission hearing, to consider all information, testimony and the commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the decision of the commission. (Ord. 2124, 10-15-1984)

**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 with the change of use of his property subject to any conditions of approval.

**Conclusion:**

Staff reviewed the letter of appeal with City Attorney Fritz Wonderlich who felt there was not a process within the code that would permit deferral of this requirement, see attached email. Staff does not support the appeal

**Attachments:**

1. Letter of Appeal
2. Email dated Feb 29, 2012 between staff & Fritz Wonderlich, City Attorney
3. Feb 14, 2012 P&Z Staff Report
4. Portion of Feb 14, 2012 P&Z minutes

# **Williams Chiropractic Clinic, PC**

392 Falls Avenue, Twin Falls, Idaho 83301  
(208) 734-0500, Fax (208) 734-0501



## **Spencer G. Williams, DC Doctor of Chiropractic**

*Graduate, Western States Chiropractic College  
Diplomat Nation Board of Examiners  
Member, American Chiropractic Association  
Member, Idaho Association of Chiropractic Physicians  
Who's Who Among Outstanding Americans  
Citizen of the year  
Certification of Achievement  
Certified Instructor: Advanced Muscle Integration Technique*

Twin Falls City Council  
321 2nd Ave. East  
Twin Falls, ID 83301

RE: Deferral of Berm requirement

Dear Sirs:

On February 14, 2012 I met with the Twin Falls Planning and Zoning Committee in a Public Hearing to request a Special Use Permit to establish a chiropractic office on property located at 1015 Washington St. N.

I requested a deferral on the zoning requirement to establish a 12 ft. wide, 3 ft. high berm along the property bordering on Washington St. North until such time in the future when adjacent property to the north is also developed. The reason for the requested deferral are as follow:

1. We are not asking the council to change to zoning rule. By waiting until the adjacent property develops it will maintain the appearance of the neighborhood. My wife and I have occupied that home for the past 30 years and have always maintained a beautiful yard with an attractive fence. The appearance of the property will be better if it remains the same, if it were to be the only property in the area with a berm it would not be as attractive.
2. The adjoining property to the north is the only property on the street that lends itself to future development into a professional office. The rest of the properties are duplexes and sit very close to Washington St. and would likely not meet the parking requirement to be converted to professional office space let alone have room for the berm requirement. If the berm requirement were deferred until both properties are developed it would be more attractive.

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FEB 17 2012  
CITY OF TWIN FALLS  
PLANNING & ZONING

3. Cost is an issue especially in today's economy. Putting in the berm would require hauling in dirt, updating the existing sprinkler system and replacing the grass. The sprinkler system and grass was just recently updated due to the Washington St. expansion project.
4. All the members of the planning and zoning committee were in favor of granting the deferral.

Permission was granted by a unanimous vote of the council for the special use permit, but the request for a deferral on the berm requirement deferred to the staff for further investigation.

I am hereby appealing to the City Council for permission to defer the requirement of a 12 ft. wide, 3 ft. high berm on the East border of the property until such time as the adjoining property on the north is developed and a berm put in place. We are in compliance with all other rules in order to be granted approval for the special use permit.

Thank you for your consideration,

  
Spencer G. Williams, DC

**View of subject property from Washington St.**



Adjoining property to the North



From: "Fritz Wonderlich" <fritzwonderlich@gmail.com>  
To: "'Renee Carraway'" <RCARRAWA@tfid.org>  
Date: 2/29/2012 1:57 PM  
Subject: RE: Request for Appeal....

...You'll have to process it. But I can't find anything that permits deferral of the landscaping requirement.

Fritz Wonderlich Signature  
Fritz Wonderlich  
Wonderlich & Wakefield  
P.O. Box 1812  
Twin Falls, ID 83303-1812  
Telephone: (208) 352-0811  
Fax: (888) 789-0935  
Email: fritzwonderlich@gmail.com

CONFIDENTIALITY NOTICE:

The information in this email is solely for the use of the individual(s) or entity to whom it was intended, and should not be forwarded or otherwise disclosed unless expressly stated by the sender. If you have received this email in error, please notify the sender and delete the message.

From: Renee Carraway [mailto:RCARRAWA@tfid.org]  
Sent: Wednesday, February 29, 2012 10:45 AM  
To: fritzwonderlich@gmail.com  
Subject: Request for Appeal....

Fritz -- can the CC "defer" the required landscaping? RvC



Public Hearing: **TUESDAY, FEBRUARY 14, 2012**

To: Planning & Zoning Commission

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

## AGENDA ITEM IV-3

**Request:** for a Special Use Permit to establish a chiropractic office with residential apartment for employee or property owner of business on property located at 1015 Washington Street North, c/o Ben Tyler, Handymen LTD on behalf of Spencer Williams. (app. 2500)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 19,602 sq ft lot, 2900 sq ft bldg
Spencer Williams 1248 Desert View Dr Twin Falls, ID 83301 208-734-0565 208-420-0532 (c)	<b>Current Zoning:</b> R-4 PRO	<b>Requested Zoning:</b> SUP
	<b>Comprehensive Plan:</b> Residential Business	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> residential	<b>Proposed Land Use:</b> Chiropractic Office w/residential apartment for business owner/employee
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
Ben Tyler Handymen LTD 1388 Cody Ct Twin Falls, ID 83301 208-420-8257	<b>North:</b> R-4 PRO; residential	<b>East:</b> CSI PUD; Washington St N, College of Southern Idaho
	<b>South:</b> R-4; Crestview Dr, residential	<b>West:</b> R-4; residential
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-5, 10-4-18, 10-7-10, 10-9-1 & 2, 10-10-1 through 3, 10-11-1 through 9, 10-13-2.2	

**Approval Process:**

As per TF City Code: 10-13-2.2 (F), (G) & (J)

**(F) Public Hearing:** Prior to granting a special use permit, at least one public hearing before the Commission in which interested persons shall have the opportunity to be heard shall be held. **(G)** Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with modifications, the Commission shall direct the Administrator to issue a special use permit listing the specific conditions specified by the Commission for approval. **(J) Appeal To The Council:** Upon receipt of an appeal from the action of the commission, the council shall set a hearing date, under the same provisions as the commission hearing, to consider all information, testimony and the commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the decision of the commission. (Ord. 2124, 10-15-1984)

**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 with building permit requirements to operate a Chiropractic Clinic at this location.

A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

There were three (3) building permits issued in the 1980's for an addition and remodel. The Engineering Department approved the reconstruction of driveway approaches on Washington Street North and Crestview Drive and construction of sidewalk on Crestview Drive in 1986.

The City Council approved a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO on May 26, 2009. Ordinance #2971 was approved on June 8, 2009.

**Analysis:**

The applicant would like to operate a Chiropractic Clinic at this location and including a residential apartment for use by the property owner or an employee of the business. This property is located in the R-4 PRO, Residential Medium Density District with a Professional Office Overlay zone. A Special Use Permit is required to operate a medical office with a residential apartment in this zone. The residential apartment can only be occupied by the property owner or an employee of the chiropractic office.

The applicant intends to have three (3) employees and operate the business 9:00 am to 6:00 pm on Monday, Wednesday and Friday and on Tuesdays from 3:00 pm to 6:00 pm. The office is planned to be closed on Thursday, Saturday and Sunday. The site is located on the northwest corner of Crestview Drive and Washington Street North, across from the CSI campus. The parking requirement for a use such as a Chiropractic Clinic is 1 space per 300 square feet of total floor area. The applicant's site plan indicates adequate parking to meet the requirement. Traffic anticipated is thirty (30) to fifty (50) patients per day. Dr. Williams had been in practice in Twin Falls for the last 32 years.

No adverse impacts due to noise, glare, odor, fumes, or vibrations to adjoining properties are anticipated. It should be compatible with the surrounding area as there won't be any activity at night or on the weekends. The change of the space from a residence to a professional office is a change of use for building and planning & zoning regulations. The applicant will have to apply for and receive a Change of Use/Certificate of Occupancy permit prior to operation in the facility. A change of use also requires review and compliance with applicable zoning regulations. Once a property is converted to a professional office use, it can't be used as a residence. A full review will be part of the permit review process. Any new signage must be reviewed for a sign permit.

**Conclusion:**

Should the Commission grant this request, as presented, staff recommends approval be subject to the following condition(s):

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 this Special Use Permit being for the operation of a Chiropractic Clinic, as presented.
3. Subject to the apartment being occupied by the owner of the Chiropractic Clinic or an employee.
4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business.

**Attachments:**

1. Letter of Request
2. Vicinity Map
3. Area Zoning Map
4. Aerial of the Project Site

5. Site Plan

**Reason for the request:**

I am planning to move my Chiropractic Practice into this building. I have been in practice in Twin Falls, ID for the last 32 years.

**Explanation of the project:**

The Hours of operation are: Monday, Wednesday, and Friday from 9:00am to 6:00pm and Tuesdays from 3:00pm to 6:00pm. We are closed on Thursday, Saturday, and Sunday.

Traffic anticipated will be between 30 and 50 patients per day. There are seldom more than 15 people in the building at one time.

The number of employees is 3.

**Evaluation of the effects on adjoining property:**

Noise: None

Glare: None

Odor: None

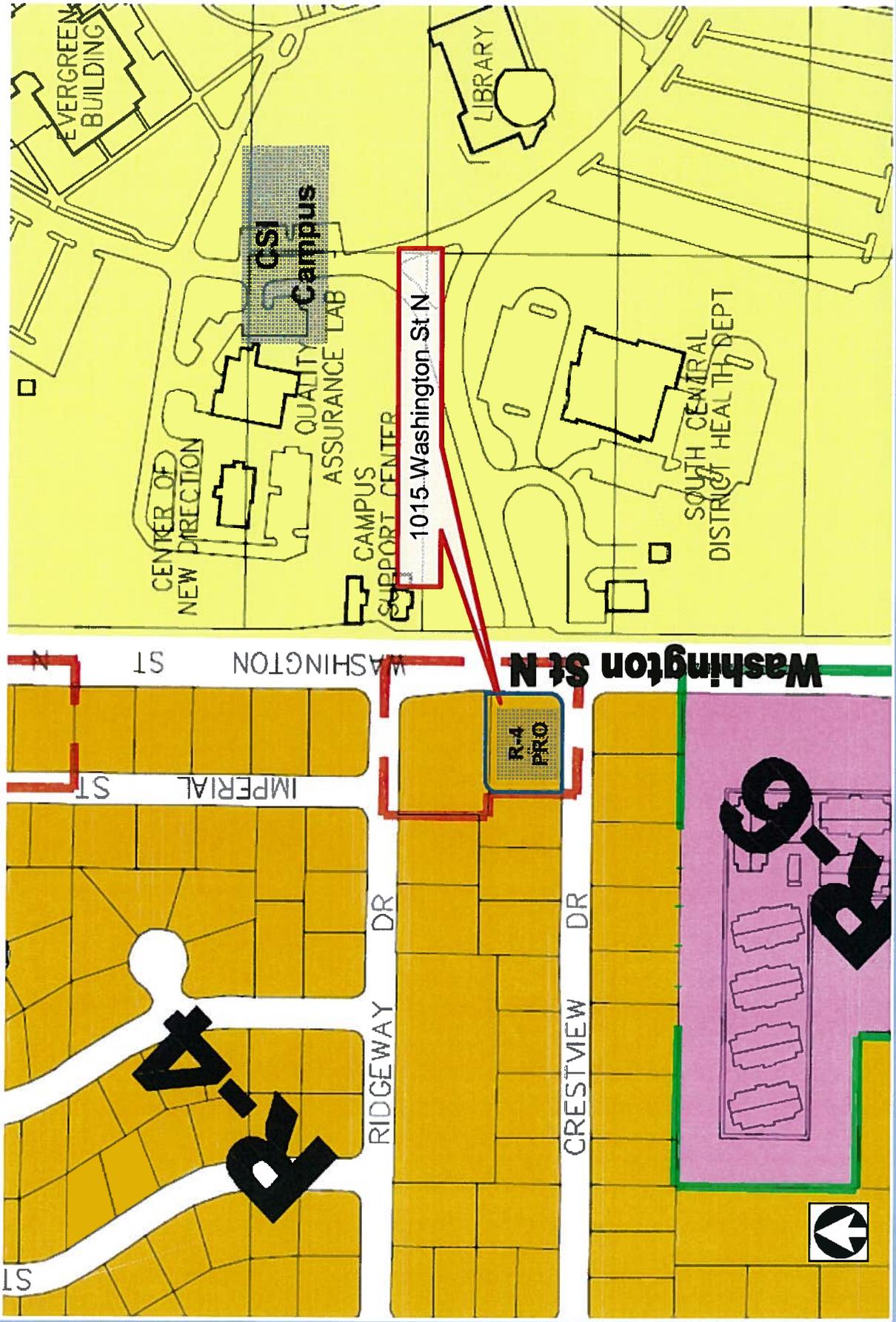
Fumes and vibration of adjoining property: None

Compatibility with adjacent properties: A professional office is a good neighbor. There is no noise or pollution. There is a small increase in traffic during business hours, but no activity at night or on weekends. It will be kept nicely landscaped and maintained at all times.

# VICINITY MAP



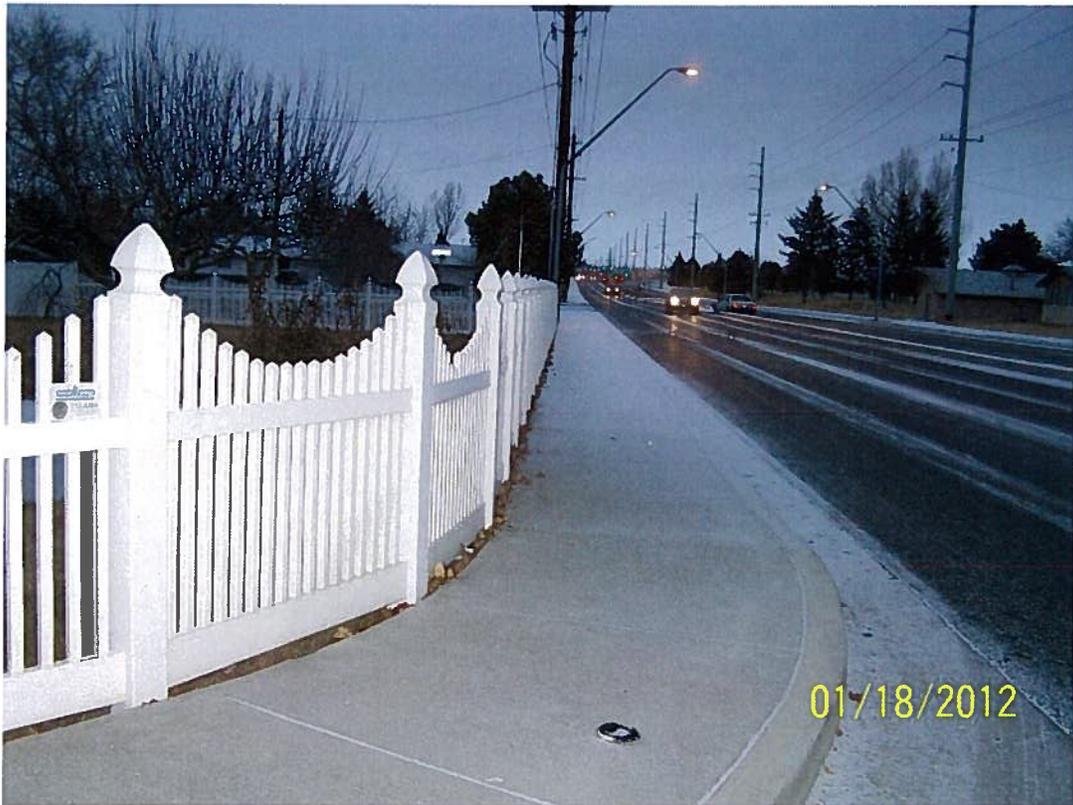
# ZONING MAP



# AERIAL MAP











**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**Tuesday, February 14, 2012-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> 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   Jim Munn

**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

PRESENT:

Bohrn  
Cope  
Derricott  
Schouten  
Sharp

ABSENT:

Ihler  
Jacobson

**AREA OF IMPACT MEMBERS**

PRESENT:

ABSENT:

DeVore  
Mikesell

**CITY COUNCIL MEMBERS PRESENT:**

Mills Sojka

**CITY STAFF PRESENT:**

Reeder, Vitek, Weeks

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**III. ITEMS OF CONSIDERATION:**

1. Approval of Minutes from the following meeting(s):
2. Approval of Findings of Fact and Conclusions of Law:

**January 24, 2012**

**NONE**

**IV. PUBLIC HEARING ITEMS**

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 5.562 (+/-) acres to allow for a planned development consisting of a combination of neighborhood commercial uses and including a convenience store/gas station on property located at the northwest corner of Addison Avenue East and Eastland Drive North, c/o Todd Meyers, Maverik, Inc on behalf of Thomas J. Arledge and Cheryl A. Arledge (app. 2498)
2. Requests for a Special Use Permit to allow temporary recreational vehicle parking within an existing mobile home park on property located at 450 Pole Line Road c/o Lazy J Mobile Home Ranch & Canyon Vista Family Limited Partnership (app. 2499)
3. Request for a Special Use Permit to establish a chiropractic office with a residential apartment for the property owner or an employee of the chiropractic office on property located at 1015 Washington Street North c/o Spencer Williams (app. 2500)
4. Request for the Vacation of Pillar Falls Subdivision, a PUD, Phase I, consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East. c/o Sam Teyema, VP on behalf of UMPQUA Bank. (app. 2501)

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#### **IV. PUBLIC HEARING ITEMS**

3. Request for a Special Use Permit to establish a chiropractic office with a residential apartment for the property owner or an employee of the chiropractic office on property located at 1015 Washington Street North, c/o Spencer Williams. (app. 2500) sup #1259

#### **APPLICANT PRESENTATION:**

Dr. Spencer Williams presented the request. The conversion of the residence to an office and apartment would result in some increase in traffic. They plan to comply with landscaping issues, parking, drainage issues, buffer zone. He believes this would be a good use of the property. Zoning is correct for professional office. He does have one request- we would like to request a deferral of the berm requirement along corridor. If they comply they will be only property on west side with berm feature. They will be happy to comply in the future as other properties develop. The additional cost and change in landscaping and sprinkler system is the reason they would request deferral. As you look at other properties- house to the north would make a good professional office but other properties are mostly duplexes and don't lend themselves to professional office development.

#### **STAFF PRESENTATION:**

Planner I Weeks stated this is a request for a special use permit to establish a chiropractic office with residential apartment for employee or property owner of business on property located at 1015 Washington St North.

The City Council approved a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO on May 26, 2009. Ordinance #2971 was approved on June 8, 2009. The applicant would like to operate a Chiropractic Clinic at this location and include a residential apartment for use by the property owner or an employee of the business. The property is located in the R-4 PRO zone. A special use permit is required to operate a medical office with a residential apartment in this zone.

The applicant intends to have three employees and operate the business from 9:00 am to 6:00 pm on Monday, Wednesday and Friday and on Tuesdays from 3:00 pm to 6:00 pm. Traffic anticipated is thirty to fifty patients per day.

The change of space from a residence to a professional office is a change of use for building and planning & Zoning regulations. The applicant will have to apply for and receive a change of use/Certificate of Occupancy permit prior to operation of the facility. A change of use also requires review and compliance with applicable zoning regulations. Once a property is converted to a professional office use, it can't be used as a residence. A full review will be part of the permit review process.

#### **In conclusion 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 this special use permit being for the operation of a chiropractic Clinic, as presented.
3. Subject to the apartment being occupied by the owner of the chiropractic clinic or an employee.
4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business.

#### **P&Z COMMENTS/QUESTIONS:**

- Chairman Bohrn asked for clarification on the landscaped berm- is it a requirement of code?
- Planner I Weeks said the property is in the CSI landscaping zone and it is a code requirement.
- Commissioner Sharp asked if it can be deferred?
- Planner I Weeks said that it could be added as a condition.

**PUBLIC HEARING: OPENED**

- No comments.

**PUBLIC HEARING: CLOSED**

**DELIBERATIONS FOLLOWED:**

- Chairman Bohrn said that he hates to see them take out the fence and landscaping that is there and already looks nice.
- Planner I Weeks said that the applicants could ask for deferral.
- Chairman Bohrn commented that this is the first time this has happened on this side of the road, the south side of CSI was developed with businesses but there weren't many residences changed to offices.
- Commissioner Schouten asked why it is required on that side of road?
- Chairman Bohrn said it was applied to property adjacent to CSI.

**MOTION:**

Commissioner Sharp made a motion to approve the request, as presented, with a recommendation that the berm not be required until the property to the north was developed. Commissioner Schouten seconded the motion.

In discussion on the motion it was asked if the Commission could make a condition on the timeframe that the berm would have to be put in. It was clarified that Commission could not remove the requirement, only the City Council could change a code requirement. The applicant could request a deferral during the building permit review process.

An amendment to the motion was proposed by Commissioner Derricott to remove the recommendation that the berm not be required until the property to the north was developed. Commissioner Cope seconded the motion.

A role call vote on the original motion resulted in all members present voting in favor of the motion. A role call vote on the amendment to the motion showed all members present voting in favor.

**APPROVED, AS PRESENTED WITH THE FOLLOWING CONDITIONS**

- 1. Subject to site plan amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable city code requirements and standards.**
- 2. Subject to this special use permit being for the operation of a chiropractic Clinic, as presented**
- 3. Subject to the apartment being occupied by the owner of the chiropractic clinic or an employee.**
- 4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business.**



Public Hearing: **MONDAY APRIL 09, 2012**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

## ITEM IV-

**Request:**

For a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east and north of the 875 – 900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Canyon Park Development, LLC c/o Tina Luper. (app. 2508)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 25(+/-) acres
Canyon Park Development, LLC c/o Tina Luper P.O. Box 5478 Twin Falls, ID 83303 208-421-8296 tina.luper@neilsenco.com	<b>Current Zoning:</b> C-1 PUD and SUI PUD	<b>Requested Zoning:</b> C-1 CRO PUD
	<b>Comprehensive Plan:</b> Commercial Retail	<b>Lot Count:</b> 15 lots
	<b>Existing Land Use:</b> Commercial, vacant	<b>Proposed Land Use:</b> Mixed commercial uses
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers, Inc c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 208-420-2461 (c)	<b>North:</b> Snake River Canyon Rim, Visitor’s Center	<b>East:</b> C-1 PUD; Blue Lakes Blvd N, commercial
	<b>South:</b> C-1 PUD; Blue Lakes Blvd N, Magic Valley Mall	<b>West:</b> R-1 Var/R-4 PUD/C-1 PUD; residential , commercial
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-8, 10-4-19, 10-6-1 through 4, 10-7-6, 10-7-12, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 6	

**Approval Process:**

**As per Twin Falls City Code 10-14-7: ACTION BY COUNCIL:**

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

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

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

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

**Budget Impact:**

Approval of this request will impact the City budget as developed commercial property is assessed at a higher rate than undeveloped property.

**Regulatory Impact:**

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

**History:**

City Council approved the Zoning District Change and Zoning Map Amendment from R-1 43,000 to C-1 PUD for approximately 14.07 acres of land located north/northwest of the intersection of Blue Lakes Boulevard North and Canyon Springs Road in the City's Area of Impact on December 19, 1994.

The final plat for Canyon Park West Subdivision was approved by Council on June 12, 1995. The final plat was recorded on June 17, 1998.

