



Twin Falls City Council Agenda

Monday, December 23, 2024, 5:00 PM

Council Chambers
203 Main Avenue East Twin Falls, Idaho

Members: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council Members Craig Hawkins, Spencer Cutler, Christopher Reid, Grayson Stone, Cherie Vollmer

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the minutes for City Council Meeting 16 December 2024
By: Amy Luna, Deputy City Clerk
 - b) **ACTION ITEM:** Request to approve Accounts Payable for December 12-18, 2024.
By: Amy Luna, Deputy City Clerk
 - c) **ACTION ITEM:** Request to approve 2024 November Wells Fargo Credit Card Summary.
By: Amy Luna, Deputy City Clerk
 - d) **ACTION ITEM:** Request to approve December 18, 2024, Travel Requests.
By: Amy Luna, Deputy City Clerk
 - e) **ACTION ITEM:** Request for approval of Findings of Facts and Conclusions of Law for the following:
Annexation on Diamond Avenue PZ24-0097
Annexation of Pole Line Rd W PZ24-0103
By: Jonathan Spendlove, Planning and Zoning Director
 - f) **ACTION ITEM:** Request for approval of Final Plat for Jack's 612 Subdivision consisting of 4 lots on 0.475 (+/-) acres located at 612 Jackson St. c/o Jeremy Orton (PZ24-0151).
By: William Klaver, Senior City Planner
 - g) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing **Jack's 612 Subdivision.**
By: Troy Vitek, City Engineer
- 4) ITEMS OF CONSIDERATION
 - a) **ACTION ITEM:** Request to approve the purchase of a Versalift VST-55-HDI telescopic lift and 2024 Ford F600 truck at a cost of \$301,349.00 using a cooperative purchasing agreement with Sourcewell and authorize the IT Director to execute the contract.
By: Norm Hatke, Fleet Supervisor
 - b) **ACTION ITEM:** Request to approve Transit Improvement Plan for submission to Magic Valley MPO
By: Maxine Durand, Transit Coordinator
 - c) **ACTION ITEM:** Request to adopt Resolution R-2024-012 - Resolution Authorizing the Filing of Applications with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance Authorized by Chapter 53 of Title 49 of the United States Code and Any Other Federal Statutes Administered by the Federal Transit Administration.
By: Maxine Durand, Transit Coordinator
 - d) **ACTION ITEM:** Request to adopt ordinance #O-2024-022 for Zoning District Change on property located on the south side of the 1900 block of 4th Avenue East.
By: Jonathan Spendlove, Planning and Zoning Director
 - e) **ACTION ITEM:** Request to adopt ordinance #O-2024-023 for Zoning District Change on property located on the 2000 and 2100 block of Pole Line Rd East (Entirety of Pillar Falls Plaza Subdivision).
By: Jonathan Spendlove, Planning and Zoning Director
 - f) **ACTION ITEM:** Request to adopt ordinance #O-2024-024 for Annexation on property located east of Sunway Dr N from North College Rd W to Pole Line Rd W.
By: Jonathan Spendlove, Planning and Zoning Director
- 5) GENERAL PUBLIC INPUT

6) ADVISORY BOARD REPORT/ANNOUNCEMENTS

7) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request for a zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).
By: Lisa Strickland, City Planner
- b) **ACTION ITEM:** Request for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).
By: Kelli Ebersole, City Planner

8) ADJOURNMENT

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Josh Palmer (208) 735-7312 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Josh Palmer al teléfono (208) 735-7312

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall:
 - a. Wait to be recognized by the Mayor or Chairman.
 - b. Approach the microphone/podium.
 - c. State their name, and whether they are a resident or property owner of the City of Twin Falls and proceed with their input.
2. All public input will be limited to two (2) minutes. Individuals are not permitted to give their time to otherspeakers.
3. All presenters shall remain respectful.

Public input will not be about any of the items that were on this agenda, personnel, or a personnel-related issue. All issues involving City personnel should be directly communicated with the mayor and/or the City Manager.

Anyone failing to follow these rules will be provided with one (1) warning. Should the speaker continue to disregard these rules after the warning, will have the microphone muted and they will be asked to return to their seats.

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, December 16, 2024, 5:00 PM

Council Chambers
203 Main Avenue East Twin Falls, Idaho

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council Members Craig Hawkins, Christopher Reid, Spencer Cutler, Cherie Vollmer & Grayson Stone.

Absent:

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Gretchen Scott, City Attorney Bruce Castleton, Deputy City Clerk Amy Luna, Administrative Assistant Rachael Long, Planning and Zoning Director Jonathan Spendlove, Engineer Lee Glaesemann, Waster Water Superintendent Doug Gonzalez, Environmental Manager Nathan Erickson, Senior Planner William Klaver, Urban Renewal Executive Director Shawn Barigar, Streets Superintendent Mark Thomson, Public Works Director Josh Baird, Public Works Assistant Director Erin Steel, Police Chief Craig Kingsbury

Mayor Pierce called the meeting to order at 5:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

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

3) CONSENT CALENDAR

MOTION: Council Member Hawkins moved to approve the Consent Calendar as presented. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- a) Request to approve City Council 2024 December 09, Minutes.
- b) Request to approve Accounts Payable for December 5-11, 2024.
- c) Request to approve December 11, 2024, Travel Requests.
- d) Request to approve an Alcohol License for Tacos Villa.

4) ITEMS OF CONSIDERATION

- a) Request to Award the Hankins Pump Station #2 construction contract to IMCO General Construction in the amount of \$8,074,000 with conditions

Engineer Lee Glaesemann Requests to Award the Hankins Pump Station #2 construction contract to IMCO General Construction in the amount of \$8,074,000 with conditions.

Discussion ensued on the following: None

MOTION: Vice Mayor Brown moved to approve the request to award the Hankins Pump Station #2 construction contract to IMCO General Construction in the amount of \$8,074,000 with conditions. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- b) Request to approve the purchase of a 2024 Envirosite Camera van and equipment at a cost of \$310,871.44 using a Cooperative Purchasing Agreement with Source Well and authorize the Public Works Director to execute the contract.

Waste Water Superintendent Doug Gonzalez request to approve the purchase of a 2024 Envirosite Camera van and equipment at a cost of \$310,871.44 using a Cooperative Purchasing Agreement with Source Well and authorize the Public Works Director to execute the contract.

Discussion ensued on the following:

Council Member Reid asked what the turn around would be to get the equipment?

Stone asked for clarification how the camera system works and why it's important?

MOTION: Council Member Reid moved to approve the request to approve the purchase of a 2024 Envirosite Camera van and equipment at a cost of \$310,871.44 using a Cooperative Purchasing Agreement with Source Well and authorize the Public Works Director to execute the contract. **Vice Mayor Brown** seconded the motion.

The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- c) Request to approve the purchase of real property located in the Snake River Canyon, between the canyon rim and Canyon Springs Road, south of the City's wastewater treatment plant, in the amount of \$200,000 plus closing costs.

Environmental Manager Nathan Erickson requested to approve the purchase of real property located in the Snake River Canyon, between the canyon rim and Canyon Springs Road, south of the City's wastewater treatment plant, in the amount of \$200,000 plus closing costs.

Discussion ensued on the following:

Council Member Stone asked if there is any reason to purchase the rest of the golf course road for this?

MOTION: Council Member Reid moved to approve the request to approve the purchase of real property located in the Snake River Canyon, between the canyon rim and Canyon Springs Road, south of the City's wastewater treatment plant, in the amount of \$200,000 plus closing costs. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- d) Request approval to renew the 2024 ten-year agreement between the City of Twin Falls and Operations Management International, Inc. (OMI/CH2M/Jacobs) for the wastewater treatment plant and sewer lift stations operation with the fiscal year 2024-2025 budgeted amount of \$3,906,648.37 and authorize the mayor to sign.

