



Twin Falls City Council Agenda

Monday, December 6, 2021, 5:00 PM

City Council Chambers
203 Main Avenue East
Twin Falls, Idaho

Members: Suzanne Hawkins, Craig Hawkins, Nikki Boyd, Shawn Barigar, Gregory Lanting, Christopher Reid, Ruth Pierce

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) PROCLAMATIONS: None
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve November 29, 2021, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve Accounts Payable for November 25 thru December 1, 2021.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request to approve the Wells Fargo Credit Commercial Card for October 2021.
By: Amy Luna, Finance Administrative Assistant
 - d) **ACTION ITEM:** Request to approve a Trust Agreement for Sundance Subdivision No. 3, a PUD, placing all lots in trust.
By: Josh Baird, City Engineer
 - e) **ACTION ITEM:** Request to approve the Final Plat for the Fire Station #2 c/o City of Twin Falls. (PZ21-0181)
By: Ian Zollinger, City Planner
 - f) **ACTION ITEM:** Request to approve the Final Plat for the Sundance Subdivision No. 3 located north of 3500 North and west of Harrison Street South, extended. c/o EHM Engineers, on behalf of Gerald Martens. (PZ21-0183)
By: Lisa Strickland, City Planner
 - g) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing Calistoga Springs Subdivision No. 2.
By: Josh Baird, City Engineer

5) ITEMS OF CONSIDERATION

- a) **ACTION ITEM:** Request to confirm the Mayor's appointment of new members to the Impact Fee and Improvement Reimbursement Advisory Committee.
By: Jonathan Spendlove, Planning and Zoning Director
- b) **PRESENTATION:** Presentation of a \$1,000 check and a plaque to Mayor Suzanne Hawkins for winning the St. Luke's Magic Valley/Jerome Walking Challenge. The check will be donated to the Twin Falls Youth Council to be used to support their platform of teen suicide prevention.
By: Mayor Suzanne Hawkins
- c) **ACTION ITEM:** Request to approve FY22 Certified Local Government Grant application for submittal to attend the National Alliance of Preservation Forum 2022. c/o Historic Preservation Commission
By: Lisa Strickland, City Planner
- d) **ACTION ITEM:** Request to approve FY22 Certified Local Government Grant application for submittal to develop a Downtown Historic District Virtual Walking Tour. c/o Historic Preservation Commission
By: Lisa Strickland, City Planner
- e) **ACTION ITEM:** Request approval for Airport well improvement.
By: Jon Caton, Public Works Director

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)
By: Lisa Strickland, City Planner
- b) **ACTION ITEM:** Request for the annexation for property legally described as lots 5 and 6 of the Orchalara Subdivision. c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)
By: Ian Zollinger, City Planner
- c) **ACTION ITEM:** Request to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. c/o Jerry and Brenda Naylor. (app. PZ21-0156) **Rescheduled for December 20, 2021.**

9) EXECUTIVE SESSION

- a) **ACTION ITEM:** Executive Session 74-206(c) To acquire an interest in real property which is not owned by a public agency.

10) ADJOURNMENT

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Leila Sanchez (208) 735-7287 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Leila Sanchez al teléfono (208) 735-7287.

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall:
 - Wait to be recognized by the Mayor or Chairman
 - Approach the microphone/podium
 - State their name, and whether they are a resident or property owner in the City of Twin Falls, and proceed with their input.
2. The Mayor or Chairman may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. A City Staff Report shall summarize the application and history of the request.
 4. 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.
 5. 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 or Chairman.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) minutes per person.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, 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 or Chairman. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
 10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & Zoning Commission 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 or Chairman.



Twin Falls City Council Minutes

Monday, November 29, 2021, 6:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

****SPECIAL MEETING NOTICE****

The City Council meeting will start at 6 pm.

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Suzanne Hawkins, Vice Mayor Ruth Pierce, Council Member Craig Hawkins, Greg Lanting & Christopher Reid & Nikki Boyd.

Absent: Council member Shawn Barigar

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Mitch Humble, City Attorney Shayne Nope, CFO Breanna Howard, P&Z Director Jonathan Spendlove, City Planner Ian Zollinger, Human Resource Director Gretchen Scott, Finance Administrative Assistant Amy Luna.

Mayor Hawkins called the meeting to order at 6:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Hawkins invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS

4) CONSENT CALENDAR

MOTION: Council Member Hawkins moved to approve the Consent Calendar as presented. **Vice Mayor Pierce** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- a) Request to approve the 2022 Schedule of Regular Meetings & Public Hearings.
- b) Request to approve November 22, 2021, City Council Minutes.

5) ITEMS OF CONSIDERATION

- a) Request for the Twin Falls City Council to accept the Twin Falls County Canvassed election results for the November 8, 2021, election.
CFO Howard requested the Twin Falls City Council to accept the Twin Falls County Canvassed election results for the November 8, 2021, election.

Discussion ensued on the following:

City Manager Rothweiler: Explained the results.

MOTION: Council Member Lanting moved to approve the request to accept the Twin Falls County Canvassed election results for the November 8, 2021, election. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Council Member Hawkins talked about the Mustard Seed Food Bank.

Mayor Hawkins spoke about the Chobani food distribution & Christmas Parade that starts at 6:00 pm and is being sponsored by First Federal Bank.

8) PUBLIC HEARINGS

- a) Request to approve the Consolidated Annual Performance and Evaluations Report(CAPER). **City Planner Zollinger** requested to approve the Consolidated Annual Performance and Evaluations Report (CAPER).

Discussion ensued on the following: None.

Public Hearing Opened: 6:15 pm

Public Hearing Closed: 6:16 pm

MOTION: Council Member Lanting moved to approve the Consolidated Annual Performance and Evaluations Report (CAPER). **Vice Mayor Pierce** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

9) ADJOURNMENT

The meeting adjourned at 06:17 PM

Amy Luna, Finance Administrative Assistant

For a full account of this meeting please visit tfid.org for the recording of this meeting



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Josh Baird, City Engineer

ACTION ITEM

Request:

Request to approve a Trust Agreement for Sundance Subdivision No. 3, a PUD, placing all lots in trust.

Time Estimate:

N/A

Background:

Sundance Subdivision No. 3, a PUD, is located in the 400 and 500 blocks of South Hills Road on the south side of the road. The developer is requesting to place the aforementioned lots in trust in lieu of constructing the improvements or providing a financial guarantee.

Approval Process:

N/A

Budget Impact:

None

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop the property.

History:

N/A

Analysis:

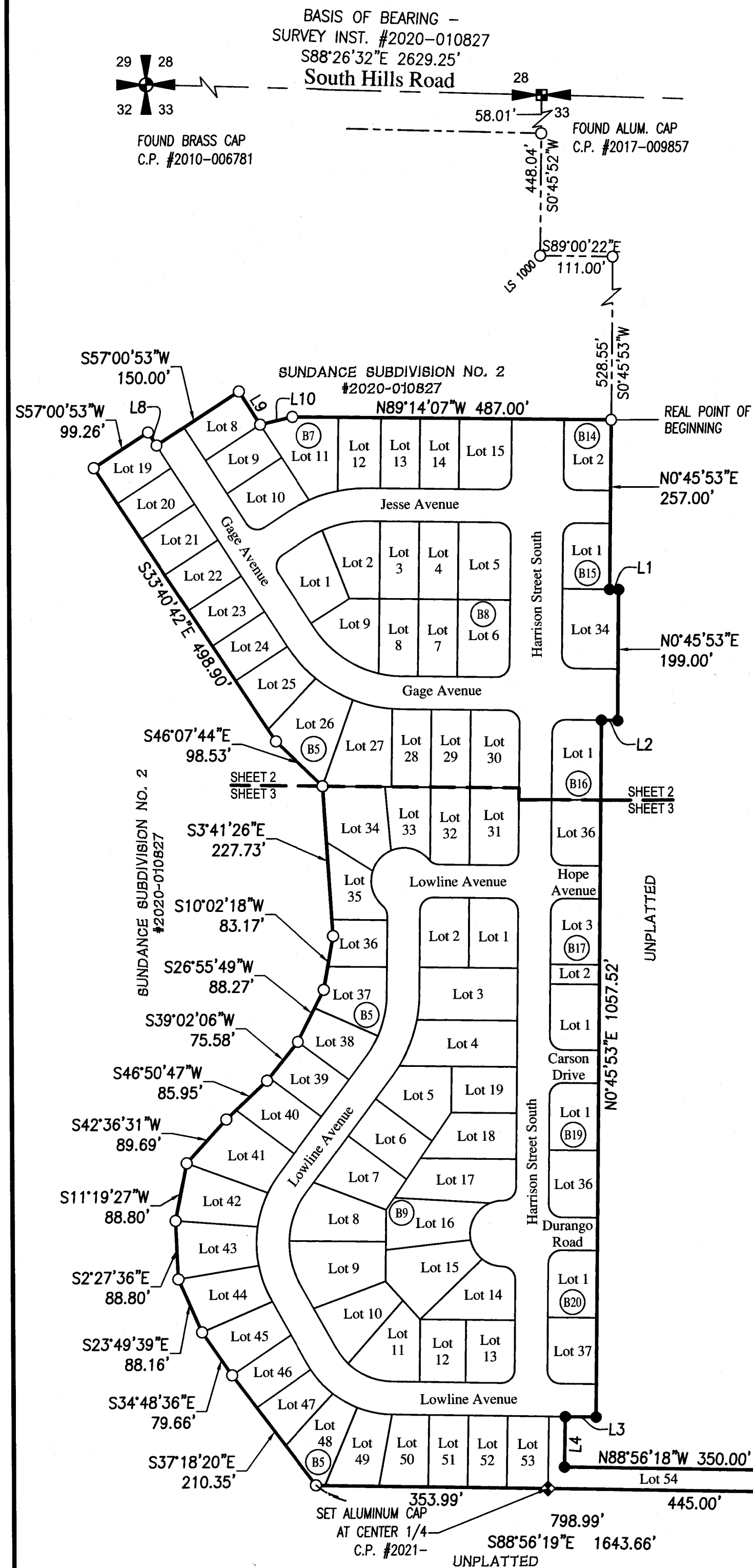
N/A

Conclusion:

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

Attachments:

1. Sundance Subdivision No. 3, a PUD - Final Plat
2. Sundance Subdivision No. 3, a PUD - Trust Agreement
3. Sundance Subd No 3 - Aerial Image



Line Table		
LINE #	BEARING	DISTANCE
L1	N89°14'07"W	14.00'
L2	S89°14'07"E	25.00'
L3	S88°56'18"E	47.10'
L4	N1°03'42"E	76.00'
L5	N1°03'42"E	14.00'
L6	N88°56'18"W	70.00'
L7	N1°03'42"E	18.82'
L8	N32°59'07"W	24.05'
L9	N32°59'07"W	60.00'
L10	S76°52'25"W	50.55'

Vicinity Map n.t.s

Notes:

- THE TWIN FALLS CANAL COMPANY (TFCC) HAS WATER CONVEYANCE FACILITIES IN THE AREA, INCLUDING THE LOW LINE CANAL. THE LOT OWNERS AGREE TO INDEMNIFY AND HOLD TFCC, IT'S OFFICERS, DIRECTORS AND EMPLOYEES, AS WELL AS THE CITY OF TWIN FALLS, HARMLESS FROM ANY CLAIM, INCLUDING ANY CLAIMS OF ANY THIRD PARTY, CLAIMING INJURY OR DAMAGE BY REASON OF DIVERSION AND DELIVERY OF WATER THROUGH THE WATER CONVEYANCE FACILITIES, AND ANY OPERATION AND MAINTENANCE OF THE WATER CONVEYANCE FACILITIES, INCLUDING THE LOW LINE CANAL.
- DIRECT ACCESS TO THE TWIN FALLS CANAL COMPANY LOW LINE CANAL FROM INDIVIDUAL LOTS WILL NOT BE ALLOWED.
- ALL RESIDENTIAL LOTS ADJACENT TO HARRISON STREET SOUTH THAT LIE NORTH OF GAGE AVENUE SHALL NOT HAVE DIRECT ACCESS TO THAT STREET.
- LOTS WITHIN THIS DEVELOPMENT WILL BE SUBJECT TO COMMON AREA MAINTENANCE (CAM) FEES ASSESSED BY THE CITY OF TWIN FALLS FOR MAINTENANCE OF LANDSCAPING AREAS WITHIN THE PLANNED UNIT DEVELOPMENT (PUD).
- LOT 2, BLOCK 17 AND LOT 54, BLOCK 5 (ALSO REFERRED TO AS TRACTS D AND E WITHIN THE PUD AGREEMENT) WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THESE LOTS SHALL BE RESERVED FOR TWIN FALLS CANAL COMPANY AND CITY OF TWIN FALLS WATER CONVEYANCE, COMMON AREA AND PUBLIC UTILITY USE.
- A 15' WIDE UTILITY EASEMENT EXISTS ALONG ALL FRONT LOT LINES ADJACENT TO STREET FRONTAGES.

Monument Certification

IN ACCORDANCE WITH SECTION 50-1333, IDAHO CODE, THE INTERIOR MONUMENTS ON THIS PLAT SHOWN AS "TO BE SET" SHALL BE SET IN ACCORDANCE WITH SECTION 50-1303, IDAHO CODE, ON OR BEFORE 1 YEAR AFTER THE RECORDATION OF THE FINAL PLAT OR AS DETERMINED BY THE CITY OF TWIN FALLS.

Health Certificate

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

DISTRICT HEALTH DEPARTMENT, EHS

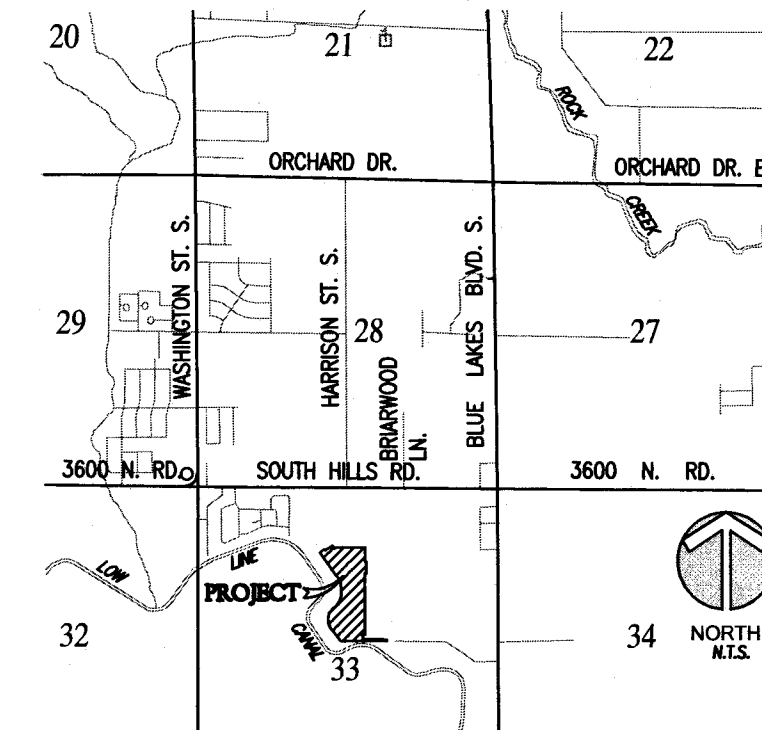
DATE:

Deed References

#2018-011678
#2015-008904

Survey References

SUNDANCE SUBDIVISION NUMBER 2, A PUD
#2020-010827
SUNDANCE SUBDIVISION NUMBER 1, A PUD
#2018-007079
GOLDEN EAGLE SUBDIVISION NO. 4,
CONVEYANCE PLAT #2014-012780
#2006-017039
#1994-003131
#0000-915082



SUNDANCE SUBDIVISION
NUMBER 3, A PUD
Located In
E² NW⁴ & W² NE⁴, Section 35
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2021

0 75 150 300
SCALE IN FEET

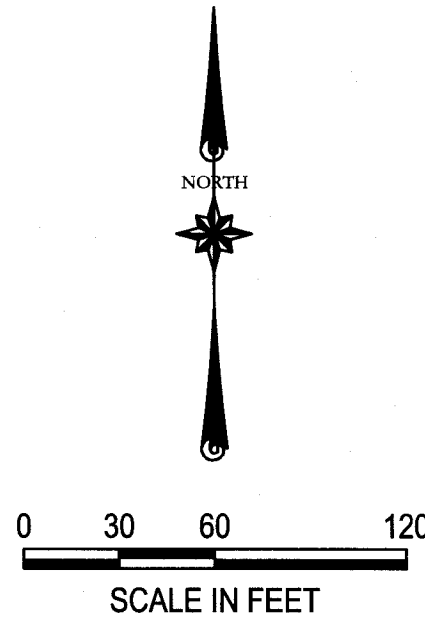
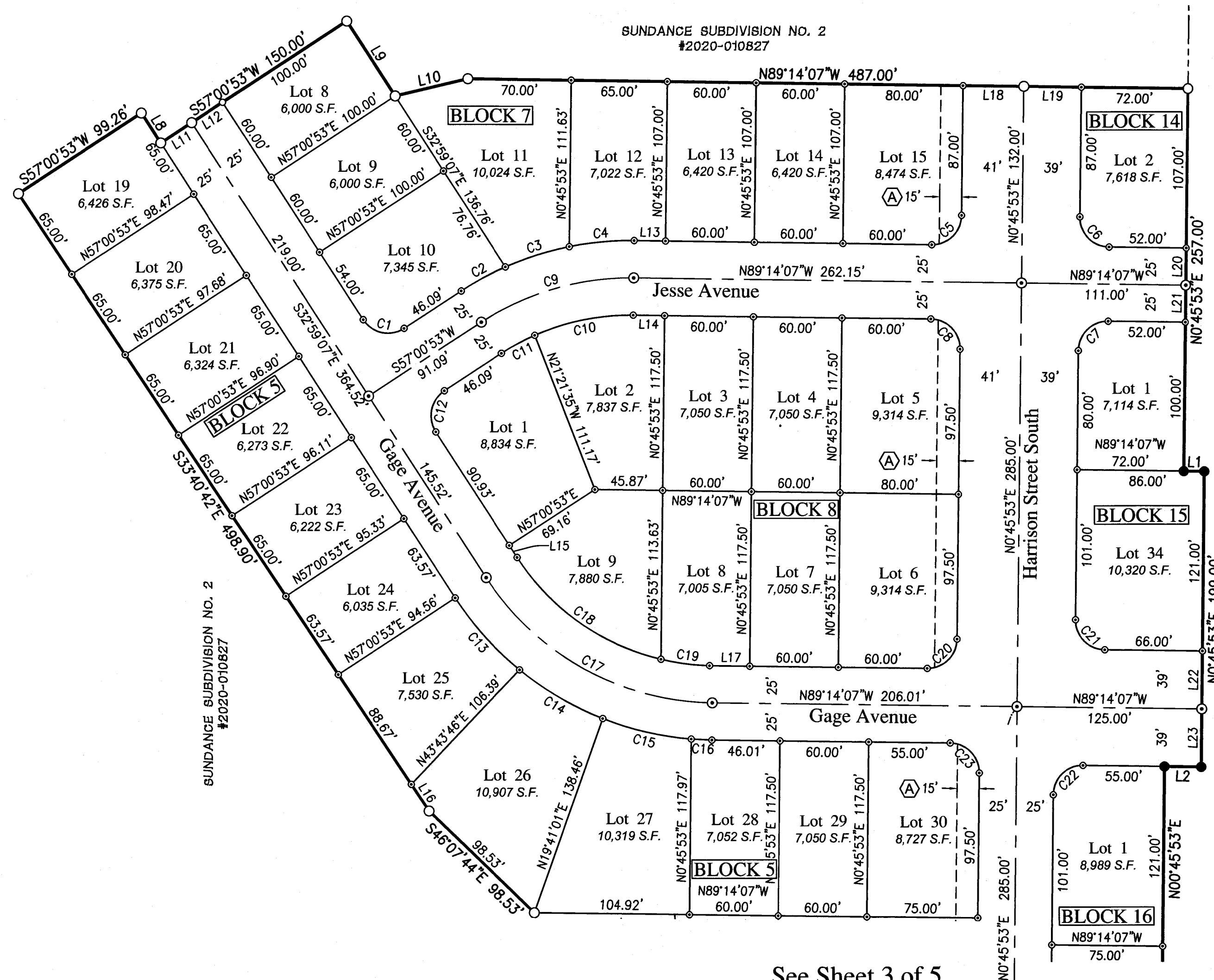
Legend

SUBDIVISION BOUNDARY LINE	———
SECTION LINE	———
ADJACENT PROPERTY LINE	———
EASEMENT LINE	———
CENTERLINE OF STREET	———
LOT LINE	———
CALCULATED POINT (NOT SET)	△
FOUND BRASS CAP	●
FOUND 5/8" REBAR LS 10110 OR AS NOTED	○
5/8" x 24" REBAR & CAP TO BE SET- LS 10110	⊙
1/2" x 24" REBAR & CAP TO BE SET - LS 10110	•
SET 5/8" x 24" REBAR & CAP - LS 10110	●
SET 5/8" REBAR WITH ALUMINUM CAP	◆
FOUND 1/2" REBAR - REPLACED WITH 5/8" x 24" REBAR & CAP - LS 10110	⊙

Surveyor's Narrative

THE BOUNDARY FOR SUNDANCE SUBDIVISION NUMBER 3, A PUD IS A RETRACEMENT OF A PORTION OF THAT CERTAIN RECORD OF SURVEY PREPARED BY EHM ENGINEERS, INC., RECORDED AS INSTRUMENT NO. 2006-017039, SUNDANCE SUBDIVISION NUMBER 1, A PUD AND SUNDANCE SUBDIVISION NUMBER 2, A PUD, TWIN FALLS COUNTY RECORDS. MONUMENTS THAT WERE FOUND SHOWN HEREON ARE OF RECORD PER PREVIOUS FINAL MAPS, RECORD OF SURVEYS AND/OR CORNER PERPETUATION AND FILING RECORDS REFERENCED HEREON. THE SUNDANCE SUBDIVISIONS ARE A PART OF THE "SUNDANCE SUBDIVISION, R2 PLANNED UNIT DEVELOPMENT AGREEMENT", RECORDED APRIL 5, 2018 AS INSTRUMENT NO. 2018-005060, TWIN FALLS COUNTY RECORDS. THE TRACTS, LOTS AND BLOCKS SHOWN TO REFLECT CERTAIN TRACTS, LOTS AND BLOCKS AS ORIGINALLY DEPICTED IN SAID RECORDED DOCUMENT.





Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C1	90°00'00"	20.00'	31.42'	28.28'	20.00'	S77°59'07"E
C2	9°17'30"	210.00'	34.06'	34.02'	17.07'	S61°39'38"W
C3	12°24'23"	210.00'	45.47'	45.38'	22.83'	S72°30'34"W
C4	12°03'07"	210.00'	44.17'	44.09'	22.17'	S84°44'19"W
C5	90°00'00"	20.00'	31.42'	28.28'	20.00'	N45°45'53"E
C6	89°59'59"	20.00'	31.42'	28.28'	20.00'	S44°14'07"E
C7	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C8	90°00'00"	20.00'	31.42'	28.28'	20.00'	N44°14'07"W
C9	33°45'00"	185.00'	108.97'	107.41'	56.12'	S73°53'23"W
C10	24°35'29"	160.00'	68.67'	68.15'	34.87'	S78°28'08"W
C11	9°09'31"	160.00'	25.58'	25.55'	12.82'	S61°35'38"W
C12	90°00'00"	20.00'	31.42'	28.28'	20.00'	S12°00'53"W
C13	17°48'22"	210.00'	65.26'	65.00'	32.90'	S41°53'18"E
C14	17°48'22"	210.00'	65.26'	65.00'	32.90'	S59°41'39"E
C15	16°49'03"	210.00'	61.64'	61.42'	31.04'	S77°00'22"E
C16	3°49'14"	210.00'	14.00'	14.00'	7.00'	S87°19'30"E
C17	56°15'00"	185.00'	181.62'	174.42'	98.88'	S61°06'37"E
C18	43°37'01"	160.00'	121.80'	118.88'	64.02'	S54°47'38"E
C19	12°37'59"	160.00'	35.28'	35.21'	17.71'	S82°55'08"E
C20	90°00'00"	20.00'	31.42'	28.28'	20.00'	N45°45'53"E
C21	90°00'00"	20.00'	31.42'	28.28'	20.00'	S44°14'07"E
C22	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C23	90°00'00"	20.00'	31.42'	28.28'	20.00'	N44°14'07"W

Line Table

LINE #	BEARING	DISTANCE
L1	N89°14'07"W	14.00'
L2	S89°14'07"E	25.00'
L8	N32°59'07"W	24.05'
L9	N32°59'07"W	60.00'
L10	S76°52'25"W	50.55'
L11	N57°00'53"E	25.00'

Line Table

LINE #	BEARING	DISTANCE
L12	N57°00'53"E	25.00'
L13	S89°14'07"E	21.15'
L14	S89°14'07"E	21.15'
L15	N32°59'07"W	9.58'
L16	N33°40'42"W	21.63'
L17	S89°14'07"E	25.01'

Line Table

LINE #	BEARING	DISTANCE
L18	S89°14'07"E	41.00'
L19	S89°14'07"E	39.00'
L20	S0°45'53"W	25.00'
L21	N0°45'53"E	25.00'
L22	N0°45'53"E	39.00'
L23	N0°45'53"E	39.00'

Easement Key

(A) IRRIGATION & PUBLIC UTILITY EASEMENT

Note:

A 15' WIDE UTILITY EASEMENT EXISTS ALONG ALL FRONT LOT LINES ADJACENT TO STREET FRONTAGES.



Curve Table

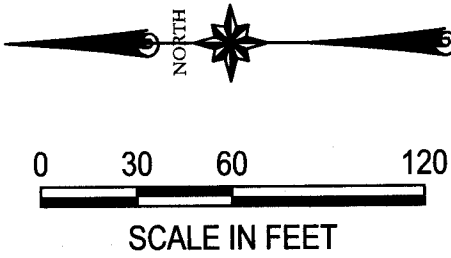
CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C24	90°00'00"	20.00'	31.42'	28.28'	20.00'	S44°14'07"E
C25	90°00'00"	20.00'	31.42'	28.28'	20.00'	N45°45'53"E
C26	42°55'05"	20.00'	14.98'	14.63'	7.86'	S67°46'35"E
C27	7°04'36"	20.00'	2.47'	2.47'	1.24'	S42°46'44"E
C28	73°34'23"	50.00'	64.20'	59.88'	37.39'	N76°01'37"W
C29	49°12'40"	50.00'	42.94'	41.64'	22.90'	S42°34'52"W
C30	67°12'20"	50.00'	58.65'	55.34'	33.22'	S15°37'38"E
C31	49°59'41"	20.00'	17.45'	16.90'	9.33'	N24°13'58"W
C32	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C33	90°00'00"	20.00'	31.42'	28.28'	20.00'	N44°14'07"W
C34	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C35	90°00'00"	20.00'	31.42'	28.28'	20.00'	S44°14'07"E

Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C36	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C37	90°00'00"	20.00'	31.42'	28.28'	20.00'	S44°14'07"E
C38	90°00'00"	20.00'	31.42'	28.28'	20.00'	S45°45'53"W
C39	90°00'00"	20.00'	31.42'	28.28'	20.00'	N45°45'53"E
C40	23°10'42"	50.00'	20.23'	20.09'	10.25'	S79°10'32"W
C41	78°59'46"	50.00'	68.94'	63.61'	41.21'	S28°05'17"W
C42	39°35'17"	50.00'	34.55'	33.86'	18.00'	S31°12'14"E
C43	38°14'14"	50.00'	33.37'	32.75'	17.33'	S70°07'00"E
C44	90°00'00"	20.00'	31.42'	28.28'	20.00'	N44°14'07"W
C45	89°42'11"	20.00'	31.31'	28.21'	19.90'	S44°05'13"E
C46	90°17'49"	20.00'	31.52'	28.36'	20.10'	N45°54'47"E
C47	42°45'42"	100.00'	74.63'	72.91'	39.15'	S67°33'27"E

Curve Table

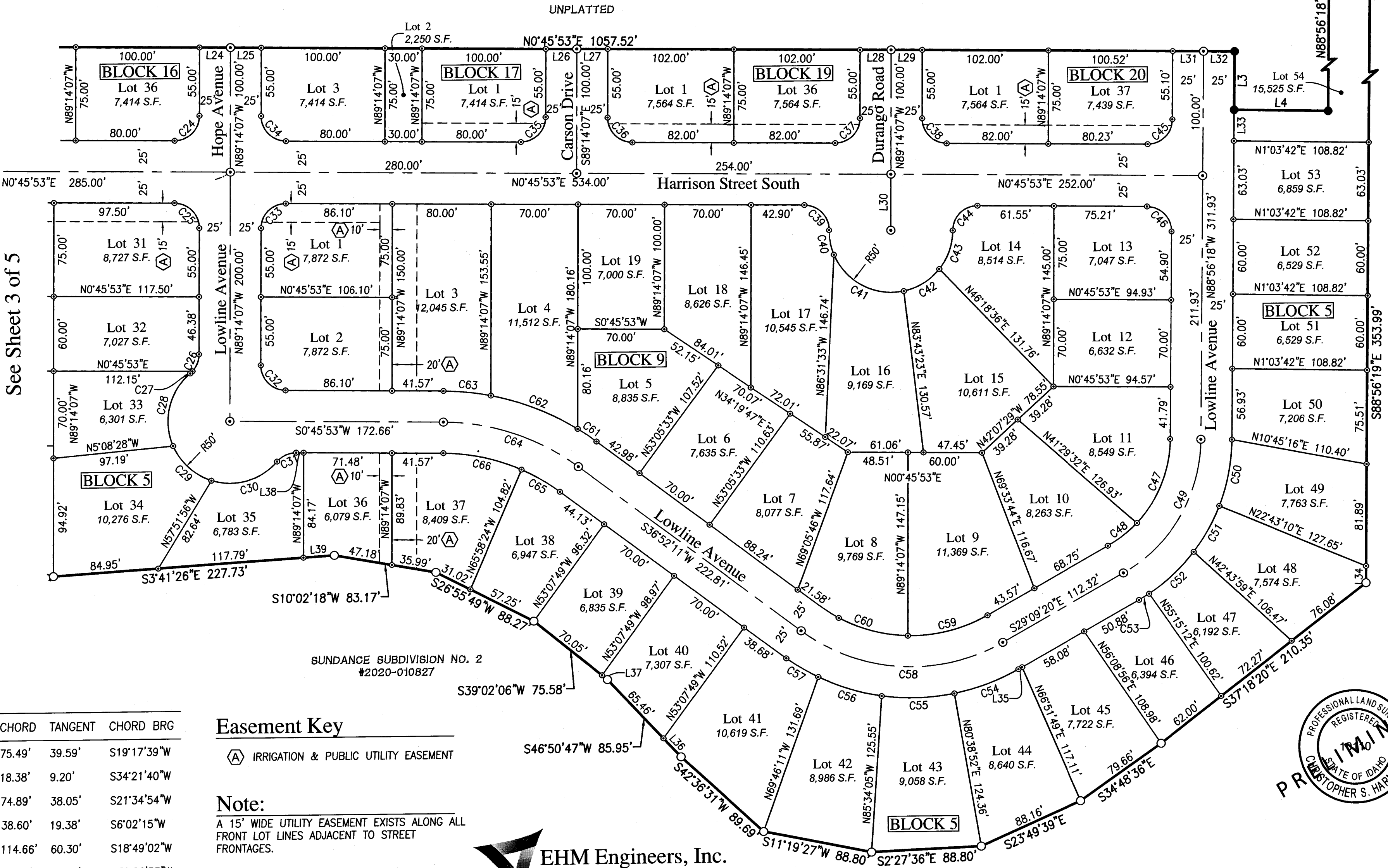
CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C48	17°01'17"	100.00'	29.71'	29.60'	14.96'	S37°39'58"E
C49	59°46'58"	125.00'	130.43'	124.59'	71.85'	S59°02'49"E
C50	20°50'27"	150.00'	54.56'	54.26'	27.59'	S78°31'04"E
C51	16°15'11"	150.00'	42.55'	42.41'	21.42'	S59°58'16"E
C52	19°00'53"	150.00'	49.78'	49.55'	25.12'	S42°20'14"E
C53	3°40'28"	150.00'	9.62'	9.62'	4.81'	S30°59'33"E
C54	18°10'04"	175.00'	55.49'	55.26'	27.98'	S20°04'18"E
C55	19°21'03"	175.00'	59.10'	58.82'	29.84'	S1°18'44"E
C56	17°37'36"	175.00'	53.84'	53.63'	27.13'	S17°10'35"W
C57	10°52'47"	175.00'	33.23'	33.18'	16.67'	S31°25'47"W
C58	66°01'30"	150.00'	172.85'	163.45'	97.46'	S3°51'26"W
C59	30°52'28"	125.00'	67.36'	66.55'	34.52'	S13°43'06"E



Line Table

LINE #	BEARING	DISTANCE
L3	S88°56'18"E	47.10'
L4	N1°03'42"E	76.00'
L5	N1°03'42"E	14.00'
L6	N88°56'18"W	70.00'
L7	N1°03'42"E	18.82'
L24	N0°45'53"E	25.00'
L25	N0°45'53"E	25.00'
L26	N0°45'53"E	25.00'
L27	N0°45'53"E	25.00'
L28	N0°45'53"E	25.00'
L29	N0°45'53"E	25.00'
L30	S89°14'07"E	45.00'
L31	N0°45'53"E	25.00'
L32	N0°45'53"E	25.00'
L33	S88°56'18"E	25.00'
L34	S88°56'19"E	13.55'
L35	S29°09'20"E	3.37'
L36	N46°50'47"E	20.49'
L37	N39°02'06"E	5.53'
L38	S0°45'53"W	6.00'
L39	N3°41'26"W	24.99'

See Sheet 3 of 5



Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C60	35°09'03"	125.00'	76.69'	75.49'	39.59'	S19°17'39"W
C61	5°01'01"	210.00'	18.39'	18.38'	9.20'	S34°21'40"W
C62	20°32'32"	210.00'	75.29'	74.89'	38.05'	S21°34'54"W
C63	10°32'45"	210.00'	38.65'	38.60'	19.38'	S6°02'15"W
C64	36°06'18"	185.00'	116.58'	114.66'	60.30'	S18°49'02"W
C65	12°50'35"	160.00'	35.86'	35.79'	18.01'	S30°26'53"W
C66	23°15'43"	160.00'	64.96'	64.51'	32.93'	S12°23'44"W

Easement Key

(A) IRRIGATION & PUBLIC UTILITY EASEMENT

Note:

A 15' WIDE UTILITY EASEMENT EXISTS ALONG ALL FRONT LOT LINES ADJACENT TO STREET FRONTS.



EHM Engineers, Inc.



CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, LOCATED IN A PORTION OF E2 NW4 AND W2 NE4, SECTION 33, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO; SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 33, SAID POINT LIES SOUTH 88°26'32" EAST 2629.25 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 33 AS SHOWN ON THAT CERTAIN MAP ENTITLED "SUNDANCE SUBDIVISION NUMBER 2, A PUD" RECORDED JUNE 12, 2020 AS INSTRUMENT NO. 2020-010827 IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY; THENCE, ALONG THE EAST BOUNDARY OF THE NW4 OF SAID SECTION 33, SOUTH 00°45'52" WEST 58.01 FEET TO THE NORTHEAST CORNER OF SAID MAP; THENCE, ALONG THE BOUNDARY SAID MAP, SOUTH 00°45'52" WEST 448.04 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 89°00'22" EAST 111.00 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 00°45'53" WEST 528.55 FEET TO THE REAL POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 89°14'07" WEST 487.00 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 76°52'25" WEST 50.55 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 32°59'07" WEST 60.00 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 57°00'53" WEST 150.00 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, NORTH 32°59'07" WEST 24.05 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 57°00'53" WEST 99.26 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 33°40'42" EAST 498.90 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 46°07'44" EAST 98.53 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 03°41'26" EAST 227.73 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 10°02'18" WEST 83.17 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 26°55'49" WEST 88.27 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 39°02'06" WEST 75.58 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 46°50'47" WEST 85.95 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 42°36'31" WEST 89.69 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 11°19'27" WEST 88.80 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 02°27'36" EAST 88.80 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 23°49'39" EAST 88.16 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 34°48'36" EAST 79.66 FEET; THENCE, CONTINUING ALONG SAID BOUNDARY, SOUTH 37°18'20" EAST 210.35 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID E2 NW4 OF SECTION 33 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED JULY 13, 2006, AS INSTRUMENT NO. 2006-017039 IN SAID OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY; THENCE, ALONG SAID SOUTH BOUNDARY AND SAID W2 NE OF SECTION 33, SOUTH 88°56'19" EAST 798.99 FEET; THENCE, LEAVING SAID SOUTH BOUNDARY, NORTH 01°03'42" EAST 18.82 FEET; THENCE, NORTH 88°56'18" WEST 70.00 FEET ALONG A LINE PARALLEL WITH SAID SOUTH BOUNDARY; THENCE, NORTH 01°03'42" EAST 14.00 FEET; THENCE, NORTH 88°56'18" WEST 350.00 FEET ALONG A LINE PARALLEL WITH SAID SOUTH BOUNDARY; THENCE, NORTH 01°03'42" EAST 76.00 FEET; THENCE, SOUTH 88°56'18" EAST 47.10 FEET ALONG A LINE PARALLEL WITH SAID SOUTH BOUNDARY; THENCE, NORTH 00°45'53" EAST 1057.52 FEET; THENCE, SOUTH 89°14'07" EAST 25.00 FEET; THENCE, NORTH 00°45'53" EAST 199.00 FEET; THENCE, NORTH 89°14'07" WEST 14.00 FEET; THENCE, NORTH 00°45'53" EAST 257.00 FEET TO SAID REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 20.94 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND HE DOES HEREBY INCLUDE SAID LAND IN THIS PLAT. THAT THE UNDERSIGNED BY THESE PRESENTS DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE ROAD RIGHT OF WAY AS SHOWN ON THIS PLAT. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT.

PURSUANT TO IDAHO CODE 50-1334, I, THE UNDERSIGNED, AS OWNER, DO HEREBY STATE THAT THE LOTS ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF TWIN FALLS MUNICIPAL WATER SYSTEM.

PURSUANT TO IDAHO CODE 31-3805, I, THE UNDERSIGNED, AS OWNER, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT AND THE ASSESSMENT OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS AND THAT A SATISFACTORY IRRIGATION WATER DELIVERY SYSTEM IS PROVIDED FOR AND HAS BEEN APPROVED BY THE TWIN FALLS CITY COUNCIL. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE IRRIGATION DISTRICT / CANAL COMPANY.

SUNDANCE PARTNERS, LLC AN IDAHO LIMITED LIABILITY COMPANY

BY: GERALD MARTENS, MEMBER

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss

ON THIS _____ DAY OF _____, 2021, AT _____ M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GERALD MARTENS, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF SUNDANCE PARTNERS, LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THIS CERTIFICATE OR THE PERSON WHO EXECUTED THE CERTIFICATE ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

RESIDING AT

COMMISSION EXPIRES



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HARMISON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS DAY OF , 2021.

MAYOR CITY CLERK

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER ATTEST

COUNTY SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATED TO PLATS AND SURVEYS.

GEORGE A. YERION PLS# DATE
PROFESSIONAL LAND SURVEYOR

ACKNOWLEDGMENT

STATE OF)
COUNTY OF) ss

ON THIS DAY OF , 2021, AT M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GEORGE A. YERION, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC
RESIDING AT
COMMISSION EXPIRES

COUNTY TREASURER'S CERTIFICATE

I, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER DATE

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO.

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss

ON THIS DAY OF , 2021, AT M., THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK , ON PAGE

DEPUTY EX-OFFICIO RECORDER

TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this _____ day of _____, _____, by and between **SUNDANCE PARTNERS, L.L.C., an Idaho Limited Liability Company** (hereinafter "Trustor"); **TITLEFACT, INC.**, (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

WITNESSETH:

WHEREAS, Trustor is the owner of the real property described below (the "Property"); and

WHEREAS, it is the desire and intent of Trustor to arrange, by and through this Agreement, for the orderly development and sale of the Property, in a manner that is conducive to achieving full compliance with applicable rules and regulations of Twin Falls County, Idaho, and the City of Twin Falls, Idaho, in effect on the date of approval of the subdivision of the property.