City Council approved the Zoning District Change and Zoning Map Amendment from C-1 and OS to C-1 PUD for approximately 12 acres located north of Bridgeview Boulevard and east of Blue Lakes Boulevard North and from R-1 43,000 to C-1 PUD for approximately 4.1 acres of land located north of the 2000 block of Fillmore Street and east of Canyon Springs Road, and approximately 2.1 acres of land located west of the 20000 block of Blue Lakes Blvd N and north of the 2100 block of Fillmore Street on February 7, 2000.

The final plat for Canyon Park North Subdivision was approved by Council on February 22, 2000. The following conditions were placed on the approval: 1) Approval subject to final technical review by the City Engineering Department, 2) Approval conditional on a re-review of actual improvements to be made by the developer after development related issues with ITD are resolved, 3) Approval subject to acquisition of ITD property, 4) Approval subject to the execution between the developer and the City of a PUD agreement. The final plat was recorded on November 29, 2000.

On January 25, 2007, the Citizen Design Review Committee approved a development plan to allow a 10-story hotel/convention center on the rim within the Canyon Park North project. This project was not constructed.

On February 28, 2012, there was a preliminary presentation on this proposed Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD, followed by a public hearing on March 13, 2012..

**Analysis:**

This is a request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a planned commercial use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east and north of the 875 – 900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim.

The Snake River Canyon borders this property on the north. To the west there is some residential and a commercial hotel. To the south and east is Blue Lakes Boulevard North and commercial retail. Blue Lakes Boulevard North is an arterial roadway in the City and intended for high traffic volumes.

The applicant intends to develop this site with a shopping center with several large retailers and several smaller stand alone restaurants and/or retail buildings. A preliminary presentation on this request was held on Tuesday, February 28, 2012.

The Master Development and Landscape Plan(s) indicate Fillmore Street will be vacated and relocated to the southeast, behind Golden Corral and Zion's Bank. The newly constructed Fillmore Street will not be public right-of-way but will be dedicated as a private street. There will be a "Maintenance" Agreement regarding the private street approved & recorded prior to vacation of the public right-of-way aka Fillmore Street. The walking trail along the canyon rim will be enhanced with a landscaping buffer. The applicant is proposing that the mature trees along Canyon Springs Road will remain standing.

All buildings on lots adjacent to Blue Lakes Boulevard North and Fillmore Street are to be constructed with minimum setback as allowed by City Code. Buildings adjacent to the Snake River Canyon shall be setback a minimum of 100' or 50' with an approved geologic study as per City Code 10-4-19.4(D). Building height shall conform to City Code 10-4-19.4(C). Building exterior colors shall be muted earth tones, however, accent colors may be used if they do not create continuous vertical or horizontal stripes and will not cover more than 10% of the

exterior wall. Flat roofs and roof top mechanical equipment shall not be visible from adjacent streets or the proposed development parking areas. Perimeter landscaping shall be required to be installed on each parcel, as well as in the public right-of-way adjacent to the parcels. In addition to perimeter landscaping each property owner will be required to comply with City Codes 10-4-19.4(E), 10-4-8.3(F) and 10-7-12. The Public Trail along the northern boundary of the proposed development has been constructed. Landscaping along the south side of the trail shall be compatible with other project landscaping.

The proposed uses are to comply with the most restrictive of City Codes 10-4-8.2 and 10-4-19.9; use regulations of the C-1 and CRO zoning districts.

The proposed master development plan complies with the Comprehensive Plan which designates this area as appropriate as commercial/retail uses.

**On March 13, 2012 the Commission unanimously recommended approval of the request subject to the following conditions:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

**Staff concurs with the Commission's recommendation.**

**Attachments:**

1. PUD Statement
2. Vicinity Map
3. Zoning Map
4. Aerial Map
5. Comp Plan Map
6. Subdivision Map
7. Master Development & Landscaping Plan, dated 04-04-12
8. Proposed Roundabout, dated 04-04-12
9. Site Photos (4)
10. Citizen Letters (5)

## **Lot 4, Block 1, Canyon Park North Subdivision**

### Reason for Zoning District Change and Zoning Map Amendment:

This request for zoning change is required for Zoning District Change and Zoning Map Amendment for The City of Twin Falls. This request is to rezone Lot 4, Block 1 of Canyon Park Subdivision from SUI to C-1.

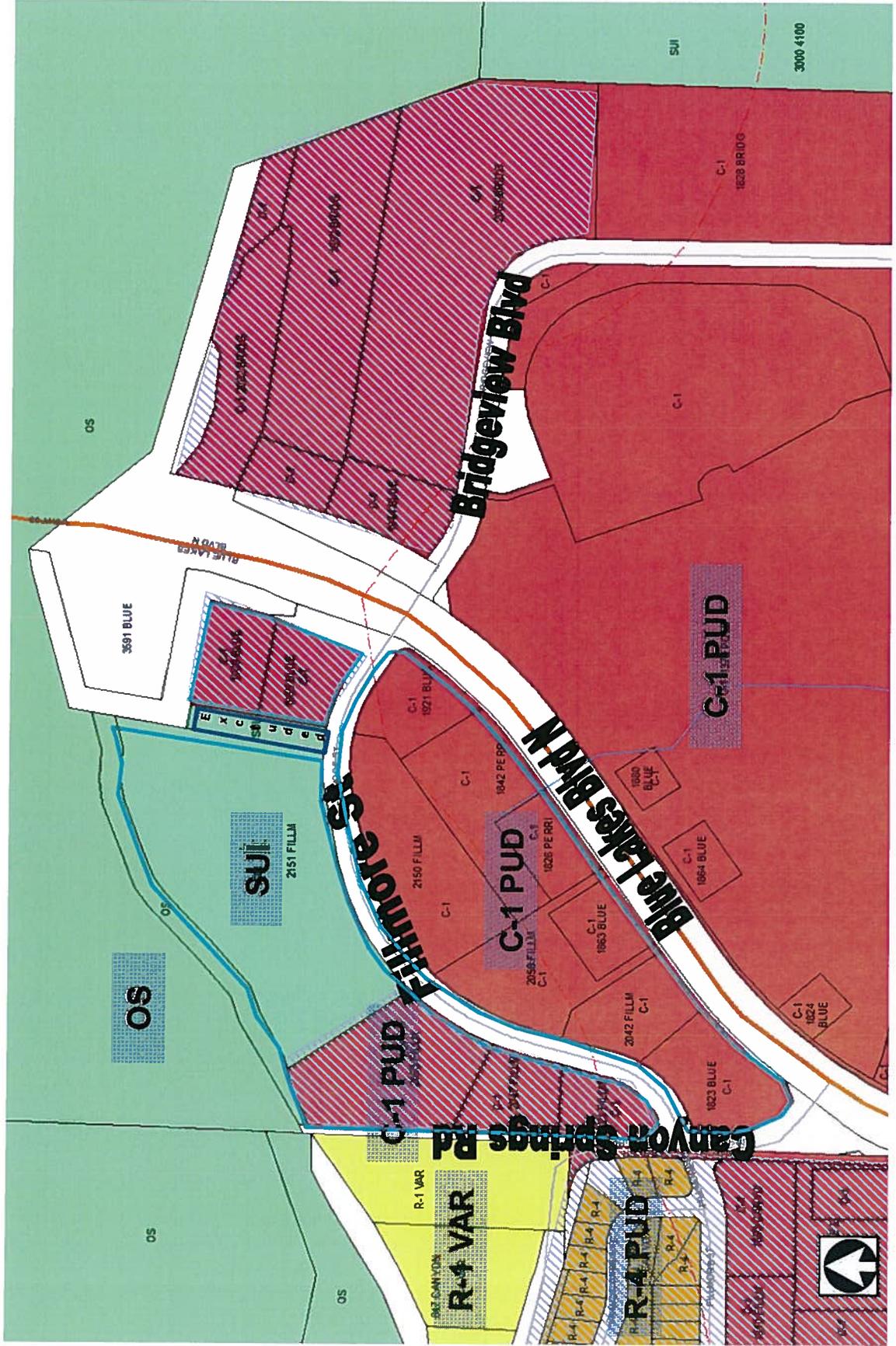
Rezoning of said Lot 4 is in compliance with the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future. Uses of the property will comply with zoning regulations as published in Title 10 – Zoning and Subdivision Regulations.

Lot 4 is currently zoned SUI. Adjacent lots are zoned C-1. We are requesting that said Lot 4 be rezoned C-1 to be consistent in use and description with adjacent properties.

The proposed use for said Lot 4 and adjacent lots is commercial/retail. A shopping center with several large retailers and several smaller stand alone restaurants and/or retail buildings has been proposed as depicted on the Master Development Plan.



# ZONING MAP





# FUTURE LAND USE MAP



**Legend**

	Residential Business		Growth/Water Limit Boundary
	Rural Residential		City Limits
	Medium Density Residential		Area of Impact
	Urban Village/Urban Infill		State Highways
	Commercial/Retail		Arterial Roads
	Neighborhood Center		Collector and Local Roads
	Office/Professional		Dirt Road
	Town Site		Railroad
	College		
	Industrial		
	Open Space		
	Airport		
	Agriculture		

0 2,500 5,000 10,000 15,000 Feet

February 2009

**Date:** March 27, 2012

**To:** City of Twin Falls  
Attn: Jackie Fields  
Renee' Carraway

**From:** Gerald Martens 

**Via:** Hand Deliver

**Regarding:** Canyon Park West

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Transmitted herewith the revised preliminary plat reflecting the "roundabout" intersection. The developer has elected to proceed with the "roundabout" concept through the preliminary plat phase anticipating that the roundabout as depicted will be approved by the City of Twin Falls Engineering Department and be acceptable to the Canyon Park development purchasers and tenants.

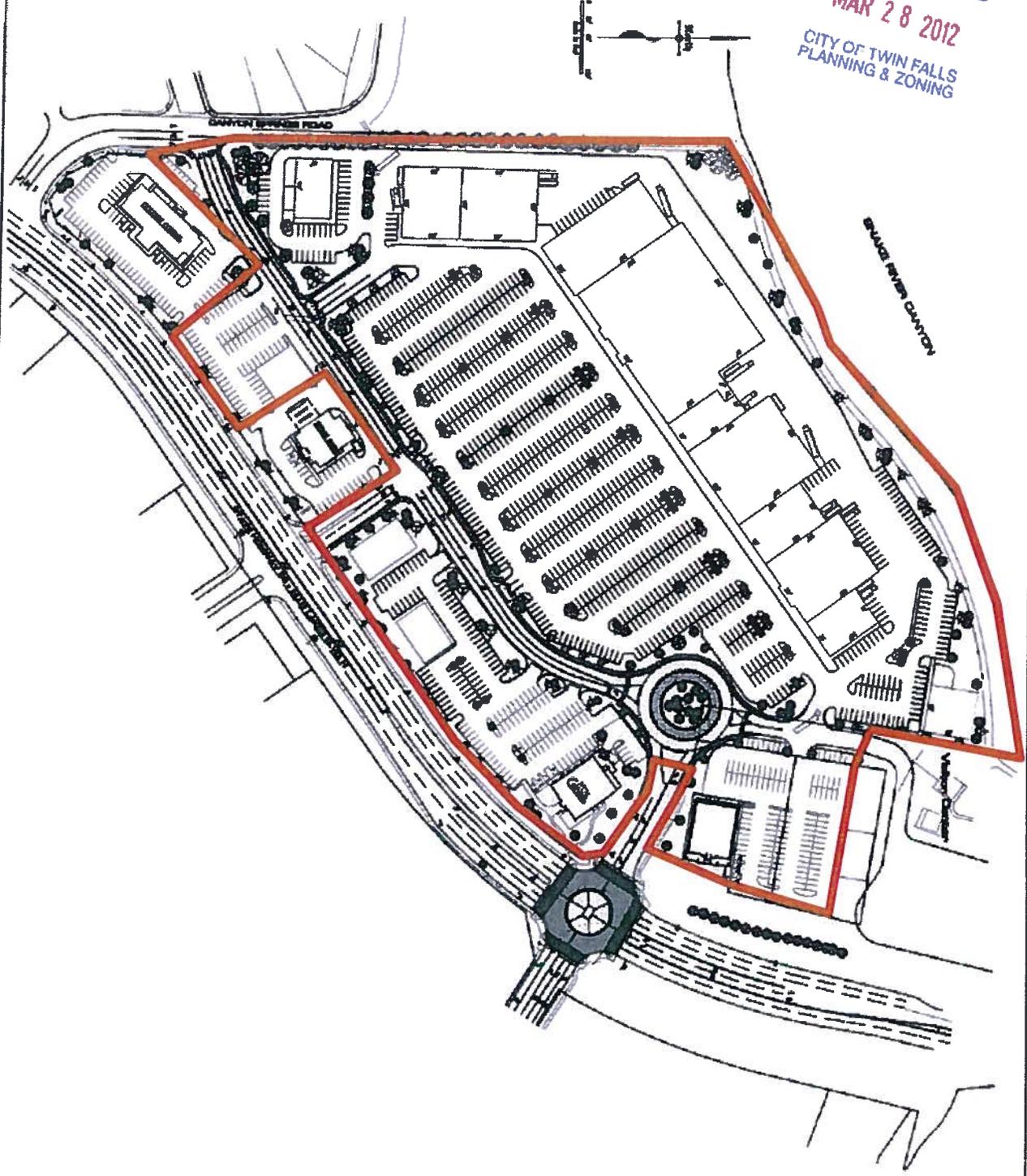
Should the turnaround, shown on the preliminary plat, prove to be unacceptable to the city engineering department or the tenants, Canyon Park, LLC reserved the right to work with the City of Twin Falls Engineering Department in the design and construction of a conventional urban intersection that will accommodate the current and projected traffic.

Also attached is a reduced plan that will be suitable for use with the overhead projection and inclusion in staff reports.

Please call me if there are further questions.

369-11

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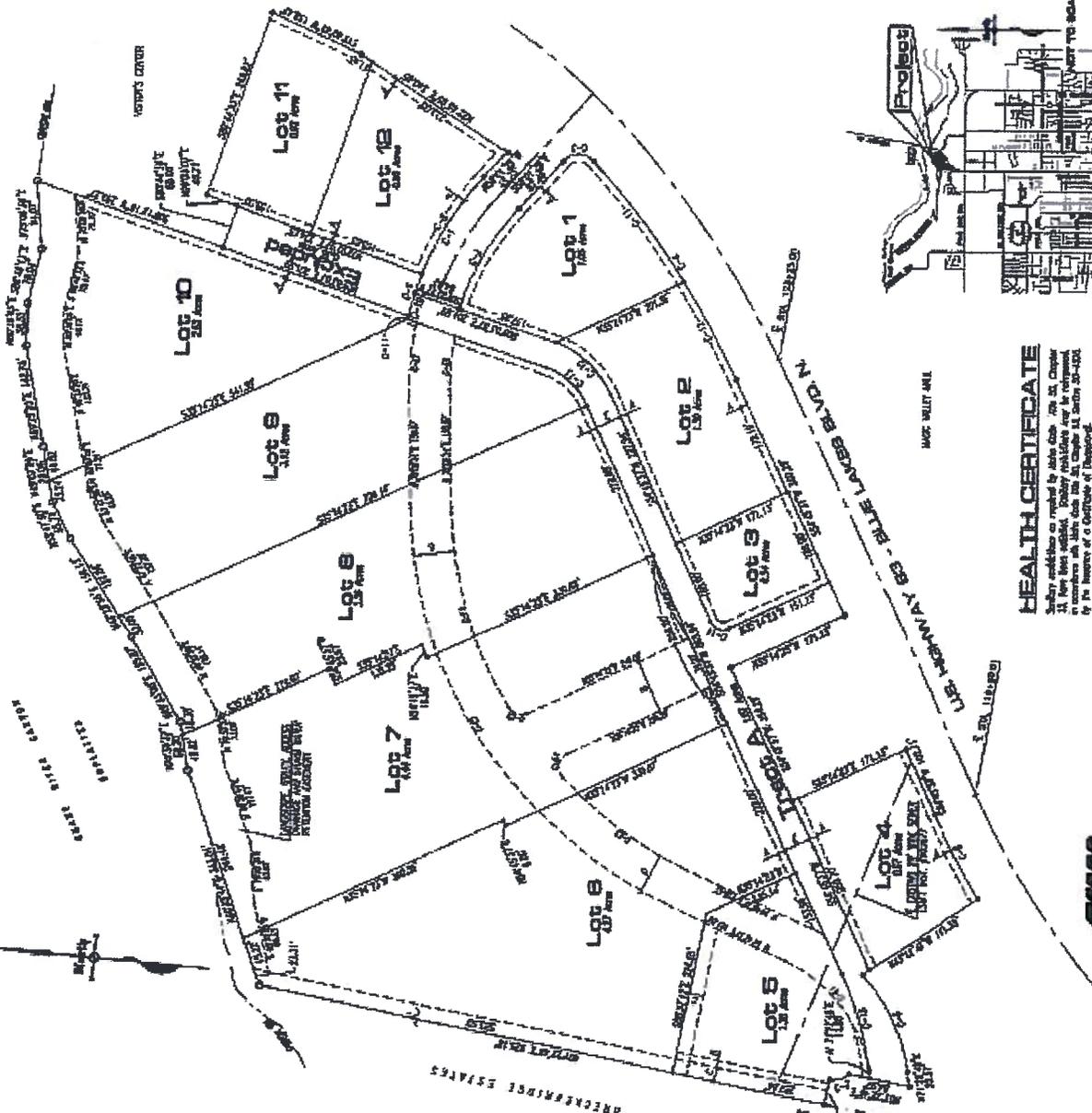
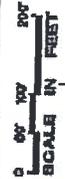
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Preliminary Development Plan For  
**Canyon Park Amended Subdivision**  
Twin Falls, Idaho

**EDM** Engineers Inc.  
101 N. 2nd St. Suite 200  
Twin Falls, Idaho 83421  
208.338.4444

**CANYON PARK AMENDED SUBDIVISION  
A REZONING AND RESUBDIVISION OF  
A PORTION OF  
CANYON PARK NORTH SUBDIVISION  
AND A PORTION OF  
CANYON PARK WEST NO. 1 SUBDIVISION  
LOCATED IN  
A PORTION OF  
8W<sup>th</sup> BW<sup>th</sup>, AND GOV'T. LOT 9  
SECTION 34,  
TOWNSHIP 6 SOUTH, RANGE 17 EAST,  
BOISE MERIDIAN,  
TWIN FALLS COUNTY, DAHO  
2018**



TWIN FALLS, DAHO

**CURVE DATA**

CURVE	BLK.	ANG.	ARC	CHORD	PERCENT	CHORD BEARING
1	213707	330.0	145.60	145.60	100.00	N 271.00° E
2	213707	330.0	145.60	145.60	100.00	S 11.00° W
3	213707	330.0	145.60	145.60	100.00	S 77.00° W
4	174127	107.0	31.40	31.40	100.00	S 77.00° W
5	174127	107.0	31.40	31.40	100.00	S 11.00° W
6	174127	107.0	31.40	31.40	100.00	N 271.00° E
7	502525	330.0	145.60	145.60	100.00	N 271.00° E
8	502525	330.0	145.60	145.60	100.00	S 11.00° W
9	502525	330.0	145.60	145.60	100.00	S 77.00° W
10	502525	330.0	145.60	145.60	100.00	N 271.00° E
11	502525	330.0	145.60	145.60	100.00	S 11.00° W
12	502525	330.0	145.60	145.60	100.00	S 77.00° W
13	502525	330.0	145.60	145.60	100.00	N 271.00° E
14	502525	330.0	145.60	145.60	100.00	S 11.00° W
15	502525	330.0	145.60	145.60	100.00	S 77.00° W
16	502525	330.0	145.60	145.60	100.00	N 271.00° E
17	502525	330.0	145.60	145.60	100.00	S 11.00° W
18	502525	330.0	145.60	145.60	100.00	S 77.00° W
19	502525	330.0	145.60	145.60	100.00	N 271.00° E
20	502525	330.0	145.60	145.60	100.00	S 11.00° W
21	502525	330.0	145.60	145.60	100.00	S 77.00° W
22	502525	330.0	145.60	145.60	100.00	N 271.00° E
23	502525	330.0	145.60	145.60	100.00	S 11.00° W
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25	502525	330.0	145.60	145.60	100.00	N 271.00° E
26	502525	330.0	145.60	145.60	100.00	S 11.00° W
27	502525	330.0	145.60	145.60	100.00	S 77.00° W
28	502525	330.0	145.60	145.60	100.00	N 271.00° E
29	502525	330.0	145.60	145.60	100.00	S 11.00° W
30	502525	330.0	145.60	145.60	100.00	S 77.00° W

**EASEMENT LEGEND**

- A 1' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT
- B 1' WIDE EASEMENT AND ONE FOOT EXCERPT
- C 5' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT
- D 5' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT
- E 10' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT
- F 15' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT
- G 20' WIDE EASEMENT, UTILITY, ACCESS AND DRAINAGE EXCERPT

**LEGEND**

- PROPOSED EXISTING LINE
- LOT LINE
- BOUNDARY LINE
- PROPERTY LINE
- AS SHOWN ON A COPY OF THE



**HEALTH CERTIFICATE**

Subdivision as marked by this date, the 21st day of October, 2018, has been examined, and the plat is found to conform to the provisions of the laws of the State of Idaho, Chapter 14, Sections 30-1-101, 30-1-102, by the Engineer of the State of Idaho.