Environmental Manager Nathan Erickson requested approval to renew the 2024 ten-year agreement between the City of Twin Falls and Operations Management International, Inc. (OMI/CH2M/Jacobs) for the wastewater treatment plant and sewer lift stations operation with the fiscal year 2024-2025 budgeted amount of \$3,906,648.37 and authorize the mayor to sign.

Discussion ensued on the following:

Mayor Pierce asked for clarification on the amount that we would be saving with less chemicals

MOTION: Vice Mayor Brown moved to approve the request approval to renew the 2024 ten-year agreement between the City of Twin Falls and Operations Management International, Inc. (OMI/CH2M/Jacobs) for the wastewater treatment plant and sewer lift stations operation with the fiscal year 2024-2025 budgeted amount of \$3,906,648.37 and authorize the mayor to sign. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

5) GENERAL PUBLIC INPUT

None

6) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Travis Rothweiler asked Council to cancel the Executive session since there was a change in the Idaho Code on December 5th allowing legal and staff to have time to look at the new code.

7) PUBLIC HEARINGS

- a) Request to authorize a new City of Twin Falls owned and operated sewer odor mitigation facility on property located at 879 Federation Rd. c/o City of Twin Falls (PZ24-0126)

Senior Planner William Klaver requested to authorize a new City of Twin Falls owned and operated sewer odor mitigation facility on property located at 879 Federation Rd. c/o City of Twin Falls (PZ24-0126).

Public Hearing Opened: 5:41 pm

Public Hearing Closed: 5:52 pm

Discussion ensued on the following:

Council Member Spencer wanted to know where the odor machine was placed.

Reid asked if this would be its permanent home? Is it OK to be left out during the winter?

Vice Mayor Brown wants to know how often we will have to regenerate the odor scrubber with carbon.

Mayor Pierce wants to know why the wall does not go all the way.

Stone recommended raising the fence as high as it could go.

Vollmer is in favor of looking at the map. It's clear that it won't hinder the park being used for practice.

Cutler brought up storm water issues that we have in our city parks and that there are no state rules for storm water to run.

Vice Mayor showed us what these walls would look like on Hankin Road and that it's not an eyesore.

MOTION: Council Member Reid moved to approve the request to authorize a new City of Twin Falls owned and operated sewer odor mitigation facility on property located at 879 Federation Rd. c/o City of Twin Falls (PZ24-0126). **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- b) A public hearing on the Urban Renewal Agency Plan for the Southwest Urban Renewal Project and consideration of adoption of **Ordinance O-2024-021**.

Urban Renewal Director Shawn Barigar requested a public hearing on the Urban Renewal Agency Plan for the Southwest Urban Renewal Project and consideration of adoption of **Ordinance O-2024-021**.

Public Hearing Opened: 6:05 pm

Public Hearing Closed: 6:06 pm

Discussion ensued on the following:

Council Member Stone asked if this would reset the existing clause?

MOTION: Vice Mayor Brown made a motion to dispense with reading the rules and put **Ordinance #2024-021** on third and final reading by title only. **Council Member Reid** seconded the motion. The Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Pierce read **Ordinance #2024-021** by title only.

MOTION: Council Member Reid moved to approve the request to have a public hearing on the Urban Renewal Agency Plan for the Southwest Urban Renewal Project and consideration of adoption of **Ordinance O-2024-021**. **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- c) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 1 "General Provisions". (PZ24-0129)

Planning and Zoning Director Jonathan Spendlove requested a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 1 "General Provisions". (PZ24-0129)

Public Hearing Opened: 6:21 pm

Public Hearing Closed: 6:22 pm

Discussion ensued on the following:

Vice Mayor Brown would like to put all three chapters tonight into one public hearing?

MOTION: Council Member Stone moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 1 "General Provisions". (PZ24- 0129). **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- d) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 3 "Historic District & Regulations". (PZ24-0131)

Planning and Zoning Director Jonathan Spendlove requested a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 3 "Historic District & Regulations". (PZ24- 0131)

Public Hearing Opened: 6:21 pm

Public Hearing Closed: 6:22 pm

Discussion ensued on the following:

MOTION: Vice Mayor Brown moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 3 "Historic District & Regulations". (PZ24- 0131). **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- e) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 11 "Area of Impact". (PZ24-0139)

Planning and Zoning Director Jonathan Spendlove requested a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 11 "Area of Impact". (PZ24-0139)

Public Hearing Opened: 6:21 pm

Public Hearing Closed: 6:22 pm

Discussion ensued on the following:

Council Member Hawkins is in favor of this and thanked the team.

Reid thanked everyone for working hard on this project since it's been in the works for years.

MOTION: Council Member Cutler moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 11 "Area of Impact". (PZ24- 0139). **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

8) EXECUTIVE SESSION

Canceled - REQUEST TO ADJOURN TO EXECUTIVE SESSION:

Request to adjourn to Executive Session pursuant to Idaho Code § 74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

9) ADJOURNMENT

The meeting adjourned at 06:25 PM

Rachael Long, Administrative Assistant

****If you wish to have a full accounting of this meeting, please listen to the recording that is located on our website. **** [Tfid.org](https://www.tfid.org)



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation Application

Gary Palmer

Applicant(s)

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

This matter having come before the City Council of the City of Twin Falls, Idaho on December 9, 2024, for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of M-2, currently zoned R-4, for a request for City Council on the appropriate zoning designation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a request for City Council on the appropriate zoning designation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: November 21, 2024.
3. The property in question is zoned R-4 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial/Flex/Employment in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Diamond Ave W; to the south, Undeveloped; to the east, Undeveloped; to the west, Undeveloped.

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

CONCLUSIONS OF LAW

1. The application for Annexation with a request for City Council on the appropriate zoning designation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W is consistent with the purpose of the M-2 Zone and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the R-4 Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

5. The application for Annexation with a request for City Council on the appropriate zoning designation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for Annexation with a request for City Council on the appropriate zoning designation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W is hereby granted as presented.

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

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"Exhibit No. A"

1. Right-of-Way dedication for Diamond Avenue West.
2. Diamond Avenue West Right-of-Way improvements completed at the time of development.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation Application

Gary Nelson

Applicant(s)

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

This matter having come before the City Council of the City of Twin Falls, Idaho on December 9, 2024, for public hearing pursuant to public notice as required by law for Annexation with a request for City Council on the appropriate zoning district of approximately 46 (+/-) acres located east of Sunway DR N from North College Rd W to Pole Line Rd W and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a request for City Council on the appropriate zoning district of approximately 46 (+/-) acres located east of Sunway DR N from North College Rd W to Pole Line Rd W.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: November 21, 2024.
3. The property in question is zoned County Zoning pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, County Zoning; to the south, Residential; to the east, County Zoning; to the west, County Zoning.

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

CONCLUSIONS OF LAW

1. The application for Annexation with a request for City Council on the appropriate zoning district of approximately 46 (+/-) acres located east of Sunway DR N from North College Rd W to Pole Line Rd W is consistent with the purpose of the C-1 & R-2 Zone and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the C-1 & R-2 Zone, subject to incorporated by reference as though fully set forth herein.