NOW THEREFORE, it is agreed between the parties hereto as follows:

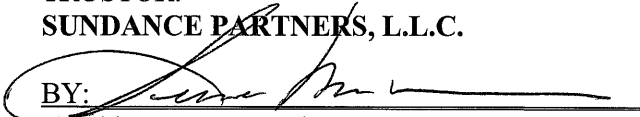
1. That upon the execution of this Agreement by both parties, the Trustor agrees to execute and deliver to the Trustee a Warranty Deed, conveying to the Trustee, in Trust, to be held solely for the benefit of the Beneficiary, the Property, to-wit:

Lots 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, Block 5;
Lots 8, 9, 10, 11, 12, 13, 14, 15, Block 7;
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, Block 8;
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, Block 9;
Lot 2 Block 14;
Lots 1 and 34, Block 15;
Lots 1 and 36, Block 16;
Lots 1, 2, 3, Block 17;
Lots 1 and 36, Block 19;
Lots 1 and 37, Block 20 **ALL IN SUNDANCE SUBDIVISION NUMBER 3, A P.U.D.**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book _____ of Plats, page _____, records of Twin Falls County, Idaho.
2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, and conditions of the Phase Control Development Notice for lots in **SUNDANCE SUBDIVISION NUMBER 3, A P.U.D.** Subdivision, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.

3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.
4. The Trustor may, as it desires from time to time, sell all or any portion of the Property in its sole and complete discretion. The Trustee agrees that, when it is so instructed in writing by Trustor, Trustee shall execute and deliver to the person or persons designated by Trustor, a fiduciary deed conveying good and marketable title to the Property or any part thereof as designated, and at said time the Trustor agrees to pay to Trustee any reasonable costs and expenses incurred by the Trustee hereunder and to pay the normal and customary fee for the cost of an owner's title insurance policy to be issued by *TITLEFACT, INC.*
5. It is agreed that Trustee shall not be liable or responsible for the condition of title to the Property, except as may be provided in any title insurance policy issued by the Trustee, and Trustee shall have no liability concerning possession or survey or any taxes, costs or expenses in connection with the Property, other than as herein provided.
6. It is agreed that the term of this Agreement shall expire when all of the above described Lots have been conveyed by the Trustee pursuant to Trustor's written instructions.
7. It is agreed that this Trust Agreement may not be revoked or amended without the prior written approval of the Beneficiary. If Trustee is presented with written notice of Termination by both Trustor and Beneficiary, and Trustee receives Trustor's payment of all reasonable out-of-pocket costs and expenses incurred by Trustee in connection with this Agreement, if any, the Trustee shall immediately reconvey to Trustor the remaining part of the Property; and thereafter no party hereto shall have any further liability to the others in connection with the Property or under the terms of this Agreement.
8. Trustor agrees to indemnify and save harmless Trustee from any claims, demands, judgments, costs and expenses including reasonable attorney's fees and any other obligation or liability of any kind or nature that the Trustee may for any reason suffer, incur or expend by reason of this Trust Agreement or in the administration thereof, other than for or as a result of Trustee's misconduct, breach of this Agreement, or willful neglect.
9. This Agreement shall bind the parties hereto, their heirs, representatives, successors and assigns.

Date: 11.22.21

TRUSTOR:
SUNDANCE PARTNERS, L.L.C.

BY: 

Gerald Martens, Member

Date: 11-22-2021

TRUSTEE:
TITLEFACT, INC.

BY: Rudy Ashenfelter
Rudy Ashenfelter, Vice President

Date: _____

BENEFICIARY:
CITY OF TWIN FALLS, IDAHO

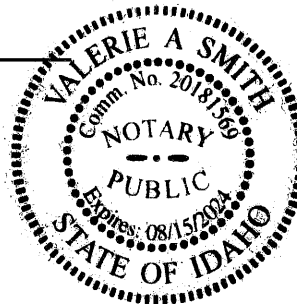
BY: _____

STATE OF IDAHO
County of Twin Falls

On this 22ND day of NOVEMBER, 20 21, before me, a Notary Public in and for said State, personally appeared **Gerald Martens**, known or identified to me to be Member of the limited liability company of **SUNDANCE PARTNERS, L.L.C., an Idaho Limited Liability Company** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

Valerie A. Smith
Notary Public for Idaho
Residing in: TWIN FALLS
Commission expires: 8-15-2024

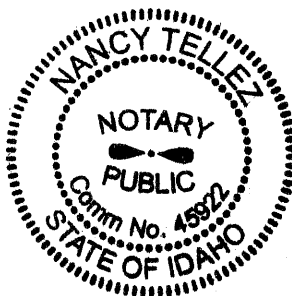


STATE OF IDAHO
County of Twin Falls

On this 22nd day of November, 2021, before me, the undersigned, Notary Public in and for said State, personally appeared **RUDY ASHENBRENER**, known or identified to me to be the Vice President of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

Nancy Teller
Notary Public for Idaho
Residing at: Mullanugh
My Commission expires: 01/31/2023



STATE OF IDAHO
County of Twin Falls

On this _____ day of _____, 20____, before me, the undersigned, Notary Public in and for said State, personally appeared _____, known or identified to me to be the Mayor for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at:
My Commission expires:

"EXHIBIT A"

PHASE CONTROL DEVELOPMENT NOTICE

THIS NOTICE prohibits the conveyance of any undeveloped lot in **SUNDANCE SUBDIVISION NUMBER 3, A P.U.D.** until such time as an Improvement Agreement for Developments between the City of Twin Falls and the Developer is recorded designating the lots and blocks in each phase which are approved for conveyance.

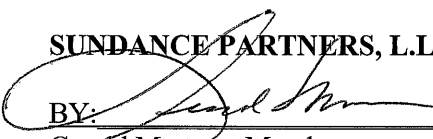
TITLEFACT, INC., will hold the deed to all undeveloped lots in Escrow with instructions to convey only those lots covered by the recorded Improvement Agreement for Developments.

Lots 1, 2, 3, 4, 5 and 6, Block 1;
Lots 1, 2, 3, 4, 5 and 6, Block 2;
Lots 1, 2, 3, 4, 5 and 6, Block 3;
Tract F and Lots 12, 13, 14, 15, 16, 17, 18, Block 5;
Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, Block 6;
Lots 1, 2, 3, 4, 5, 6 and 7, Block 7;
Lots 1 and 2, Block 10;
Lot 1, Block 11;
Lot 1 Block 14;

ALL IN SUNDANCE SUBDIVISION NUMBER 3, A P.U.D., Twin Falls County, Idaho,
according to the official plat thereof recorded in Book _____ of Plats, page _____,
records of Twin Falls County, Idaho.

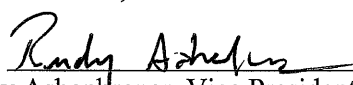
Dated this 22ND day of NOVEMBER, 2021.

SUNDANCE PARTNERS, L.L.C.

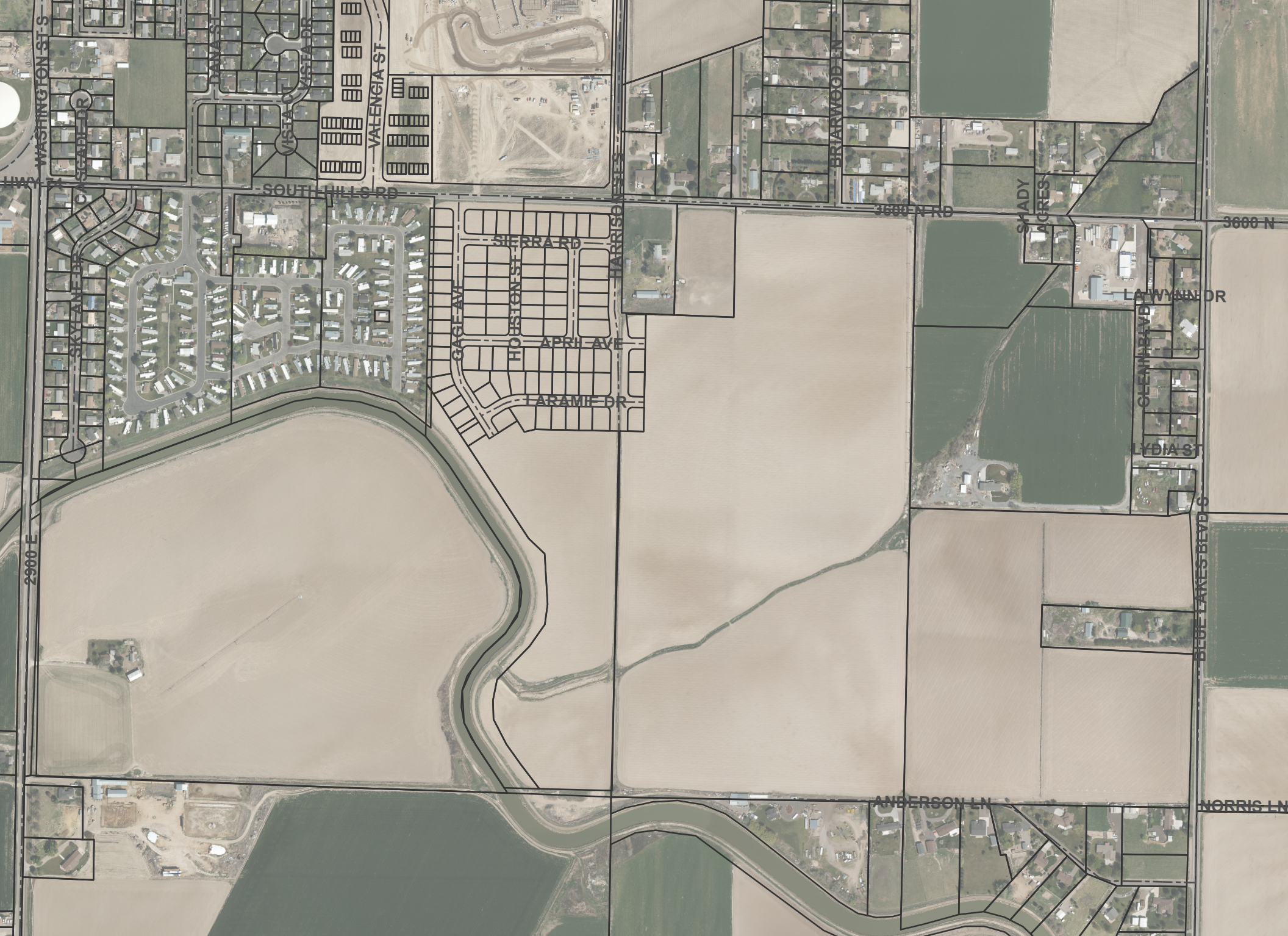
BY: 

Gerald Martens, Member

TITLEFACT, INC.

BY: 

Rudy Ashenbrener, Vice President



WASHINGTON ST S

2900 E

SKYLINE DR

VALLEY ST

VISTA DR

VISTA DR

VALENCIA ST

SOUTH HILLS RD

SIERRA RD

HOUSTON ST

APRIL AVE

TARAMIE DR

GAGE AVE

HARRISON ST

BRIARWOOD LN

3600 N RD

SHADY CRES

3600 N

LA WYNN DR

OLENIA BLVD

LYDIA ST

BLUE LAKES BLVD S

ANDERSON LN

NORRIS LN



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Ian Zollinger, City Planner

ACTION ITEM

Request:

Request to approve the Final Plat for the Fire Station #2 c/o City of Twin Falls. (PZ21-0181)

Time Estimate:

15 minutes if presentation needed.

Background:

This is a request to subdivide approximately 2 acres into 1 lot. The property is currently zoned R-4 and has recently received a Special Use Permit for a fire station.

Approval Process:

A Final Plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. After a Final Plat has been approved by the City Council and construction plans approved, the plat may be recorded, and lots sold for development.

Budget Impact:

NA

Regulatory Impact:

History:

N/A

Analysis:

N/A

Conclusion:

Upon conclusion, should the City Council approve this request as presented, staff recommends approval be subject to the following conditions:

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

Attachments:

1. Vicinity Map Final
2. Twin Falls Fire Station No. 2-Scanned Final Plat



Current Zoning: R-4

Comprehensive Plan: CSI

Existing Land Use: Vacant/Undeveloped

Proposed Land Use: Fire Station

Surrounding Zoning Designations & Land Use(s)

North: C-1; Commercial

East: CSI; Agriculture/Undeveloped

South: CSI, Agriculture/Undeveloped

West: CSI; Agriculture/Undeveloped

Applicable Regulations

10-1-4, 10-12

CITY OF TWIN FALLS
ENGINEERING DEPT.

POLE LINE RD. W

CHENEY DR. W

WASHINGTON ST. N

COLLEGE RD. N

COLLEGE RD. N

FALLS AVE. W

N 3000 E RD. (HWY 93)

PROJECT SITE

1. ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
3. THIS SUBDIVISION IS LOCATED WITHIN FEMA FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 16083 C1378 C, ZONE X - AREAS OF MINIMAL FLOOD HAZARD, EFFECTIVE SEPTEMBER 26, 2008.

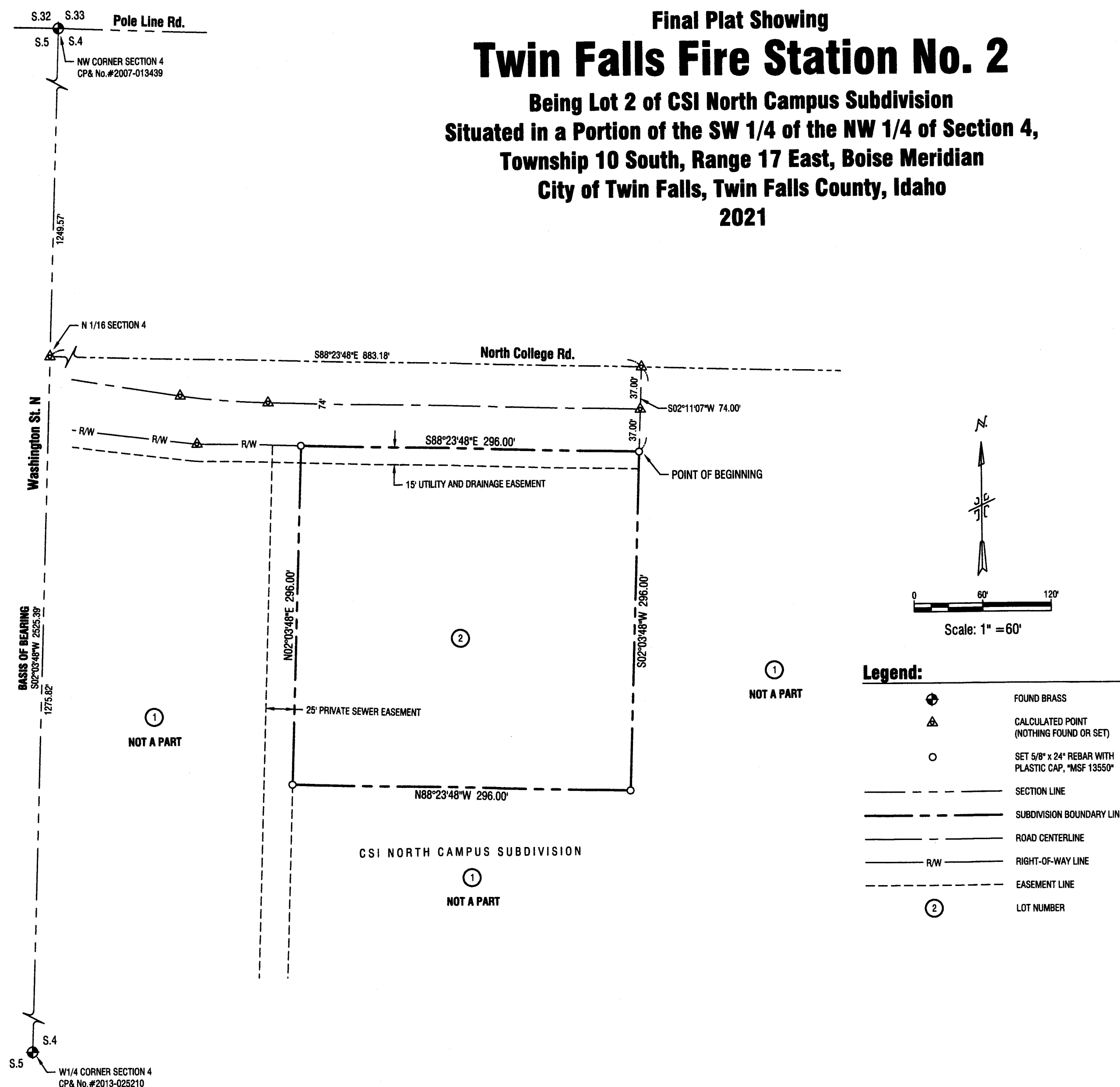
THIS PLAT WAS PREPARED FOR TWIN FALLS RURAL FIRE. THE NORTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 4, WERE FOUND AND HELD FOR THE BASIS OF BEARING. THE EXTERIOR BOUNDARY WAS HELD FROM CSI NORTH CAMPUS SUBDIVISION.

R1 PLAT OF CSI NORTH CAMPUS INSTRUMENT No. 2009-016251, RECORDS OF TWIN FALLS COUNTY, IDAHO.

R2 RECORD OF SURVEY INSTRUMENT No. 2008-002668, RECORDS OF TWIN FALLS COUNTY, IDAHO.



PN 121029 SHEET 1 OF 3



Final Plat Showing Twin Falls Fire Station No. 2

Certificate of Owner:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER, DOES HEREBY CERTIFY THAT THEY ARE THE OWNER OF THE REAL PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATE IN A PORTION OF THE SOUTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4, (FROM WHICH THE WEST ONE QUARTER CORNER OF SAID SECTION 4 BEARS, SOUTH 02° 03' 48" WEST, 2525.39 FEET, DISTANCE), THENCE ON THE WEST LINE OF SAID SECTION 4, SOUTH 02° 03' 48" WEST, 1249.57 FEET, TO THE NORTH ONE SIXTEENTH CORNER OF SAID SECTION 4; THENCE LEAVING SAID WEST LINE, SOUTH 88° 23' 48" EAST, 883.18 FEET, ON THE NORTH BOUNDARY LINE OF SAID SOUTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER; THENCE LEAVING SAID NORTH BOUNDARY LINE, SOUTH 02° 11' 07" WEST, 74.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF NORTH COLLEGE ROAD (FORMERLY CHENEY DRIVE) AND THE POINT OF BEGINNING:

THENCE SOUTH 02° 03' 48" WEST, 296.00 FEET;
THENCE NORTH 88° 23' 48" WEST, 296.00 FEET;
THENCE NORTH 02° 03' 48" EAST, 296.00 FEET, TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE;
THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 88° 23' 48" EAST, 296.00 FEET, TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL CONTAINS 2.01 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS WITHIN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF TWIN FALLS, AND THE CITY OF TWIN FALLS, HAS AGREED IN WRITING TO SERVE ALL OF THE LOTS WITHIN THIS SUBDIVISION.

CITY OF TWIN FALLS

BY: _____, MAYOR

Acknowledgment:

STATE OF IDAHO)
) SS
COUNTY OF TWIN FALLS)

ON THIS _____ DAY OF _____, IN THE YEAR 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF IDAHO, PERSONALLY APPEARED _____, KNOWN OR IDENTIFIED TO ME TO BE THE MAYOR OF THE CITY OF TWIN FALLS, WHO SUBSCRIBED SAID CITY TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID CITY, AND ACKNOWLEDGED TO ME THAT SUCH CITY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

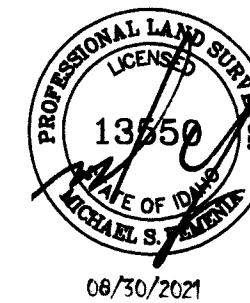
NOTARY PUBLIC FOR THE STATE OF IDAHO

RESIDING AT _____

MY COMMISSION EXPIRES _____

Certificate of Surveyor:

I, MICHAEL S. FEMENIA, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



462 East Shore Drive, Suite 100
Eagle, ID 83616
Phone: 208.939.4041

Final Plat Showing Twin Falls Fire Station No. 2

Certificate of South Central Health District

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 ARE IN FORCE FOR LOT 2 BLOCK 1. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTIONS ARE SATISFIED.

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED FOR LOT 2, BLOCK 1. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

REHS, SOUTH CENTRAL PUBLIC HEALTH DISTRICT

DATE

Approval of City Council

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO,

AT THEIR REGULAR MEETING ON THE _____ DAY OF _____, _____.