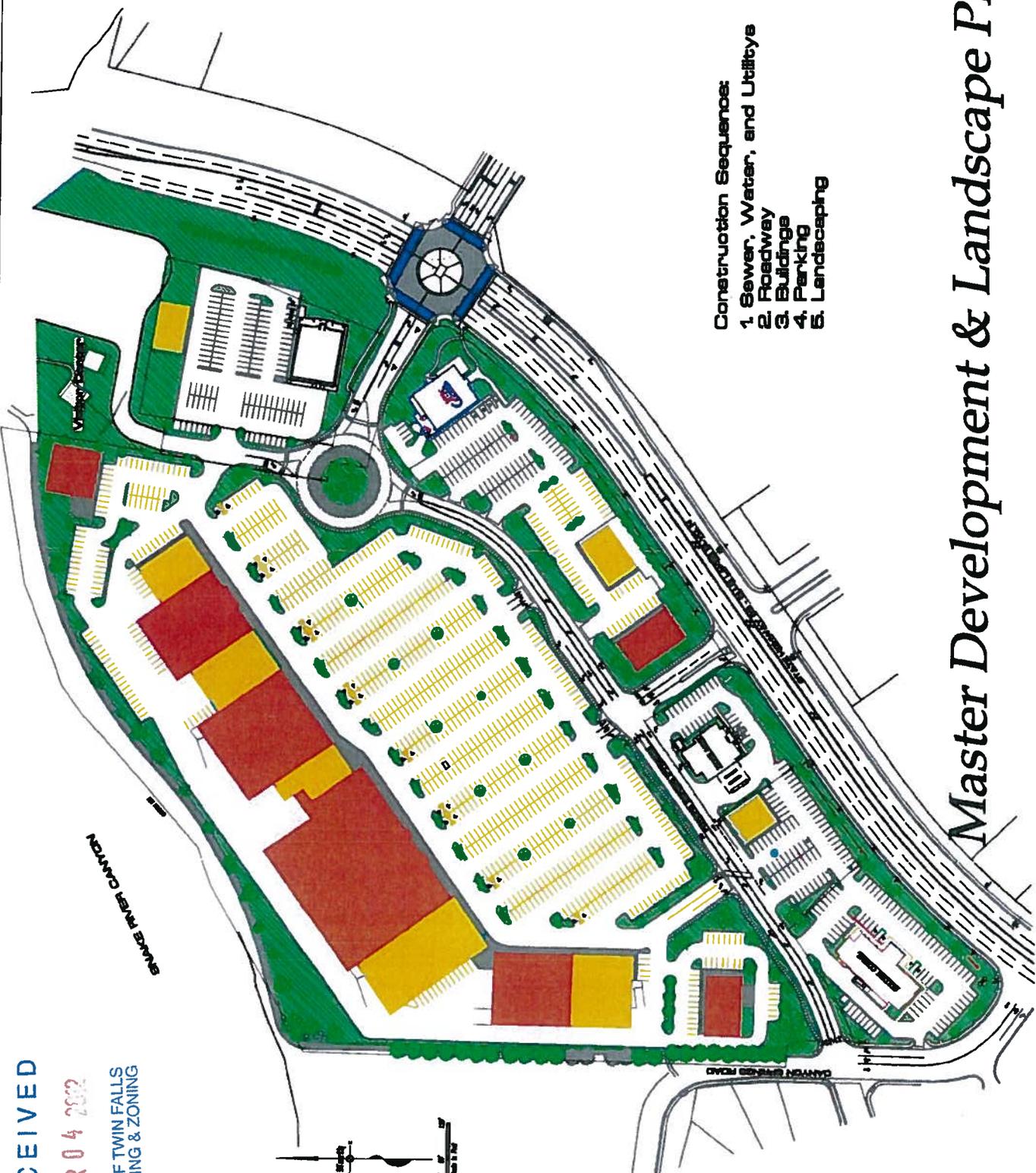
Date: \_\_\_\_\_ Seal: \_\_\_\_\_

**CH2M** Engineers, Inc.  
ENGINEERS/SURVEYORS/PLANNERS

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- Construction Sequence:**
1. Sewer, Water, and Utilities
  2. Roadway
  3. Building
  4. Parking
  5. Landscaping

# Master Development & Landscape Plan

**BHM** Engineers Inc.  
 1010 N. GARDNER RD. SUITE 100  
 TWIN FALLS, IDAHO 83402  
 TEL: 208.338.8888 FAX: 208.338.8889

Master Development Plan For  
**Canyon Park Amended Subdivision**  
 Twin Falls, Idaho

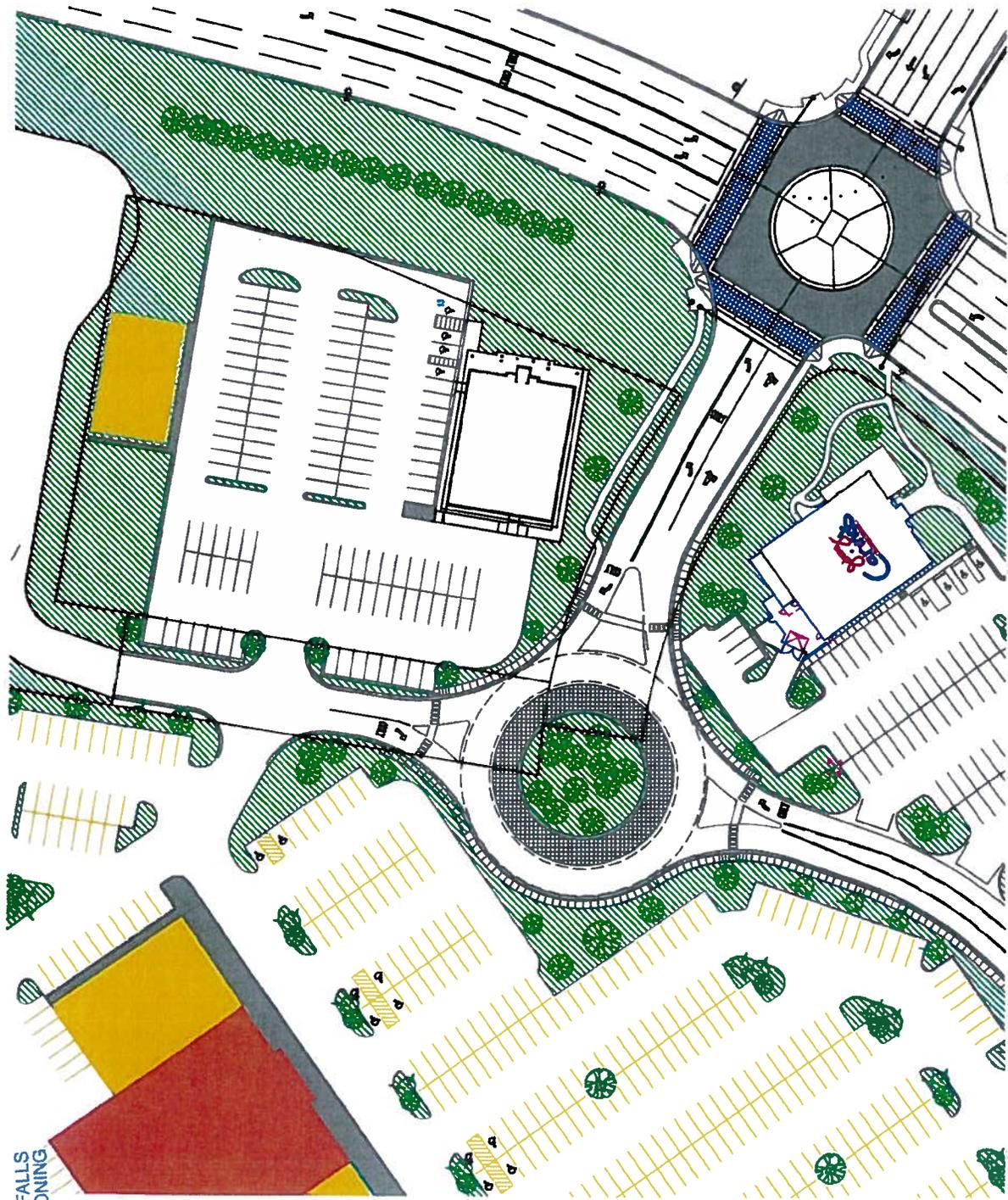


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Canyon Park North Subdivision



Canyon Park North Subdivision



Canyon Park West Subdivision – looking at the north side of Golden Corral



Canyon Park West Subdivision – looking at the south side of Johnny Carino's

Me  
3-11-2012  
P

email  
3-11-2012

Box 685  
Picabo, Idaho 83348  
March 12, 2012

RE: Public Hearing on Nielsen Development Zoning Change and Vacation of  
Fillmore Street– P&Z Meeting – March 13, 2012

We, Rob Struthers and Katie Breckenridge, do not oppose the developer's request for a zoning change or the vacation of Fillmore Street. However, we have strong concerns for the pressure on Canyon Springs Road with the numbers of people that this development will bring to the area. The hotel is a final destination for people. The activities in the canyon – golf course, zip line, water activities, music events, Pillar Falls, Sewer Plant, Centennial Park etc. - are added attractions for visitors who will stay at the hotel and for events that will be book into the convention center.

We own approximately 900' of the wall/rim property directly above the Canyon Springs Road. The pictures show the potential threat of the wall collapsing onto the road way and our "draft proposal" addresses our WIN/WIN solution to this dangerous situation. The City of Twin Falls has already done a study with Strata Engineers from Boise on the stability of the canyon wall above Canyon Springs Road. Their findings support our concerns.

We feel that the Canyon Springs Road has public safety issues and that the general public should be made aware of them. Again, we do not oppose the applicant's request but believe that as more people are drawn to the area, the road safety must be addressed.

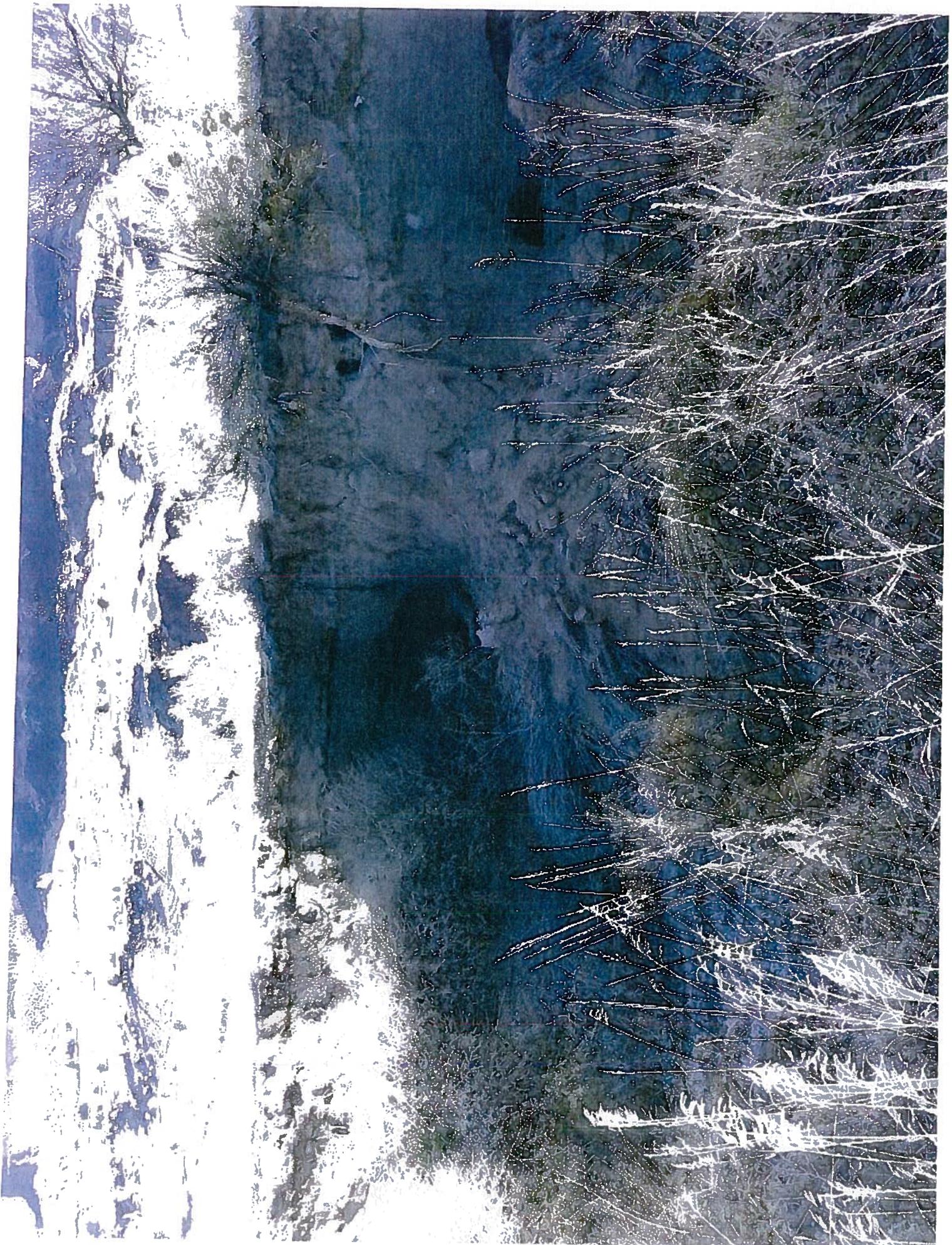
Please read this letter, our "draft proposal" and show the pictures of our property during the public hearing portion of the March 13,2012 P&Z meeting.

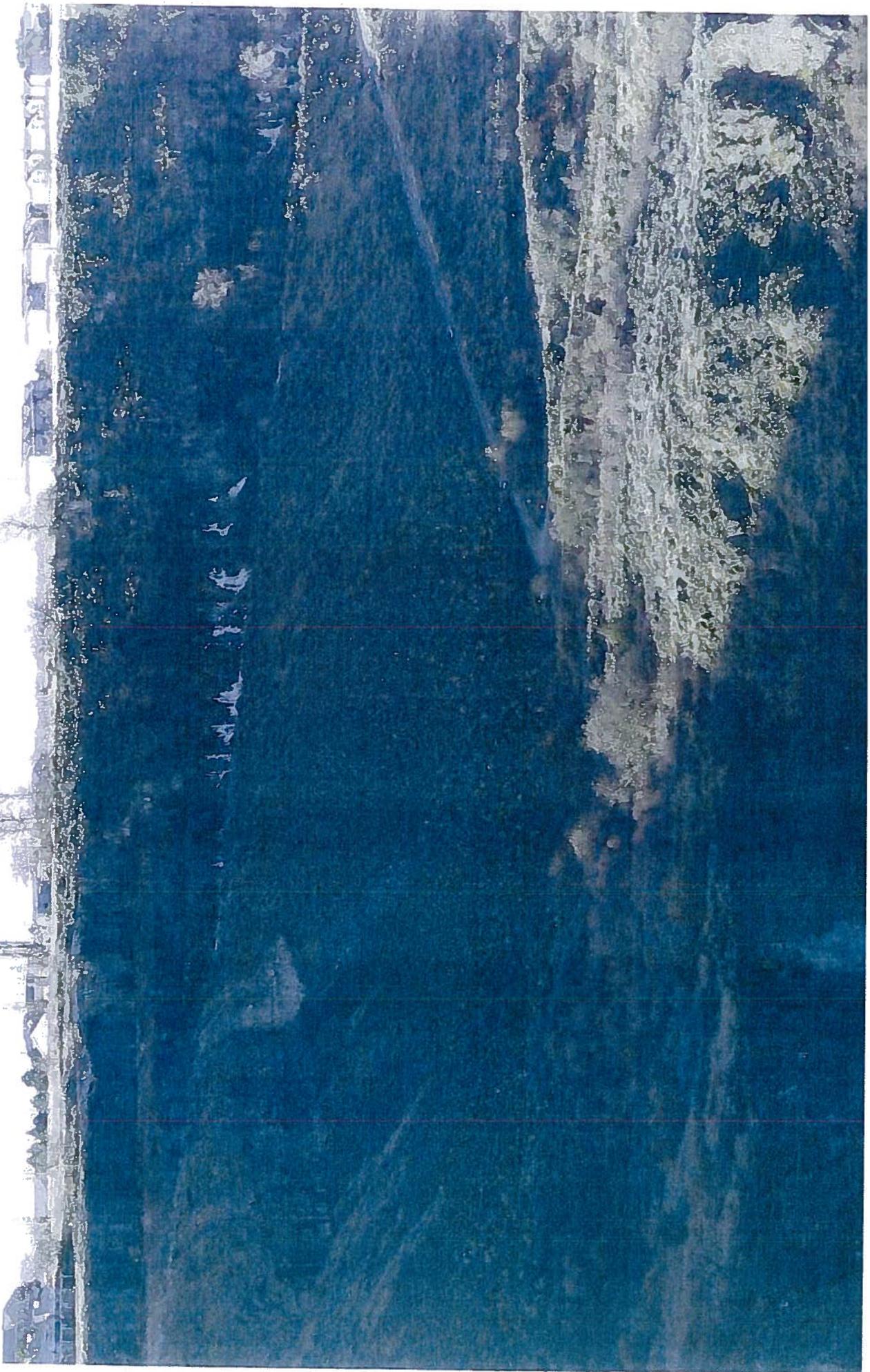
Sincerely,

Rob Struthers     Katie Breckenridge

①







Box 685  
Picabo, Idaho  
March 2, 2012

### **DRAFT PROPOSAL**

#### **BRECKENRIDGE/STRUTHERS CANYON SPRINGS ROAD/WALL PROPOSAL**

Katie Breckenridge and Rob Struthers offer the following proposal for a permanent solution to the stabilization of the canyon wall, the connection of the Canyon Rim Bike path across their property, the widening of Canyon Springs Road down into the canyon and the building of a pedestrian path beside the Canyon Springs Road down the canyon:

1. Breckenridge/Struthers will agree to sell the amount of canyon wall/rim to the City of Twin Falls that is needed for this project.
2. The canyon wall will be terraced to allow for stabilization of the wall above the Canyon Springs Road.
3. The 1<sup>st</sup> level of terrace will be low enough so that it is impossible for anyone to access the Breckenridge/Struthers property from this level and the bike path will be connected that currently ends at their east and west boundary lines.
4. The material obtained from terracing the wall will be used to widen the Canyon Springs Road that is directly under the Breckenridge/Struthers property.
5. The amount of material gained from the wall stabilization will also be used to construct a walking path along the Canyon Springs Road.
6. Breckenridge/Struthers will be allowed to develop their property into 7 lots (each lot more than 1 acre) and will not be annexed into the City of Twin Falls. They will also be allowed to develop individual wells for each lot. They will connect to the City sewer system if they are required to do this. Test septic holes have already been established on their property.
7. All aspects of this proposal must come together at the same time.
8. Breckenridge/Struthers will be allowed to continue to irrigate their property with Twin Falls Canal Company water.
9. The City of Twin Falls will pay for any and all professional fees including but not limited to legal, engineering, liability insurance, etc. and all

constructions costs.

10. JUB Engineers will do the engineering work. They have been the Breckenridge's engineering firm and they worked with Strata Engineers, Boise, who did the rim stabilization study for the City of Twin Falls.
11. Breckenridge/Struthers will have strong input on the work that is done on their land and every effort will be made by all parties to minimize the damage done to their property.

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Katie Breckenridge

---

Rob Struthers

## General Inquiry/Request for Service/Complaint Form

#137

Category:	City	<b>SUBMITTER</b>
Priority:	3	<b>Laura Peterson</b>
Assigned To:	Williams Mike	Mountain View Dr.
Submitted:	4/4/2012 10:42 AM	Twin Falls, Id 83301
Source:	Website 174.27.73.98	<b>CONTACT</b>
		<a href="mailto:laurapeterson2003@yahoo.com">laurapeterson2003@yahoo.com</a>
		(208) 731-0869

[View Request](#)


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### REQUEST DETAILS

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#### Description

---

Please complete the online form below to submit your request.

#### Contact Information

Name

**Laura Peterson**

Address

**Mountain View Dr.**

State:

Id

Zip

**83301**

Home Phone Number

**(208) 731-0869**

Daytime Phone Number

**(208) 731-0869**

Email Address

[laurapeterson2003@yahoo.com](mailto:laurapeterson2003@yahoo.com)

#### Please Specify General Inquiry, Request for Service or Complaint

I read the "Letter to the Editor" in Saturdays Times News written by Barbara Beck. I am writing to voice my objection to the proposed plan for the Big Box store as she described it in her letter. I have NO Problem with a development taking place in that area of town. It is only expected that that partial of land will be developed. But I DO OBJECT to the back side of any of the stores face the canyon rim and trail area. I am a frequent user of the Canyon Rim Trail and would hate to see the back side of retail stores when using the trail or approaching our beautiful city from the Perrine Bridge. I think it only fair that any new development must have to meet the standards and tone set by the stores built where Best Buy is located. PLEASE stick to your guns and take some time and enforce strict guidelines on any development that is proposed along our precious canyon and trails.

Thank you.

Laura R. Peterson

Frequent user of the Canyon Rim Trail and Proud citizen of Twin Falls.

2

2 April 2012

Dear City Council Member Jim Munn,

We have to agree with the reader comment from Barbara Beck in the March 31 edition of the Twin Falls Times-News. The plan for the Canyon Rim Development must be scrutinized for many things.

Abandoning a street or right of way is an irreversible step that may be regretted later. It is obviously very important to plan for traffic flow through this shopping area, especially when the canyon visitor center is part of the mix. As Ms. Beck notes, recreational vehicles and large delivery trucks make for tricky business when trying to plan for their travel and parking.

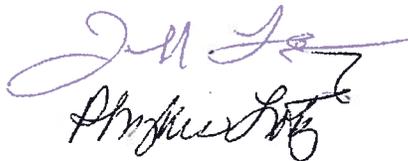
The area of greatest concern for us is the space between the development and the Snake River Canyon. A much larger "greenspace" should be required here for the recreational use by our citizens and visitors. The situation at the office and retail businesses further west along the canyon comes to mind, where the buildings loom over the canyon with hardly space enough for the walking trail. When we are on that trail we're not sure if it is public or private property. It is a great view for the patrons of Elevation 486, but at what cost to the public?

The picture painted by this development as viewed from the north side of the canyon is the "first impression" for everyone entering our town for the first time, tourist and prospective investor alike. As they say, you only get one chance to make a first impression.

As citizens who use and enjoy walking along the canyon, we do not look forward to walking along a high retaining wall at the back of a store, or walking beside dumpsters, or walking by a row of delivery trucks / company trucks. A row of small trees in a narrow space between the business and the walking trail is not acceptable. I call to your attention the back of Norco, facing Poleline Road – it's hardly impressive or hiding what is there at the back of that business.

This is a big decision that will affect our city, its citizens, and visitors for many years to come. Please think carefully.

Respectfully submitted,  
Jeff and Phyllis Lotz



860 Sunrise Boulevard North  
Twin Falls, Idaho

3

RECEIVED  
APR 08 2012  
BY: \_\_\_\_\_

Twin Falls City Council Members

305 Third Avenue East

Twin Falls, ID 83301

DECEMBER 2011

I read with much interest Barbara Beck's Reader Opinion in Saturday, March 31, 2012 Times News.

I totally agree with Barbara that a large Box Store would be not be appropriate on the piece of property mentioned in the article. I either ride my bicycle or walk on the paths several times a week and it is very lovely with nothing on that property. My vote would be to keep the property the way it currently is. The path and the College of Southern Idaho are two of the best assets we have in Twin Falls.

It would be of great benefit to the population now and future generations to keep open property and make more parks.

Thank you.

  
Joyce Ballard

1413 Julie Lane

Twin Falls, ID 83301

208 733-8881

davnjoy@yahoo.com

4

To whom it may concern,

I recently read the article in the Times- News written by Barbara Beck about the possibility of a Big Box Store Retailer locating Southwest of the Perrine Bridge, near to Canyon Rim Walking Path.

Simply stated, I am totally against this type of development on the Canyon Rim. My experience from watching people is that they will go to Stores almost no matter where they are built to save a buck, find the items they want or just because it is part of their recreational /social activities.

This being said, I understand the power of Big Box Stores and that the City of Twin Falls may not have the power to keep them from "setting up shop" in our town. This may be especially true where existing zoning allows such business or where there is a reasonable chance that variances can be granted.

I love the Canyon Rim Trail and use it frequently. There is becoming less and less "Green Space" on the South side of the path almost every year. Once it is gone, it will never return.

If there is no way to stop another Big Box Store Retailer from building on the Canyon Rim where Ms. Beck talks about in her article , then may I offer a two part suggestion. First, is a set back from the Canyon Rim Path of 100ft min. Second, is a densely forested and vegetated large berm that covers the back of the building and its property. I appreciate the look on the back side of COSTCO. I would vote for something deeper and denser.

I appreciate your efforts. I know making decision in city development is not always easy.

Sincerely,



Dave Duhaime , 1413 Julie Lane

Twin Falls, ID 83301

Phone: 733-8881



RECEIVED  
APR 0 2002

From: Kathleen MacMillan <kwmac@cableone.net>  
To: <shawn@twinfallschamber.com>, <terry@mvbs.net>  
CC: Dennis Bowyer <DBOWYER@tfid.org>, <lbraga@idahocpa.com>  
Date: 3/6/2012 5:38 PM  
Subject: new canyon rim development

Dear Shawn and Mr. McCurdy - I have discussed this personal idea with both Larry Braga and Dennis Bowyer in the past but they deferred since the canyon rim property is privately owned. With the new development plans being proposed, I felt it was time to put forward this idea once again to you for potential further discussion and action.