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

5. The application for Annexation with a request for City Council on the appropriate zoning district of approximately 46 (+/-) acres located east of Sunway DR N from North College Rd W to Pole Line Rd W should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for Annexation with a request for City Council on the appropriate zoning district of approximately 46 (+/-) acres located east of Sunway DR N from North College Rd W to Pole Line Rd W is hereby granted as presented.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: William Klaver, Senior City Planner

ACTION ITEM

Request:

Request for approval of Final Plat for Jack's 612 Subdivision consisting of 4 lots on 0.475 (+/-) acres located at 612 Jackson St. c/o Jeremy Orton (PZ24-0151).

Time Estimate:

Consent Agenda Item.

Background:

Jeremy Orton, represented by Rex Harding of TD&H Engineering, Inc., has submitted an application for a Final Plat for Jack's 612 Subdivision. This final plat consist of four (4) commercial lots on 0.475 acres (+/-) and is the entirety of Jack's 612 Subdivision Preliminary Plat.

Approval Process:

Per City Code 10-12-2-4

After the approval or conditional approval of the preliminary plat, the subdivide may cause the total parcel or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the administrator shall place the final plat on the council agenda at the next regular meeting.

The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify: Approval Period: Final plat shall be filed with the county recorded within two years after written approval by the council, otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by by the council. Only one extension may be granted by the council for a term of two years.

Budget Impact:

N/A

Regulatory Impact:

After a final plat is approved by the Council and construction plans approved, the final plat may be recorded, and lots sold for development. All general criteria for approval must be met per State Statute 50-Chapter 13 and shall be compatible with the Comprehensive Plan.

History:

N/A

Analysis:

N/A

Conclusion:

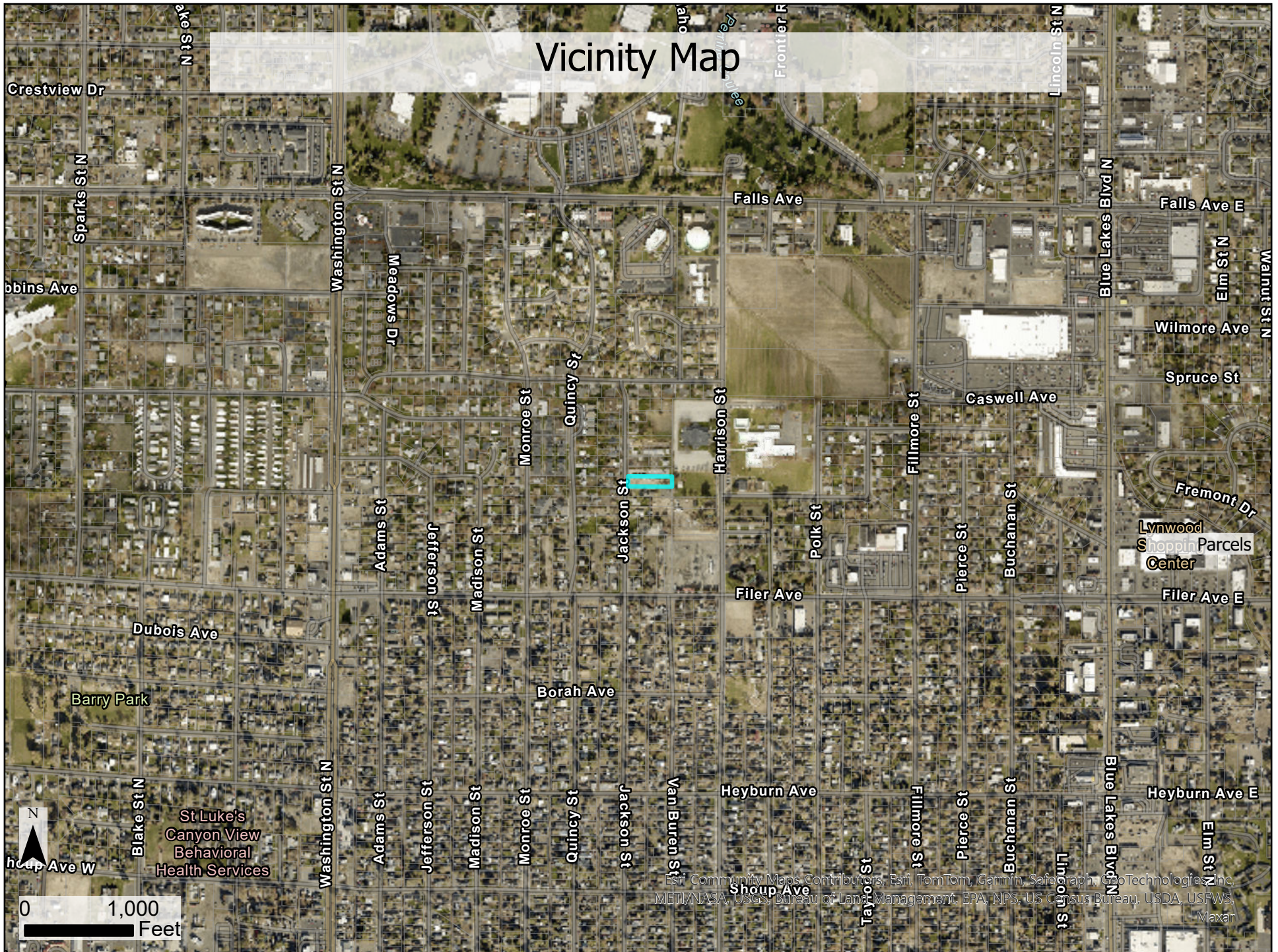
Staff recommends approval of this plat with the following condition:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a final plat, showing compliance with all conditions and comments in Engineering Memorandum dated December 6, 2024; prior to City signing the Mylar drawings.

Attachments:

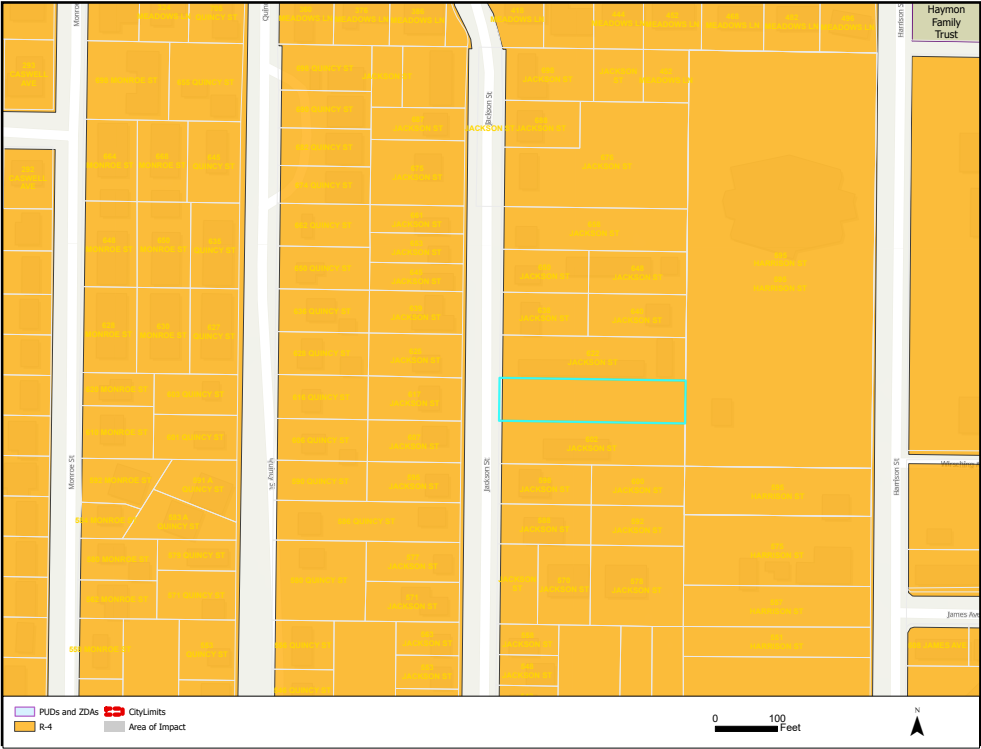
1. PZ24-0151 Vicinity Map
2. PZ24-0151 Presentation Map
3. PZ24-0151 Aerial Map
4. PZ24-0151 Engineering Memorandum - December 6, 2024