SUZANNE HAWKINS, MAYOR

CITY CLERK

Certificate of City Engineer

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF TWIN FALLS, IDAHO, HAVE REVIEWED THE FOREGOING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER

ATTEST:

DATE

Certificate of Twin Falls County Surveyor

I, THE UNDERSIGNED, A PROFESSIONAL LAND SURVEYOR IN AND FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY STATE THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

DATE _____ TWIN FALLS COUNTY SURVEYOR _____ PLS _____

Acknowledgment:

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS

ON THIS _____ DAY OF _____, IN THE YEAR 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF IDAHO, PERSONALLY APPEARED _____, KNOWN OR IDENTIFIED TO ME TO BE A TWIN FALLS COUNTY SURVEYOR AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR THE STATE OF IDAHO

RESIDING AT _____

MY COMMISSION EXPIRES _____

Certificate of the County Treasurer

THIS IS TO CERTIFY THAT THE UNDERSIGNED, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DOES HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE _____ TWIN FALLS COUNTY TREASURER _____

Certificate of Twin Falls County Recorder

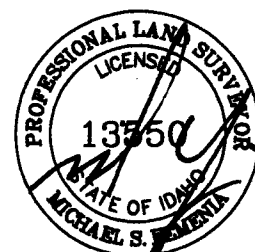
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS
INSTRUMENT No. _____

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF THE LAND GROUP, INC. AT _____ MINUTES PAST _____ O'CLOCK _____ M., ON THIS _____ DAY OF _____, IN MY OFFICE AND WAS DULY RECORDED IN BOOK _____ OF PLATS AT PAGES _____ THROUGH _____.

DEPUTY

EX-OFFICIO RECORDER

FEE: _____



06/30/2021



462 East Shore Drive, Suite 100
Eagle, ID 83616
Phone: 208.939.4041

PN 121029

SHEET 3 OF 3



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request to approve the Final Plat for the Sundance Subdivision No. 3 located north of 3500 North and west of Harrison Street South, extended. c/o EHM Engineers, on behalf of Gerald Martens. (PZ21-0183)

Time Estimate:

Approximately 5-10 minutes for presentation with questions/comments to follow.

Background:

This is a request for approval of the final plat for Sundance Subdivision No. 3 located south of 3500 N and west of Harrison Street South, extended.

This request will allow the applicant to subdivide another portion of the Sundance Subdivision into 82 residential lots and 2 retention lots.

Approval Process:

As per Twin Falls City Code 10-12-2.3 A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. After a final plat has been approved by the City Council and construction plans approved, the plat will be recorded, and lots sold for development.

Budget Impact:

n/a

Regulatory Impact:

The Future Land Use Map designates this property as Town Neighborhood. Staff had determined this request complies with the 2016 Comprehensive Plan "Grow With Us".

History:

The property is located within the Sundance PUD with an R-2 Zoning Designation. It is a portion of the Sundance Subdivision located south of Sundance No.1 and Sundance No. 2. In November 2008, the Planning & Zoning Commission approved the preliminary plat for the Sundance Subdivision in 2017. The preliminary plat consisted of (117) acres to be subdivided into 452 lots. The combination of final plat Sundance No.1 and No. 2 consists of approximately 89 of the original 452 platted lots. Sundance Subdivision No. 3, a final plat, if approved will be for an additional 84 lots.

Analysis:

This is the third (3rd) final plat prepared for the Sundance Subdivision and has been prepared in accordance with the approved preliminary plat. This Final Plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding the R-2 zoning district development standards, as well as the Sundance PUD. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Conclusion:

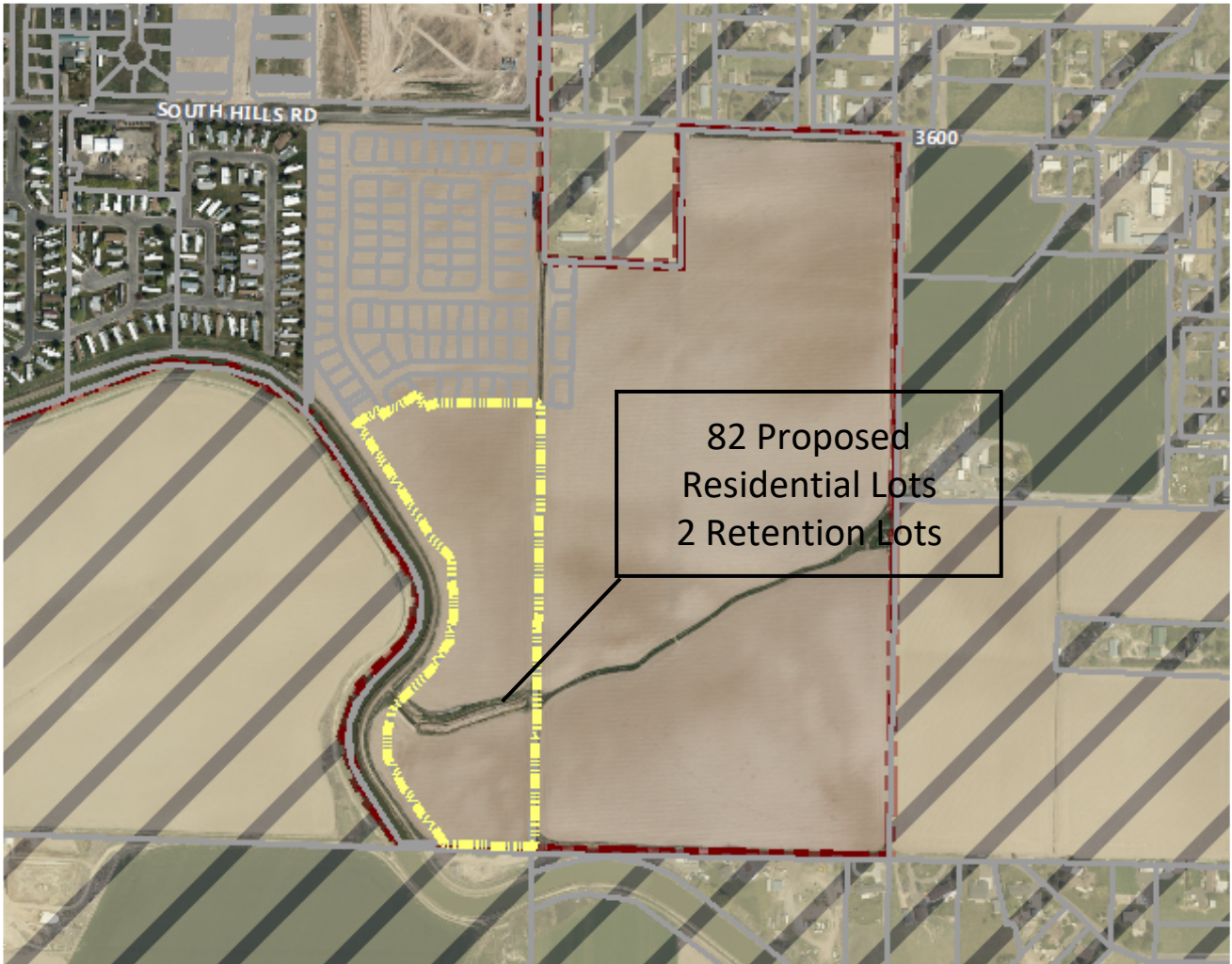
Upon conclusion, should the Council approve this request as presented, staff recommends approval be subject to the following conditions:

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

Attachments:

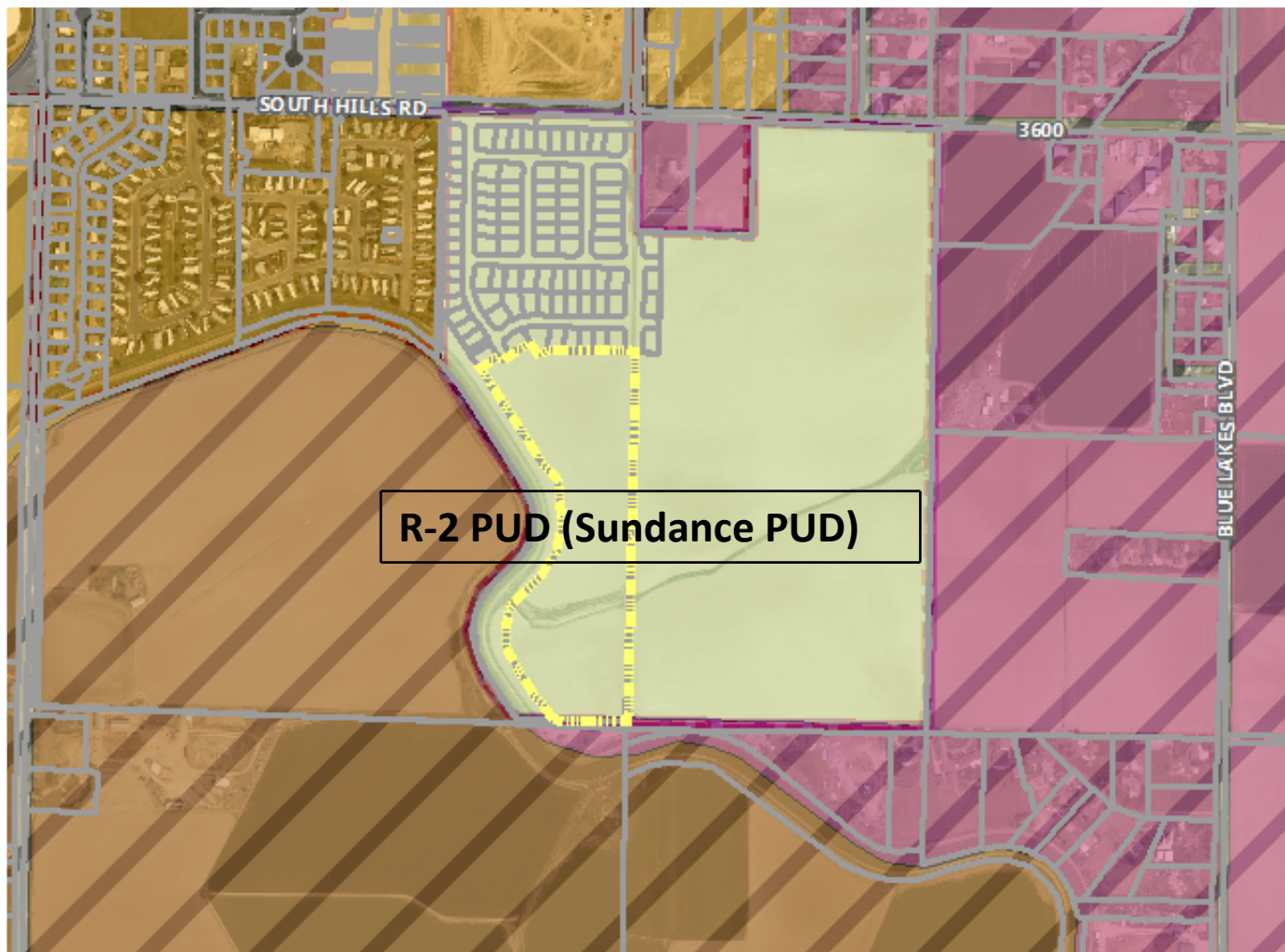
1. Sundance No.3 Map Exhibits
2. Sundance No.3 Final Plat

Aerial Map



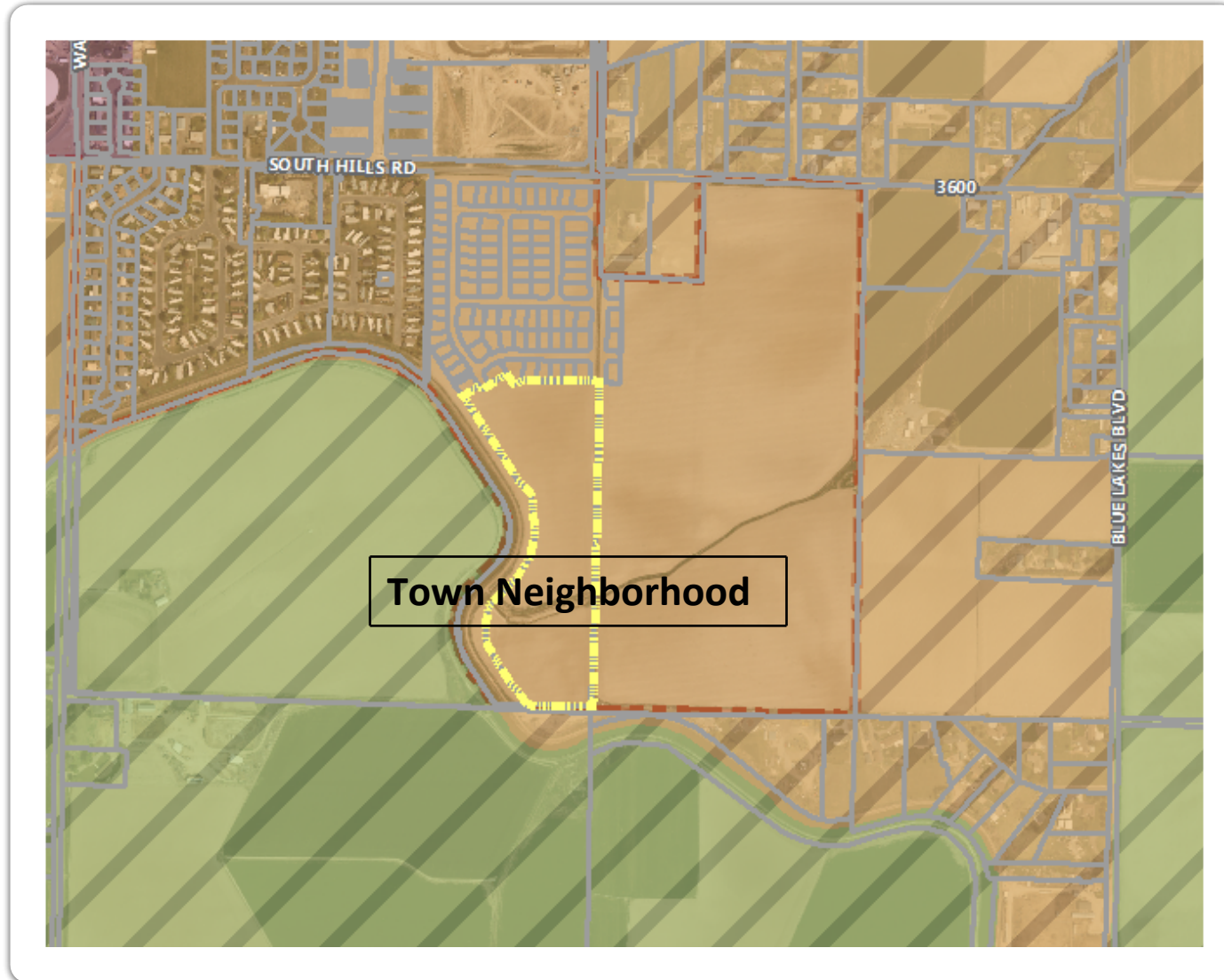
Subject Property	
Current Zoning	R-2 PUD; Residential Single Household/Duplex District
Existing Land Use	Undeveloped
Proposed Land Use	Residential Subdivision
Comprehensive Plan Designation	Town Neighborhood
Surrounding Properties	
North	Sundance Subdivision No. 1 & 2
South	Undeveloped/3500 North
East	Harrison St S Extended/Undeveloped
West	Undeveloped
Applicable Regulations	
Applicable Regulations	10-1, 10-4-4, 10-12; Sundance PUD

Zoning Map



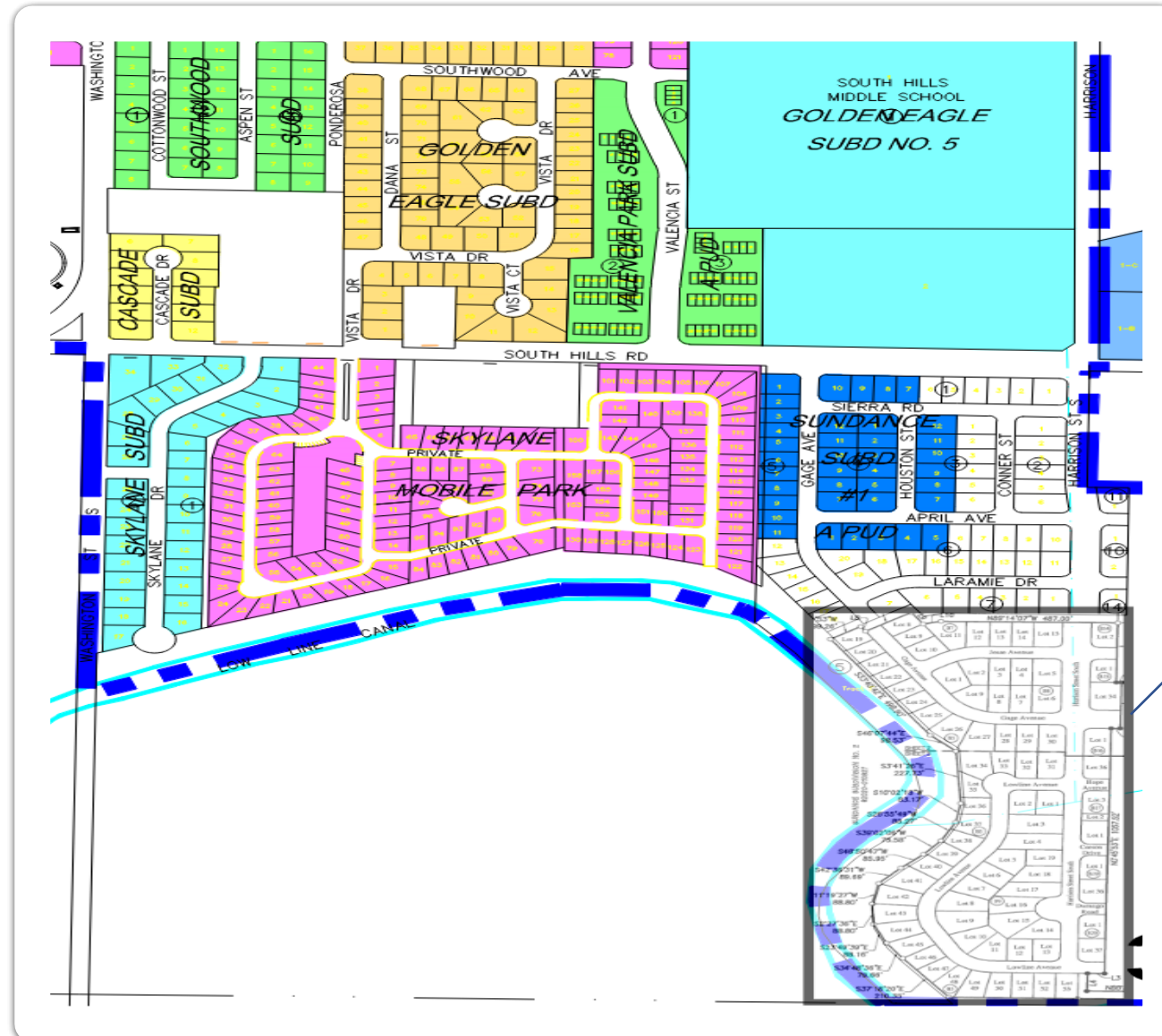
RB	OS
AG	R-1 VAR
C-1	R-2
C-B	R-4
CSI	R-6
M-1	R-6-MHO-1
M-2	SUI
O-T	PRO
PUD	
AOI	

Future Land Use Map



- Agriculture
- Airport
- College of Southern Idaho
- Commercial
- Downtown
- Industrial
- Mixed Use
- Neighborhood Commercial
- Natural Areas
- Rural Residential
- Town Neighborhood

Subdivision Map



[illegible]



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Josh Baird, City Engineer

ACTION ITEM

Request:

Request to accept the Improvement Agreement for the purpose of developing Calistoga Springs Subdivision No. 2.

Time Estimate:

N/A

Background:

Prior to development, an Improvement Agreement is required. The developer is meeting that requirement with this document.

Approval Process:

Accepting the Improvement Agreement allows the developer to develop the lots. After acceptance of utilities or a financial guarantee provided to the City, the lots can be sold.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed to develop the property.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council approve the request and authorize the Mayor to sign the Improvement Agreement.

Attachments:

1. Calistoga Springs Subdivision No. 2-Improvement Agreement (Unsigned)

IMPROVEMENT AGREEMENT

for DEVELOPMENTS

This Agreement made and entered into this ____ day of ____, 20 ____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and Gerald Martens hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Calistoga Springs Subdivision No. 2.

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

WHEREAS, Developer desires to develop said real property for the following purposes: Residential and Charter School.

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

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

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

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

WITNESSETH

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

I.