I am hoping that in conjunction with the new "Canyon Park North" development that a balancing project could be considered for the east side of the Perrine Bridge. Specifically I am proposing (as a private citizen) that the remaining bare ground north of the Best Buy and Sportsmen Warehouse parking lot be created into a green space park to complete the entry into our city when coming across the Perrine Bridge. It is apparent from the Times News article in advance of the P&Z meeting that the proposed complex will be a full development in all directions with retail, restaurants and office space. A welcoming balance to all this development would be that the owner of the property adjacent to the walking path by the canyon rim (I assume that it is Nielsen & Co as developers of the Canyon Park East development) complete the east side of the development with a park & green space for public use and recreation. It is now well documented that green space and park areas also bring in local and tourist dollars by providing an area for people to linger and enjoy which also encourages them to potentially stay longer in our area and thus make purchases, eat out at local restaurants, etc.

I fully understand that a green and park space does not immediately present the potential for revenue dollars, but a welcoming and inviting green space into Twin Falls would also present a message of pride in our small city in addition to options for shopping, etc. Such an entrance would fully enhance our entry across the bridge and add an extremely impressive addition to the chamber and viewing area to the west of the bridge as well as to the canyon rim trail system that the City Parks and Recreation Department is working so diligently and commendably to complete.

These projects take dollars to fund, but I am hoping that Nielsen and Company will see the value in this project for our community and potentially partner with local groups to accomplish this vision for a grand entry into Twin Falls from across the canyon. The Snake River Canyon is too great of a treasure to us all to not provide mirrored public green space areas on either side of the bridge to enjoy its beauty.

I would be happy to discuss this with you further if there is any interest in this idea. I would also appreciate your discussing this idea with Nielsen and Company if you feel it is worthy of their consideration. Thank you for your attention to this matter.

Sincerely,  
Kathy MacMillan  
208-420-7535



**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**Tuesday, March 13, 2012-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Wayne Bohrn    Jason Derricott    Tom Frank    Kevin Grey    Terry Ihler    V. Lane Jacobson    Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore    Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISON**

Rebecca Mills Sojka    Jim Munn

**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

**PRESENT:**

Bohrn  
Frank  
Grey  
Jacobson  
Sharp

**ABSENT:**

Derricott  
Ihler

**AREA OF IMPACT MEMBERS**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**

Jim Munn

**CITY STAFF PRESENT:**

Anderson, Carraway, Reeder, Vitek, Wonderlich

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

IV. **ITEMS OF CONSIDERATION:**    None.

**V. PUBLIC HEARINGS:**

1. **Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)**
2. **Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)**
3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507) **WITHDRAWN**
4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)
5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

**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. ELECTION OF OFFICERS:**

1. Election of Officers:

**MOTION:**

Commissioner DeVore nominated Wayne Bohrn for Commission Chair. Commissioner Sharp seconded the motion.

**MOTION:**

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Commissioner Sharp nominated Lee DeVore for Commission Vice Chair. Commissioner Jacobson seconded the motion.

2. **Introduction of New Commissioners:**

Chairman Bohrn introduced the new members appointed to the Planning and Zoning Commission. Kevin Grey is representing the City. Steve Woods will be representing the Area of Impact. Tom Frank has been on the Commission previously and is starting a new appointment representing the City.

III. **CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): **February 14 & February 28, 2012**
2. Approval of Findings of Fact and Conclusions of Law:
  - Lazy J – SUP (02-14-12)
  - Spencer Williams – SUP (02-14-12)
  - Staker Parson Companies, dba Idaho Concrete Company – NCBEP (02-28-12)
  - Patrick A. Bourner – SUP (02-28-2012)

**MOTION:**

Commissioner DeVore made a motion to approve the Election of Officers and the Consent Calendar, as presented. Commissioner Sharp seconded the motion.

**THE ELECTION OF OFFICERS & THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED**

III. **ITEMS OF CONSIDERATION:**

NONE

IV. **PUBLIC HEARING ITEMS**

**Chairman Bohrn stated that the first two public hearing items would be heard at the same time as they dealt with the same property. Separate motions would be made for the individual applications.**

- 1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)**
- 2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)**

**APPLICANT PRESENTATION:**

Gerald Martens, representing the applicant, Canyon Park LLC, introduced the request. He gave a history on the property. The request is the first step- zoning has to be appropriate for what they propose to do. Secondly they want to do some realignment of Fillmore St by vacating the existing right-of-way. Any vacation is conditioned and will not occur until after the new roadway is dedicated as a parcel and the road is constructed. Then the roadway will be vacated and traffic moved to the new alignment.

Canyon Park consists of three parts- Canyon Park East consists of everything east of the bridge and Blue Lakes Boulevard and is the area that includes Best Buy and Old Navy. Canyon Park West was originally platted in 1995 and it consisted of the parcels primarily located along Blue Lakes. It was partially developed- Outback, Johnny Carino's, and Golden Corral, along with Fillmore being built. Canyon Park North consists of the area north of Fillmore St. It was proposed during 2000-2005 as a space for retail with the largest component being a convention center and hotel. That required some amendments to City ordinances and it was a lengthy process. During that time the developer was busy developing the east side property. At the time the developer started looking to the west side the market came to a halt and the demand for retail space dried up. New development has addressed the convention center component such as Canyon Crest and Elevation 486. Additionally several larger new hotels were developed that took up the hotel demand that existed in the early 2000's.

The sewer, water, and infrastructure are substantially there. They now have interest to bring this back as a project. They are proposing Canyon Park North and Canyon Park West as a single plat. He oriented the Commission and audience to the Master Development Plan. The proposal is for a series of retail buildings along the perimeter, a hospitality pad on the north canyon corner near the visitors' center, and some additional sites filling in along Blue Lakes. It will be a sum total of twelve (12) lots or parcels.

To accomplish this plan, Fillmore Street will be relocated along the rear of the buildings along Blue Lakes. They will work with staff to make some improvements to the connection at Canyon Springs Road. The accesses off of Blue Lakes will not be changed or relocated, just the roadway within the project.

The other component of the official request is to get the zoning to the C-1 CRO PUD. They are combining the two PUDs to one that will address all the issues. There were some key components of the project that were important to staff and neighbors 10-15 years ago-

1. There is row of large trees on the west end of the property. It was very important at the time to have those trees in place as a buffer to the Breckenridge Homeowners Association.
2. The trail was developed at that time that connects to the trail system. It will stay in place and/or be enhanced. Screening will occur where necessary. There are a lot of trees and buffering installed and that will be addressed in the PUD.
3. Architectural standards have been modified only to match Canyon Park East. The architectural features developed in Canyon Park East- stone facades, roof alignments, hip roofs, architectural features- will be the standard for this development. All truck docks and dumpsters will be screened. The lighting and signing standards will be revisited. We have spent significant time working with staff on signage standards. There will be no pylon signs, only monument signs.

Since our last meeting since we made our presentation two weeks ago, staff has approached us about enhancements to address the traffic issues- to not just replace the roadway but improve it. At Canyon Springs and Fillmore intersection they would eliminate some of the dip approaching Fillmore and make that traffic flow smoother and improve access onto Canyon Springs Rd. The intersection at Bridgeview and Fillmore was initially proposed as a conventional "T" intersection with a free-running right. It has been redesigned with the possibility of a roundabout. Bridgeview Blvd would come west into a roundabout that would allow no stop conditions. Traffic into the visitors' center would have a very smooth 100' radius that would allow for motor homes, travel trailers, and vehicles pulling trailers to make it into the site. Outback Steakhouse will lose a minor amount of parking that will be replaced. Traffic wishing to continue down Fillmore will go around the roundabout. There will be a free-running right from Fillmore to the intersection at Bridgeview. They have reviewed this with staff; the developer thinks it will work. The retailer is cautiously responsive. There is some apprehension about customers taking on something different. They want to be convinced that it will run smoothly. They will do the required traffic studies to show the developer and staff that it will work and traffic will be able to be accommodated.

In conclusion they are here for the two issues. They are requesting the vacating and rededicating of Fillmore St- one of the conditions that they have agreed to is that the road will not be vacated until the new roadway is completed and traffic is moved over.

Secondly, they are addressing the property zoning. A section was withheld previously because of the hotel component; they would like to rezone it to the C-1 zone that is supported by the Comprehensive Plan.

**STAFF PRESENTATION:**

Zoning & Development Manager Carraway stated this is a request for two separate items. The Commission will be asked to make two separate motions for recommendations that will automatically go on to the City Council.

Ms. Carraway reviewed the exhibits on the overhead and oriented the Commission and audience to the project. She pointed out the property zoned SUI- Suburban Urban Interface, part of the request is to rezone the property to a C-1 CRO PUD. The SUI portion was left out as there were questions on the development of the property at the time. The request is to rezone the whole 25 acre area and combine it under one (1) planned commercial/retail development, C-1 zone in the Canyon Rim Overlay (CRO) zone.

The second portion of the presentation was on the vacation request. Fillmore Street, a public street, is proposed to be rerouted and dedicated as a private easement. It will include utilities and public use. The City wants to ensure that it maintains proper usability. There will be a specific agreement attached to this street that will require property owners to be responsible for maintenance. It will look like a public street with sidewalks and landscaping. It is agreed upon by the developers and staff that the new Fillmore Street would be developed prior to the vacation of the existing public right-of-way if approved by the City Council.

The plan in the Commission's packet is outdated as staff has worked with the applicant to alleviate some concerns that came up during the preliminary presentation. At this point the design does comply with a lot of concerns staff had with the design of the plan.

Part of the PUD Agreement will include typical verbiage for development of the buildings and compliance with the minimum standards of the C-1 and CRO zones. In discussions with the developer there will be enhanced landscaping along the northern part of the property, the canyon rim to enhance the public trail system. It will be comparable to the existing Canyon Park East development. There is a lot of work being done to protect the aesthetics of the backside of this project for the public to continue to walk along there. There will be enhancement on the landscaping along Blue Lakes Boulevard and Fillmore St. There is a canyon rim setback of one hundred feet (100') or fifty feet (50') if there is an approved geological study. There is not a geological study at this time so the standard would be a 100' setback. Building exterior colors are to be consistent with the Canyon Park East- muted earth-tone colors with accent colors. The verbiage states that there cannot create a continuous solid vertical or horizontal stripe and accent colors cannot take up more than 10% of the exterior wall face. It was indicated that roofs and mechanical equipment will be consistent with Canyon Park East.

The proposed Master Development Plan does comply with the current Comprehensive Plan that indicates this property is appropriate for commercial/retail development.

The process regarding a request for a zoning district change and zoning map amendment and a request for vacation require a public hearing before the Planning and Zoning Commission. It allows the public to come and comment. It is noticed in the paper so that anyone who is not within 300' and does not receive notice can be made aware and come to the public hearing if they would like to. The Commission is asked to make a recommendation on both of the items separately. After receiving a recommendation from the Commission, the request automatically goes to the City Council, who shall hold an additional public hearing and if the request is approved it would be required to be completely replatted.

**Upon conclusion, the Commission is asked to make two (2) motions:**

**Should the Commission recommend the C-1 CRO PUD zoning to the City Council, as presented, staff recommends the following conditions be attached:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

**Should the Commission recommend approval of the request to vacate Fillmore Street 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 letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

There was a letter submitted to the Commission that Ms. Carraway posted on the projector from Katie Breckenridge and Rob Struthers.

**P&Z COMMENTS/QUESTIONS:**

- Commissioner Frank- Is there a difference in the uses between the C-1 PUD as it currently is on the property and the C-1 CRO zoning proposed?
- Gerald Martens said there will not be a change to the uses. They are accepting a more restrictive zoning regarding development standards. Lighting and other standards are more specific. Uses will not change. Also, he wanted to state that he agrees to the conditions of staff recommendations on both requests. All mechanical equipment will be screened from the highway and from the trail. They are not asking for any further geological setback. Also, they will provide additional parking near the trail for public access to the trail.
- Commissioner Bohr- In reference to Katie's letter, is the hotel included?
- Gerald Martens- The hotel is no longer part of the plan. They will be working with staff to improve the access onto Canyon Springs Road in any way that they can.
- Commissioner Frank- Why are they requesting a vacation? Why not have the City maintain ownership?
- Gerald Martens- It would be running through the project so the City wouldn't want to maintain that. There will be easements. The other reason for vacating the right-of-way is because there are all kinds of issues in regards to setbacks and requirements along right-of-ways. There will be

development and they will maintain and enhance traffic capacity. There are adding width to the roadway section for turn lanes to get in and out of businesses. There will be turn lanes and turn bays. Traffic entering from either side of the street can do that through turn lanes and not impede through traffic. The projected traffic for this project is actually less than the original proposal because it has less square footage than the proposal with the hotel but the background traffic has grown on the roadway in the last ten (10) years due to other growth in the community.

- Commissioner Woods- For clarification, on the north side of the buildings will there be any glass that would cause glare to motorists on the bridge?
- Gerald Martens- No, it will be the back of the buildings and there will be virtually no glass. But it will not be a stark, flat commercial wall. It will have an attractive architectural finish.
- Commissioner Steve Woods- In his travels he has seen some wonderful roundabouts. He would encourage them to err on the side of making a larger radius so that traffic doesn't have to slow down inside it.
- Gerald Martens- In his study it is the traffic getting in and out of the roundabout that is important. If you have to slow down too much to get in or out then it impedes the efficiency of the roundabout. They will be taking the turning radius into the Outback and visitors' center area from 30' to 100'. This will make movement much smoother, unimpeded and smooth-flowing. The movement important to his clients is getting in and out of the shopping center. The community will want to easily get in and out of the visitors center. It is important that the traffic keep moving.
- Commissioner Steve Woods- Roundabouts can be very effective.
- Gerald Martens- They can be very effective, just a learning process.
- Commissioner Steve Woods- Since the new road is basically a private lane, will the road maintenance include snow removal?
- Gerald Martens – Yes, it would be maintained along with the parking lots. It will get first attention and may get quicker attention than by the City or State because of the many miles of roads they have to attend to.
- Commissioner Woods- The intersection at Canyon Springs Road and Fillmore Street is not a 90 degree intersection and it can make it difficult to see traffic coming from all directions.
- Gerald Martens – He doesn't believe there is anything they can do; it is at 70 degrees which is allowed. What they can do is improve the radiuses which make the turn movement easier without crossing into other lanes which will add some safety. The city would like to know what can be done there, as part of the reconstruction project using the land available.
- Commissioner Grey- Has it been discussed to make it a four-way stop?
- Gerald Martens – It is something the City has looked at. It has been discussed. It would have to come from the City Engineering department to put in stop signs.
- Commissioner Frank- Vacations are very serious because you are giving up rights that you can't get back again. Do we have any other collector roads that we have vacated before?
- Planning and Development Director Carraway- Not that I can remember but there has not been a development like this and this is a unique situation.
- Commissioner Frank- His concern is in giving up the legal ownership of a road. There will be some legalities written in for maintenance and the snow removal sounded good. His main concern is about giving up legal ownership of a road in an important part of our community.
- Gerald Martens – The City will not be giving it up until the new one is provided and constructed and it will be like getting a new road that they don't have to pay to maintain.

**PUBLIC HEARING: OPENED**

- John Lezamiz, 847 Canyon Springs Road- In favor of developing the property- he thinks it is a great project and the property needs to be developed. He does have some concerns on the vacation of the road and the new alignment that is proposed. He showed a map on the overhead projector that had the existing road and the proposed road. Presently we have a three-lane road that is 49' wide with one lane in each direction and center turn lane along whole length. When you come off the

bridge and you turn off the intersection you have a wide, long aesthetically pleasing road. It has great traffic carrying capacity. The proposal is that we would take the road that currently goes straight and they are changing it to a 90 degree turn. A one-lane roundabout becomes a bottleneck. In his mind, the road that we have presently is far superior. The proposal for the rezone for the PUD should be approved but the abandonment of Fillmore Street should be opposed. Would I rather have a roundabout or a road that goes straight? There is a possibility of a win-win situation. You can have the development and leave the existing road. The proposed road just causes problems.

**PUBLIC HEARING: CLOSED**

**CLOSING STATEMENTS:**

Gerald Martens- They have worked hard on the options with the City for the roadway. They have flattened the road and made some alignment improvements in addition to the roundabout. We are on record with staff that we will provide them with the necessary traffic studies that they are not going to diminish capacity but enhance it. We are adding turn lanes to make it safer. He suggests that the City Engineer's representative comment on it if there are questions. We looked at the alternative and it fragmented parking. This is what the market is showing is desirable and this is what the developer is willing to pay for. It will be safer than what currently exists. They will commit to working with the Engineering Department. This change is integral to the plan that they have presented.

**DELIBERATIONS FOLLOWED:**

- Chairman Bohrn requested Assistant City Engineer Troy Vitek comment on the presentation.
- Assistant City Engineer Vitek- When Engineering first saw this there were concerns about the intersection. He is for roundabouts but thinks that there is a matter of education. The City Engineer is very adamant about carrying capacity there and she set speed requirements for the roundabout. The roadway is three lanes and without the roundabout it has a sharp turn and the development could have a lot of approaches where people have to really look to maneuver onto the road. In this case the approaches are squared off and there is a lane for people to turn. People will be able to exit and not gain speed then have to stop abruptly when someone is slowing to anticipate a turn. They are interested in the concept with the recommendation that it be completed before existing road is vacated. It will take some education but staff is receptive to it.
- Commissioner Woods- The issue of leaving Fillmore as it is creates a traffic and pedestrian safety problem because it splits the parking lot. In regards to education, in his experience with roundabouts such as Anacortes, Washington, hundreds of cars come from all around town and manage. They meet at the roundabout- people pulling trailers- people that have never seen roundabouts are able to handle it.
- Commissioner Frank- He is still concerned about the vacation. Fillmore Street is not a road to nowhere, it is an active road. Giving up the legal rights to a road that is in use really bothers him.
- Chairman Bohrn- He has encountered a few roundabouts- he is sure that traffic can move very well through it. In the past new subdivisions try to meander the roads to control the traffic and speed. This road is not set up to be a speedway. He has a problem giving up the road, but on the other hand they will be taking care of the maintenance and save the City money.

**MOTION #1:**

Commissioner Frank made a motion to approve the request for a zoning district change and zoning map amendment, as presented with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

**RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED,  
WITH THE FOLLOWING CONDITIONS:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**

**MOTION #2:**

Commissioner Woods made a motion to recommend approval of the vacation request to the City Council, as presented with staff recommendations. Commissioner DeVore seconded the motion. Commissioners Sharp, Woods, DeVore, and Grey voted in favor of the motion. Commissioners Jacobson, Bohrn, and Frank voted against the motion.

**BY A VOTE OF 4 FOR AND 3 AGAINST THE REQUEST WAS RECOMMENDED FOR APPROVAL  
TO THE CITY COUNCIL, AS PRESENTED, WITH THE FOLLOWING CONDITIONS**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**

2135 Oakwood Ct.  
Twin Falls, Id. 83301  
644-6415  
April 5, 2012

Twin Falls City Council  
321 Second Avenue East  
Twin Falls, Idaho 83303-1907



Re: Canyon Park West rezone and street privatization

BY:.....

Honorable Council Members:

When I read that the proposed Canyon Park West development was going to meet the same requirements as Canyon Park East, I was dismayed. I thought Twin Falls would have upgraded its planning and zoning. The East sector represents the old habits of bad parking ratios, putting pedestrians at risk, and ignoring a unique natural attraction. Honoring current trends in urban development is necessary to keep Twin Falls attractive and livable.

I resided in Salt Lake City as a Trustee of the Sugar House Community Council when a commercial district called the Sugar House Commons was built. We worked extensively with the developer to create a retail and restaurant development that downsized its automobile focus, connected it to the pedestrian-friendly environment of the surrounding town, and maximized its placement along Parley's Creek. Today, Sugar House remains a highly desirable neighborhood of the city and its commercial sector has maintained its financial viability.

From this background, I'm urging you to postpone any decisions on Canyon Park development until you have seriously considered the difference between a rubber-stamp approval and what Twin Falls could have with some foresight and good negotiating skills.

- Is this the retail direction Twin Falls wants to take: We had furniture stores downtown --- the Banner building is around 12,000 ground level, with 12,000 up. With just that building alone, there's 24,000 square feet vacant on Main Street right now. Rumors are circulating about Best Buy going BK. Will we have another empty big-box store across Blue Lakes Boulevard from this proposal?

- Under zoning definitions, C-1 is defined as Neighborhood Commercial. "Provides a location for a limited number of retail commercial uses which serve the day-to-day needs of the residents of surrounding neighborhoods." The huge scope of this project seems more like a shopping center designation or C-2.

- Why vacate the streets. Besides Fillmore there is a Perrine Street platted (lots 1826 & 1842 Perrine). No public notice or city action has been taken with it. You would also have to go through the process to vacate part of Perrine.

- I'm categorically opposed to cities giving up control of their transportation corridors. A "permanent easement" is no substitute for public access and will only add a layer of red-tape for utilities and storm-water management. Private property is not taken for public use; public property should not be taken for private use.

- Reinstitute the Citizens Design Review Committee: They were involved in the 2007 plans and this year's proposals should also be approved by them.

- Pedestrian-friendly amenities. For instance; focus on the sidewalks, not the streets, break up the parking lots, include eye-catching amenities, spotlight unique features, incorporate visual art and public gathering areas such as plazas, shaded and sunny seating areas and room for cart-size vendors. Think of inside Magic Valley Mall and put those amenities outside throughout the PUD. In particular, I would recommend:

1. No "curvy" sidewalks. People walk and bike in straight lines.
2. Curb and gutters with landscaped parking strips separating the sidewalks from the streets. The Twin Falls Master Transportation Plan stresses "Pedestrian safety improvements needed. Require new developments to provide pedestrian safety."
3. Walls or fences to have gaps or gates for pedestrian access
4. Sidewalks should be a minimum of 8' widths of major corridors and 6' for minor walkways.
5. Secured bike stands.

- Connections: A tricky and expensive issue. Think of ways to get pedestrians across Blue Lakes Boulevard from Magic Valley Mall, Barnes & Noble, etc. Sugar House in Salt Lake City is currently working on an open underpass to connect two sites.

- Break down the parking. It's attractive to design several buildings scattered within the PUD, with parking sectioned and shared among the commercial tenants. Pedestrians will find themselves window shopping while walking past neighboring business, enhancing sales. See the attached re-designed map of the proposal.

- Parking stall minimums: Reduce the ratios to avoid the "asphalt ocean" look. A parking structure or garage would not be unwarranted in this situation.

- Landscape for the climate: It's getting more popular to connect people to the land around them these days --- look at the localvore movement. Xeriscaping should be mandatory. Protect those beautiful stands of native sagebrush. This small step would give the project a unique look and save water for the city.

- Buildings should be certified LEEDS --- CSI led the “green building “way with their Health Sciences Building. Twin Falls should take up the banner and require energy-efficient development.

- Get Twin Falls Canal Company approval first. I don’t think there will be an easy fix for this waterway. Consider the many issues of flooding, equipment accessibility, obstructions, or leakage.

**\*\* Most importantly: Enforce Idaho State Code 10-4-19 Canyon Rim Overlay**

**District** I cannot stress the importance of protecting the viewscape and appearance of the canyon rim. This 700-foot-area ordinance protects one of the most unique features of Twin Falls and you should treat violations seriously. The Canyon Rim Trail should be the focal point of the entire project, and fits in nicely with pedestrian-friendly engineering and design.

- Mark off the canyon rim: Have Canyon Park get the city engineer to delineate the official rim (30% for 10 or more feet) throughout the property. Then within the 700 feet, standards must be observed regarding lot occupancy, use, setbacks, building heights, footprints, and landscaping. The trail area should be left sufficiently wide enough to accommodate bicyclists passing pedestrians, and the addition of future trail accessories such as benches and trashcans.

Think of the consequences of your actions now on the future of our town.