Vicinity Map



Esri, Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies Inc, METI, NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

ZONING MAP



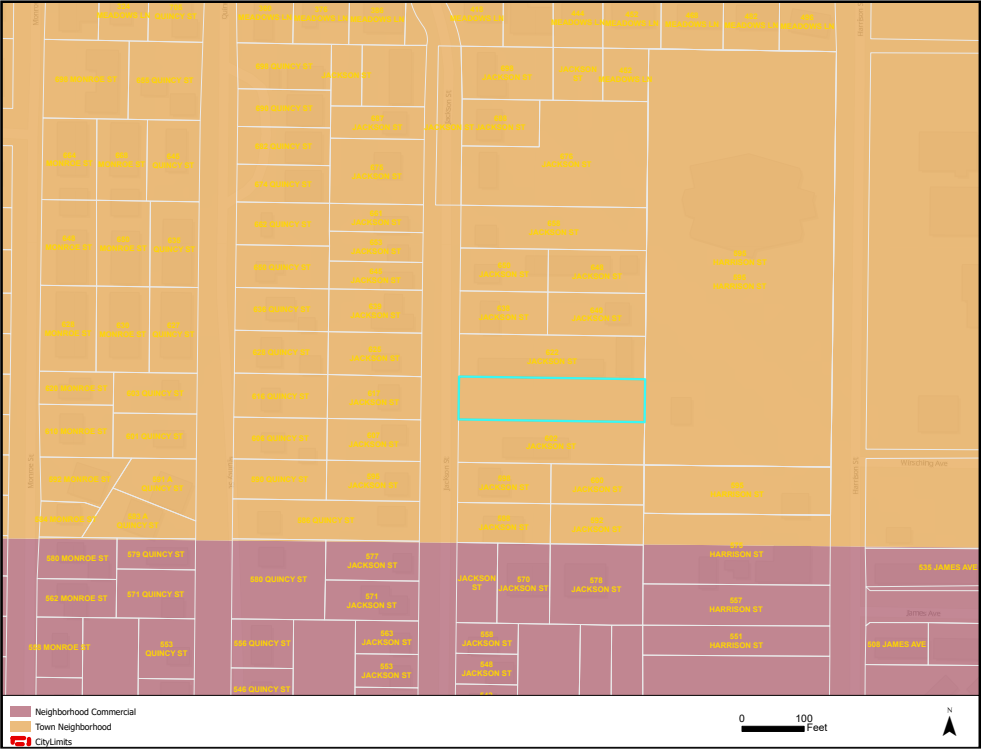
Zoning

Current Zoning:	R-4
Current Land Use:	Vacant
Proposed Zoning:	R-4
Proposed Land Use:	Residential

Surrounding Area

North:	Residential (R-2)
South:	Residential (R-2)
East:	Religious Facility (R-2)
West:	Residential (R-2)

FUTURE LAND USE MAP



Regulations

Twin Falls Municipal Code Section(s) 10-12-4; 10-4-5

Future Land Use Category

Town Neighborhood: Primarily residential in character with a desired land use mixture of single family, duplex, triplex, parks and recreation facilities, schools, and civic facilities.

Aerial Map



Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2293

ENGINEERING

208-735-7248

ENGINEERING MEMORANDUM

To: William Klaver, Senior Planner

From: Kristi Fehringer, Engineering Development Coordinator

Date: 12/6/2024

Re: Final Plat – **Jack's 612 Subdivision** – Application # 24-0151

The Engineering Department has reviewed the Final Plat for the **Jack's 612 Subdivision**. The following changes shall be addressed prior to the signature on the Final Plat mylars by the City of Twin Falls. This Conditional Approval is contingent on compliance with all applicable City Standards.

1. Final plat must be tied to two (2) government corners. Please revise.
2. The Basis of Bearing note does not match the bearing label on Jackson Street. Also, the reference is incomplete, i.e. (R/). Please revise both items.
3. Section corners are not shown or labeled. Please revise.
4. Please label surrounding subdivisions and unplatted areas.
5. Please include easement curve data and line data on the plat.
6. Please label the True Point of Beginning.
7. The acreage call out in the title on Sheet 1 does not match the acreage call out in the description on Sheet 2.
8. Add the verbiage "A resubdivision of a portion of Lot 4 of Unity Subdivision" to the title.
9. There are two (2) legends. Please remove one.
10. Please remove the word "proposed".
11. What is the purpose of the "New Parcel Boundary"?
12. The last line of the metes and bounds description in the "Certificate of Owners" does not match the southern boundary bearing and distance label. Please revise.
13. Add the word "existing" to the call-out.
14. Please add a "Block" number.
15. Please add additional labels on existing and proposed easements.
16. Please replace "Date" with "Attest".