City agrees: (1) to operate and maintain all approved streets, alleys, service roads, excluding state highways, constructed under the terms of this Agreement in any public rights-of-way or easements and which are presently within or subsequently annexed into the City limits. Those streets, excluding state highways, lying outside the City limits and within the City Area of Impact shall be constructed to City standards but shall become the responsibility of the Twin Falls Highway District until such time as they are annexed or a maintenance agreement is signed by the City and the Twin Falls Highway District. (2) To operate and maintain all approved water lines, pressure irrigation lines, storm drainage lines, sewer lines constructed under the terms of this Agreement in any public rights-of-way or easements and to provide water, sewer, and pressure irrigation service to the Developer's real property, subject to all ordinances, rules and regulations governing sewer, water service, and pressure irrigation. (3) To maintain non-pressure irrigation lines only where they cross City streets. (4) Storm water facilities will be maintained in an easement, if there exists a safety hazard the City has an entitlement to maintain. All other maintenance of non-pressurized irrigation lines is the responsibility of the Twin Falls Canal Company or the irrigation users.

II.

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

a. Surety Bond

1. Accrual - The Bond shall accrue to the City covering construction, operation and maintenance of the specific public improvement.
2. Amount - the bond shall be in an amount equal to one hundred percent (100%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the Developer's Engineer and approved by the City Engineer.
3. Term Length – The minimum term length shall be two (2) years or until the bond is released by the City, whichever is later.

4. Bonding for Surety Company - The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the City Council.
 5. The escrow agreement shall be drawn and furnished by the subdivider to the satisfaction of the City Council.
- b. Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.
1. Treasurer, Escrow Agent or Trust Company - A cash deposit or certified check shall be deposited into the City's development escrow account. After the improvements have been accepted, the funds will be returned. A negotiable bond or an irrevocable bank letter of credit, shall be held by the City until the improvements are accepted.
 2. Dollar Value - The dollar value of the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be equal to one hundred percent (100%) of the estimated cost of construction for the specific public improvements, as estimated by Developer's Engineer and approved by the City Engineer.
 3. Escrow Time - The escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be until all required improvements are completed and accepted by the City Engineer.
 4. Progressive Payment - In the case of cash deposits or certified checks, an agreement between the City and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.
- c. Trust Agreements.
1. Per the terms of the trust agreement.
 2. Trust agreement must be approved by City Council.

III.

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

- a. Prepare a master utility plan showing the location of all existing and proposed utility lines to include but not be limited to sewer, water, gas, electricity, telephone, irrigation, pressure irrigation, and storm sewer.
- b. Prepare detailed plans and specifications for construction of all improvements required by this Agreement and shall include but not be limited to a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the public agencies' standards and specifications. If improvements are not completed within two (2) years, the Developer shall provide an updated, current version of the updated plans and specifications to current city standards. The Developer may request an extension of the approvals previously given for another two (2) years.
- c. Engineer of record shall notify the City in writing of schedule before construction begins.
- d. Perform construction surveying, staking, testing, inspection and administer the construction of all facilities required by this contract.
- e. Submit all test reports, inspection reports, change orders and construction diaries to the City Engineer every week during the construction of the development or subdivision.
- f. Prepare and submit an updated copy of the enclosed development and subdivision checklist to the City Engineer every week during the construction of the development or subdivision, and also upon completion of the project.
- g. Submit to the City Engineer the final plans, and master utility plan for the City records showing any approved changes to the original plans and specifications. A permanent drawing in ink on approved Mylar sheets and an electronic media copy

of the plans in current ACAD using City standard format shall be provided within thirty (30) days after completion of the project.

- h. Submit a letter upon completion of construction stating that the work has been constructed in conformance to the plans and specifications, with the certification by the Developer's Engineer that improvements were constructed to the lines and grades shown.

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

The City agrees to provide asphalt pavement confirmation testing for conformance with City standards, but it shall be the responsibility of Developer's Engineer or other certified individuals to provide all necessary quality control and required testing during construction. All tests shall be taken at a frequency based upon Idaho Standard for Public Works Construction (ISPMC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings.

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

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

IV.

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

V.

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

VI.

The Developer and the City agree that the improvements listed herein are required unless specifically waived by action of the City Council and that said improvements will be constructed on any public rights-of-way or easements approved and accepted by the City Council all as designed by the Developer's Engineer and approved by the City Engineer and in accordance with standards established by the City Engineer and that all required improvements will be completed in a timely manner. If improvements are not completed within two (2) years, the Developer shall provide an updated, current version of the developer's agreement and financial guarantee for City Council consideration along with updated plans and specifications to current city standards. The Developer may request an extension of the approvals previously given for another two (2) years.

VII.

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

VIII.

Developer agrees to pay the total extra cost of all additional materials, labor and equipment necessary to construct any streets the City requires to be wider or deeper than a standard street or any water, sewer lines, or pressure irrigation the City requires to be larger than the size required to properly serve the development. The requirement for wider and deeper streets shall be based on the Transportation Master Plan. Requirements for larger water, sewer and pressure irrigation lines shall be based on the citywide sewer, water, and pressure irrigation system sizing guidelines and based on modeling, if applicable.

IX.

The City shall provide no compensation for the cost of an oversize water, sewer line, and pressure irrigation. In the case of water, sewer, or pressure irrigation lines extended adjacent to or outside the limits of development, the Developer shall be eligible for payback from adjacent property owners pursuant to Ordinance No. 2979. The Developer shall also be eligible for compensation when a private developer extends or connects to any water, sewer, pressurized irrigation or street system previously installed by private developer, pursuant to Resolutions 2017-13.

X

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

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

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

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

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

The Developer shall be responsible for any damage to any existing public improvements and shall repair or replace any such damage as required by the City Engineer, during or after completion of this project. The Developer shall submit a Right-of-Way permit and Traffic Control Plan to be approved by the City of Twin Falls prior to any road or sidewalk closures.

XI.

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

PUBLIC WAYS

(a) Required Improvements

- (1) Curb, gutter and sidewalk on all public street rights-of-way.
- (2) A standard residential street thirty three feet (33') wide with an eight inch (8") gravel course and two and a half inch (2.5") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Residential, private streets, and service roads, private parking and maneuvering will be equal to or greater than the residential street sections as specified in the City of Twin Falls revisions to ISPWC.
- (4) A standard collector street forty eight feet (48'), wide per Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings, serving commercial use property or as a collector street. Whenever a street serves an industrial use property the City Engineer will determine the appropriate structural section.
- (5) Arterial typical sections will be designed by the developer's Engineer and approved by the City Engineer.
- (6) A sidewalk, per Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings, is required on all public pedestrian rights-of-way. Four foot (4') sidewalks, by special permission of the City Engineer, are allowed by ISPWC and the City of Twin Falls Revisions to the Specifications and Standard Drawings for minor residential streets under certain conditions.
- (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A portion of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets as Right-of-Way. Within that Right-of-Way the developer shall install a five feet (5') landscape strip with a sprinkler system to the City of Twin Falls Parks and Recreation standards and shall also

install a six foot (6') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the utility bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).

- (8) Street signs and traffic control devices on all public streets.
- (9) Street lights as determined by City policy for street light installation.

(b) City Costs

- (1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
- (2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaires or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.

(c) Required Inspections and Testing

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto

WATER SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-8-3, 7-8-10 and 10-12-4.2 water line and fittings eight inch (8") minimum diameter that will transport a flow of water, which will satisfy fire, domestic, other water demands of the development, based upon the City water pipe sizing plan and computer water model. Water line extension shall include connection from the existing City Water System to each building site and fire hydrants and then loop back to the City System in a manner that will provide a properly functioning system approved by the City Engineer, Water Superintendent and Fire Chief. If the development is to be constructed in phases, the water system shall be looped back to the City system during the first phase. Any water main connections closer than 150' to each other will not be considered looped without prior City approval. No dead-end lines will be allowed during any phase of the project.

- (2) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City water distribution network in accordance with existing sizing guidelines.
- (3) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users or creating a critical situation in the suppression of fires.
- (4) Fire hydrant connections and fire hydrants spacing shall comply with the minimum standards set by the Fire Rating Bureau, American Water Works Association, and the International Fire Code. The maximum length of dead end fire lines shall be one hundred and fifty feet (150'). Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water mains are installed. The design shall minimize the length of the service line and shall terminate at the Right-of-Way. Service taps are not allowed in intersections.

Meters shall be grouped at adjacent side lot lines when possible or at another location if requested by the Developer and approved by the City Engineer and Water Superintendent. Water meter boxes will not be allowed in driveway approaches. Any cost associated in relocating meters from driveway approaches will be the responsibility of the Developer or Lot Owner.

All new water service lines made from new water mains to serve any new development will be the responsibility of the Developer. The developer shall complete all work except when connecting to a live waterline. The City will make the necessary main line taps after payment of the required water connection permit fees.

- (6) One water service line tap, meter box, and service line shall be constructed for each building connected to the City water system. Multi-units less than three may be approved for additional service lines. It is understood and agreed that the City will make all service line taps on live lines, and that the

fee paid by the developer for a Water Connection Permit will reimburse the City for such work. All other work to be completed by the Developer.

- (7) It is further understood and agreed that the City will make all connections to the existing water system. The developer will disinfect the water system and submit testing results to the City prior to making the system live.
- (8) All water valves shall be provided with a gravel access 12" thick where no public roadway currently exists.

(b) City Costs

- (1) None.

(c) Required Inspections

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls Revisions thereto.

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-7-4, 7-7-11 and 10-12-4.2 a waste water collection system (eight-inch (8") minimum diameter) that will transport a flow of waste water, under conditions of maximum and minimum discharge from the development, to the existing City waste water system.
- (2) Waste water sewer lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Waste Water Collection System in accordance with existing sizing guidelines and computer sewer model.
- (3) Manholes to provide access for maintenance and cleaning of the sewer lines located at any change of grade or alignment of the sewer, at the end of each sewer and spaced not more than four hundred feet (400') apart.
- (4) During construction of the curb the letter S shall be stamped into the top or face of the curb directly in front of the sewer service line location. The impression shall be not less than one and one half inches (4") high.
- (5) All manholes shall be provided with a gravel access 12" thick where no public roadway currently exists.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

STORM DRAINAGE SYSTEM

(a) Required Improvements

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

(2) Any catch basin, storm sewer and other sub-surface drainage facilities necessary to convey any storm run-off, originating from or traversing across the proposed development, to a point of retention, detention or discharge approved by the City Engineer.

(3) If storm run-off cannot be conveyed without causing damage to public or private property or without being an unreasonable inconvenience or hazard to a private individual, a group of individuals, or the general public, the storm drain shall be piped to the retention facility.

(4) All retention areas are to be on private property or tracts.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) The City will inspect all dry wells for geometry and materials. With prior written approval from the City Engineer other individuals may be authorized to inspect the work. Rock will be submitted for approval prior to placement in dry wells. A request for inspection shall be called in, forty eight (48) hours in advance or two (2) working days whichever is greater.

GRAVITY IRRIGATION SYSTEM

(a) Required Improvements

(1) Any pipe, boxes or other appurtenances necessary to convey all irrigation water in underground pipe across the development and any adjacent public

property. Irrigation facilities outside an established City irrigation district shall be constructed in an easement on private property except where it is necessary for irrigation water to cross the public right-of-way and all such crossings shall be perpendicular to the center line of said right-of-way unless otherwise approved by the City Engineer due to some unusual condition. Fences will not be located on top of irrigation facilities.

(b) City Costs

- (1) None.

(c) Required Inspections and Testing

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

PRESSURE IRRIGATION SYSTEM

(a) Required Improvements

- (1) Pursuant to Section 7-8-3 of the City Code, the use of the City's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or ZDA, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or ZDA. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be transferred to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.
- (2) Pressure irrigation water mains and fittings shall be six inch (6") minimum diameter or larger irrigation pipe that will transport a flow of water, which will satisfy all irrigation water demands of the development, based upon the computer irrigation water model that the developer's engineer has prepared or found in the current Pressurized Irrigation master plan.
- (3) Pressure irrigation lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the

City Pressure Irrigation water distribution network in accordance with existing sizing guidelines.

- (4) Pressurized irrigation valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users. One pressure irrigation water service line shall be constructed to each subdivision lot site at the time the pressure irrigation water lines are installed. The design shall minimize the length of the service line and shall terminate at the Right-of-Way. Service taps will not be allowed in intersection. One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each subdivision lot connected to the City pressure irrigation water system.
 - (5) The Developer shall be responsible for all costs incurred in designing and installing the pressure irrigation station. This includes the land, pumps, motors, filters, enclosures, delivery system to the station from the TFCC head gate and away from the station on the historical path, storage, Supervisory Control and Data Acquisition (SCADA) system, and power to the station.
 - (6) All pressure irrigation system plans must be prepared by the Developer's engineer and shall be according to the Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings.
 - (7) The Pressure Irrigation System shall be located within easements, right-of-ways and/or property deeded to the City of Twin Falls.
 - (8) Private Pressure Irrigation Systems shall be located outside City Right-of-Way and within easements. No Public infrastructure will be associated with a private Pressure Irrigation System.
- (b) City Cost.
 - (1) None
 - (c) Required Inspections and Testing

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

SPECIAL FEATURES

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

a) Required Improvements

b) City Costs

- (1) None.

XIII.

The developer shall submit an Improvement Agreement with each individual construction phase.

The two (2) year time limit, (indicated in Section VI of the Agreement) for completing the required improvements shall begin from the date of the recordation of this agreement. The Developer may request an extension of the approvals previously given for another two (2) years.

XIV.

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

XV.

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

CITY OF TWIN FALLS, IDAHO

Mayor

Developer

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

On this 1ST day of NOVEMBER, 2021, before me, the undersigned, a Notary Public for Idaho, personally appeared GERALD MARTENS, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

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

CORPORATION

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

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known or identified to me (or proved to me on the oath of _____) to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the

person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for Idaho
Residing _____

PARTNERSHIP

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

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

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

Notary Public for Idaho
Residing _____

NOTICE OF DEVELOPER'S AGREEMENT

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

CALISTOGA SPRINGS SUBDIVISION No. 2

The Agreement imposes certain obligations upon the developer for the development of the subject property, and upon the developer's heirs, successors in interest and lawful assigns. Details of the conditions and obligations may be found by examining or photocopying the Agreement at the Office of the City Engineer, 203 Main Ave E, Twin Falls, Idaho 83301.

CITY OF TWIN FALLS, IDAHO

City Clerk

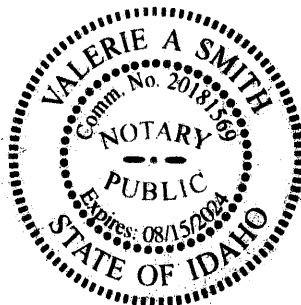
Mayor

Developer

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

On this 1st day of NOVEMBER, 2021, before me, the undersigned, a Notary Public for Idaho, personally appeared GERALD MARTENS, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

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



Notary Public for Idaho
Residing TWIN FALLS
Exp: 8.15.2024



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Jonathan Spendlove

ACTION ITEM

Request:

Request to confirm the Mayor's appointment of new members to the Impact Fee and Improvement Reimbursement Advisory Committee.

Time Estimate:

Less than 5 Minutes

Background:

The Impact Fee Advisory Committee currently has four vacant seats (out of 9 total members). These latest vacancies caused the Committee to dip below the minimum four seat "industry related representation" required by our Code. City Staff has reached out to numerous individuals and development-related professional organizations to ensure compliance with this specific section.

Two individuals have expressed interest and meet the development related qualifications required to serve on the committee. As a Professional Engineer, Dave Thibault has extensive experience in the subdivision development, and public infrastructure side of the industry. Seth Watte has multiple years of experience with property management. These two appointments will be for partial, two-year appointments. At the conclusion of the partial term, the members may be appointed for two additional full terms.

These two appointments will fulfill the requirements of City Code by having five members employed in related industries, with three contractors, one architect, and one professional engineer.

Approval Process:

A simple majority vote of the Council is necessary to approve this request.

Budget Impact:

There is no significant budget impact associated with this request.

Regulatory Impact:

Approval of this request will fill 2 of 4 vacant positions on the Impact Fee Advisory Committee.

History:

NA

Analysis:

NA

Conclusion:

The Mayor recommends that the Council confirm her appointment of Dave Thibault and Seth Watte to two-year terms, on the Impact Fee Advisory Committee.

Attachments:

None



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request to approve FY22 Certified Local Government Grant application for submittal to attend the National Alliance of Preservation Forum 2022. c/o Historic Preservation Commission

Time Estimate:

The presentation may take approximately 10 minutes with questions/comments to follow.

Background:

The Historic Preservation Commission is asking for the City Council's approval to apply for the FY22 Certified Local Government (CLG) grant to allow 2 individuals to attend the National Alliance of Preservation Forum in July 2022.

The forum is scheduled to take place in Cincinnati and offers preservation training related to local historic preservation issues. It includes dozens of educational sessions and 5 days of networking for commissioners, staff, local representatives, and other government agencies.

The commission was awarded this grant in 2020. However, due to the pandemic, they were unable to send individuals to the forum. The commission is in support of having 2 individuals attend. The commission feels the training opportunity related to historic preservation would be beneficial for the staff and the commission.

Approval Process:

Upon conclusion, should the Council approve the request, the application must be signed by the Mayor. The application will then be submitted to the Idaho State Historic Preservation Office no later than December 31, 2021. Awards for the grant will be announced in February 2022 and the deadline for completion and final reimbursement will be September 2023.

Budget Impact:

The CLG grant requires that the community provide at minimum a 50/50 match for the grant funds. These funds can be either cash or in-kind. There should not be a significant budget impact with the Council's approval of the request. The in-kind match is typically in the form of donated commissioner and city staff time calculated at an hourly rate. The request is to apply for \$8848 and, if approved, it is expected that all costs associated with the request would be covered by the grant and in-kind services.

Regulatory Impact:

n/a

History:

n/a

Analysis:

n/a

Conclusion:

The Historic Preservation Commission has unanimously forwarded a positive recommendation to the City Council.

Attachments:

1. FY22 CLG Grant Training Application

**Idaho State Historic Preservation Office
Certified Local Government Subgrant Application
FY2022**

Application Coversheet

Applicant/Local Government

Name: City of Twin Falls
Address: 203 Main Ave E
Address: Twin Falls, ID 83301
Telephone: 208-735-7267
DUNS No.: _____

City/County Staff Contact

Name: Lisa Strickland
Address: 203 Main Ave E
Address: Twin Falls, ID 83301
Telephone: 208-735-7266
E-mail: _____

Grant Coordinator (if different from City/County Staff Contact)

Name: _____
Address: _____
Address: _____
Telephone: _____
E-mail: _____

Budget Summary

Total CLG Grant request: 4424
Total Matching share: 4424
Total cost of all project(s): 8848
Source(s) of match: in-kind

Please provide a more detailed budget breakdown on the attached budget form.

Authorization

The undersigned certifies that he/she is authorized to apply for this subgrant on behalf of the local government, to commit local matching funds to the project, and to enter into a contract if the subgrant is awarded.

Signature: _____
City/County Chief Elected Official's signature

Date: _____

Print: _____

Title: _____

Project: National Alliance of Preservation Forum

Applicant: TF Historic Preservation Comm

Part A: Proposed Project

Project Description

Complete a separate Part A: Project Description for **each** proposed project. Please state the objectives, the work to be performed, how the project relates to the goals set forth in the Idaho State Historic Preservation Plan, how the project relates to any local goals or objectives, and how the project will meet the Secretary of the Interior's Standards.

The Twin Falls Historic Preservation Commission (TFHPC) would like to send 2 attendees to the biennial National Alliance of Preservation Forum.

The TFHPC has had some newer members added to the commission and several have served for a short period of time. Professional development would benefit the commission.

The TFHPC Master Plan has several goals related to providing public outreach to increase community awareness, develop community workshops and educational sessions related to historic preservation. By sending an attendee to the conference the commission anticipates the training and education provided will assist in achieving these goals.

Final Products

CLG grant projects should result in a tangible product. Provide a detailed and specific list of the expected final products. Typical products include but are not limited to survey reports and forms; published document (e.g. walking tour guide); a National Register nomination; or similar. In some cases, the product may be an activity like a lecture or workshop. A short narrative describing the event must be submitted to the SHPO at the completion of the project. The narrative will describe the number of people attending, who composed the audience, and whether the project was carried out according to the proposal.

After the conference each participant will be tasked with presenting what they learned from the experience to the commissioners that were not able to attend.

Project: National Alliance of Preservation Forum

Applicant: TF Historic Preservation Comm

Timetable

Provide an anticipated timetable for carrying out the proposed project. Include significant milestones such as project commencement, issuing of RFPs, public engagement events, any necessary approvals, and projected completion.

The National Alliance of Preservation Forum will be attended in July 2022
The presentations from the attendees will be completed in August 2022
The reimbursement request will be submitted prior to the designates deadline.