Sincerely,



Cheri Condie

Cc: Twin Falls Planning Commission

Attachments:

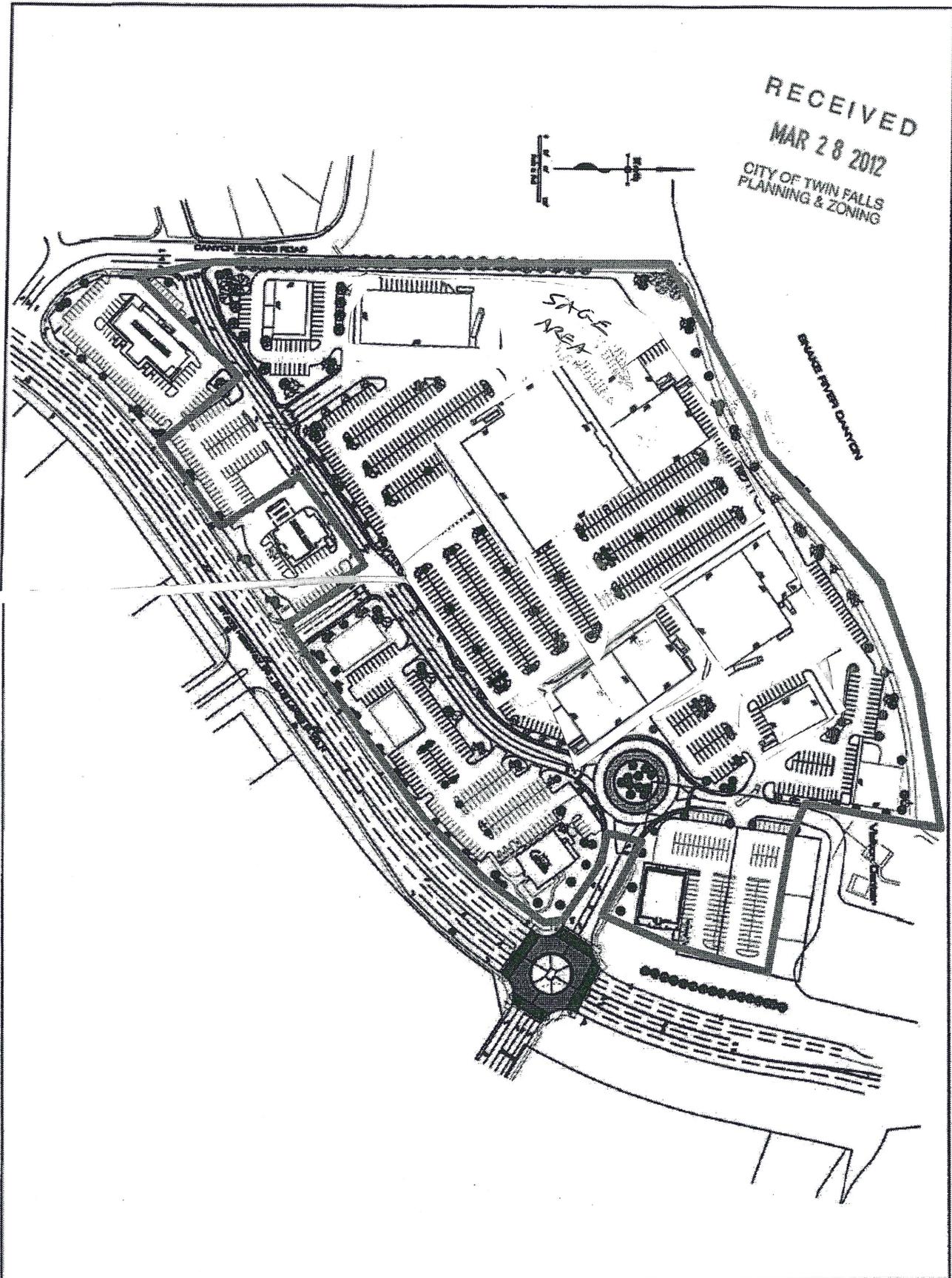
Pedestrian-friendly brochure  
Re-designed map of proposal  
Sugar House Business District Guidelines

**Mission Statement of the City of Twin Falls**

Our mission, as stewards of the public trust, is to meet current and future needs of the community, promote citizen involvement, preserve our heritage, conserve and protect our social and physical resources and enhance the quality of life in Twin Falls.



RECEIVED  
MAR 28 2012  
CITY OF TWIN FALLS  
PLANNING & ZONING



NO. 1	DATE	DESCRIPTION
1	11/15/11	PRELIMINARY PLAN
2	12/15/11	REVISION
3	01/10/12	REVISION
4	02/01/12	REVISION
5	02/15/12	REVISION
6	03/01/12	REVISION
7	03/15/12	REVISION
8	04/01/12	REVISION
9	04/15/12	REVISION
10	05/01/12	REVISION
11	05/15/12	REVISION
12	06/01/12	REVISION
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14	07/01/12	REVISION
15	07/15/12	REVISION
16	08/01/12	REVISION
17	08/15/12	REVISION
18	09/01/12	REVISION
19	09/15/12	REVISION
20	10/01/12	REVISION
21	10/15/12	REVISION
22	11/01/12	REVISION
23	11/15/12	REVISION
24	12/01/12	REVISION
25	12/15/12	REVISION

Preliminary Development Plan For  
**Canyon Park Amended Subdivision**  
 Twin Falls, Idaho

**Engineers Inc.**  
 201 W. COLLEGE BL. SUITE 100  
 TWIN FALLS, IDAHO 83402  
 TEL: 208.338.2222  
 FAX: 208.338.2222

# SUBREGIONAL PLANNING

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## PLANNING TOOLS

### PEDESTRIAN-FRIENDLY DESIGN:

#### Purpose of Tool:

Pedestrian-friendly design creates places where people can meet, shop, recreate, and enjoy themselves walking. Pedestrian-friendly environments follow one simple rule— the pedestrian is the priority (not vehicular traffic). These areas tend to share the following physical characteristics(1):

- Pedestrians are effectively separated from moving traffic for safety purposes. Separation is provided through the use of wide sidewalks, on-street parking, landscaped areas, or other physical barriers.
- Pedestrians can cross the street safely and easily. Intersections are designed to reduce pedestrian crossing distances, crosswalks are clearly marked and aligned with sidewalks, and pedestrian crosswalk signals are automatic or easy to use.
- The streets are full of life. In pedestrian-friendly retail areas, storefronts and buildings are continuous and contain windows that create visual interest and variety.
- In commercial areas, on-street parking is available to support retail businesses.
- Well-designed paving, street furniture (such as seating areas, planters, etc.) and lighting make the public sidewalk a place where people want to be.
- Employment, residential and commercial districts are connected by a safe and easily walkable environment.
- Prototype design standards are used consistently to encourage pedestrian-friendly areas.

#### Benefits of Using Tool:

Pedestrian-friendly design has the following benefits(2):

- Whenever walking becomes a reasonable alternative to driving, some people will walk rather than drive, and taking these extra cars off the road will reduce vehicle miles traveled, having a positive impact on air quality.
- Fitness experts agree that regular daily activity is the key to good health. Walking is the most affordable and convenient way for most of us to stay active.
- Pedestrian-oriented streets encourage shoppers to linger. Retail and commercial developers have learned that a walkable environment sells commercial real estate.
- Street trees not only attract pedestrians, they also help clean the air, reduce storm water runoff, and moderate temperatures.
- Walking is the cheapest form of transport for everyone. Walkable communities have the most affordable and most efficient transportation system available.
- Streets that draw more pedestrians and encourage social interaction tend to have lower crime rates and other social problems.
- Cities and towns that offer interesting streets with active pedestrian life become vibrant cultural and economic centers that draw visitors from the surrounding region.

In just a few years, investments in pedestrian-oriented streetscape improvements may show visible and economic results in a community. These improvements can help make the community healthier, more vibrant, and a more attractive place to live, work and own a business.

#### Steps Involved to Use Tool:

According to the Federal Highway Administration Pedestrian Safety Guide and Countermeasure Selection System, in order to use a pedestrian-oriented design

approach, the following enhancements should be considered:

- Sidewalks and Walkways
  - While continuous walkways are the goal, retrofitting areas originally developed without them will usually occur in phases.
  - In retrofitting streets that do not have a continuous or accessible walkway system, locations near transit stops, schools, parks, public buildings, and other areas with high concentrations of pedestrians should be the highest priority.
  - Street furniture (i.e. benches, planters, etc.) placement should not restrict pedestrian flow.
- Curb Ramps
  - Follow the Americans with Disabilities Act (ADA) design guidelines.
  - Texture patterns must be detectable to blind pedestrians.
- Marked Crosswalks and Enhancements
  - Crosswalk locations should be convenient for pedestrian access.
  - Crosswalk markings alone are unlikely to benefit pedestrian safety. Ideally, crosswalks should be used in conjunction with other measures, such as curb extensions, to improve the safety of a pedestrian crossing, particularly on multi-lane roads with average daily traffic above about 10,000 vehicles per day.
  - Marked crosswalks are important for pedestrians with vision loss.
  - Crosswalk markings must align with the ramps so that a wheelchair user may remain within a marked crosswalk to access the ramp.
- Transit Stops
  - Ensure adequate room to allow wheelchair users access to the transit vehicle.
  - Ensure a clear and comfortable path for passing pedestrians when determining the location of transit shelters.
  - Locate transit stops on the far side of marked crosswalks, so that pedestrians cross behind stopped transit vehicles.
  - Transit stations must be wheelchair accessible, which generally results in long ramps on either end of overpasses.
- Roadway Lighting Improvements
  - Ensure that pedestrian walkways and crosswalks are well-lit.
  - Install lighting on both sides of wide streets and along all streets in commercial districts.
  - Use uniform lighting levels.
- Other Considerations
  - Lighting, drainage, graffiti removal, and security are major concerns with underpasses.

#### **Special Requirements to Use Tools**

According to the HWA PEDSAFE resources, special requirements and considerations for implementing pedestrian-oriented design include the following efforts:

- Develop prototypes that are consistent with local community conditions and respectful of the local culture.
- Develop a maintenance program for bicycle facilities.
- Use the Walkability Checklist published by the FHWA, to help determine where improvements are needed or to evaluate streetscapes after improvements are made.
- Develop and implement the plan of action, which should include clearly defined short-term, mid-term, and long-term goals.
- Begin seeking out immediate sources of funding for design and other initial costs. Tap into potential contributions from various stakeholders, including private developers, cities, counties, special improvement districts, regional agencies, and State Departments of Transportation in your area.
- Prepare a design code/revised ordinance/design guidelines for streetscape improvements.
- Invite public review of the code. Make necessary revisions to the code as a result of community preferences.
- Streamline the permitting process and consider other incentives to attract new development.
- Hire a staff person and give them adequate authority to oversee implementation.

#### **Special Resources Needed to Use Tools**

Many factors and resources are needed to implement high-quality pedestrian-friendly design measures. One approach is to establish a pedestrian-friendly design

task force that includes elected officials, representatives of the local police and public works departments, the school district, parents, teachers, students, and other concerned neighbors to get maximum community input and buy-in.

**Communities / Agencies that Have Used Tools**

Communities, agencies and individuals that have successfully implemented pedestrian-friendly design include:

**City of Berkeley – Transportation Division**

2180 Milvia Street, 5th Floor  
Berkeley, CA 94704  
Phone: (510) 981-7000

**City of Boulder - Transportation Operations Department**

PO Box 791  
Boulder, CO 80306  
Phone: (303) 441-3266  
Fax: (303) 441-4271

**City of Clemson**

Planning and Codes Administration Department  
PO Box 1566  
Clemson, SC 29633  
Phone: (864) 653-2050

**Metrics to Use to Monitor Tool Effectiveness:**

In many cases, implementing pedestrian-friendly design has helped meet community goals and objectives and improved quality of life. For example, the implementation of pedestrian-friendly design in the I-55 Corridor Study in Colorado showed:

- Decreased traffic speeds
- Decreased traffic volume
- Increased bicycle and pedestrian volume
- Increased traffic calming effect

**List of Resources to Obtain Additional Info:**

See the following sources for more information:

Walkable Communities, Inc.  
Phone: (386) 454-3304,  
E-mail: walkable@aol.com  
Online: www.walkable.org

Partners for a Walkable America

Pedestrian and Bicycle Information Center

USDOT-The Walkability Checklist

Online: <http://www.walkinginfo.org/pdf/walkingchecklist.pdf>

FHWA Pedestrian Safety Guide and Countermeasure Selection System

Online: [http://www.walkinginfo.org/pedsafe/pedsafe\\_downloads.cfm](http://www.walkinginfo.org/pedsafe/pedsafe_downloads.cfm)

Livable Streets Toolbox- China Town Renewal Project

Online: <http://www.streetsblog.org/2007/02/01/calming-traffic-in-chinatown/>

**CITATION**

1-2 Pedestrian Friendly Streets-Revitalizing Cities Series, Debra Ames, Marketing Director, Portland, Oregon.

BUILDING and ZONING CODE CHECKLIST  
C-SHBD (Commercial Sugar House Business District)

- 1. Provide for commercial, office and high density residential use.
- 2. No minimum lot size is required.
- 3. No minimum front yard or corner side yard is required.
- 4. No interior side yard is required.
- 5. No minimum rear yard is required.
- 6. Maximum building size is 20,000 sq. ft.
- 7. Maximum building height on Hidden Hollow block is six stories, (90 feet.) Master Plan recommendation sets maximum height at from 4 to 6 stories.
- 8. Minimum First floor glass - First floor street front must be not less than 40% glass.
- 9. Roof top mechanical equipment must be screened.
- 10. Parking lot landscaping - all parking lots for fifteen or more parking spaces shall provide landscaping. Interior parking lots must have not less than 5% landscaping, dispersed throughout the lot. Landscaping areas shall be a minimum of 120 sq. ft. in area, and a minimum of 5 ft. in width.
- 11. Where parking lot is within 20' of a lot line, perimeter landscape shall be at least seven feet in width.

ARCHITECTURAL DESIGN GUIDELINES - CHECKLIST  
SUGAR HOUSE BUSINESS DISTRICT

- \_\_\_\_\_ 1. Mass and scale of structures should be compatible with the surrounding uses.
- \_\_\_\_\_ 2. Buildings adjacent to the street should orient to the street.
- \_\_\_\_\_ 3. Interior building should orient to each other, and be adjoined or arranged in clusters.
- \_\_\_\_\_ 4. Maintain existing setbacks. Build to the street with either no setback or setbacks similar in size to the library lawn.

FOR BUILDINGS ALONG HIGHLAND DRIVE:

- \_\_\_\_\_ 5. Pedestrian orientation - if setback is used, it should be two to ten feet wide as an extension of the sidewalk. Materials may include brick paving, planter boxes, entrance walks; Uses include plazas that orient to the street or the Monument Plaza. Otherwise, no setback. Plaza should be landscaped and street furniture provided (benches, etc.).
- \_\_\_\_\_ 6. Maximum building height of three to four floors.
- \_\_\_\_\_ 7. Minimum first floor glass - 60 percent non-reflective (so people can see in.) No blank-walled facades.

FOR ALL BUILDINGS, from the Sugar House Master Plan:

- \_\_\_\_\_ 8. Building materials - Brick, aggregate, glass.
- \_\_\_\_\_ 9. Building facades should be lighted at the first floor.
- \_\_\_\_\_ 10. Large buildings should not cast shadows on public openspaces.
- \_\_\_\_\_ 11. Large buildings should not completely block the pedestrian view of the mountains.
- \_\_\_\_\_ 12. No off-street parking in front of buildings.
- \_\_\_\_\_ 13. Parking structures are encouraged. However, no parking structures along street.
- \_\_\_\_\_ 14. Development visible to or facing open spaces should present a "front door" image to the open space. Service areas should be screened.
- \_\_\_\_\_ 15. Pedestrian access through all areas should be provided. Major walkways should be a minimum of 8 ft. wide; others should be at least 6' wide.

## OFF-SITE DEVELOPMENT DESIGN GUIDELINES

Off-site development includes work that occurs in the public way and on properties otherwise considered public such as the Parleys Creek property owned by Salt Lake City and any others that may be designated or assigned.

- In addition to public sidewalks, pedestrian/bike corridors can be provided to enhance the existing pedestrian circulation systems in the city and to specifically accommodate circulation in the following locations:

- To the east along 2100 South and along Wilmington Avenue to Sugar House Park.  
Between the Sugar House Plaza Monument area and surrounding uses and areas.

- Between the public open space at Parleys Creek and surrounding uses and areas.

- Along the rail/trail designated in the Salt Lake City Open Space Plan.

- To south and west to Fairmont Park.

- Public transportation should be accommodated at the street edges. Coordinate with Utah Transit Authority on location and design of turnouts, bus stops and other transit facilities.
- Sidewalks should use the standard paving materials currently being used in the area. Modifications to the patterns may be permitted and will require approval by Salt Lake City.
- Park strips and public open space should be landscaped with street trees, shrubs, ground covers and lawn. Maintenance of park strips is the responsibility of the adjacent property owner.
- Trees shall be selected with guidance from the Salt Lake City Urban Forester.
- Existing vegetation along Parleys Creek should be preserved and maintained.
- Design street and circulation system drainage grates to allow safe passage by bicycles.
- Light fixtures must meet Salt Lake City standards and specifications and be of a design that is compatible with adjacent properties.
- Publicly owned open space should include elements of visual interest and complexity including landscape, seating areas, furnishings, fountains, changes in grade, public art, etc. to add interest and excitement to the public spaces between buildings and along major circulation corridors.
- Site furnishings such as drinking fountains, benches, trash receptacles and ash receptacles, telephones, newspaper stands, bicycle storage and other elements of outdoor open space and public space should be incorporated into the design and provided in designated locations. They should be coordinated and be compatible and complimentary to other site furnishings and design elements.
- If seating is provided, the design should include a mixture of seating opportunities. Materials which are comfortable and vandal resistant are preferred.
- Seatwalls, steps, fountain edges, grassy mounds, etc. are also attractive and offer the variety necessary to accommodate many different needs. If seatwalls are used they should be a minimum of 12" wide and 16" to 24" high for comfortable, flexible seating.



Public Hearing: **MONDAY APRIL 09, 2012**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

## ITEM IV-

**Request:**

Request for Vacation of the 2000-2190 blocks of Fillmore Street, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)

**Time Estimate:**

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

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 25(+/-) acres
Canyon Park Development, LLC c/o Tina Luper P.O. Box 5478 Twin Falls, ID 83303 208-421-8296 tina.luper@neilsenco.com	<b>Current Zoning:</b> C-1 PUD and SUI PUD	<b>Requested Zoning:</b> C-1 CRO PUD
	<b>Comprehensive Plan:</b> Commercial Retail	<b>Lot Count:</b> 15 lots
	<b>Existing Land Use:</b> Commercial, vacant	<b>Proposed Land Use:</b> Mixed commercial uses
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers, Inc c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 208-420-2461 (c)	<b>North:</b> Snake River Canyon Rim, Visitor’s Center	<b>East:</b> C-1 PUD; Blue Lakes Blvd N, commercial
	<b>South:</b> C-1 PUD; Blue Lakes Blvd N, Magic Valley Mall	<b>West:</b> R-1 Var/R-4 PUD/C-1 PUD; residential , commercial
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

**Approval Process:**

**As per TF City Code: 10-16-1; Vacations & Dedications**

- (D) 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.
- (E) Commission Recommendation:** Within sixty (60) days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.
- (F) Action by Council:** The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Quit Claim Deed for the vacated rights of way in such proportions as are prescribed by law.

**Budget Impact:**

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

### **Regulatory Impact:**

Approval of this request will allow the applicant to proceed to the City Council with their request. Approval of this request will allow Canyon Park Development, LLC to relocate Fillmore Street to the south of its present location.

### **History:**

City Council approved the Zoning District Change and Zoning Map Amendment from R-1 43,000 to C-1 PUD for approximately 14.07 acres of land located north/northwest of the intersection of Blue Lakes Boulevard North and Canyon Springs Road in the City's Area of Impact on December 19, 1994.

The final plat for Canyon Park West Subdivision was approved by Council on June 12, 1995. The final plat was recorded on June 17, 1998.

City Council approved the Zoning District Change and Zoning Map Amendment from C-1 and OS to C-1 PUD for approximately 12 acres located north of Bridgeview Boulevard and east of Blue Lakes Boulevard North and from R-1 43,000 to C-1 PUD for approximately 4.1 acres of land located north of the 2000 block of Fillmore Street and east of Canyon Springs Road, and approximately 2.1 acres of land located west of the 20000 block of Blue Lakes Blvd N and north of the 2100 block of Fillmore Street on February 7, 2000.

The final plat for Canyon Park North Subdivision was approved by Council on February 22, 2000. The following conditions were placed on the approval: 1) Approval subject to final technical review by the City Engineering Department, 2) Approval conditional on a re-review of actual improvements to be made by the developer after development related issues with ITD are resolved, 3) Approval subject to acquisition of ITD property, 4) Approval subject to the execution between the developer and the City of a PUD agreement. The final plat was recorded on November 29, 2000.

On January 25, 2007, the Citizen Design Review Committee approved a development plan to allow a 10-story hotel/convention center on the rim within the Canyon Park North project. This project was not constructed. On February 28, 2012, there was a preliminary presentation on a proposed Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD, followed by a public hearing on March 13, 2012.

### **Analysis:**

This is a request to vacate the 2000-2190 blocks of Fillmore Street. The applicant is proposing to amend Canyon Park North and Canyon Park West PUD's & subdivisions for single master development comprised of commercial/retail uses.

The 2000-2190 blocks of Fillmore Street are located east of Canyon Springs Road and west of Blue Lakes Boulevard North. The public street has been constructed and accepted by the City of Twin Falls. As part of the vacation process, the applicant is to inform the following utility providers-Idaho Power Company, Cable One, Qwest/Century Link, Intermountain Gas and the Twin Falls Canal Company. These providers are to respond with letters indicating if they have facilities located within the area that is being requested to be vacated. The applicant nor the City has received the letters. This request will not go before the City Council with your recommendation until the utility providers have responded. There are some facilities existing in or near the existing Fillmore Street. The applicant has indicated a permanent easement will be dedicated to provide access to these facilities.

The applicant has been working with the City Engineering Department on the vacation and realignment of Fillmore Street. The proposed location could interfere with the current traffic flow into Zions Bank's northeast access. Staff met with the Developer to discuss a possible solution to the traffic flow problem. The Developer has agreed to take another look at the plan.

The applicant has indicated the proposed new Fillmore Street will be constructed as a **private street**. There shall be a recorded maintenance agreement with the City and/or deed restriction to ensure access on this section of Fillmore Street will never be restricted and maintenance by the property owners will be a requirement.

The typical procedure of a vacation is that the area vacated is split evenly between the adjacent property owners. The affected lots have not been sold individually and therefore the area will not be split between the adjacent property owners.

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.

**On March 13, 2012, the Planning & Zoning Commission recommended approval of the vacation of Fillmore Street, as presented, by a vote of 4 for and 3 against subject to the following conditions:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

**Staff concurs with the Commission's recommendation.**

**Attachments:**

1. Vacation request
2. Vicinity Map
3. Zoning Map
4. Aerial Map
5. Comp Plan Map
6. Subdivision Map
7. Vacation Exhibit, dated 02-10-12
8. Canyon Park North Subdivision & Canyon Park West Subdivision
9. Proposed Preliminary Plat (2), dated 03-28-12
10. Master Development & Landscaping Plan, dated 04-04-12
11. Proposed Roundabout, dated 04-04-12
12. Site Photos (4)
13. Citizen Letters (5)
14. Portion of the March 13, 2012 P&Z minutes

**Date:** February 17, 2012

**To:** City of Twin Falls  
Attn: Renee' Carraway

**From:** Gerald Martens 

**Via:** Hand Deliver

**Regarding:** Canyon Park Replat Development

This memo is a follow up of our discussion 2/16/2012 regarding the plan to vacate a portion of Fillmore Street while protecting the easements utilized by utility companies that are located outside but adjacent to the existing platted Fillmore Street right-of-way and the public utilities located within the right-of-way to be vacated.