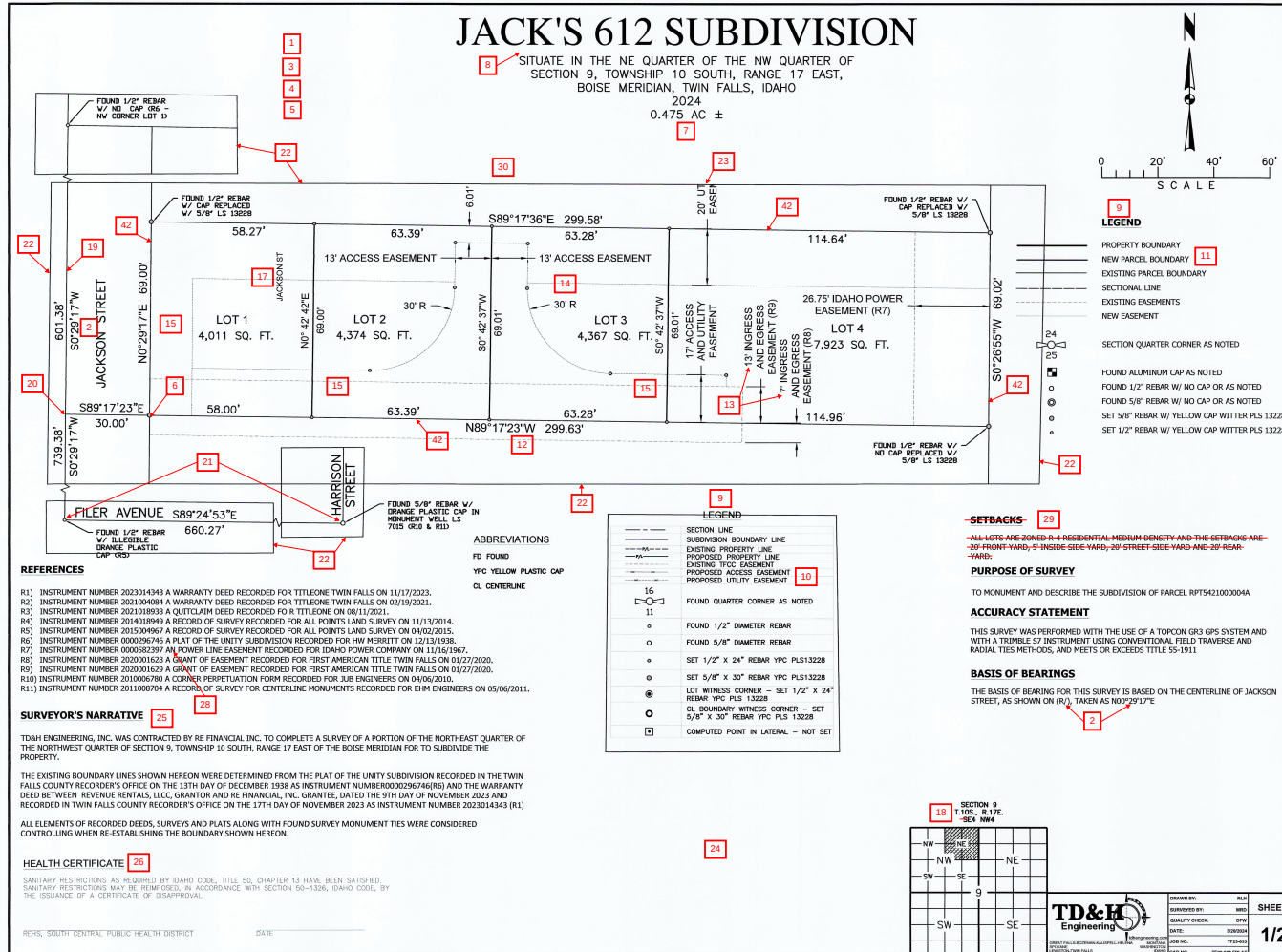
17. Please remove the words "Jackson St" located in Lot 1.
18. Please change the "S" to an "N".
19. It is not clear if this line is the centerline of Jackson Street. Please revise the linetype to match the legend.
20. This point should be noted and symbolized as a calculated point.
21. These symbols match one legend but not the other. Please remove one of the legends and make sure that the symbols that are being used are in the legend.
22. Please change the viewport linework to a layer that is not visible.
23. This label is cut off by the viewport. Please revise.
24. Please include a vicinity map.
25. The "Surveyor's Narrative" is on both Sheet 1 and Sheet 2. Please remove from one of the sheets.
26. The "Health Certificate" is not the correct one for this type of development. Please revise.
27. The "Certificate of Owners" does not close because of the incorrect last call. Please revise. Also, see review comment #12.
28. Please remove the "n".
29. Please remove the "Setbacks" note section from Sheet 1. Setbacks are not applicable to the final plat.
30. The "Certificate of Owners" does not match the plat linework on Sheet 1. Please revise.
31. This note is not applicable to this subdivision. Please revise.
32. This note is not applicable to this subdivision. Please remove.
33. The "Acknowledgement" is not correct for a corporation. Please revise.
34. Please add "Professional Land Surveyor" under George's name.
35. Please make these changes in the County Surveyor's Certificate Acknowledgement:
 - a. Add "Personally" before "Known".
 - b. Change "Previous" to "Above".
 - c. Change "They" to "He".
36. Add "Deputy" to "City Clerk".
37. Add "Approved By" to "City Engineer" and "City Council".
38. Add "An Idaho Corporation" to RE Financial, Inc.
39. Please separate the signature lines in these locations.
40. Please revise the headers so they all match.
41. This note appears to be incomplete. Please revise.
42. Please revise the linetype for the subdivision boundary. The subdivision boundary is unclear.

If you have any questions, please contact Kristi Fehringer at 208-735-7332 or email at kfehringer@tfid.org.

JACK'S 612 SUBDIVISION

SITUATE IN THE NE QUARTER OF THE NW QUARTER OF
SECTION 9, TOWNSHIP 10 SOUTH, RANGE 17 EAST,
BOISE MERIDIAN, TWIN FALLS, IDAHO

2024
0.475 AC ±



REFERENCES

- R1) INSTRUMENT NUMBER 2023014343 A WARRANTY DEED RECORDED FOR TITLEONE TWIN FALLS ON 11/17/2023.
R2) INSTRUMENT NUMBER 2021040804 A WARRANTY DEED RECORDED FOR TITLEONE TWIN FALLS ON 02/19/2021.
R3) INSTRUMENT NUMBER 2021010810 A QUITCLAIM DEED RECORDED FOR TITLEONE ON 08/12/2021.
R4) INSTRUMENT NUMBER 2014018949 A RECORD OF SURVEY RECORDED FOR ALL POINTS LAND SURVEY ON 11/13/2014.
R5) INSTRUMENT NUMBER 2015040467 A RECORD OF SURVEY RECORDED FOR ALL POINTS LAND SURVEY ON 04/02/2015.
R6) INSTRUMENT NUMBER 0000296746 A PLAT OF THE UNITY SUBDIVISION RECORDED FOR HW HERBERT ON 12/31/1938.
R7) INSTRUMENT NUMBER 0000582397 AN POWER LINE EASEMENT RECORDED FOR IDAHO POWER COMPANY ON 11/16/1967.
R8) INSTRUMENT NUMBER 2020016238 A GRANT OF EASEMENT RECORDED FOR FIRST AMERICAN TITLE TWIN FALLS ON 01/27/2020.
R9) INSTRUMENT NUMBER 2020016239 A GRANT OF EASEMENT RECORDED FOR FIRST AMERICAN TITLE TWIN FALLS ON 01/27/2020.
R10) INSTRUMENT NUMBER 2010006780 A CORNER PERPETUATION FORM RECORDED FOR JUB ENGINEERS ON 04/06/2010.
R11) INSTRUMENT NUMBER 2011008794 A RECORD OF SURVEY FOR CENTERLINE MONUMENTS RECORDED FOR EHM ENGINEERS ON 05/06/2011.

SURVEYOR'S NARRATIVE

TD&H ENGINEERING, INC. WAS CONTRACTED BY RE FINANCIAL, INC. TO COMPLETE A SURVEY OF A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN FOR TO SUBDIVIDE THE PROPERTY.

THE EXISTING BOUNDARY LINES SHOWN HEREON WERE DETERMINED FROM THE PLAT OF THE UNITY SUBDIVISION RECORDED IN THE TWIN FALLS COUNTY RECORDER'S OFFICE ON THE 13TH DAY OF DECEMBER 1938 AS INSTRUMENT NUMBER 0000296746(R6) AND THE WARRANTY DEED BETWEEN REVENUE RENTALS, LLC, GRANTOR AND RE FINANCIAL, INC. GRANTEE, DATED THE 9TH DAY OF NOVEMBER 2023 AND RECORDED IN TWIN FALLS COUNTY RECORDER'S OFFICE ON THE 17TH DAY OF NOVEMBER 2023 AS INSTRUMENT NUMBER 2023014343 (R1)

ALL ELEMENTS OF RECORDED DEEDS, SURVEYS AND PLATS ALONG WITH FOUND SURVEY MONUMENT TIES WERE CONSIDERED CONTROLLING WHEN RE-ESTABLISHING THE BOUNDARY SHOWN HEREON.