Key Staff/Personnel

Provide a list of the key staff or personnel who will be involved in the proposed project, including a brief description of the roles and responsibilities for each member. Any anticipated subcontractors to be hired can simply be identified as such (e.g. – “consultant,” “architect,” “building contractor,” et cetera).

Lisa Strickland, City Planner, TFHPC Staff Liaison will be administering the grant.
2 attendees

Attachments (Surveys, A&D, reprinting)

Attach any additional documents in support of this project application. Note: some project types have **required** attachments; please refer to Chapter VII of the Idaho CLG Grants Manual for details on these requirements.

Have you included any/all attachments for the project?

Yes ☐ No ☒

Project: National Alliance of Preservation ForumApplicant: TF Historic Preservation Comm**Part B: Project Budget****Applicant:** TF Historic Preservation Comm**Project:** National Alliance of Preservation Forum

Provide a breakdown of the budget items for this specific project. Include hourly or daily rates for professional fees, costs for specific project items, and any associated travel costs. For any cash matches from the Applicant, please include the source of the matching money (e.g. – CDBG, Idaho Heritage Trust, private donation, et cetera).

Item	Federal Share	Local Match		Total
		Cash	In-Kind	
NAPC Membership	\$ 100.00			\$ 100.00
Conference Registration \$240 x 2 attendees	\$ 480.00			\$ 480.00
Mileage to/from Boise + Parking 2 vehicles	\$ 590.00			\$ 590.00
Airfare x 2 with checked bags	\$ 1,134.00			\$ 1,134.00
Lodging 4 nights x 2 attendees	\$ 1,432.00			\$ 1,432.00
Transportation to and from airport	\$ 120.00			\$ 120.00
Per Diem x 2 attendees	\$ 568.00			\$ 568.00
Commissioner & Staff In-Kind Match			\$ 4,424.00	\$ 4,424.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
Subtotals		\$ 0.00	\$ 4,424.00	
Totals	\$ 4,424.00	\$ 4,424.00		\$ 8,848.00



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request to approve FY22 Certified Local Government Grant application for submittal to develop a Downtown Historic District Virtual Walking Tour. c/o Historic Preservation Commission

Time Estimate:

The presentation may take approximately 10 minutes with questions/comments to follow.

Background:

The Historic Preservation Commission is asking for the City Council's approval to apply for the FY22 Certified Local Government (CLG) grant to develop another historic district virtual walking tour. In 2020, a CLG grant was approved by the Idaho State Historic Society to attend the National Alliance of Preservation Forum in July 2020. Shortly after approval of the grant, it became apparent that traveling and attending out of state training was not going to be an option due to the COVID-19 pandemic.

The Idaho State Historic Society, recognizing the unique situation, informed the commission that the approved funds can be re-allocated for another project that meets the grant application criteria. Annually, the Historic Preservation Commission (HPC) hosts a walking tour of one of the three historic districts (Warehouse, Downtown, City Park). This event involves presenting local history to groups of attendees and walking through the district, highlighting the architecture, character and history of significant buildings within the district.

As a result of the pandemic, it became evident that the walking tour was not going to happen in 2020. Discovering funds could be re-allocated, the commission proposed developing a Virtual Walking Tour of the City Park District, creating a digital means for people to still have access to the information without having to attend a group event. The commission recognizes that the world is becoming more and more digitized with people searching and accessing everything via the internet. They saw this as an opportunity to expand their efforts to share local history that is not limited to an annual event.

This year the HPC would like to submit another grant application to request funding to develop another virtual walking tour of the Downtown Historic District. The tour would be similar to the park tour, highlighting the district and 10-12 significant buildings within the district. Should the funding be approved, the commission would partner once again with Visit Southern Idaho to develop the tour and have it hosted on the Visit Southern Idaho App. The goal is to broaden community education regarding our local history in a format that is user-friendly and is readily available to a plethora of new individuals.

Approval Process:

Upon conclusion, should the Council approve the request, the application must be signed by the Mayor. The application will then be submitted to the Idaho State Historic Preservation Office no later than December 31, 2021. Awards for the grant will be announced in February 2022 and the deadline for completion and final reimbursement will be September 2023.

Budget Impact:

The CLG grant requires that the community provide at minimum a 50/50 match for the grant funds. These funds can be either cash or in-kind. There should not be a significant budget impact with the Council's approval of the request. The in-kind match is typically in the form of donated commissioner and city staff time calculated at an hourly rate. The request is to apply for \$1200 and if approved it is expected that all costs associated with the request would be covered by the grant and in-kind services.

Regulatory Impact:

n/a

History:

n/a

Analysis:

n/a

Conclusion:

The Historic Preservation Commission has unanimously forwarded a positive recommendation to the City Council.

Attachments:

1. FY22 CLG Grant Virtual Tour Application

**Idaho State Historic Preservation Office
Certified Local Government Subgrant Application
FY2022**

Application Coversheet

Applicant/Local Government

Name: City of Twin Falls
Address: 203 Main Ave E
Address: Twin Falls, ID 83301
Telephone: 208-735-7267
DUNS No.: _____

City/County Staff Contact

Name: Lisa Strickland
Address: 203 Main Ave E
Address: Twin Falls, ID 83301
Telephone: 208-735-7266
E-mail: _____

Grant Coordinator (if different from City/County Staff Contact)

Name: _____
Address: _____
Address: _____
Telephone: _____
E-mail: _____

Budget Summary

Total CLG Grant request: 6000
Total Matching share: 6000
Total cost of all project(s): 1200
Source(s) of match: in-kind

Please provide a more detailed budget breakdown on the attached budget form.

Authorization

The undersigned certifies that he/she is authorized to apply for this subgrant on behalf of the local government, to commit local matching funds to the project, and to enter into a contract if the subgrant is awarded.

Signature: _____
City/County Chief Elected Official's signature

Date: _____

Print: _____

Title: _____

Part A: Proposed Project

Project Description

Complete a separate Part A: Project Description for **each** proposed project. Please state the objectives, the work to be performed, how the project relates to the goals set forth in the Idaho State Historic Preservation Plan, how the project relates to any local goals or objectives, and how the project will meet the Secretary of the Interior's Standards.

Twin Falls Historic Preservation Commission has had to cancel in-person walking tours of the City's Historic Districts due to public health concerns. Each tour focuses on the history of the district and the buildings that are listed on the national historic registry. During the height of the pandemic, with social distance and quarantining in place the Commission proposed another way to reach out to people and still provide some type of educational resource about Twin Falls History. During this time-frame research was done, narrations were developed, video was recorded, editing of the video and the development of a digital application with Visit Southern Idaho was created to provide a digital walking tour. The tour is available through the Visit Southern Idaho Application for all to use.

The commission and the application has had a great deal of success with some interest from the public for additional digital tours. The Commission is requesting funds to produce another video for another City Historic District. The plan would be to identify which district to tour, defining the buildings to be highlighted, pursue aerial and interior video where available. The production would be done through the partnership with Visit Southern Idaho once again to do the video footage and edits so that the tour can be published on the Visit Southern Idaho Application in addition to the previous City Park Historic District digital tour.

Objective: Provide historic district digital walking tour

Work: Research, Narrative Creation, Video Footage, Editing, Publication

State Goal: The goal is to try to use more current technologies to not only preserved history but to expand our audience base, so that local history is not lost.

Local Goal: Develop a digital tour that is available through our partnership with Visit Southern Idaho allows our history to be digitally available to local citizens as well as visitors to our City. The intent is to enhance awareness and the importance of preserving the remaining buildings that have created the character of the district.

Final Products

CLG grant projects should result in a tangible product. Provide a detailed and specific list of the expected final products. Typical products include but are not limited to survey reports and forms; published document (e.g. walking tour guide); a National Register nomination; or similar. In some cases, the product may be an activity like a lecture or workshop. A short narrative describing the event must be submitted to the SHPO at the completion of the project. The narrative will describe the number of people attending, who composed the audience, and whether the project was carried out according to the proposal.

The project if approved will be a production of a digital tour of one of our historic districts with plans to provide the tour through the Visit Southern Idaho Application with a focus on properties listed on the National Registry of Historic Places.

Project: Digital Walking Tour Production

Applicant: TF Historic Preservation Comm

Timetable

Provide an anticipated timetable for carrying out the proposed project. Include significant milestones such as project commencement, issuing of RFPs, public engagement events, any necessary approvals, and projected completion.

Dec-March 2022

Writing the grant proposal
Choosing the district for the tour
Define the number of buildings to be included
Identify the buildings to be highlighted in the tour
Research the building for history and photos

April-June 2022

Develop script for the digital tour
Record Narrative for the digital tour
Collect interior and exterior video of the buildings

July-Sept 2022

Create Draft Video
Submit the 1st Interim Report

Oct-Feb 2022-23

Make final draft
Submit the 2nd Interim Report

March - Sep 2023

Project Completion
SHPO Comment Period
Final Reimbursement Request Due

Key Staff/Personnel

Provide a list of the key staff or personnel who will be involved in the proposed project, including a brief description of the roles and responsibilities for each member. Any anticipated subcontractors to be hired can simply be identified as such (e.g. – “consultant,” “architect,” “building contractor,” et cetera).

Lisa Strickland, City Planner (HPC Staff Liaison) - assist as needed for billing and necessary paperwork
Historic Preservation Commission Members- Identify Buildings to Include, Research the History, Develop Script, Narrate the Video, Review Draft, Recommend Edits, approve final production
Visit Southern Idaho Melissa Berry & Arnel Culum-produce video and provide hosting on website/app

Duties will be assigned as the project progresses. The commission will work as a group to define the parameters for the digital tour. Once parameters have been identified, commissioners will be assigned research responsibilities for the various buildings to be highlighted in the tour. Once research is complete there will be a script developed for the tour that will be used to record the narrative for each building.

Visit Southern Idaho staff will be recording aerial video and any interior video that can be used in the digital tour. The narrative voice over, editing of the video, draft production and final production of the digital tour.

Interim reports will be submitted by staff liaison along with and final billing and communications needed for the project.

Attachments (Surveys, A&D, reprinting)

Attach any additional documents in support of this project application. Note: some project types have **required** attachments; please refer to Chapter VII of the Idaho CLG Grants Manual for details on these requirements.

Have you included any/all attachments for the project?

Yes ☐ No ☒

Applicant: TF Historic Preservation Comm

Applicant: TF Historic Preservation Comm

Provide a breakdown of the budget items for this specific project. Include hourly or daily rates for professional fees, costs for specific project items, and any associated travel costs. For any cash matches from the Applicant, please include the source of the matching money (e.g. – CDBG, Idaho Heritage Trust, private donation, et cetera).

FY2022 CLG Subgrant Application: Part B



Date: Monday, December 6, 2021
To: Honorable Mayor and City Council
From: Jon Caton, Public Works Director, Public Works Director

ACTION ITEM

Request:

Request approval for Airport well improvement.

Time Estimate:

10 Minutes plus time for Council questions and discussion

Background:

Water quality of the airport well is extremely important and closely monitored and frequently tested in accordance with state and federal law. Over the past few years, our laboratory water quality testing has demonstrated an increasing level of trihalomethanes (THMs). Trihalomethane is a byproduct of disinfection and is considered a contaminant by the EPA and has an established MCL (Maximum Contaminant Level). The MCL for trihalomethane is .080 mg/l and we have not yet had a compliant sample exceed this limit; however, it has been increasing over the past few years and is an area of concern. The increase is seasonal and historically happens only during the summer months. Because of this, the Water Department is proactively pursuing solutions to resolve the issue. The solutions being considered address two topics: water quality and redundancy. Today, there is only one well at the airport and the City would like to drill a second well to improve redundancy. In parallel to drilling a new well, the city has performed and would like to perform additional pilot studies for the most effective removal of THMs. We have had promising results with the pilot studies, and intend to proceed with two projects: a new well, and a THM treatment system. These projects have been previously approved by City Council as part of prior budgets, since FYE20. Due to many factors, including COVID, the projects are not yet completed and much of the funding has returned to reserves. The purpose of today's conversation is to ask Council's permission to re-access those funds previously approved. In FYE20 \$112,000 was approved for engineering and in FYE21 \$390,000 was approved for well construction and THM treatment. Approximately \$49,347 of these funds have been spent, sending more than \$450,000 back to Water Fund Reserves. Staff would like permission to use \$331,000 of reserves to complete both projects.

Approval Process:

Requires Council Approval

Budget Impact:

In FYE20 \$112,000 was approved for engineering and in FYE21 \$390,000 was approved for well construction and THM treatment. Approximately \$49,347 of these funds have been spent, sending more than \$450,000 back to Water Fund Reserves. Staff would like permission to use \$331,000 of reserves to complete both projects.

Regulatory Impact:

A portion of this project will support the EPA requirements.

History:

Analysis:**Conclusion:**

Staff recommends Council approve \$331,000 of Water Fund Reserves to complete the airport improvement projects: THM treatment, and a new well.

Attachments:

None



Date: Monday, December 6, 2021
To: Planning and Zoning Commission
From: Lisa Strickland, City Planner

ACTION ITEM

Request:

Request to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

Time Estimate:

Approximately 5-10 minutes with questions/comments to follow.

Background:

This is a request to vacate a platted subdivision. The Denton Subdivision Plat was recorded in 2009. This plat contained right-of-way dedications for Filer Ave W, Borah Ave, and Dubois Ave.

After pursuing development of the southern lot, the owner discovered near impossible hurdles preventing connection to city utilities.

Therefore, the applicant is now requesting the Denton Subdivision plat be vacated, including the vacation of Dubois Right-of-way, thus allowing these two lots to become a singular "lot".

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1 Vacations & Dedications, which requires a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

n/a

Regulatory Impact:

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

History:

The Denton Subdivision was platted in 2009.

Analysis:

Approval of this request would allow for the property to return to 1 lot. This vacation would not affect the zoning on the property and the final plat would be returned to one lot. The staff does not anticipate any negative impacts to the surrounding area should the request be approved.

Conclusion:

On November 9, 2021, the Planning & Zoning Commission recommended approval of the request by unanimous vote of all members present.

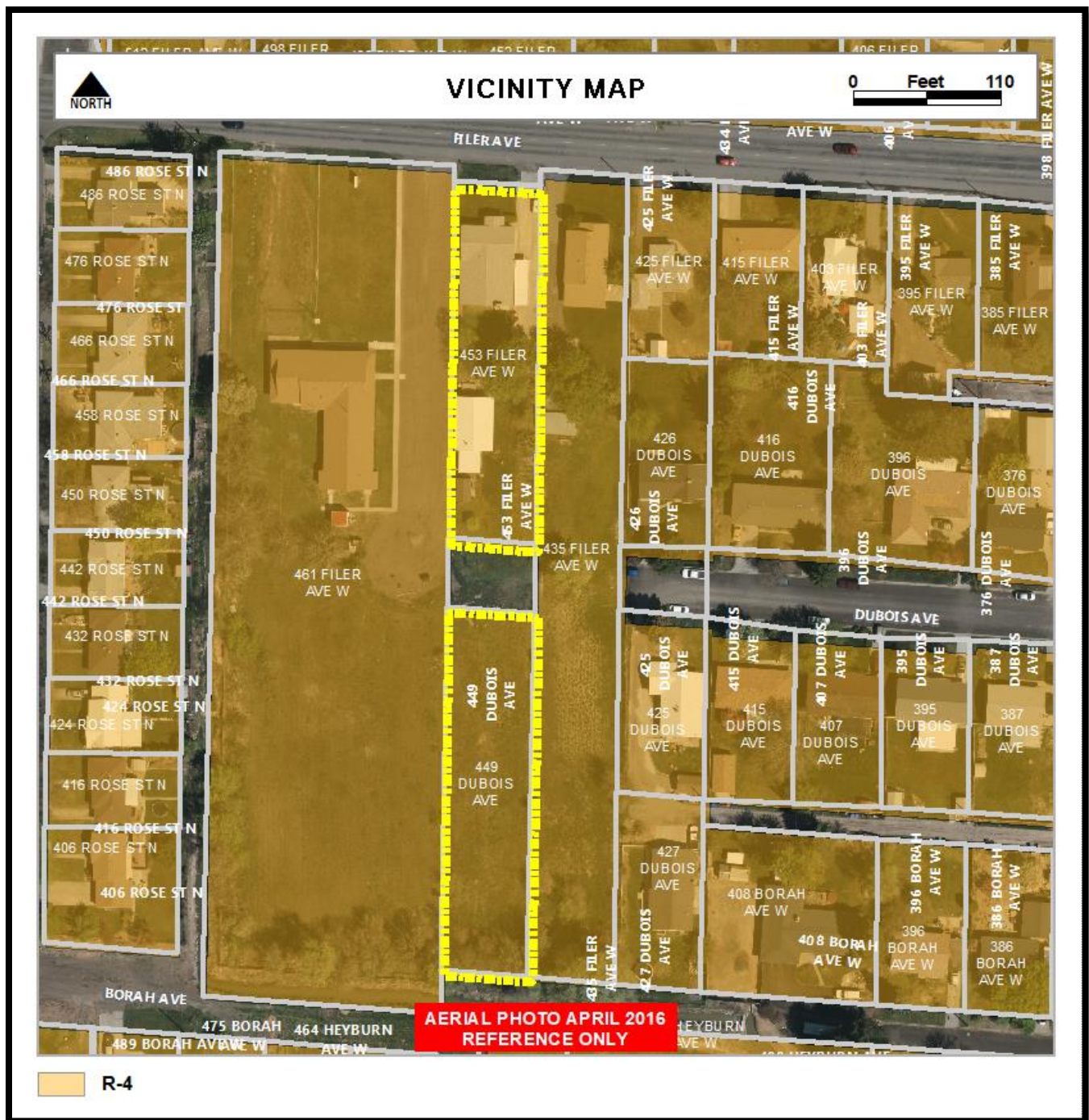
The vacation of the plat would eliminate the right of way dedication of Dubois Avenue, along with a fire turn around easement. Approval of this request would allow for the property to return to 1 lot and be useable for permitted accessory buildings, or used by the original property to the north.

Upon conclusion, the staff is in support of this request. Should the City Council approve the request as presented, staff recommends approval be subject to the following conditions:

1. Subject to right of way dedications for Filer Ave W and Borah Ave W being retained by the City of Twin Falls.

Attachments:

1. Vicinity Map
2. Narrative
3. Applicant Exhibit
4. Utility Company Letters
5. 11-09-21 PZC Minutes



Current Zoning: R-4; Residential

Existing Land Use: Residential

Comprehensive Plan: Town Neighborhood

Proposed Land Use: Vacation of Plat

Surrounding Zoning Designations & Land Use(s)

North: Filer Ave/Residential

East: Residential

South: Borah Ave/Residential

West: Residential

Applicable Regulations

10-1-4, 10-1-5, 10-2, 10-4-5, 10-16

Lisa Strickland

From: Lisa Strickland
Sent: Monday, September 20, 2021 3:02 PM
To: Lisa Strickland
Subject: FW: Vacation Application

From: Leonard Denton <LRDenton@hotmail.com>
Sent: Monday, September 20, 2021 1:43 PM
To: Lisa Strickland <LStrickland@tfid.org>
Subject: RE: Vacation Application

[EXTERNAL SENDER]

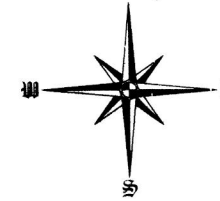
I am requesting to vacate the Denton Subdivision plat because as it sits I cannot improve it, as it is only a Conveyance plat. The cost to get utilities in to the property is cost prohibitive. It was originally not there and the address of 453 Filer Ave West was just the whole acre. I am looking at putting it back that way so that when\if I decide to sell the house at 453 Filer Ave West, it would be easier than trying to accommodate selling that plus an extra lot, or keeping the lot and paying taxes on it when nothing can be built there.

Thanks
Leonard Denton

DENTON SUBDIVISION

CONVEYANCE PLAT

North



SCALE
1" = 60'

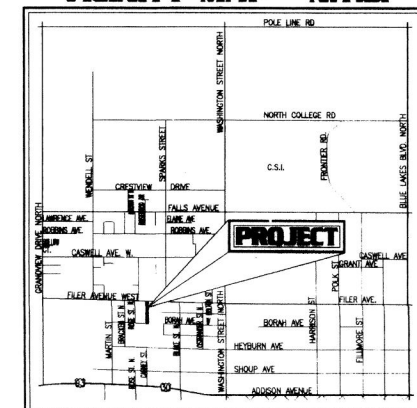
LOCATED IN
**LOT 2, "DE LONG ADDITION" IN
NW⁴ SE⁴ SECTION 8,
TOWNSHIP 10 SOUTH,
RANGE 17 EAST,
BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO
2008**

LEGEND

SUBDIVISION BOUNDARY	_____
STREET CENTERLINE	_____
RIGHT-OF-WAY LINE	_____
UTILITY EASEMENT	_____
EDGE OF TEMPORARY FIRE TRUCK TURNAROUND	_____
FOUND BRASS CAP	●
FOUND 5/8" STEEL PIN	○
FOUND 1/2" STEEL PIN	○
SET 5/8" REBAR & CAP	●

TWIN FALLS COUNTY
RECORDED FOR:
ALL POINTS LAND SURVEYING
4:28:57 pm 04-01-2009
2009-007057
NO. PAGES: 2 FILE: 122.M
KRISTIAN BLANCHARD
COUNTY CLERK
DEPUTY: CHICE

VICINITY MAP N.T.S.