The application for vacation does not include the easements. Therefore the utilities located in the roadside easement will continue to be in an easement.

The vacation approval will be conditioned on a new street being constructed. This new street will be within a parcel to be platted. This amended plat will include an easement that incorporates all public and private utilities that are currently located in the right-of-way to be vacated.

This sequence will assure that all private and public utilities easements will not be interrupted.

All the private utility companies have been contacted and have been requested to provide a letter acknowledging the proposed vacation and expansion of their easement.

Should the new plat with the required easements not be approved and recorded this vacation will not occur.

Please feel free to call me if you have any questions or concerns regarding the outlined procedures.

369-11

RECEIVED

FEB 21 2012

CITY OF TWIN FALLS  
PLANNING & ZONING

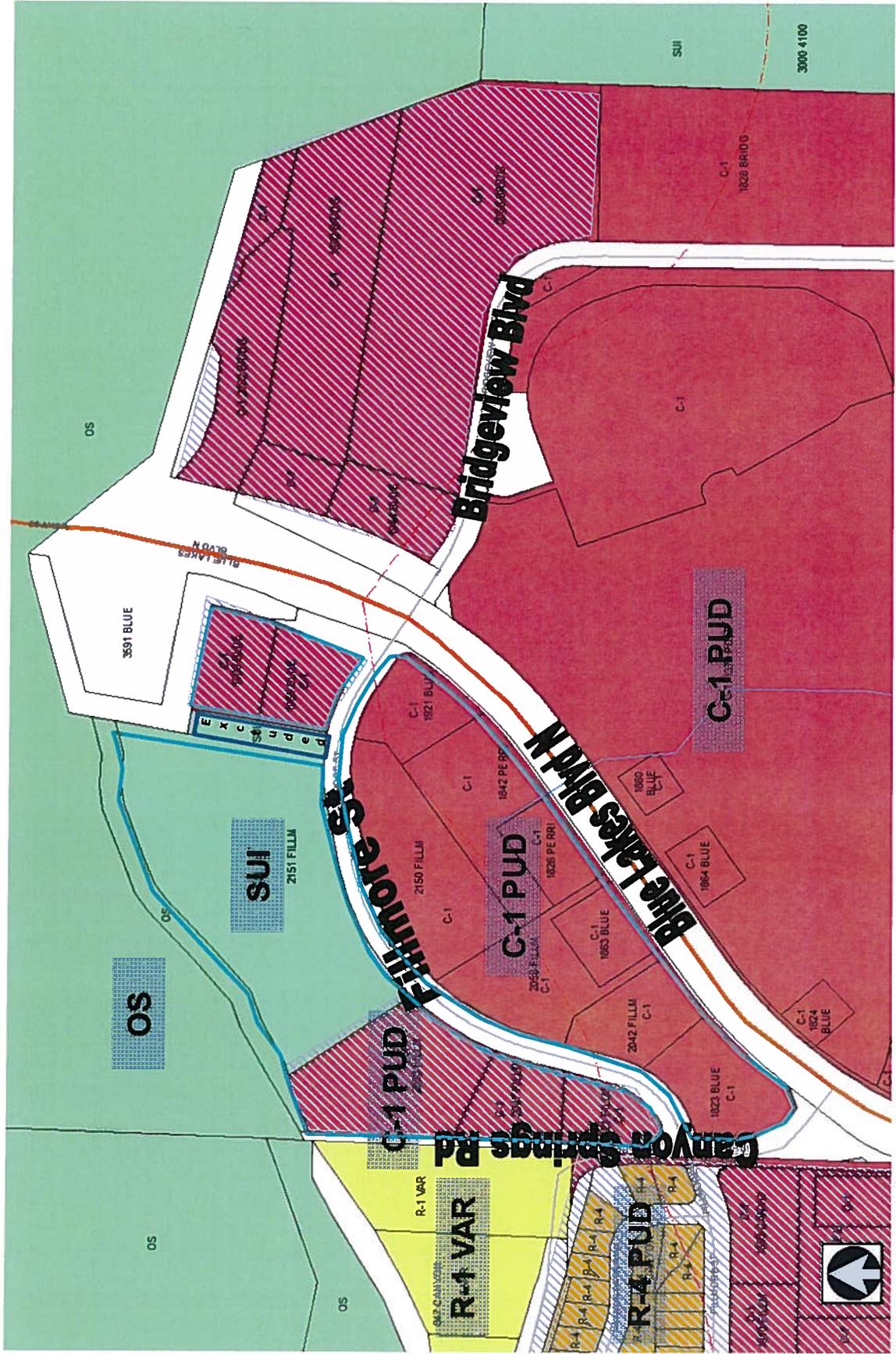
## **Fillmore Street North Vacation**

### **Reason for Vacation:**

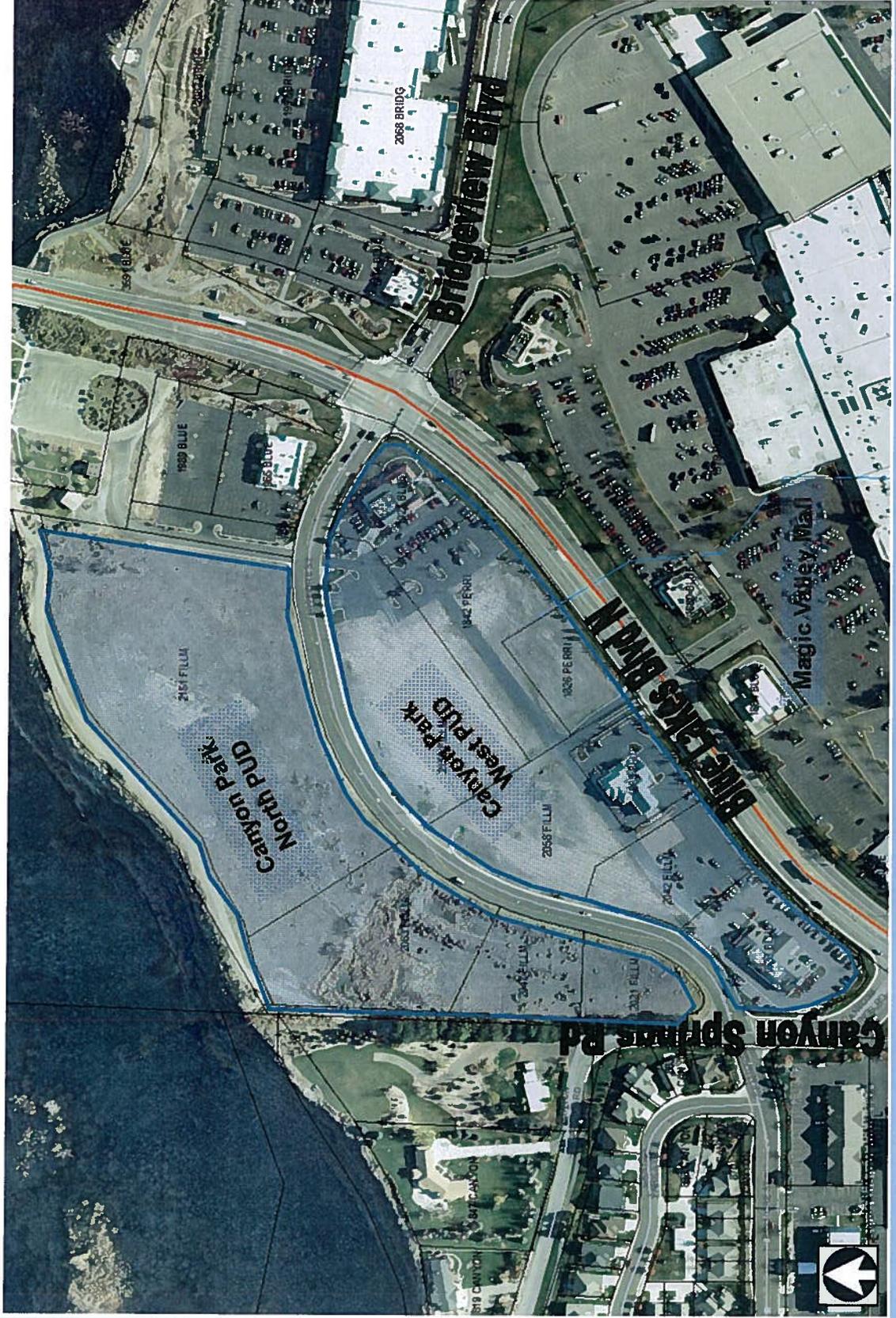
Vacation of Fillmore Street North as shown on the Vacation Exhibit and described in the attached legal description is requested to better accommodate a proposed Retail Development. Fillmore Street will be reconstructed as a private street as shown on the Master Development Plan. The new private street will be designated Fillmore Street North and will be designed to accommodate the development traffic in addition to thru traffic. Access, existing and proposed utilities will be accommodated within easements as depicted on the new Canyon Park Amended Subdivision plat. Access to the Chamber of Commerce Visitor's Center will not be changed.



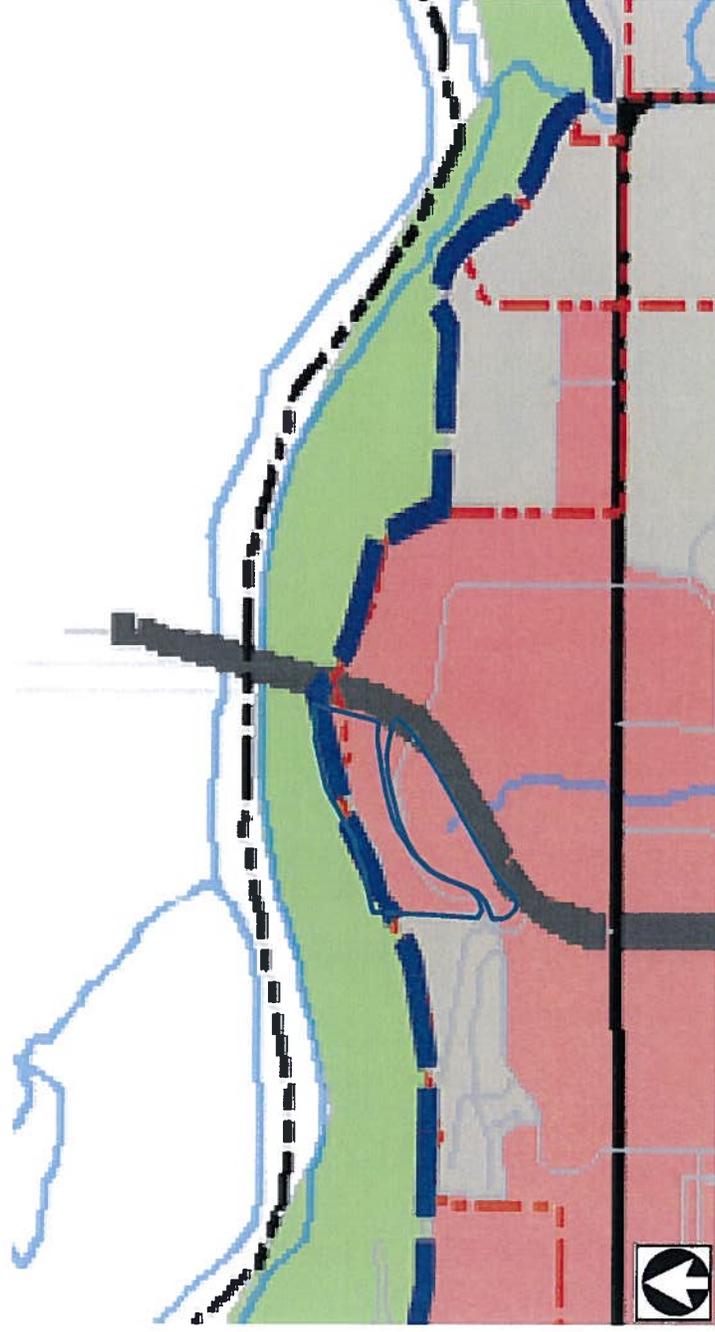
# ZONING MAP



# AERIAL MAP



# FUTURE LAND USE MAP



**Legend**

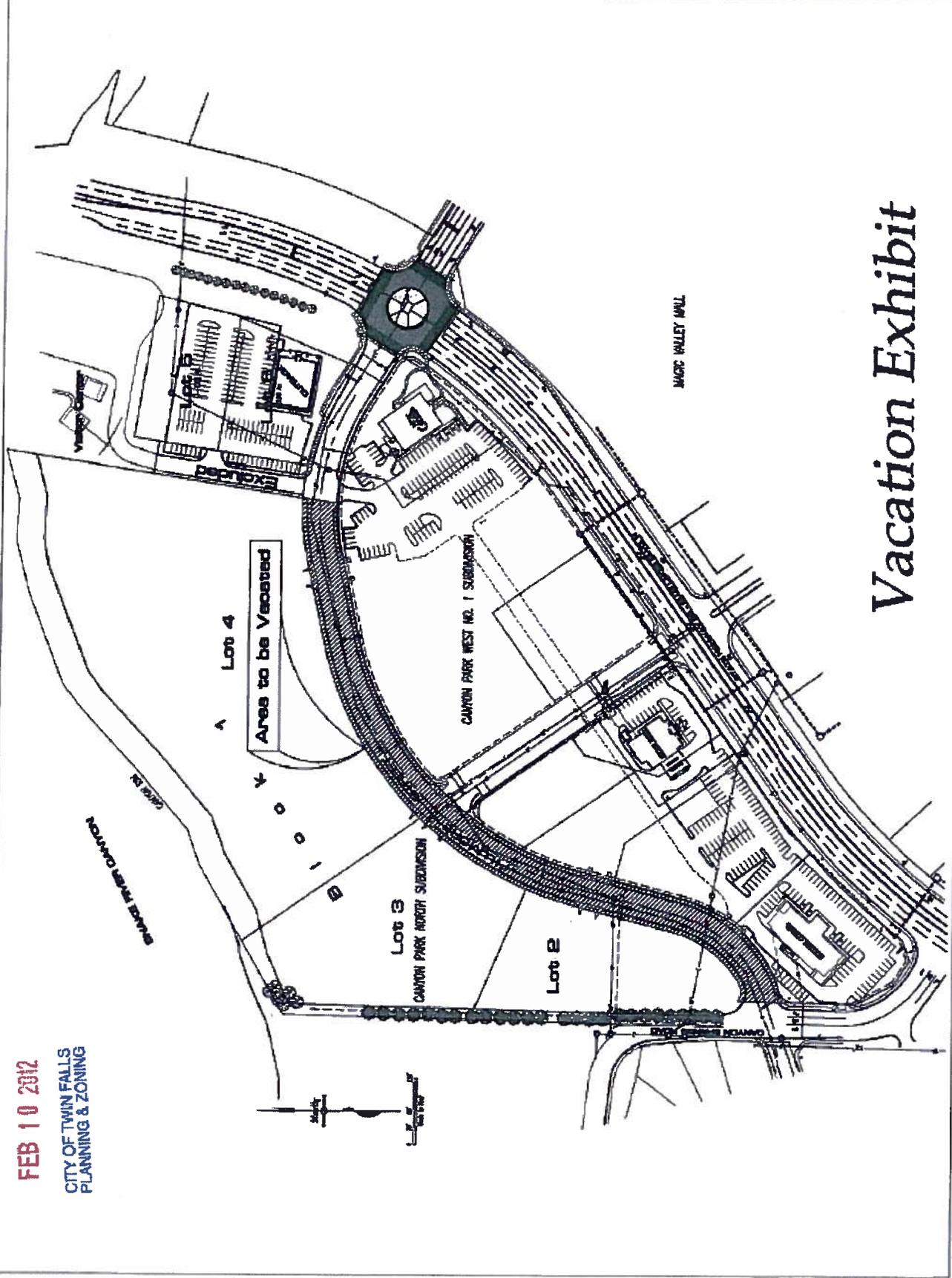
- Residential Business
- Rural Residential
- Medium Density Residential
- Urban Village/Urban Infill
- Commercial/Retail
- Neighborhood Center
- Office/Professional
- Town Site
- College
- Industrial
- Open Space
- Airport
- Agriculture
- Growth/Water Limit Boundary
- City Limits
- Area of Impact
- State Highways
- Arterial Roads
- Collector and Local Roads
- Dirt Road
- Railroad

0 2,500 5,000 10,000 15,000 Feet

February 2008



# Vacation Exhibit



RECEIVED

FEB 10 2012

CITY OF TWIN FALLS  
PLANNING & ZONING

**CANYON PARK NORTH SUBDIVISION**  
A PLANNED UNIT DEVELOPMENT

LOCATED IN  
SW<sup>4</sup> SW<sup>4</sup>, AND GOVT. LOT 3  
SECTION 34,  
TOWNSHIP 9 SOUTH, RANGE 17 EAST,  
BOISE MERIDIAN,  
TWIN FALLS COUNTY, IDAHO  
2000



**LEGEND**

- SUBDIVISION BOUNDARY LINE
- LOT LINE
- PROPERTY CENTER LINE
- ROADWAY CENTER LINE
- ENCLOSURE LINE
- SECTION LINE
- FOUND BRASS CAP P/W MOVEMENT
- SET 5/8" x 3/4" REBAR & CAP (LS 1000)
- SET 1/2" x 1/4" REBAR & CAP (LS 1000)

CURVE	DATA
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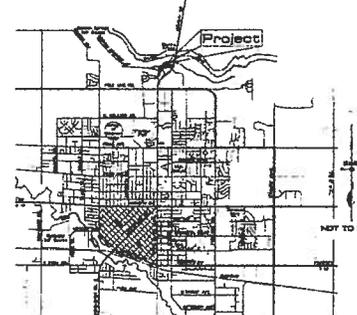
**HEALTH CERTIFICATE**

Sanitary restrictions as required by Idaho Code Title 24, Chapter 13, have been prepared. Sanitary restrictions are as independent as possible with Idaho Code Title 24, Chapter 13, Section 24-1324, by the issuance of a Certificate of Health.

*W. M. [Signature]*  
Date: 10/22/2000  
San. Control Report Health Dept., ID

**NOTES**

- There shall exist a drainage, utility, access, storage, and other water facilities consistent with the nature of the use.
- Development of a hold / corner center on Lot 4, Block 1, shall be subject to design review and a Planned Unit Development for said Lot 4, Block 1.



**ENGINEERS, Inc.**  
ENGINEERS/SURVEYORS/PLANNERS

TWIN FALLS, CANYON PARK NORTH BL

**CANYON PARK WEST NO. 1 SUBDIVISION**  
A PLANNED UNIT DEVELOPMENT

LOCATED IN  
SW<sup>4</sup> SW<sup>4</sup>, AND GOVT. LOT 3  
SECTION 34,  
TOWNSHIP 9 SOUTH, RANGE 17 EAST,  
BOISE MERIDIAN,  
TWIN FALLS COUNTY, IDAHO  
1998

- SUBDIVISION BOUNDARY LINE
- ROADWAY CENTER LINE
- BUILDING SETBACK LINE
- ENCLOSURE LINE
- SECTION LINE
- FOUND BRASS CAP P/W MOVEMENT
- SET 5/8" x 3/4" REBAR & CAP (LS 1000)
- SET 1/2" x 1/4" REBAR & CAP (LS 1000)

**WATER SYSTEM CERTIFICATE**

Permitted by Idaho Code 24-1324, I, Craig H. Nelson, do hereby state that the irrigation water system described herein is independent of the City of Twin Falls Irrigation Water System.

*Craig H. Nelson*  
City Engineer - Twin Falls, Idaho

**IRRIGATION CERTIFICATE**

Permitted by Idaho Code 24-1324, I, Craig H. Nelson, do hereby state that the irrigation water system described herein is independent of the City of Twin Falls Irrigation Water System.

*Craig H. Nelson*  
City Engineer - Twin Falls, Idaho

**HEALTH CERTIFICATE**

Sanitary restrictions as required by Idaho Code Title 24, Chapter 13, have been prepared. Sanitary restrictions are as independent as possible with Idaho Code Title 24, Chapter 13, Section 24-1324, by the issuance of a Certificate of Health.

*W. M. [Signature]*  
Date: 10/22/1998  
San. Control Report Health Dept., ID

**VEHICULAR ACCESS PROVISIONS**

- Access to Public Street from Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, shall be provided.
- Access to Private Street from Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, shall be provided.

LINE	BEARING	DISTANCE	CURVE	DATA
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**Date:** March 27, 2012

RECEIVED  
MAR 28 2012  
CITY OF TWIN FALLS  
PLANNING & ZONING

**To:** City of Twin Falls  
Attn: Jackie Fields  
Renee' Carraway

**From:** Gerald Martens 

**Via:** Hand Deliver

**Regarding:** Canyon Park West

Transmitted herewith the revised preliminary plat reflecting the "roundabout" intersection. The developer has elected to proceed with the "roundabout" concept through the preliminary plat phase anticipating that the roundabout as depicted will be approved by the City of Twin Falls Engineering Department and be acceptable to the Canyon Park development purchasers and tenants.

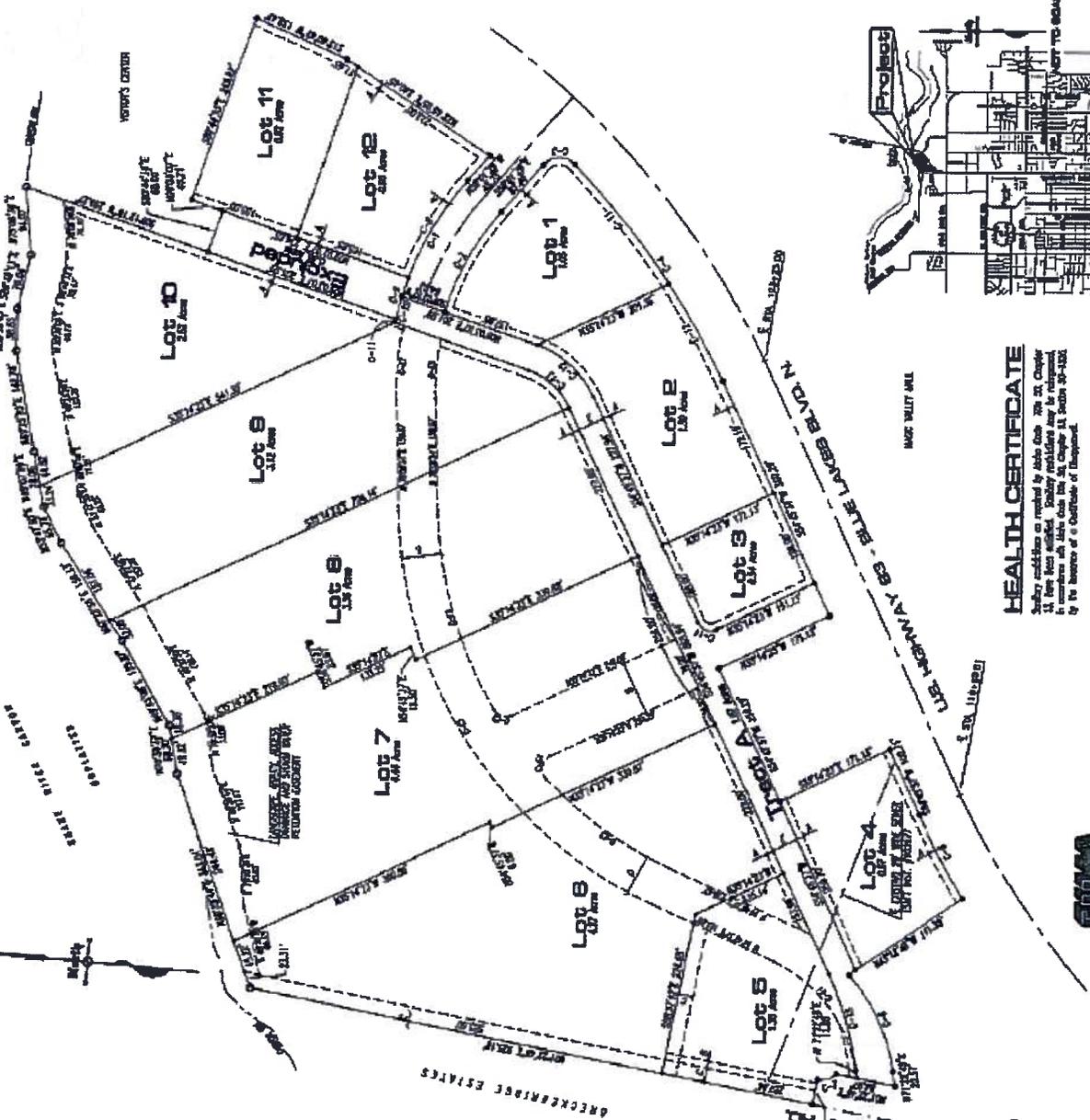
Should the turnaround, shown on the preliminary plat, prove to be unacceptable to the city engineering department or the tenants, Canyon Park, LLC reserved the right to work with the City of Twin Falls Engineering Department in the design and construction of a conventional urban intersection that will accommodate the current and projected traffic.