HEALTH CERTIFICATE

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

REDS, SOUTH CENTRAL, PUBLIC HEALTH DISTRICT

DAW

ABBREVIATIONS
FD FOUND
YPC YELLOW PLASTIC CAP
CL CENTERLINE

LEGEND	
---	SECTION LINE
---	SUBDIVISION BOUNDARY LINE
---	EXISTING PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	EXISTING EASEMENT
---	PROPOSED ACCESS EASEMENT
---	PROPOSED UTILITY EASEMENT
16	FOUND QUARTER CORNER AS NOTED
11	FOUND 1/2" DIAMETER REBAR
o	FOUND 3/8" DIAMETER REBAR
o	SET 1/2" X 24" REBAR YPC PLS13228
o	SET 5/8" X 30" REBAR YPC PLS13228
o	LOT WITNESS CORNER - SET 1/2" X 24" REBAR YPC PLS 13228
o	CL BOUNDARY WITNESS CORNER - SET 5/8" X 30" REBAR YPC PLS 13228
o	COMPUTED POINT IN LATERAL - NOT SET

SETBACKS

ALL LOTS ARE ZONED R-4 RESIDENTIAL-MEDIUM DENSITY AND THE SETBACKS ARE:
-30' FRONT YARD, 5' INSIDE SIDE YARD, 20' STREET SIDE YARD AND 20' REAR YARD.

PURPOSE OF SURVEY

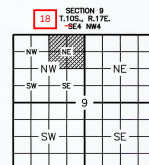
TO MONUMENT AND DESCRIBE THE SUBDIVISION OF PARCEL RPTS421000004A

ACCURACY STATEMENT

THIS SURVEY WAS PERFORMED WITH THE USE OF A TOPCON GR3 GPS SYSTEM AND WITH A TRIMBLE S7 INSTRUMENT USING CONVENTIONAL FIELD TRAVERSE AND RADIAL TIES METHODS, AND MEETS OR EXCEEDS TITLE 55-1911

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS BASED ON THE CENTERLINE OF JACKSON STREET, AS SHOWN ON (R), TAKEN AS N00°29'17"E



DRAWN BY: RCH
SURVEYED BY: DMS
QUALITY CHECK: DMS
DATE: 11/13/2024
JOB NO.: 2024-004
SHEET NO.: 1/2

40
CERTIFICATE OF OWNERS

30 27

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE NORTH HALF OF LOT 4 OF THE UNITY SUBDIVISION RECORDED AS INSTRUMENT NUMBER 0000206740 IN THE RECORDS OF TWIN FALLS COUNTY, IDAHO FURTHER DESCRIBED AS:

TOWNSHIP 10 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 9: A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF SAID UNITY SUBDIVISION BEING MARKED BY A 12 INCH REBAR WITH NO CAP FROM WHICH THE WEST BOUNDARY OF SAID UNITY SUBDIVISION AND THE CENTERLINE OF JACKSON STREET TO THE INTERSECTION WITH FLIER AVENUE BEING MARKED BY A 12 INCH REBAR WITH ILLEGIBLE CAP, BEARS SOUTH 00°29'17" WEST A DISTANCE OF 1340.70 FEET;

THENCE SOUTH 00°29'17" WEST ALONG THE WEST BOUNDARY OF SAID UNITY SUBDIVISION FOR A DISTANCE 601.38 FEET TO A POINT;
THENCE LEAVING SAID WEST LINE, SOUTH 89°17'23" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF JACKSON STREET AND WESTERLY BOUNDARY OF SAID LOT 4, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE NORTH 00°29'17" EAST ALONG SAID WESTERLY RIGHT OF WAY OF SAID LOT 4, FOR A DISTANCE 60.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4;
THENCE SOUTH 89°17'26" EAST ALONG THE NORTHERLY BOUNDARY OF SAID LOT 4, A DISTANCE OF 290.58 FEET TO THE NORTHEAST CORNER OF SAID LOT 4;
THENCE DEPARTING SAID NORTHERLY BOUNDARY AND ALONG THE EASTERLY LINE OF SAID LOT 4, SOUTH 00°29'55" WEST A DISTANCE OF 80.02 FEET;

~~THENCE CONTINUING ALONG THE BOUNDARY LINE OF SAID LOT 16, SOUTH 89°48'00" A DISTANCE OF 140.70 FEET TO THE POINT OF BEGINNING;~~

SAID PROPERTY CONTAINS 0.928 ACRES, MORE OR LESS.

~~IT IS THE INTENTION OF THE UNDERSIGNED TO AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT, THAT THE UNDERSIGNED BY THESE PRESENTS BEGATHE TO THE PUBLIC FOR PUBLIC USE; FOREVER THE EIGHTEEN FEET OF ADDITIONAL RIGHT OF WAY DEPICTED ALONG EASTLAND DRIVE; NORTH AS A PUBLIC ROAD.~~

FURTHER, THAT THOSE PORTIONS DEPICTED HEREON AS ELLIS LANE IS NOT A PUBLIC ROAD, BUT IS A PRIVATE ROAD AND ACCESS EASEMENTS AND IS TO BE MANAGED AND MAINTAINED BY THE ELLIS SUBDIVISION HOMEOWNER'S ASSOCIATION AND ARE NOT BEING DEDICATED TO THE PUBLIC.

THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USE AS DESIGNATED HEREON. NO STRUCTURES OTHER THAN FOR SUCH PURPOSES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

PURSUANT TO IDAHO CODE 50-1334, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY CERTIFY THAT THE INDIVIDUAL LOTS DESCRIBED.

PURSUANT TO IDAHO CODE 31-3805, WE, THE UNDERSIGNED, AS OWNERS, 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. LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS BY THE TWIN FALLS CANAL COMPANY.

MAINTENANCE AND WEED CONTROL, PURSUANT TO IDAHO CODE SECTION 22-2407 FOR ALL LOTS SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER UNTIL THE LOTS ARE SOLD AND THEREAFTER SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS(S).

38
REFINANCIAL, INC. *
JEREMY ORTON, PRESIDENT

ACKNOWLEDGEMENT 33

STATE OF IDAHO
COUNTY OF TWIN FALLS } ss

ON THIS DAY OF 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED

JEREMY ORTON

KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE PREVIOUS CERTIFICATES 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 IN AND FOR THE STATE OF IDAHO
MY COMMISSION EXPIRES
RESIDING IN

SURVEYOR'S NARRATIVE 25

TD&H ENGINEERING, INC. WAS CONTRACTED BY RE FINANCIAL, INC. TO ESTABLISH THE BOUNDARY LINES OF OUTCLAIM WARRANTY INSTRUMENT NUMBER 203014343 FOR THE PURPOSE OF PLATTING A RESIDENTIAL SUBDIVISION UPON SAID LOT.

THE SOUTHWEST CORNER (TRUE POINT OF BEGINNING) OF THE SUBJECT PROPERTY WAS ESTABLISHED AT RECORD DISTANCE (730.38 FEET NORTH AND 30 FEET EAST) FROM THE INTERSECTION OF FLIER AVENUE AND JACKSON STREET AS SHOWN ON THE RECORD OF SURVEY RECORDED AS INSTRUMENT NUMBER 2015-00487 IN TWIN FALLS COUNTY.

ALL ELEMENTS OF THE DEED RECORDS, SURVEY RECORDS, PLAT RECORDS AND THE FOUND SURVEY MONUMENTS SHOWN HEREON WERE CONSIDERED, NO OTHER RECORDS OR MONUMENTS WERE CONSIDERED OTHER THAN THOSE SHOWN HEREON WHEN COMPLETING THIS SURVEY.

40
SURVEYOR'S CERTIFICATE

I, DARRYL F. WITTER, P.L.S. NO. 13228, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THIS PLAT AS SHOWN HEREON IS BASED UPON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL ANGLES, DISTANCES, AND COURSES ARE CORRECTLY SHOWN. ALL EXTERIOR LOT CORNERS ARE SET AND INTERIOR LOT CORNERS SHALL BE SET UPON COMPLETION OF THIS PLAT. IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AS PERTAINING TO PLATS AND SURVEYS AT THE REQUEST OF M. MARK D. ELLIS.