North

Filer Ave W R-O-W to
be retained

area to be vacated
(reference only)

Borah Ave W R-O-W
to be retained

NOTE:
THE LAND ON THIS PLAT INCLUDES WATER SHARES.
PROPORTIONAL WATER SHARES SHALL BE TRANSFERRED
TO THE PLATTED LAND TO BE UTILIZED FOR IRRIGATION
BY LOT OWNERS.

NOTE: "A CONVEYANCE PLAT IS A RECORD OF PROPERTY APPROVED BY THE
CITY OF TWIN FALLS, IDAHO, FOR THE PURPOSE OF SALE OR CONVEYANCE
IN ITS ENTIRETY OR INTERESTS THEREON DEFINED. NO BUILDING PERMIT
SHALL BE ISSUED UNTIL A FINAL PLAT IS APPROVED, FILED OF RECORD
AND PUBLIC IMPROVEMENTS ACCEPTED IN ACCORDANCE WITH THE PROVISIONS
OF TITLE 10 OF THE CITY OF TWIN FALLS CITY CODE. SELLING A PORTION
OF THIS PROPERTY BY METES AND BOUNDS, EXCEPT AS SHOWN ON AN APPROVED,
FILED AND ACCEPTED CONVEYANCE PLAT IS A VIOLATION OF CITY CODE."

HEALTH CERTIFICATE
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 ARE IN
FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING, OR SHELTER WHICH
NECESSITATES SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH
PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED.

DATE 7/21/2009



ALL POINTS LAND SURVEYING
JOHN ROOT - P.L.S. #889



easement

1 message

Ford, Rob <Robert.Ford@sparklight.biz>
To: lrdenton@hotmail.com

Wed, Aug 11, 2021 at 10:44 AM

449 debios ave w, the property in behind address we do not have an easement for cable in this area



ROB FORD

Lead tech| **Sparklight**

T: 208-410-9856

261 Eastland dr Twin Falls id

robert.fordt@sparklight.biz



image001.png

7 KB

LRDenton@hotmail.com

From: Englund, Krista <KEnglund@idahopower.com>
Sent: Thursday, July 8, 2021 11:02 AM
To: Leonard Denton
Subject: RE: Vacating an easement
Attachments: DENTON SUBDIVISION (Conveyance Plat) (002).jpg; Release of Easement Application.pdf

Good Morning Leonard,

Thank you for your detailed explanation. I have attached the Denton Subdivision Conveyance Plat which looks like it was recorded with the county. It appears that there is a 15' utility easement that lies on either side of the road-right-way between lot 1 and 2. Idaho Power does not maintain facilities within the above mentioned public utility easements and we would be ok with a vacation within this area.

If this response is not enough and the city will require a formal letter then we would need to go through our formal process. I have attached our application just in case. This would need to be filled out, notarized, and sent in with supporting documentation and a fee of \$150.

Let me know if you have any questions.

Thanks,

Krista Englund

ASSOCIATE REAL ESTATE SPECIALIST

Idaho Power | Corporate Real Estate

PO Box 70 | Boise, ID | 83707

Office 208-388-2245

Lands Line 208-388-5263

Email kenglund@idahopower.com

From: Leonard Denton <LRDenton@hotmail.com>
Sent: Wednesday, July 7, 2021 3:17 PM
To: Englund, Krista <KEnglund@idahopower.com>
Subject: [EXTERNAL]Vacating an easement

KEEP IDAHO POWER SECURE! External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

Good morning

Several years ago, I split my one acre lot in Twin Falls to two half acre lots with the intent of selling the back half (marked as 449 Dubois on the attachment)



Lumen
Brad McNew
Program Manager
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 646-3599

July 13, 2021

Leonard Denton
453 Filer Ave W
Twin Falls, Id

RE: 453 Filer Ave W-449 Duboise
T14010000002Q-T1401000002P
Section 8, T10S, R17E

To whom it may concern:

Reference is made to your request for Lumen to vacate any existing easement located in the City of Twin Falls, County of Twin Falls, State of Idaho. Lumen has no facilities in any easement and no need for easment on the 2 parcels 453 Filer Ave W & 449 Duboise..

If existing utilities need to be vacated contruction charges would apply for relocation of facilities.

Please call me if you have any questions.

Sincerely,

Brad McNew



Good Morning Leonard,

Thank you for your detailed explanation. I have attached the Denton Subdivision Conveyance Plat which looks like it was recorded with the county. It appears that there is a 15' utility easement that lies on either side of the road-right-way between lot 1 and 2. Idaho Power does not maintain facilities within the above mentioned public utility easements and we would be ok with a vacation within this area.

If this response is not enough and the city will require a formal letter then we would need to go through our formal process. I have attached our application just in case. This would need to be filled out, notarized, and sent in with supporting documentation and a fee of \$150.

Let me know if you have any questions.

Thanks,

Krista Englund

ASSOCIATE REAL ESTATE SPECIALIST

Idaho Power | Corporate Real Estate

PO Box 70 | Boise, ID | 83707

Office 208-388-2245

Lands Line 208-388-5263

Email kenglund@idahopower.com

IDAHO POWER LEGAL DISCLAIMER

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TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



ENGINEERING

208-733-6731

September 1, 2021

Leonard Denton
Property Owner
453 Filer Ave. W.
Twin Falls, ID 83301

RE: LEONARD DENTON – VACATION OF ACCESS OR ROADWAY EASEMENT

Dear Mr. Denton,

The Twin Falls Canal Company has reviewed documentation pertaining to the vacation of the access or roadway easement between the two properties located at 453 Filer Ave. W and 449 Filer Ave. W. Twin Falls, Idaho. This Letter is to inform you that the Twin Falls Canal Company has no facilities between the two properties and therefore has no issues with the vacation. However, the Twin Falls Canal Company does have lateral 38 on the southside of the property located at 449 Filer Ave. W. Twin Falls, Idaho. There is an easement associated with lateral 38 that the Twin Falls Canal Company will not vacate.

After reviewing our comments, TFCC would like to discuss any concerns or issues surrounding the property, please contact me at 208-733-6731 or by email at jbrown@tfcanal.com.

Sincerely,

Jason Brown, P.E.
TFCC Engineer
Twin Falls Canal Co.

cc: To File



BOISE GENERAL OFFICE – GIS DEPT
555 SOUTH COLE ROAD • BOISE, ID. 83709
(208) 377-6000 • Fax (208) 377-6867 www.intgas.com

September 03, 2021

To whom it may concern,

Intermountain Gas Company has no objection to the vacation of a utility easement located at a lot split at TWIN FALLS DENTON SUBD, LOT 1, (8-10-17 SE) also known as 453 Filer Ave W, Twin Falls, Twin Falls County Idaho. We do not have any gas in the existing easement and will not have a need in the future. For any questions please contact Robert Miller at robert.miller@mdu.com or phone 208-377-6084

Robert Miller
GIS Analyst
Intermountain Gas Company

LUMEN

Lumen
Brad McNew
Program Manager
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 646-3599

July 13, 2021

Leonard Denton
453 Filer Ave W
Twin Falls, Id

RE: 453 Filer Ave W-449 Duboise
T14010000002Q-T1401000002P
Section 8, T10S, R17E

To whom it may concern:

Reference is made to your request for Lumen to vacate any existing easement located in the City of Twin Falls, County of Twin Falls, State of Idaho. Lumen has no facilities in any easement and no need for easment on the 2 parcels 453 Filer Ave W & 449 Duboise..

If existing utilities need to be vacated contruction charges would apply for relocation of facilities.

Please call me if you have any questions.

Sincerely,

Brad McNew



easement

1 message

Ford, Rob <Robert.Ford@sparklight.biz>
To: lrdenton@hotmail.com

Wed, Aug 11, 2021 at 10:44 AM

449 debios ave w, the property in behind address we do not have an easement for cable in this area



ROB FORD

Lead tech| **Sparklight**

T: 208-410-9856

261 Eastland dr Twin Falls id

robert.fordt@sparklight.biz



image001.png
7 KB



Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 9, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS SPECIAL MEETING

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Commissioner Bolton called the meeting to order at 06:00 PM
A quorum was present.

Members Present: In Person - Bolton, Musser, Detweiler By Phone - Hansen, Kelley
Staff Present: Spendlove, Ebersole, Hart, Zollinger, Strickland, Vitek

2) Consent Calendar

MOTION: Commissioner Detweiler moved to approve the Consent Calendar, as presented.
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- a) Approval of minutes from the following meetings:
October 26, 2021
November 3, 2021

3) Items of Consideration - None

4) Public Hearings

- a) Request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

Staff Presentation:

City Planner Strickland the request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

All procedures will follow the process as described in TF City Code: 10-16-1
Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or

voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Denton Subdivision was platted in 2009.

Approval of this request would allow for the property to return to 1 lot. This vacation would not affect the zoning on the property and the final plat would be returned to one lot. The staff does not anticipate any negative impacts to the surrounding area should the request be approved.

The vacation of the plat would eliminate the right of way dedication of Dubois Avenue, along with a fire turn around easement.

Approval of this request would allow for the property to return to 1 lot and be useable land area for permitted accessory buildings, or uses by the original property to the north.

Upon conclusion, staff is in support of this request. Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to right of way dedications for Filer Ave W and Borah Ave W being retained by the City of Twin Falls.

Applicant Presentation:

Leonard Denton, applicant, presented the request to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue. He stated the original plan was to sell off the back acre of the property but won't work due to lack of access to services. He stated he wants to reestablish the original plat.

PZ/Questions & Comments: none

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION: Commissioner Musser moved to approve the request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton, as presented, with staff recommendations. (app. PZ21-0152). Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- b) Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)



Date: Monday, December 6, 2021
To: Planning and Zoning Commission
From: Ian Zollinger, City Planner

ACTION ITEM

Request:

Request for the annexation for property legally described as lots 5 and 6 of the Orchalara Subdivision. c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)

Time Estimate:

15 Minutes for staff presentation and questions

Background:

This is a request for annexation with a recommended zoning designation of R2/ Canyon Rim Overlay for property located 700' South of Filer Ave and 700' West of the intersection of Heyburn Avenue and Martin Street.

Approval Process:

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area.

Budget Impact:

NA

Regulatory Impact:

§10-4-2: SUI, Suburban Urban Interface, Agricultural, Residential Single Household.

§10-4-4: R2, Residential Single Household or Duplex District.

§10-4-19: CRO, Canyon Rim Overlay.

§10-15; Annexation Regulations.

History:

The property is currently zoned SUI/Canyon Rim Overlay.

Analysis:

The Comprehensive Plan designates this area as "Neighborhood Commercial". The comprehensive plan identifies neighborhood commercial as supporting services and small -scale commercial for surrounding neighborhoods designed to contemplate the neighborhoods character. Staff has determined this request does not comply with the 2016 Grow With Us Comprehensive Plan.

The subject properties are located within the area of impact and have a zoning designation of SUI/Canyon Rim Overlay.

The applicant intends to annex the property into the city to receive city utilities. Although the designation does not comply with the comprehensive plan, the property being zoned Canyon Rim Overlay requires

that any development proposed for the property must be done through a Zoning Development Agreement or ZDA.

The applicant is preparing to rezone this property along with other neighboring property in the form of a ZDA but is required to annex the property into city limits first and rezone to ZDA later.

Conclusion:

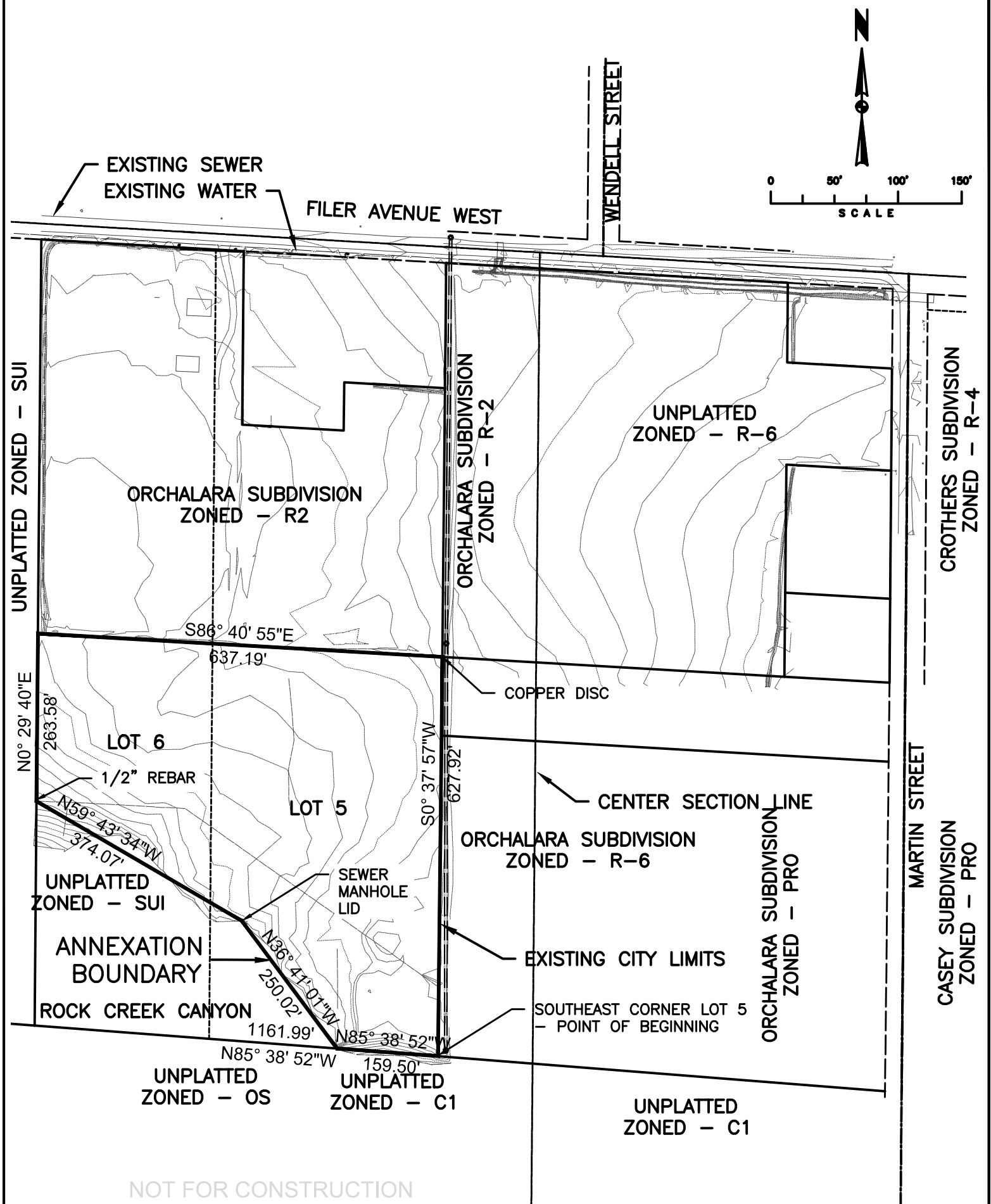
On November 6, 2021, the Planning and Zoning Commission made the recommendation of R2 Canyon Rim Overlay in a 4-1 vote.

The City Council is tasked to decide whether the subject property shall be annexed into the city with the recommended zoning designation of R2.

The Council may approve the request as presented, deny the request, request a different zoning designation, or request additional information be provided.

Attachments:

1. Applicant Exhibit
2. Vicinity Map
3. FLU MAP
4. 11-09-21 PZ SPECIAL MEETING minutes draft



PROPERTY ANNEXATION SW OF FILER AND MARTIN
TWIN FALLS, IDAHO

VICINITY MAP

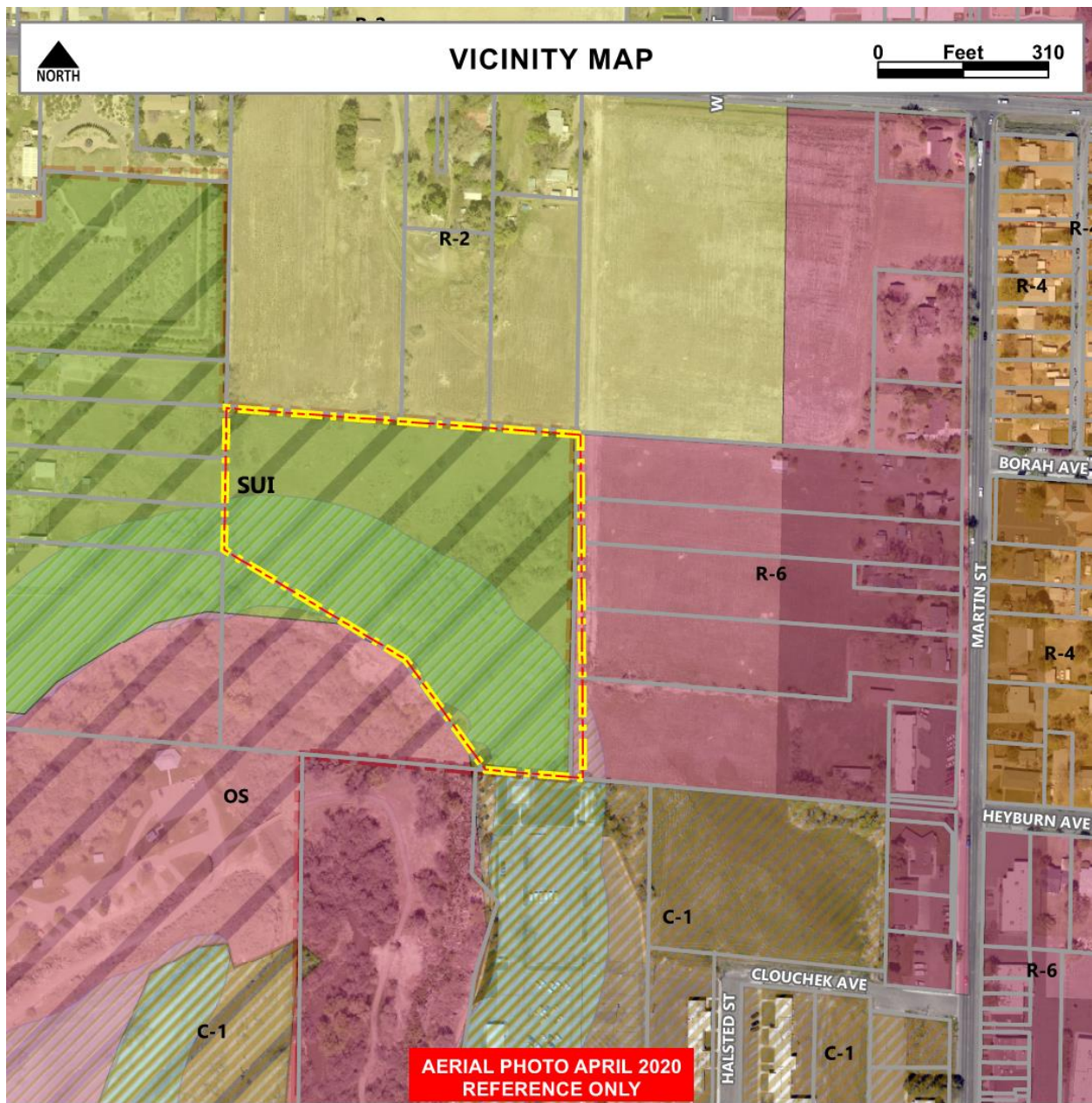


tdhengineering.com

DRAWN BY:	RLH
DESIGNED BY:	RLH
QUALITY CHECK:	DFW
DATE:	10/5/21
JOB NO.	F20-032
CAD NO.	TF21-005 TOPO

1

1



Current Zoning: SUI/ Canyon Rim Overlay

Existing Land Use: Vacant/Undeveloped

Comprehensive Plan: Neighborhood Commercial

Proposed Zoning: R2/ Canyon Rim Overlay

Surrounding Zoning Designations & Land Use(s)