Also attached is a reduced plan that will be suitable for use with the overhead projection and inclusion in staff reports.

Please call me if there are further questions.

369-11

**CANYON PARK AMENDED SUBDIVISION**  
 A REZONING AND RESUBDIVISION OF  
 A PORTION OF  
 CANYON PARK NORTH SUBDIVISION  
 AND A PORTION OF  
 CANYON PARK WEST NO. 1 SUBDIVISION  
 LOCATED IN  
 SW¼ BW¼, AND GOVT. LOT 9  
 SECTION 34,  
 TOWNSHIP 9 SOUTH, RANGE 17 EAST,  
 BOBBE MERIDIAN,  
 TWIN FALLS COUNTY, DAHO  
 2018



**CURVE DATA**

CHPT	BLDG	BEARS	ARC	CHORD	CHORD BEARING	CHORD	CHORD BEARING
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23	101.00	101.00	0.00	0.00	N 0° 00' 00" E	0.00	N 0° 00' 00" E
24	101.00	101.00	0.00	0.00	N 0° 00' 00" E	0.00	N 0° 00' 00" E
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**EASEMENT LEGEND**

- A 1" WIDE ACCESS AND DRAINAGE EASEMENT
- B 1" WIDE ACCESS AND DRAINAGE EASEMENT
- C 2" WIDE ACCESS AND DRAINAGE EASEMENT
- D 3" WIDE ACCESS AND DRAINAGE EASEMENT
- E 4" WIDE ACCESS AND DRAINAGE EASEMENT
- F 5" WIDE ACCESS AND DRAINAGE EASEMENT
- G 6" WIDE ACCESS AND DRAINAGE EASEMENT

**LEGEND**

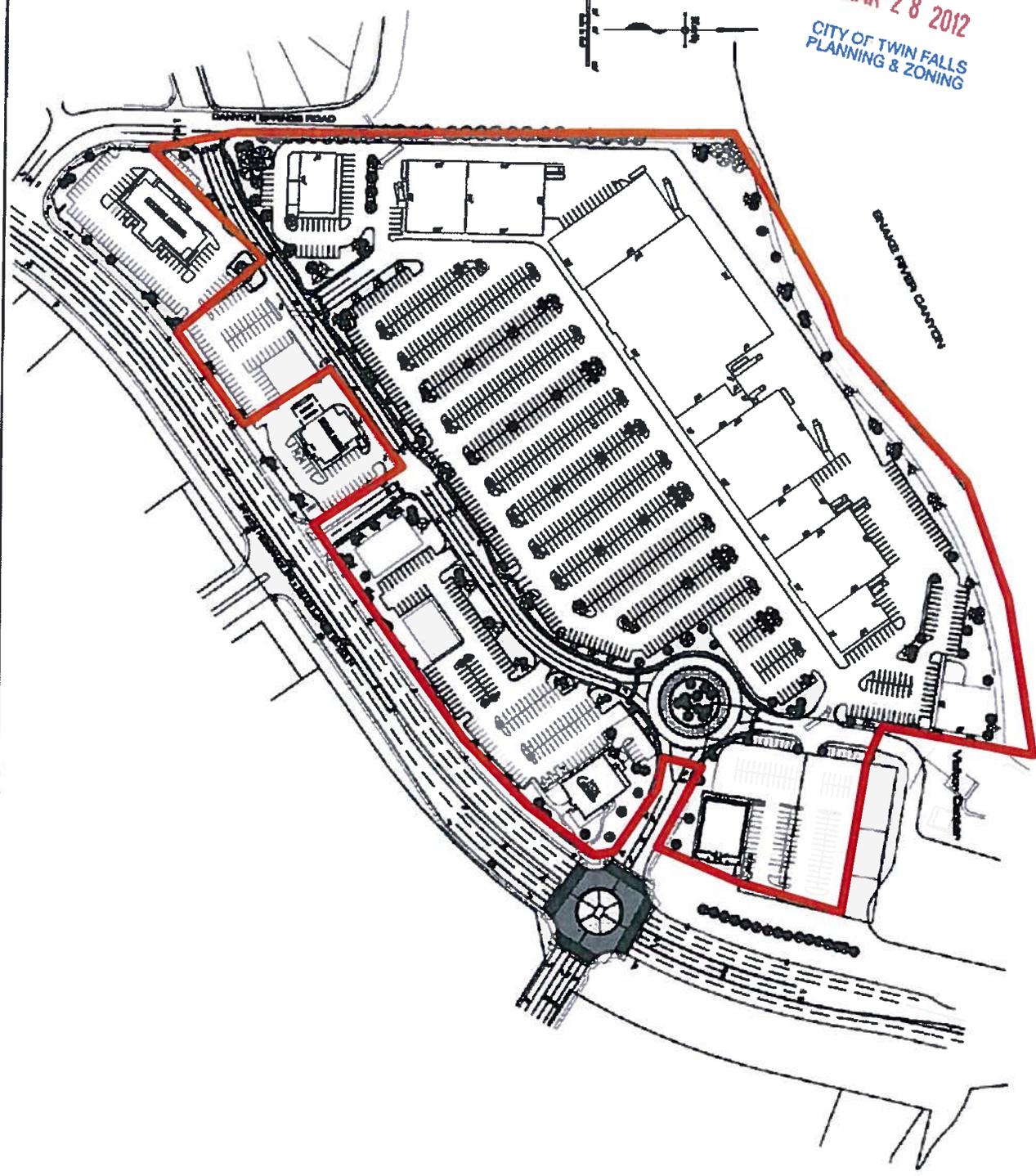
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- 29" WIDE ACCESS AND DRAINAGE EASEMENT
- 30" WIDE ACCESS AND DRAINAGE EASEMENT

**HEALTH CERTIFICATE**  
 Health certificates as required by Idaho Code 24-201, Chapter 21, Part 1001, shall be obtained. Sanitary conditions may be maintained in accordance with Idaho Code 24-201, Chapter 21, Section 24-201-1001, by the issuance of a Certificate of Disposal.

**Engineers, Inc.**  
 ENGINEERS/SURVEYORS/PLANNERS

TWIN FALLS, DAHO

RECEIVED  
MAR 28 2012  
CITY OF TWIN FALLS  
PLANNING & ZONING



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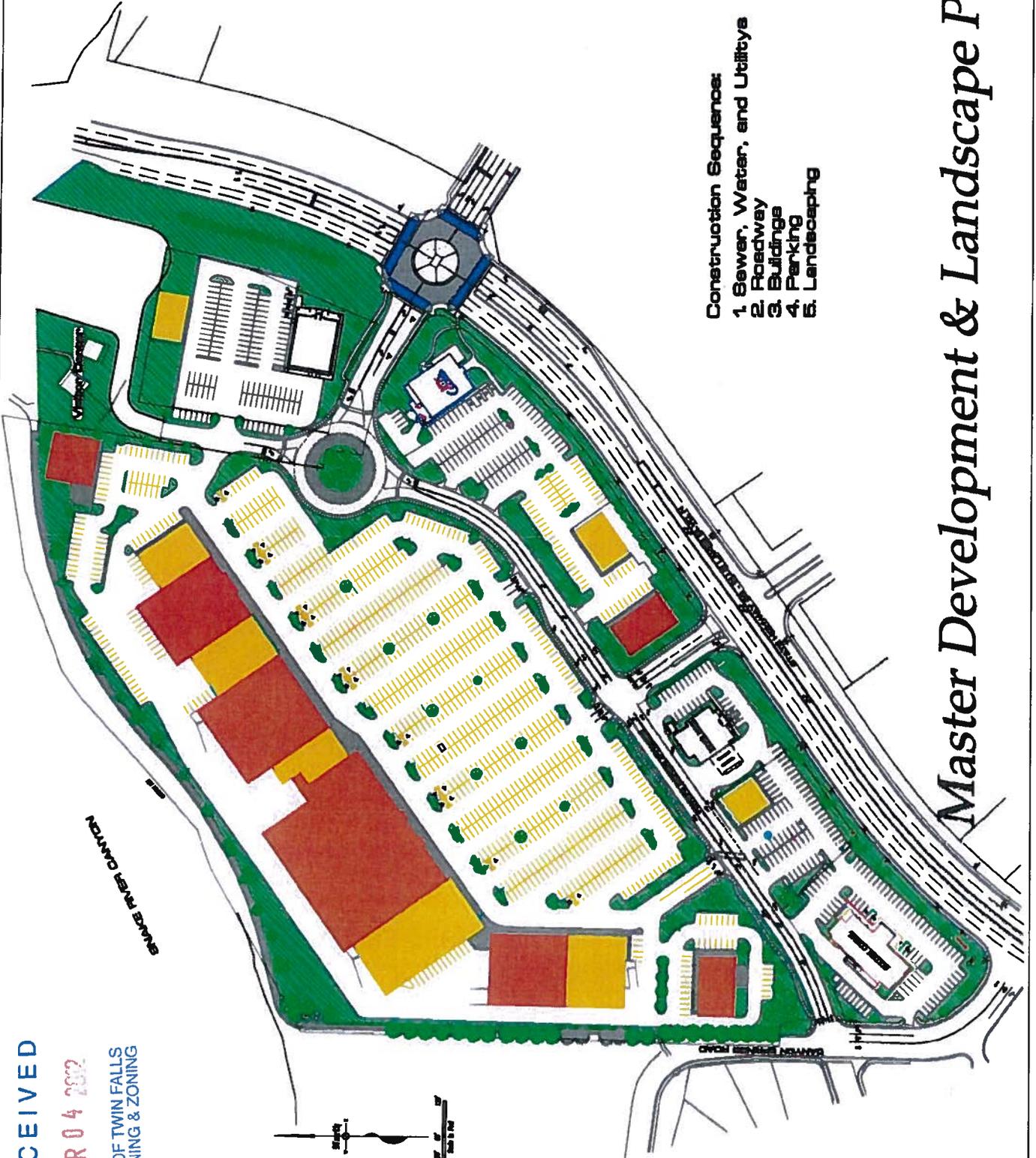
Preliminary Development Plan For  
**Canyon Park Amended Subdivision**  
Twin Falls, Idaho

**BEEM** Engineers Inc.  
1001 W. Broadway, Suite 100  
Twin Falls, Idaho 83401  
208.735.1234  
www.beemeng.com

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CITY OF TWIN FALLS  
PLANNING & ZONING



- Construction Sequence:**
1. Sewer, Water, and Utilities
  2. Roadway
  3. Buildings
  4. Parking
  5. Landscaping

# Master Development & Landscape Plan

**EHM** Engineers Inc.  
 801 N. COLLEGE RD. SUITE 100  
 TWIN FALLS, ID 83402  
 TEL: 208.338.1234 FAX: 208.338.1235

Master Development Plan For  
**Canyon Park Amended Subdivision**  
 Twin Falls, Idaho

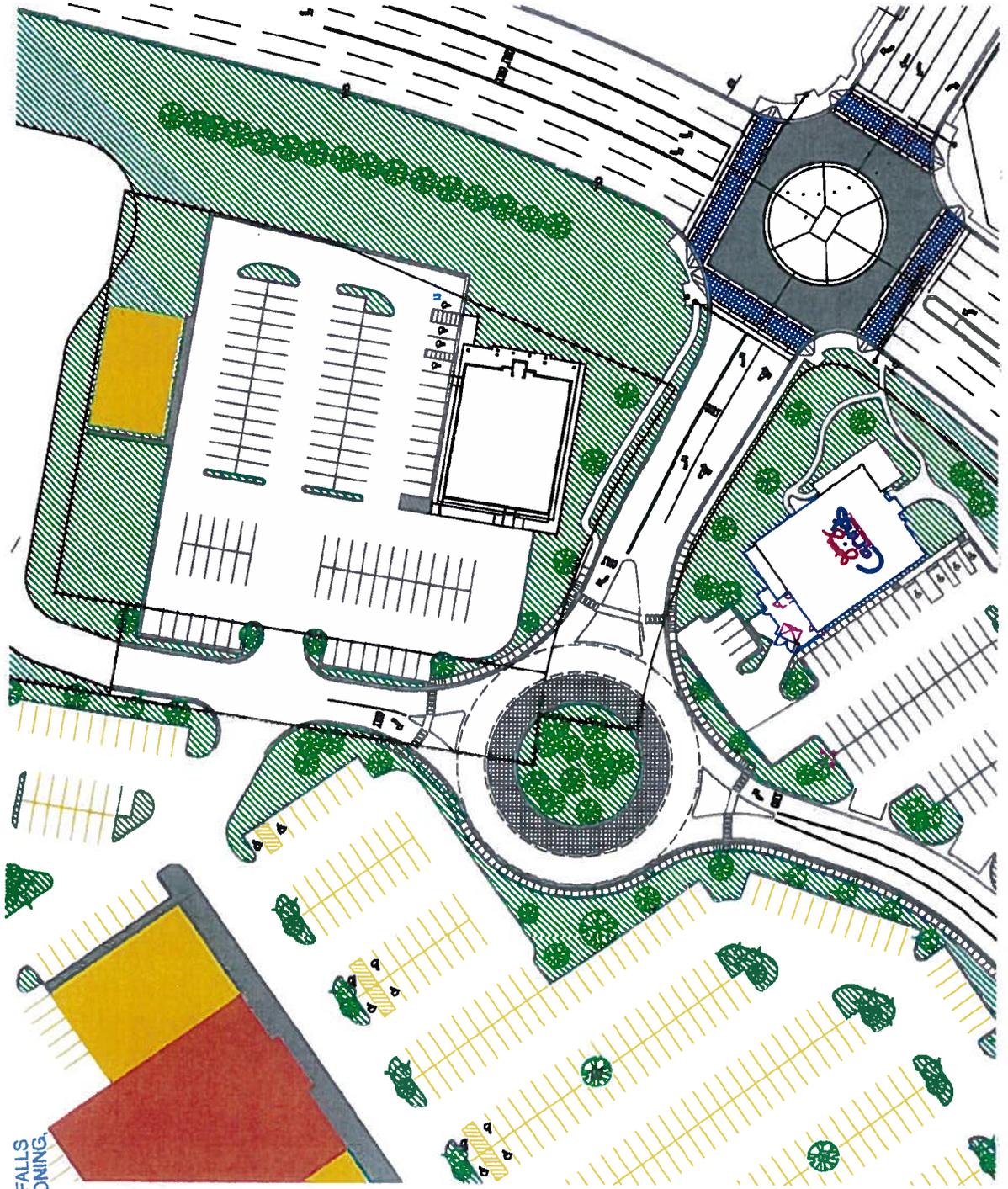
DATE: 10/15/01  
 DRAWN BY: J. W. WILSON  
 CHECKED BY: J. W. WILSON  
 APPROVED BY: J. W. WILSON

NO.	DATE	DESCRIPTION
1	10/15/01	PRELIMINARY
2	10/15/01	REVISED
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10	10/15/01	REVISED

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APR 04 2012

CITY OF TWIN FALLS  
PLANNING & ZONING





Canyon Park North Subdivision



Canyon Park North Subdivision



Canyon Park West Subdivision – looking at the north side of Golden Corral



Canyon Park West Subdivision – looking at the south side of Johnny Carino's

Rec-  
3-11-2012  
C

email  
3-11-2012

Box 685  
Picabo, Idaho 83348  
March 12, 2012

RE: Public Hearing on Nielsen Development Zoning Change and Vacation of  
Fillmore Street– P&Z Meeting – March 13, 2012

We, Rob Struthers and Katie Breckenridge, do not oppose the developer's request for a zoning change or the vacation of Fillmore Street. However, we have strong concerns for the pressure on Canyon Springs Road with the numbers of people that this development will bring to the area. The hotel is a final destination for people. The activities in the canyon – golf course, zip line, water activities, music events, Pillar Falls, Sewer Plant, Centennial Park etc. - are added attractions for visitors who will stay at the hotel and for events that will be book into the convention center.

We own approximately 900' of the wall/rim property directly above the Canyon Springs Road. The pictures show the potential threat of the wall collapsing onto the road way and our "draft proposal" addresses our WIN/WIN solution to this dangerous situation. The City of Twin Falls has already done a study with Strata Engineers from Boise on the stability of the canyon wall above Canyon Springs Road. Their findings support our concerns.

We feel that the Canyon Springs Road has public safety issues and that the general public should be made aware of them. Again, we do not oppose the applicant's request but believe that as more people are drawn to the area, the road safety must be addressed.

Please read this letter, our "draft proposal" and show the pictures of our property during the public hearing portion of the March 13,2012 P&Z meeting.

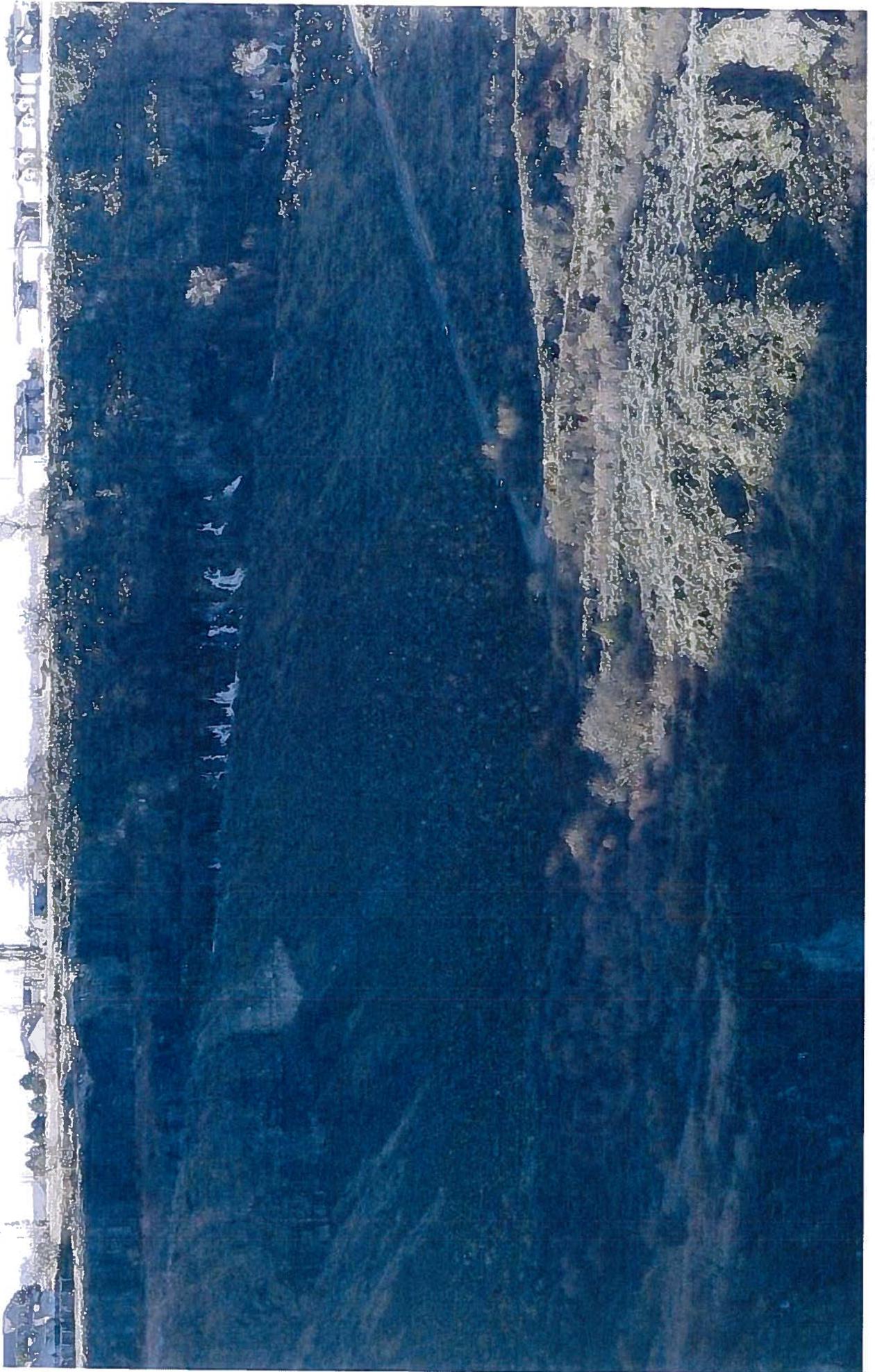
Sincerely,

Rob Struthers    Katie Breckenridge

①







Box 685  
Picabo, Idaho  
March 2, 2012

## **DRAFT PROPOSAL**

### **BRECKENRIDGE/STRUTHERS CANYON SPRINGS ROAD/WALL PROPOSAL**

Katie Breckenridge and Rob Struthers offer the following proposal for a permanent solution to the stabilization of the canyon wall, the connection of the Canyon Rim Bike path across their property, the widening of Canyon Springs Road down into the canyon and the building of a pedestrian path beside the Canyon Springs Road down the canyon:

1. Breckenridge/Struthers will agree to sell the amount of canyon wall/rim to the City of Twin Falls that is needed for this project.
2. The canyon wall will be terraced to allow for stabilization of the wall above the Canyon Springs Road.
3. The 1<sup>st</sup> level of terrace will be low enough so that it is impossible for anyone to access the Breckenridge/Struthers property from this level and the bike path will be connected that currently ends at their east and west boundary lines.
4. The material obtained from terracing the wall will be used to widen the Canyon Springs Road that is directly under the Breckenridge/Struthers property.
5. The amount of material gained from the wall stabilization will also be used to construct a walking path along the Canyon Springs Road.
6. Breckenridge/Struthers will be allowed to develop their property into 7 lots (each lot more than 1 acre) and will not be annexed into the City of Twin Falls. They will also be allowed to develop individual wells for each lot. They will connect to the City sewer system if they are required to do this. Test septic holes have already been established on their property.
7. All aspects of this proposal must come together at the same time.
8. Breckenridge/Struthers will be allowed to continue to irrigate their property with Twin Falls Canal Company water.
9. The City of Twin Falls will pay for any and all professional fees including but not limited to legal, engineering, liability insurance, etc. and all

constructions costs.