DARRYL F. WITTER, PLS 13228 DATE

37 CITY ENGINEER

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

CITY ENGINEER DATE
39 16

37 CITY COUNCIL

ACCEPTED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THE DAY OF 2024.

MAYOR CITY CLERK
39 36

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.

TWIN FALLS COUNTY TREASURER DATE

COUNTY SURVEYOR'S CERTIFICATE

I, GEORGE A. YERION, PROFESSIONAL LAND SURVEYOR IN AND 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 9858 DATE
34

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF TWIN FALLS } ss

ON THIS DAY OF 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED

GEORGE A. YERION

35 KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE PREVIOUS CERTIFICATES AND ACKNOWLEDGED TO ME THAT THEY 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 IN AND FOR THE STATE OF IDAHO
MY COMMISSION EXPIRES
RESIDING IN

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO
COUNTY OF TWIN FALLS) INSTRUMENT NO. _____

ON THIS DAY OF 20 AT M. THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN RECORDS OF PLATS BOOK ON PAGE

DEPUTY EX-OFFICIO RECORDER

TD&H Engineering	DESIGNED BY:	RLW
	SUBMITTED BY:	WED
	QUALITY CHECK:	DPW
	DRAWN:	8/28/2024
DATE: 8/28/2024	PLAT NO.:	1723-033
DATE: 8/28/2024	FILE NO.:	1723-033 (PLAT)

2/2

IMPROVEMENT AGREEMENT

for

DEVELOPMENTS

This Agreement made and entered into this 9th day of December, 2024, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and RE Financial, Inc., Jeremy A. Orton, President hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Jack's 612 Subdivision.

WHEREAS, Developer desires to develop said real property for the following purposes:

Four residential lots.

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 public 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 and which are presently within or subsequently annexed into the City limits. (2) To operate and

maintain all approved public water lines, public pressure irrigation lines, public storm drainage lines, and public sewer lines constructed under the terms of this Agreement in any public rights-of-way or public 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) Public Storm Water facilities will be located in an exclusive stormwater easement. All other maintenance of non-pressurized irrigation lines is the responsibility of the Twin Falls Canal Company or the property on which the utility resides.

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 twenty percent (120%) of the total estimated cost for completing construction, including engineering design, inspection, and oversight, 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.

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

1. Treasurer or Trust Company - A cash deposit or certified check shall be deposited by the City. After the improvements have been accepted, the funds will be reimbursed. 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 twenty percent (120%) of the total estimated cost for completing construction, including engineering design, inspection, and oversight, of the specific public improvements, as estimated by the Developer's Engineer and approved by the City Engineer.
 3. Time - The 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 one extension of the approvals previously given for another two (2) years.
- c. Engineer of record shall hold a pre-construction meeting, including the City Engineering Department, design engineer and contractor. Engineer of record will 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, request for change orders and construction diaries to the City Engineering department every week during the construction of the development or subdivision.
- g. Submit to the City Engineer As-builts for the City records showing any approved changes to the original plans and specifications. A 24" x 36" complete plan set (stamped & signed), a pdf, and an AutoCAD file of the plans shall be provided within thirty (30) days after completion of the project.
- h. The developer's engineer shall submit an Engineer's Check-off and certification form stating that the work has been constructed in conformance to the plans and specifications, and thereby certifying that improvements were constructed to the lines and grades shown.

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

It shall be the responsibility of the 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 (ISPWC) and the City of Twin Falls Revisions to the ISPWC.

The Developer agrees to: (1) allow the City full and complete access to the work (2) provide all materials necessary to conduct independent testing (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 inspections are complete and the work has been accepted by the Developer's Engineer and the City Engineer. All such inspections shall be scheduled in accordance with Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to ISPWC, as adopted at time of construction plan approval. The 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's contractor shall apply for a Right-of-Way permit with a Traffic Control Plan to be approved by the City of Twin Falls prior to any road, lane, or sidewalk closures.

XI.

The City and the Developer agree to the following minimum for Required Improvements, City Costs, Required Inspections and any other improvements; which are 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 local street constructed on all public street rights-of-way serving residential use property.

- (3) Local and private streets shall be constructed as per the current standards, adopted at time of construction plan approval. These include City of Twin Falls Master Transportation plan, ISPWC and City of Twin Falls Revisions to ISPWC.
 - (4) Minor and Major collector streets shall be constructed as per the current standards, adopted at time of construction plan approval. These include City of Twin Falls Master Transportation plan, ISPWC and City of Twin Falls Revisions to ISPWC.
 - (5) Arterial typical sections will be designed by the developer's Engineer and approved by the City Engineer, with width determined on the Master Transportation Plan.
 - (6) A sidewalk, per Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the ISPWC, is required on all public pedestrian rights-of-way. Four foot (4') sidewalks, by special permission of the City Engineer, shall be constructed per ISPWC and the City of Twin Falls Revisions to the ISPWC for local 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 back of curb 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 landscape strip with a sprinkler system to the City of Twin Falls Parks and Recreation standards and shall also install a sidewalk to current adopted standards. 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) Streetlights as determined by City policy for street light installation.
 - (9) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
- (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 to the ISPWC.

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 Marshall. 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 longer than 150 feet 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 water lines shall be one hundred and fifty feet (150'). Fire hydrants with STORZ connectors 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 or sidewalks. Any cost associated with 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 10-12-4.2 a wastewater collection system (eight-inch (8") minimum diameter) that will transport a flow of wastewater, under conditions of maximum and minimum discharge from the development to the existing City waste water system.
- (2) Wastewater lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Wastewater 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.
- (5) All manholes shall be provided with a gravel access 12" thick where no public roadway currently exists.

(b) City Costs

- (1) The City will perform the CCTV inspection on waste water lines which are part of the construction phase.

(c) Required Inspections and Testing

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

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 a designated lot to be maintained by the owner or when applicable, in a dedicated/exclusive storm water easement, granted to the City of Twin Falls.

(b) City Costs

- (1) The City will perform the CCTV inspection on storm water lines which are part of the construction phase.

(c) Required Inspections and Testing

- (1) The City will inspect all dry wells for geometry and materials. Rock will be submitted to the Developer's Engineer for confirmation of void space prior to placement in dry wells. Documentation of confirmation shall be provided to the city engineering department. 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. Privately owned Irrigation facilities shall be constructed 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, sidewalks or other permanent features will not be located on top of irrigation facilities. Irrigation facilities shall not be located in City Right-of-Way, except in crossings perpendicular to the right-of-way.

(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 to the ISPWC.

PRESSURE IRRIGATION SYSTEM

- (a) Required Improvements
 - (1) Pursuant to Section 10-12-4-2 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 three-fourths (3/4) of an acre 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 or receiving an improvement acceptance letter, for use in the City's pressurized irrigation system.
 - (2) Pressure irrigation water mains and fittings shall satisfy the currently adopted 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 currently adopted Pressurized Irrigation Master Plan 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 more than 30 users. One pressure irrigation water service line shall be constructed to each lot 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 the intersection.

One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each lot connected to the City pressure irrigation water system.

- (5) The Developer shall be responsible for all costs incurred in designing and installing the public pressure irrigation station to City Standards and Specifications or as an agreement negotiated with the City Engineer. 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 ISPWC
- (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 to the ISPWC.

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.

Attest:

CITY OF TWIN FALLS, IDAHO

City Clerk_____
Mayor_____
Developer

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

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

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

 Notary Public for Idaho
 Residing

CORPORATION

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



On this 9th day of December, 2024, before me, the undersigned, a Notary Public for Idaho, personally appeared Jeremy A. Orton, 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.