North: R-2; Agriculture/ Single Family Residential

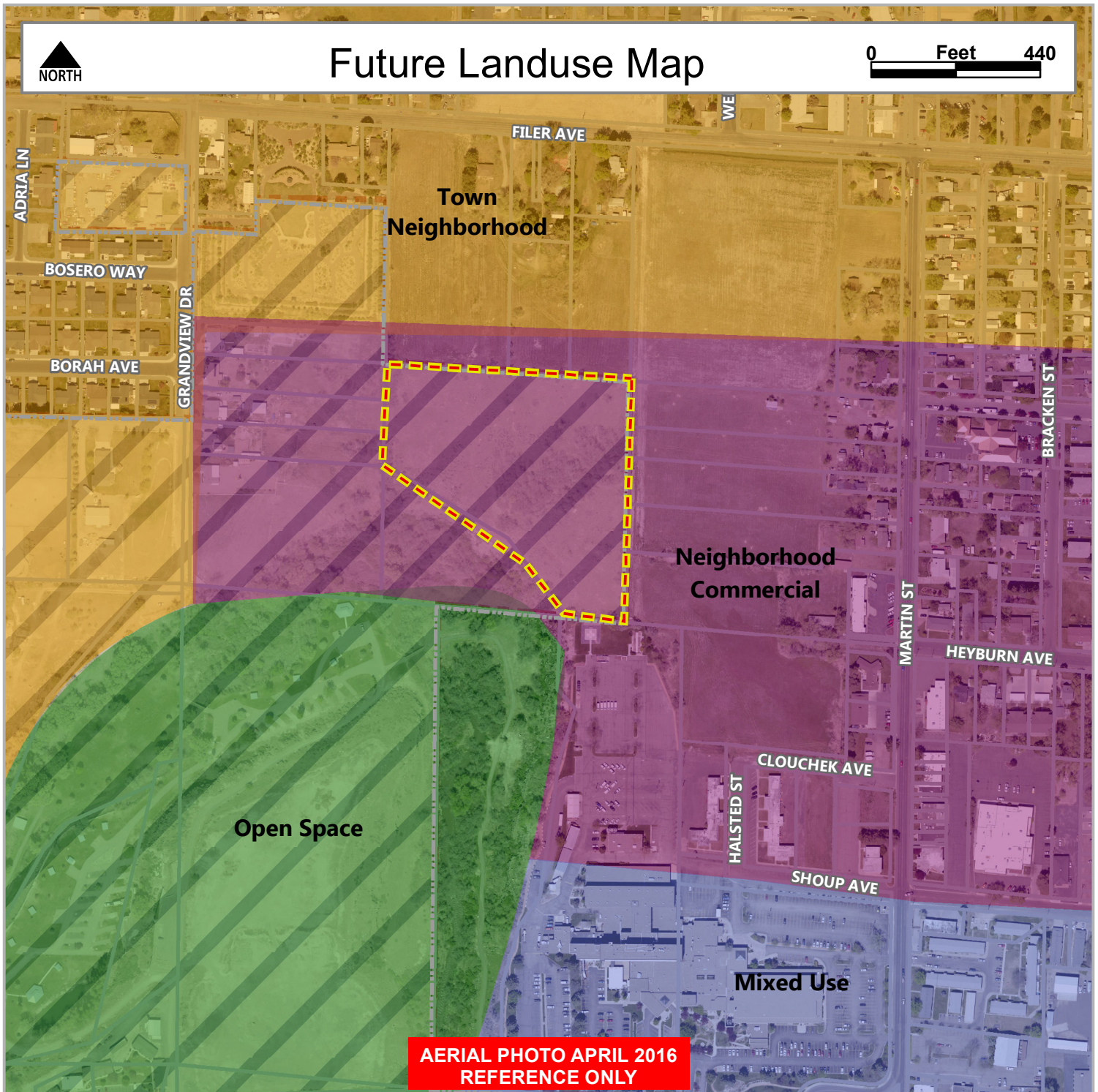
East: R-6; Agriculture/Single Family Residential

South: OS, Rock Creek Canyon/Undeveloped/ Institutional

West: SUI; Agriculture/Single Family Residential

Applicable Regulations

10-1-4, 10-4-4 , 10-12, 10-15





Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 9, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS SPECIAL MEETING

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Commissioner Bolton called the meeting to order at 06:00 PM
A quorum was present.

Members Present: In Person - Bolton, Musser, Detweiler By Phone - Hansen, Kelley
Staff Present: Spendlove, Ebersole, Hart, Zollinger, Strickland, Vitek

2) Consent Calendar

MOTION: Commissioner Detweiler moved to approve the Consent Calendar, as presented.
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- a) Approval of minutes from the following meetings:
October 26, 2021
November 3, 2021

3) Items of Consideration - None

4) Public Hearings

- a) Request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

Staff Presentation:

City Planner Strickland the request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton. (app. PZ21-0152)

All procedures will follow the process as described in TF City Code: 10-16-1
Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or

voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Denton Subdivision was platted in 2009.

Approval of this request would allow for the property to return to 1 lot. This vacation would not affect the zoning on the property and the final plat would be returned to one lot. The staff does not anticipate any negative impacts to the surrounding area should the request be approved.

The vacation of the plat would eliminate the right of way dedication of Dubois Avenue, along with a fire turn around easement.

Approval of this request would allow for the property to return to 1 lot and be useable land area for permitted accessory buildings, or uses by the original property to the north.

Upon conclusion, staff is in support of this request. Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to right of way dedications for Filer Ave W and Borah Ave W being retained by the City of Twin Falls.

Applicant Presentation:

Leonard Denton, applicant, presented the request to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue. He stated the original plan was to sell off the back acre of the property but won't work due to lack of access to services. He stated he wants to reestablish the original plat.

PZ/Questions & Comments: none

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION: Commissioner Musser moved to approve the request for a recommendation to City Council to vacate the Denton Subdivision Plat on property located at 449 Dubois Avenue c/o Leonard Denton, as presented, with staff recommendations. (app. PZ21-0152). Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- b) Request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)

Staff Presentation:

City Planner Zollinger presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155)

Per City Code 10-15-1 Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area.

Per City Code 10-15-2 (A) The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

The subject properties are located within the area of impact and have a zoning designation of SUI/Canyon Rim Overlay. Applicant is requesting R6 CRO zoning, and must go through the ZDA process if annexation is approved.

The applicant intends to annex the property into the city to receive city utilities. Although the designation does not comply with the comprehensive plan, the property being zoned Canyon Rim Overlay requires that any development proposed for the property must be done through a Zoning Development Agreement or ZDA.

The applicant is preparing to rezone this property along with other neighboring property in the form of a ZDA but has chosen to take the step of annexation first and rezone to ZDA later.

The Commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The Commission's recommendation may be to deny the request, approve the request as presented, request a different zoning designation, or request additional information be provided.

Applicant Presentation:

Rex Harding, representing applicant, presented the request for a recommendation to City Council on the appropriate Zoning District for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A. He stated the request is for R6 CRO zoning to be approved with the annexation. He stated the whole property will be included in a larger ZDA after the annexation and the whole property will have city sewer and water.

PZ/Questions & Comments:

- Commissioner Musser asked what equivalent zoning in the city to SUI in the county is.
- Planning and Zoning Director Spendlove clarified the surrounding zoning and what is similar zoning to SUI. He clarified the commission's recommendation to City Council and the future processes to develop the property.
- Commissioner Hansen asked for clarification of the location of the property.
- City Planner Zollinger clarified the location of the property in question.

Public Hearing: Opened

- Lamar Orton, citizen, stated his concern about not knowing what zone was being requested on the public notification. He stated he believes that R2 zoning is more appropriate for the area.
- Commissioner Hansen asked about the public notification.
- Planning and Zoning Director Spendlove clarified the public notice states the commission is being asked to recommend the appropriate zoning for this property, and it was not noticed as specific zoning. He stated on the public notice for City Council, the commission's recommendation for zoning will be stated on the notice.

Public Hearing: Closed**Discussions Followed:**

- Commissioner Hansen stated his concern regarding proper notification and concern about R6 zoning on the canyon rim.
- Commissioner Kelley agreed regarding the zoning.
- Commissioner Detweiler agreed and asked for clarification on the vote tonight.
- Planning and Zoning Director Spendlove clarified what the commission is voting on tonight is a recommendation for the appropriate zone for the property to be annexed. City Council will vote on the appropriate zoning for the annexed property.
- Commissioner Detweiler stated he isn't sure R6 zoning is appropriate for the canyon rim.
- Commissioner Musser asked for R2 zoning clarification.
- Planning and Zoning Director Spendlove clarified the R2 zoning vs. R6 zoning.
- Commissioner Bolton asked if the public notification was appropriate.
- Planning and Zoning Director Spendlove stated, with an annexation request, there is no zoning associated with the property. The zoning comes through as part of the annexation request.
- Commissioner Kelley stated the commission can table this item for further information.
- Commissioner Hansen stated the notification was done by law and spoke to surrounding property zoning. He stated he does not believe that R6 is an appropriate zoning for these lots but believes R2 or R4 is appropriate.
- Planning and Zoning Director Spendlove clarified the tabling process.
- Discussion ensued regarding tabling the item.

MOTION: Commissioner Musser moved to approve the recommendation to City Council of R2 CRO zoning for property proposed to be Annexed. Legally described as lots 5 and 6 of the Orchalara Subdivision. Parcel Number RPO6501000005A c/o TD&H Engineering on behalf of Martin Street Development, LLC. (app. PZ21-0155), as presented with staff recommendations. Commissioner Detweiler seconded the motion.

Motion Approved by a vote of 4 to 1.

- c) Request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. RPT3088001003B c/o Jerry and Brenda Naylor. (app. PZ21-0156)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. RPT3088001003B c/o Jerry and Brenda Naylor. (app. PZ21-0156)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted, or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Hill View Drive was platted with the Lakewood Subdivision in 1960.

Vacation of the right of way will not affect the zoning. Staff does not anticipate any negative impacts to the surrounding area should the request be approved.

Upon conclusion staff is in support of this request, should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to a recorded access and utility easement to lot 3 of the Lakewood Subdivision.
2. Subject to a recorded utility easement for existing phone lines.
3. Subject to a recorded utility easement for pressurized irrigation.

Applicant Presentation:

Jerry Naylor, applicant, presented the request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. He stated the desire to develop the property. He stated he has met the requirements and prepared to issue easement request.

PZ/Questions & Comments: none**Public Hearing: Opened and Closed without input****Discussions Followed: without concerns**

MOTION: Commissioner Detweiler moved to approve the request for a recommendation to City Council to vacate platted right-of-way adjacent to Lot 3 and 4, Block 1 of the Lakewood Subdivision. RPT3088001003B c/o Jerry and Brenda Naylor, as presented with staff recommendations. (app. PZ21-0156)

Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- d) Request for a Special Use Permit to allow for a parking garage on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President on behalf

of Galena Opportunity, Inc. (app. PZ21-0158)

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a Special Use Permit to allow for a parking garage on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President on behalf of Galena Opportunity, Inc. (app. PZ21-0158)

There are associated future buildings proposed with the overall project that contain a mix of Retail, Office, and Residential uses. The drawings depict these associated building finishes of Glass, Metal, Concrete, and other common rock/stone like materials. The garage itself appears to have an exterior finish of some unknown material.

The proposed garage will contain ~325 parking spaces. As part of an Urban Renewal Project, the garage will have 100 dedicated public spaces. The additional ~225 spaces will be private to the residents and businesses of the associated project.

As part of the Urban Renewal Project, the garage is to be part of a mixed-use building, providing ground floor retail, and dwelling units. These requirements were put in place by the URA in order to further the strategic plan and Comprehensive Plan goals of the City.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

The current use of the property as Parking lots have been in place for over three decades.

According to City Records, this is the first Parking Garage/Structure to be constructed within the City of Twin Falls.

No further pertinent zoning history is known at this time.

Per City Code 10-4-7, *Open Garages for automobiles* is listed as a special use.

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Downtown" This request meets this designation and other comprehensive plan guidelines by encouraging development and infill, while also providing downtown housing options.

City Staff determines this request follows the City's comprehensive plans.

The most noticeable impact of this land use will be of a visual nature. Attachment 6 shows a comparison of current streetscapes along 2nd Ave South. It would be prudent to require

natural vegetation along 2nd Ave to help mitigate the visual impact of this 400-foot-long continuous building.

Additionally, the applicant is proposing an exterior finish on the garage. It would also be appropriate for the commission to inspect this material prior to construction in order to ensure the new parking garage is harmonious with the surrounding buildings, some of which are historical in nature.

Applicant Presentation:

Bill Truax, applicant, presented the request for a Special Use Permit to allow for a parking garage on property located on 2nd Avenue South between Hansen Street and Shoshone Street. He stated he has worked with the URA and the City for months on making this a viable project. He stated the parking garage would double the current public parking.

PZ/Questions & Comments: none

Public Hearing: Opened

- Paul Graff, business owner, stated his concern as being the most affected business with this construction project. He stated he is okay with a parking garage, but is concerned about parking during construction, as there is a parking issue now with current construction. He asked about parking lot management.
- Mr. Truax addressed parking lot management and how it will be documented. He stated his company will work with businesses regarding parking during construction.
- Planning and Zoning Director Spendlove stated the garage will be done as the first phase prior to the other buildings, with the public parking open as soon as possible. He stated they are trying to limit impact.
- Commissioner Hansen asked if parking garage can be required to be built first as a condition.
- Planning and Zoning Director Spendlove stated the commission could add that condition to add to the record.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen discussed adding construction phasing condition. (garage first)

MOTION #1: Commissioner Hansen moved to add a condition to the Special Use Permit that the parking structure is completed prior to other construction.
Commissioner Musser seconded the motion.

Motion Approved by a vote of 4 to 1.

Motion #2: Commissioner Musser made a motion to approve the request for a Special Use Permit to allow for a parking garage on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, on behalf of Galena Opportunity, Inc. (app. PZ21-0158), with the amended condition.
Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- e) Request for a recommendation to City Council to allow for additional building height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President, on behalf of Galena Opportunity, Inc. (app. PZ21-0159)

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council to allow for additional building height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President, on behalf of Galena Opportunity, Inc. (app. PZ21-0159)

This is a request for Additional Building Height to allow two eighty-five foot (85') tall mixed use buildings. The subject property is located within the CB (Commercial Business) Zoning District and P-1 Parking Overlay.

The future buildings are proposed with a mix of Retail/Office/Residential type uses. The drawings depict building finishes of Glass, Metal, Concrete, and other common rock/stone like materials.

Similar, but not exact copies of the building at 160 Main Ave South, these buildings would be among the tallest structures in the vicinity and will create shadows on adjacent buildings, streets, and alleys. These additional tall buildings will add to the changing skyline of downtown, bringing additional housing, businesses and activity to the central core of downtown.

An additional aspect of this proposed project, although partially outside the scope of this application, is the construction of parking garage containing ~300 parking spaces.

A request for additional height follows the public hearing process for zoning map amendments as described in subsection 10-14-5(B) and section 10-14-7 of City Code.

The Planning & Zoning Commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The Commission shall then transmit its recommendation to City Council.

After receiving the recommendation, the City Council shall conduct a public hearing, and make a final decision on the request.

The current use of the property as Parking lots have been in place for over three decades. No further pertinent zoning history is known at this time.

Per City Code 10-7-3, The council may allow greater than standard building heights with or without extra setback requirements, by following certain public hearing requirements.

Per City Code 10-10-12, Off-street parking is not required within the P1 district as for outright permitted uses.

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Downtown". This request meets this designation and other comprehensive plan guidelines by encouraging

development and infill, while also providing downtown housing options.

The 2009 Master Transportation plan identifies the surrounding 2nd Avenues as arterial roadways and the immediate Main and Hanson Streets as a local streets. Staff has determined that the adjacent roadways are sufficient to accommodate the proposed use based on existing and expected future roadway capacities.

City Staff determines this request follows the City's comprehensive plans.

The applicant and Staff do not anticipate detrimental impacts beyond reasonable levels. However, Staff does anticipate specific impacts such as

- The proposed building will be among the tallest building downtown and add to the progressing change of the current downtown skyline.
- Due to the height of the building there will a significant increase in the amount of shaded area in proximity to the building.
- Due to both the commercial and residential uses which will occupy the building there will.
- There will be an increase in vehicle traffic to and around the proposed building.

Staff believes the majority of these impacts will have positive reverberations in terms of increased vibrancy, economic benefits, and redevelopment of underutilized properties.

The increased vehicles generated by this project will be largely mitigated by the proposed parking structure that is to be constructed as part of the overall project.

The commission may recommend to City Council that additional height be approved as requested, approved with modifications, tabled for additional information, or it may recommend that the request be denied.

Applicant Presentation:

Bill Truax, applicant, presented the request for a Special Use Permit to allow for a parking garage on property located on 2nd Avenue South between Hansen Street and Shoshone Street. He stated he has worked with the URA and the City for months on making this a viable project. He stated the parking garage would double the current public parking.

PZ/Questions & Comments: none

Public Hearing: Opened

- Lisa Maas, citizen, stated her disapproval of this request. She stated her concern for traffic congestion and changing the scope of the city. She stated she would like this project to be put in another district and wants a cap on the height restriction in the downtown area.
- Arnel Culum, citizen, stated his opposition to this project. He stated his concern for the size of the apartments and for the lack of audience at the meeting.

Public Hearing: Closed

Discussions Followed:

- Commissioner Kelley stated his support for the project. He likes building up in the city, not out. He does not want to build up on the canyon rim and stated downtown is the location to build up.
- Commissioner Hansen stated his support for the project. He understands the growing pains, but Twin Falls is a growing town. He stated downtown living will take cars off road and this project is similar to the height of the other downtown project.
- Commissioner Detweiler stated there is a need for the garage and is in favor of building up downtown. He stated if we don't grow downtown, it will dry up. URA is working on renewing our downtown.
- Commissioner Musser stated he believes the downtown needs to grow, not die. This project will bring a strong downtown and this is where the height should be.

MOTION: Commissioner Hansen moved to approve the recommendation to City Council to allow for additional building height beyond 50 feet on property located on 2nd Avenue South between Hansen Street and Shoshone Street c/o Bill Truax, President, on behalf of Galena Opportunity, Inc. (app. PZ21-0159), as presented with staff recommendations. Commissioner seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- f) Request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East c/o EHM Engineers, Inc. on behalf of Center of Physical Rehabilitation. (app. PZ21-0160)

Staff Presentation:

Senior Planner Hart presented the request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East c/o EHM Engineers, Inc. on behalf of Center of Physical Rehabilitation. (app. PZ21-0160)

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

The subject property has been used for retail purposes in the past. T's Beverage Barn in 2005, and Pro Rentals and Sales went in sometime around 2012 and relocated recently. The subject property is 1.04 acres, zoned C1, and has an existing building on site, approximately 3000 SF.

The applicant is proposing to operate an indoor recreation facility and a future expansion of

4000 SF to the existing building.

The applicant is moving their physical therapy business to the subject property. In addition to the physical therapy center, members will be allowed to use their facility as a gym. The physical therapy center is an outright permitted use. The gym is considered an indoor recreation facility that requires a special use.

Surrounding properties have existing commercial and residential uses on them. To the north, properties are zoned C1 and used for agricultural purposes. To the east and west, the properties are zoned C1 and have existing residential and commercial uses. To the south, properties are zoned R2 and have existing residential units on them.

The proposed special use is consistent with the C1 zoning district regulations and with the general purposes of the Comprehensive Plan and is not detrimental to any of the outright permitted uses or other existing uses in the zone and will not otherwise be detrimental to public health, safety, and welfare.

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends the following:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

Applicant Presentation:

Dave Thibault, representing app, presented the request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East. He spoke to the building expansion being conducive to this type of service. He stated the physical therapy presence in the area makes sense with the surrounding businesses and care center.

PZ/Questions & Comments:

- Commissioner Musser asked if the expansion requires additional landscaping.
- Senior Planner Hart stated the existing landscaping meets current code.

Public Hearing: Opened and Closed without input

Discussions Followed: without concern

MOTION: Commissioner Musser moved to approve the request for a Special Use Permit to allow an indoor recreation facility (gym) on property located at 2634 Addison Avenue East c/o EHM Engineers, Inc. on behalf of Center of Physical Rehabilitation. (app. PZ21-0160), as presented with staff recommendations. Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 to 0.

5) Upcoming Meeting(s)

a) Tuesday, November 30, 2021

6) Adjournment

The meeting adjourned at 07:36 PM

Kelli Ebersole, Administrative Assistant