10. JUB Engineers will do the engineering work. They have been the Breckenridge's engineering firm and they worked with Strata Engineers, Boise, who did the rim stabilization study for the City of Twin Falls.
11. Breckenridge/Struthers will have strong input on the work that is done on their land and every effort will be made by all parties to minimize the damage done to their property.

---

Katie Breckenridge

---

Rob Struthers

## General Inquiry/Request for Service/Complaint Form

#137

Category: City  
 Priority: 3  
 Assigned To: Williams Mike  
 Submitted: 4/4/2012 10:42 AM  
 Source: Website 174.27.73.98

### SUBMITTER

**Laura Peterson**  
 Mountain View Dr.  
 Twin Falls, Id 83301

[View Request](#)

### CONTACT

[laurapeterson2003@yahoo.com](mailto:laurapeterson2003@yahoo.com)  
 (208) 731-0869

### REQUEST DETAILS

#### Description

Please complete the online form below to submit your request.

#### Contact Information

Name

**Laura Peterson**

Address

**Mountain View Dr.**

State:

Id

Zip

**83301**

Home Phone Number

**(208) 731-0869**

Daytime Phone Number

**(208) 731-0869**

Email Address

**[laurapeterson2003@yahoo.com](mailto:laurapeterson2003@yahoo.com)**

#### Please Specify General Inquiry, Request for Service or Complaint

I read the "Letter to the Editor" in Saturdays Times News written by Barbara Beck. I am writing to voice my objection to the proposed plan for the Big Box store as she described it in her letter. I have NO Problem with a development taking place in that area of town. It is only expected that that partial of land will be developed. But I DO OBJECT to the back side of any of the stores face the canyon rim and trail area. I am a frequent user of the Canyon Rim Trail and would hate to see the back side of retail stores when using the trail or approaching our beautiful city from the Perrine Bridge. I think it only fair that any new development must have to meet the standards and tone set by the stores built where Best Buy is located. PLEASE stick to your guns and take some time and enforce strict guidelines on any development that is proposed along our precious canyon and trails.

Thank you.

Laura R. Peterson

Frequent user of the Canyon Rim Trail and Proud citizen of Twin Falls.

②

2 April 2012

Dear City Council Member Jim Munn,

We have to agree with the reader comment from Barbara Beck in the March 31 edition of the Twin Falls Times-News. The plan for the Canyon Rim Development must be scrutinized for many things.

Abandoning a street or right of way is an irreversible step that may be regretted later. It is obviously very important to plan for traffic flow through this shopping area, especially when the canyon visitor center is part of the mix. As Ms. Beck notes, recreational vehicles and large delivery trucks make for tricky business when trying to plan for their travel and parking.

The area of greatest concern for us is the space between the development and the Snake River Canyon. A much larger "greenspace" should be required here for the recreational use by our citizens and visitors. The situation at the office and retail businesses further west along the canyon comes to mind, where the buildings loom over the canyon with hardly space enough for the walking trail. When we are on that trail we're not sure if it is public or private property. It is a great view for the patrons of Elevation 486, but at what cost to the public?

The picture painted by this development as viewed from the north side of the canyon is the "first impression" for everyone entering our town for the first time, tourist and prospective investor alike. As they say, you only get one chance to make a first impression.

As citizens who use and enjoy walking along the canyon, we do not look forward to walking along a high retaining wall at the back of a store, or walking beside dumpsters, or walking by a row of delivery trucks / company trucks. A row of small trees in a narrow space between the business and the walking trail is not acceptable. I call to your attention the back of Norco, facing Poleline Road – it's hardly impressive or hiding what is there at the back of that business.

This is a big decision that will affect our city, its citizens, and visitors for many years to come. Please think carefully.

Respectfully submitted,  
Jeff and Phyllis Lotz



860 Sunrise Boulevard North  
Twin Falls, Idaho

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BY: \_\_\_\_\_

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Twin Falls City Council Members

305 Third Avenue East

Twin Falls, ID 83301

DF  
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I read with much interest Barbara Beck's Reader Opinion in Saturday, March 31, 2012 Times News.

I totally agree with Barbara that a large Box Store would be not be appropriate on the piece of property mentioned in the article. I either ride my bicycle or walk on the paths several times a week and it is very lovely with nothing on that property. My vote would be to keep the property the way it currently is. The path and the College of Southern Idaho are two of the best assets we have in Twin Falls.

It would be of great benefit to the population now and future generations to keep open property and make more parks.

Thank you.

*Joyce Ballard*  
Joyce Ballard

1413 Julie Lane

Twin Falls, ID 83301

208 733-8881

davnjoy@yahoo.com

4

To whom it may concern,

I recently read the article in the Times- News written by Barbara Beck about the possibility of a Big Box Store Retailer locating Southwest of the Perrine Bridge, near to Canyon Rim Walking Path.

Simply stated, I am totally against this type of development on the Canyon Rim. My experience from watching people is that they will go to Stores almost no matter where they are built to save a buck, find the items they want or just because it is part of their recreational /social activities.

This being said, I understand the power of Big Box Stores and that the City of Twin Falls may not have the power to keep them from "setting up shop" in our town. This may be especially true where existing zoning allows such business or where there is a reasonable chance that variances can be granted.

I love the Canyon Rim Trail and use it frequently. There is becoming less and less "Green Space" on the South side of the path almost every year. Once it is gone, it will never return.

If there is no way to stop another Big Box Store Retailer from building on the Canyon Rim where Ms. Beck talks about in her article , then may I offer a two part suggestion. First, is a set back from the Canyon Rim Path of 100ft min. Second, is a densely forested and vegetated large berm that covers the back of the building and its property. I appreciate the look on the back side of COSTCO. I would vote for something deeper and denser.

I appreciate your efforts. I know making decision in city development is not always easy.

Sincerely,



Dave Duhaime , 1413 Julie Lane

Twin Falls, ID 83301

Phone: 733-8881

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**MINUTES**  
**Twin Falls City Planning & Zoning Commission**  
**Tuesday, March 13, 2012-6:00 PM**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301**

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Wayne Bohrn    Jason Derricott    Tom Frank    Kevin Grey    Terry Ihler    V. Lane Jacobson    Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore    Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISON**

Rebecca Mills Sojka    Jim Munn

**ATTENDANCE**

**PLANNING & ZONING MEMBERS**

**PRESENT:**

Bohrn  
Frank  
Grey  
Jacobson  
Sharp

**ABSENT:**

Derricott  
Ihler

**AREA OF IMPACT MEMBERS**

**PRESENT:**

DeVore  
Woods

**ABSENT:**

**CITY COUNCIL MEMBERS PRESENT:**

Jim Munn

**CITY STAFF PRESENT:**

Anderson, Carraway, Reeder, Vitek, Wonderlich

**AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING**

**IV. ITEMS OF CONSIDERATION:**

None.

**V. PUBLIC HEARINGS:**

1. **Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)**
2. **Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)**
3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507) **WITHDRAWN**
4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)
5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

**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. ELECTION OF OFFICERS:**

1. Election of Officers:

**MOTION:**

Commissioner DeVore nominated Wayne Bohrn for Commission Chair. Commissioner Sharp seconded the motion.

**MOTION:**

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Commissioner Sharp nominated Lee DeVore for Commission Vice Chair. Commissioner Jacobson seconded the motion.

2. **Introduction of New Commissioners:**

Chairman Bohrn introduced the new members appointed to the Planning and Zoning Commission. Kevin Grey is representing the City. Steve Woods will be representing the Area of Impact. Tom Frank has been on the Commission previously and is starting a new appointment representing the City.

III. **CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): **February 14 & February 28, 2012**
2. Approval of Findings of Fact and Conclusions of Law:
  - Lazy J – SUP (02-14-12)
  - Spencer Williams – SUP (02-14-12)
  - Staker Parson Companies, dba Idaho Concrete Company – NCBEP (02-28-12)
  - Patrick A. Bourner – SUP (02-28-2012)

**MOTION:**

Commissioner DeVore made a motion to approve the Election of Officers and the Consent Calendar, as presented. Commissioner Sharp seconded the motion.

**THE ELECTION OF OFFICERS & THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED**

III. **ITEMS OF CONSIDERATION:**

NONE

IV. **PUBLIC HEARING ITEMS**

**Chairman Bohrn stated that the first two public hearing items would be heard at the same time as they dealt with the same property. Separate motions would be made for the individual applications.**

1. **Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)**
2. **Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)**

**APPLICANT PRESENTATION:**

Gerald Martens, representing the applicant, Canyon Park LLC, introduced the request. He gave a history on the property. The request is the first step- zoning has to be appropriate for what they propose to do. Secondly they want to do some realignment of Fillmore St by vacating the existing right-of-way. Any vacation is conditioned and will not occur until after the new roadway is dedicated as a parcel and the road is constructed. Then the roadway will be vacated and traffic moved to the new alignment.

Canyon Park consists of three parts- Canyon Park East consists of everything east of the bridge and Blue Lakes Boulevard and is the area that includes Best Buy and Old Navy. Canyon Park West was originally platted in 1995 and it consisted of the parcels primarily located along Blue Lakes. It was partially developed- Outback, Johnny Carino's, and Golden Corral, along with Fillmore being built. Canyon Park North consists of the area north of Fillmore St. It was proposed during 2000-2005 as a space for retail with the largest component being a convention center and hotel. That required some amendments to City ordinances and it was a lengthy process. During that time the developer was busy developing the east side property. At the time the developer started looking to the west side the market came to a halt and the demand for retail space dried up. New development has addressed the convention center component such as Canyon Crest and Elevation 486. Additionally several larger new hotels were developed that took up the hotel demand that existed in the early 2000's.

The sewer, water, and infrastructure are substantially there. They now have interest to bring this back as a project. They are proposing Canyon Park North and Canyon Park West as a single plat. He oriented the Commission and audience to the Master Development Plan. The proposal is for a series of retail buildings along the perimeter, a hospitality pad on the north canyon corner near the visitors' center, and some additional sites filling in along Blue Lakes. It will be a sum total of twelve (12) lots or parcels.

To accomplish this plan, Fillmore Street will be relocated along the rear of the buildings along Blue Lakes. They will work with staff to make some improvements to the connection at Canyon Springs Road. The accesses off of Blue Lakes will not be changed or relocated, just the roadway within the project.

The other component of the official request is to get the zoning to the C-1 CRO PUD. They are combining the two PUDs to one that will address all the issues. There were some key components of the project that were important to staff and neighbors 10-15 years ago-

1. There is row of large trees on the west end of the property. It was very important at the time to have those trees in place as a buffer to the Breckenridge Homeowners Association.
2. The trail was developed at that time that connects to the trail system. It will stay in place and/or be enhanced. Screening will occur where necessary. There are a lot of trees and buffering installed and that will be addressed in the PUD.
3. Architectural standards have been modified only to match Canyon Park East. The architectural features developed in Canyon Park East- stone facades, roof alignments, hip roofs, architectural features- will be the standard for this development. All truck docks and dumpsters will be screened. The lighting and signing standards will be revisited. We have spent significant time working with staff on signage standards. There will be no pylon signs, only monument signs.

Since our last meeting since we made our presentation two weeks ago, staff has approached us about enhancements to address the traffic issues- to not just replace the roadway but improve it. At Canyon Springs and Fillmore intersection they would eliminate some of the dip approaching Fillmore and make that traffic flow smoother and improve access onto Canyon Springs Rd. The intersection at Bridgeview and Fillmore was initially proposed as a conventional "T" intersection with a free-running right. It has been redesigned with the possibility of a roundabout. Bridgeview Blvd would come west into a roundabout that would allow no stop conditions. Traffic into the visitors' center would have a very smooth 100' radius that would allow for motor homes, travel trailers, and vehicles pulling trailers to make it into the site. Outback Steakhouse will lose a minor amount of parking that will be replaced. Traffic wishing to continue down Fillmore will go around the roundabout. There will be a free-running right from Fillmore to the intersection at Bridgeview. They have reviewed this with staff; the developer thinks it will work. The retailer is cautiously responsive. There is some apprehension about customers taking on something different. They want to be convinced that it will run smoothly. They will do the required traffic studies to show the developer and staff that it will work and traffic will be able to be accommodated.

In conclusion they are here for the two issues. They are requesting the vacating and rededicating of Fillmore St- one of the conditions that they have agreed to is that the road will not be vacated until the new roadway is completed and traffic is moved over.

Secondly, they are addressing the property zoning. A section was withheld previously because of the hotel component; they would like to rezone it to the C-1 zone that is supported by the Comprehensive Plan.

**STAFF PRESENTATION:**

Zoning & Development Manager Carraway stated this is a request for two separate items. The Commission will be asked to make two separate motions for recommendations that will automatically go on to the City Council.

Ms. Carraway reviewed the exhibits on the overhead and oriented the Commission and audience to the project. She pointed out the property zoned SUI- Suburban Urban Interface, part of the request is to rezone the property to a C-1 CRO PUD. The SUI portion was left out as there were questions on the development of the property at the time. The request is to rezone the whole 25 acre area and combine it under one (1) planned commercial/retail development, C-1 zone in the Canyon Rim Overlay (CRO) zone.

The second portion of the presentation was on the vacation request. Fillmore Street, a public street, is proposed to be rerouted and dedicated as a private easement. It will include utilities and public use. The City wants to ensure that it maintains proper usability. There will be a specific agreement attached to this street that will require property owners to be responsible for maintenance. It will look like a public street with sidewalks and landscaping. It is agreed upon by the developers and staff that the new Fillmore Street would be developed prior to the vacation of the existing public right-of-way if approved by the City Council.

The plan in the Commission's packet is outdated as staff has worked with the applicant to alleviate some concerns that came up during the preliminary presentation. At this point the design does comply with a lot of concerns staff had with the design of the plan.

Part of the PUD Agreement will include typical verbiage for development of the buildings and compliance with the minimum standards of the C-1 and CRO zones. In discussions with the developer there will be enhanced landscaping along the northern part of the property, the canyon rim to enhance the public trail system. It will be comparable to the existing Canyon Park East development. There is a lot of work being done to protect the aesthetics of the backside of this project for the public to continue to walk along there. There will be enhancement on the landscaping along Blue Lakes Boulevard and Fillmore St. There is a canyon rim setback of one hundred feet (100') or fifty feet (50') if there is an approved geological study. There is not a geological study at this time so the standard would be a 100' setback. Building exterior colors are to be consistent with the Canyon Park East- muted earth-tone colors with accent colors. The verbiage states that there cannot create a continuous solid vertical or horizontal stripe and accent colors cannot take up more than 10% of the exterior wall face. It was indicated that roofs and mechanical equipment will be consistent with Canyon Park East.

The proposed Master Development Plan does comply with the current Comprehensive Plan that indicates this property is appropriate for commercial/retail development.

The process regarding a request for a zoning district change and zoning map amendment and a request for vacation require a public hearing before the Planning and Zoning Commission. It allows the public to come and comment. It is noticed in the paper so that anyone who is not within 300' and does not receive notice can be made aware and come to the public hearing if they would like to. The Commission is asked to make a recommendation on both of the items separately. After receiving a recommendation from the Commission, the request automatically goes to the City Council, who shall hold an additional public hearing and if the request is approved it would be required to be completely replatted.

**Upon conclusion, the Commission is asked to make two (2) motions:**

**Should the Commission recommend the C-1 CRO PUD zoning to the City Council, as presented, staff recommends the following conditions be attached:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

**Should the Commission recommend approval of the request to vacate Fillmore Street 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 letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

There was a letter submitted to the Commission that Ms. Carraway posted on the projector from Katie Breckenridge and Rob Struthers.

**P&Z COMMENTS/QUESTIONS:**

- Commissioner Frank- Is there a difference in the uses between the C-1 PUD as it currently is on the property and the C-1 CRO zoning proposed?
- Gerald Martens said there will not be a change to the uses. They are accepting a more restrictive zoning regarding development standards. Lighting and other standards are more specific. Uses will not change. Also, he wanted to state that he agrees to the conditions of staff recommendations on both requests. All mechanical equipment will be screened from the highway and from the trail. They are not asking for any further geological setback. Also, they will provide additional parking near the trail for public access to the trail.
- Commissioner Bohrn- In reference to Katie's letter, is the hotel included?
- Gerald Martens- The hotel is no longer part of the plan. They will be working with staff to improve the access onto Canyon Springs Road in any way that they can.
- Commissioner Frank- Why are they requesting a vacation? Why not have the City maintain ownership?
- Gerald Martens- It would be running through the project so the City wouldn't want to maintain that. There will be easements. The other reason for vacating the right-of-way is because there are all kinds of issues in regards to setbacks and requirements along right-of-ways. There will be

development and they will maintain and enhance traffic capacity. There are adding width to the roadway section for turn lanes to get in and out of businesses. There will be turn lanes and turn bays. Traffic entering from either side of the street can do that through turn lanes and not impede through traffic. The projected traffic for this project is actually less than the original proposal because it has less square footage than the proposal with the hotel but the background traffic has grown on the roadway in the last ten (10) years due to other growth in the community.

- Commissioner Woods- For clarification, on the north side of the buildings will there be any glass that would cause glare to motorists on the bridge?
- Gerald Martens- No, it will be the back of the buildings and there will be virtually no glass. But it will not be a stark, flat commercial wall. It will have an attractive architectural finish.
- Commissioner Steve Woods- In his travels he has seen some wonderful roundabouts. He would encourage them to err on the side of making a larger radius so that traffic doesn't have to slow down inside it.
- Gerald Martens- In his study it is the traffic getting in and out of the roundabout that is important. If you have to slow down too much to get in or out then it impedes the efficiency of the roundabout. They will be taking the turning radius into the Outback and visitors' center area from 30' to 100'. This will make movement much smoother, unimpeded and smooth-flowing. The movement important to his clients is getting in and out of the shopping center. The community will want to easily get in and out of the visitors center. It is important that the traffic keep moving.
- Commissioner Steve Woods- Roundabouts can be very effective.
- Gerald Martens- They can be very effective, just a learning process.
- Commissioner Steve Woods- Since the new road is basically a private lane, will the road maintenance include snow removal?
- Gerald Martens – Yes, it would be maintained along with the parking lots. It will get first attention and may get quicker attention than by the City or State because of the many miles of roads they have to attend to.
- Commissioner Woods- The intersection at Canyon Springs Road and Fillmore Street is not a 90 degree intersection and it can make it difficult to see traffic coming from all directions.
- Gerald Martens – He doesn't believe there is anything they can do; it is at 70 degrees which is allowed. What they can do is improve the radiuses which make the turn movement easier without crossing into other lanes which will add some safety. The city would like to know what can be done there, as part of the reconstruction project using the land available.
- Commissioner Grey- Has it been discussed to make it a four-way stop?
- Gerald Martens – It is something the City has looked at. It has been discussed. It would have to come from the City Engineering department to put in stop signs.
- Commissioner Frank- Vacations are very serious because you are giving up rights that you can't get back again. Do we have any other collector roads that we have vacated before?
- Planning and Development Director Carraway- Not that I can remember but there has not been a development like this and this is a unique situation.
- Commissioner Frank- His concern is in giving up the legal ownership of a road. There will be some legalities written in for maintenance and the snow removal sounded good. His main concern is about giving up legal ownership of a road in an important part of our community.
- Gerald Martens – The City will not be giving it up until the new one is provided and constructed and it will be like getting a new road that they don't have to pay to maintain.

**PUBLIC HEARING: OPENED**

- John Lezamiz, 847 Canyon Springs Road- In favor of developing the property- he thinks it is a great project and the property needs to be developed. He does have some concerns on the vacation of the road and the new alignment that is proposed. He showed a map on the overhead projector that had the existing road and the proposed road. Presently we have a three-lane road that is 49' wide with one lane in each direction and center turn lane along whole length. When you come off the

bridge and you turn off the intersection you have a wide, long aesthetically pleasing road. It has great traffic carrying capacity. The proposal is that we would take the road that currently goes straight and they are changing it to a 90 degree turn. A one-lane roundabout becomes a bottleneck. In his mind, the road that we have presently is far superior. The proposal for the rezone for the PUD should be approved but the abandonment of Fillmore Street should be opposed. Would I rather have a roundabout or a road that goes straight? There is a possibility of a win-win situation. You can have the development and leave the existing road. The proposed road just causes problems.

**PUBLIC HEARING: CLOSED**

**CLOSING STATEMENTS:**

Gerald Martens- They have worked hard on the options with the City for the roadway. They have flattened the road and made some alignment improvements in addition to the roundabout. We are on record with staff that we will provide them with the necessary traffic studies that they are not going to diminish capacity but enhance it. We are adding turn lanes to make it safer. He suggests that the City Engineer's representative comment on it if there are questions. We looked at the alternative and it fragmented parking. This is what the market is showing is desirable and this is what the developer is willing to pay for. It will be safer than what currently exists. They will commit to working with the Engineering Department. This change is integral to the plan that they have presented.

**DELIBERATIONS FOLLOWED:**

- Chairman Bohrn requested Assistant City Engineer Troy Vitek comment on the presentation.
- Assistant City Engineer Vitek- When Engineering first saw this there were concerns about the intersection. He is for roundabouts but thinks that there is a matter of education. The City Engineer is very adamant about carrying capacity there and she set speed requirements for the roundabout. The roadway is three lanes and without the roundabout it has a sharp turn and the development could have a lot of approaches where people have to really look to maneuver onto the road. In this case the approaches are squared off and there is a lane for people to turn. People will be able to exit and not gain speed then have to stop abruptly when someone is slowing to anticipate a turn. They are interested in the concept with the recommendation that it be completed before existing road is vacated. It will take some education but staff is receptive to it.
- Commissioner Woods- The issue of leaving Fillmore as it is creates a traffic and pedestrian safety problem because it splits the parking lot. In regards to education, in his experience with roundabouts such as Anacortes, Washington, hundreds of cars come from all around town and manage. They meet at the roundabout- people pulling trailers- people that have never seen roundabouts are able to handle it.
- Commissioner Frank- He is still concerned about the vacation. Fillmore Street is not a road to nowhere, it is an active road. Giving up the legal rights to a road that is in use really bothers him.
- Chairman Bohrn- He has encountered a few roundabouts- he is sure that traffic can move very well through it. In the past new subdivisions try to meander the roads to control the traffic and speed. This road is not set up to be a speedway. He has a problem giving up the road, but on the other hand they will be taking care of the maintenance and save the City money.

**MOTION #1:**

Commissioner Frank made a motion to approve the request for a zoning district change and zoning map amendment, as presented with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

**RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED,  
WITH THE FOLLOWING CONDITIONS:**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) being rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.

**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**

**MOTION #2:**

Commissioner Woods made a motion to recommend approval of the vacation request to the City Council, as presented with staff recommendations. Commissioner DeVore seconded the motion. Commissioners Sharp, Woods, DeVore, and Grey voted in favor of the motion. Commissioners Jacobson, Bohrn, and Frank voted against the motion.

**BY A VOTE OF 4 FOR AND 3 AGAINST THE REQUEST WAS RECOMMENDED FOR APPROVAL  
TO THE CITY COUNCIL, AS PRESENTED, WITH THE FOLLOWING CONDITIONS**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation prior to approval by Council.
3. Subject to maintenance of a recorded easement for any constructed facilities on the property.
4. Subject to a recorded maintenance and unrestricted access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to approval of the rezone, PUD Agreement, Preliminary and Final Plat, and approval of the proposed realignment of Fillmore Street prior to development.
6. Subject to Fillmore Street (Private) being constructed and accepted by the City before the existing Fillmore Street (Public Right-of-way) is abandoned.

**CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012**