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 or development:

Jack's 612 Subdivision

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

CITY OF TWIN FALLS, IDAHO

City Clerk

Mayor

Developer

[Signature]

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

On this 9th day of December, 2024, before me, the undersigned, a Notary Public for Idaho, personally appeared Jeremy A. Orton, 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.



Tracy Reed
Notary Public for Idaho
Residing Twin Falls County



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Norm Hatke, Fleet Supervisor

ACTION ITEM

Request:

Request to approve the purchase of a Versalift VST-55-HDI telescopic lift and 2024 Ford F600 truck at a cost of \$301,349.00 using a cooperative purchasing agreement with Sourcewell and authorize the IT Director to execute the contract.

Time Estimate:

10 minutes

Background:

Idaho Code 67-2807 went into effect on July 1, 2019. It states, "With the approval of its governing board, a political subdivision may participate in cooperative purchasing agreements with the state of Idaho, other Idaho political subdivisions, other government entities, or associations thereof. Political subdivisions may also participate in cooperative purchasing programs established by any association that offers its goods or services as a result of competitive solicitation processes. Goods or services procured by participation in such cooperative agreements or programs shall be deemed to have been acquired in accordance with the requirements of this chapter".

On December 9, 2019, the City Council adopted resolution 2019-014 authorizing staff to use cooperative purchasing agreements and joint cooperative purchasing programs. City staff can approve purchases up to the informal bid limits. If the purchase is greater than the informal bid limit, which was recently increased to \$150,000, the city council must approve the purchase.

Over the last couple of years, the city fleet committee has developed a fleet replacement schedule. This purchase was approved by the fleet committee. It was later presented and approved by the LTP committee and adopted by the Council as part of the FY 24-25 budget.

This purchase replaces a 2001 GMC C7500 bucket truck which was purchased in 2012. The useful life expectancy for this vehicle is estimated at 15 years. The 20+-year-old vehicle is past its intended lifecycle. It is experiencing more frequent needed repairs which cause operational delays and slower service delivery. This affects Information Technology, Street, and Water departments. The new model offers advanced technology and features such as enhanced hydraulics and automated systems which will improve our productivity. It is also equipped with up-to-date safety features like better stability controls, protection against electrical contact for operators, fall protection systems and emergency shut-offs.

Approval Process:

A majority vote of the council (50%+1) is required.

Budget Impact:

\$400,000.00 was budgeted for the replacement of the bucket truck. The purchase quote is under budget, there are additional unfitting costs that will round out the budgeted expenses for the vehicle.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Request to approve the purchase of a Versalift VST-55-HDI telescopic lift and 2024 Ford F600 bucket truck at a cost of \$301,349.00 using a cooperative purchasing agreement with Sourcewell and authorize the IT Director to execute the contract.

Attachments:

1. VST-55-HDI 24776N Quote

Time Manufacturing Co.
7601 Imperial Drive
Waco, Texas 76712-6608
254.399.2100



QUOTATION

SOURCEWELL N-24776

Customer: Twin Falls
Attn: Norm Hatke
Email: nhatke@tfid.org
Phone: 208-736-2276
Address:

Date: 11/25/2024
Model: VST-55-HDI

VERSALIFT SOURCEWELL
CONTRACT #110421-TIM

<u>Model</u>	<u>Description</u>	<u>Sourcewell Price</u>
VST-40-I	We are pleased to quote the VERSALIFT VST-40-I, insulated 40 ft. (11.0 m) telescopic aerial platform lift, 45 ft. (12.5 m) working height including the following standard feature items:	\$128,462.00

STANDARD FEATURES:

- 19,500 GVWR, 84" Ford F550 4X2 chassis with automatic transmission, 6.7L diesel engine, and air conditioning.
- 132" steel service body with standard compartments treadplate tops and 24" tailshelf.
- Standard platform capacity of 600 lbs. (204 kg).
- Standard 46-1/4" pedestal.
- Platform rotator.
 - TruGuard™ 2.0 dielectric isolating system with 3-axis Right Hand single stick control. All control handles are isolated and Tested per ANSI 92.2 2009. The high resistive dielectric system is protected from direct environmental and job related contamination. TruGuard™ 2.0 technology incorporates the use of full hydraulic controls with durable metal handles and linkages
- Main A-frame outriggers.
- Full pressure turret mounted lower controls with override.
- Engine start/stop from platform and lower controls.
- Continuous rotation including one pass slip ring for start/stop system.
- Six gpm (22.7 lpm) open center hydraulic system at 2500 psi (175 kg/cm²).
- Side mounted telescopic upper boom for low stowed platform.
- Fiberglass inner boom and patented ELECTROGARD provide insulation gap fully retracted meeting ANSI A92.2-2015 requirements for Category C, 46 KV and below.
- Chassis insulating system (fiberglass lower boom insert) providing 12 in. (0.30 m) Insulation gap and including accommodations to bridge insulation gap for testing per ANSI A92.2-2015.
- ELECTROGARD and inner boom furnished with white urethane paint over a white gel coat.
- Non-lube bearings used throughout.
- One set hydraulic tools at platform.
- Integral hydraulic oil reservoir with dual sight gauges and 17 gallon (64.4 l) capacity.
- Closed 24 in. X 24 in. X 42 in. (0.61m X 0.61m X 1.07m) fiberglass platform with one curbside step (in end hung position)
- Master/slave hydraulic leveling with upper control to tilt for cleanout or rescue.
- Upper boom storage cradle with ratchet type tie down strap and tubular rubber platform support
- PTO power source.
- 5lb Fire Extinguisher, reflector kit, and mudflaps
- Hydraulic oil.
- Mounting hardware.
- Two operator's manuals and two service manuals.
- ANSI A92.2-2015 data plate.

CUSTOMER REQUESTED OPEN MARKET ITEMS:

Open market items listed below in addition to or in lieu of the above Sourcewell price_____ \$172,887.00

- **VST-55-HDI** insulated articulating telescopic aerial device in lieu of the above VST-40-I aerial device
- Auxiliary A-frame outriggers with interlock and valves
- Hydraulic dual arm articulating jib and winch for up to 1,000 lb. capacity
- 24" x 48" X 42" walk-in platform with door and cover in lieu of the 24" x 24" x 42" platform
- Secondary stowage system
- Automatic throttle control
- Auto boom latch
- 4-function single stick control in lieu of the 3-function single stick
- One (1) extra operators and service manual.
- 2024 Ford F600 4x4 cab and chassis with 84" CA and 22,000 lb. GVWR, 7.3L gas engine, and auto transmission in lieu of Sourcewell chassis above.
- 132" long fiberglass service body with 42" tailshelf, LED lighting package, hotstick box with door on streetside, curbside access at 2nd vertical with access steps with tailboard, push/pull locks, wheel chock and outrigger pad holders, and cable steps at rear and side access in lieu of the Sourcewell 132" steel body above.
- Wheel chocks and outrigger pads
- Tow package receiver hitch, chain eyes, ICC bumper, and seven (7) prong trailer receptacle
- Heavy duty aluminum window guard with adjustable mounts
- Two (2) LED bed illumination lights on window guard top rail
- Two (2) amber LED Class I strobe lights on outermost accessory brackets
- Two (2) remote controlled LED Go-Light work lights on accessory brackets
- Amber LED arrow stick at rear tailshelf, controls in cab
- Two (2) amber LED Class I strobe lights in tailshelf and two (2) in front grille

TOTAL PRICE**TOTAL PRICE F.O.B. TWIN FALLS, IDAHO:****\$301,349.00**

TERMS: Payment due upon delivery. Chassis MSO sent upon receipt of payment.

SHIPMENT: Approximately 90 days after receipt of all Tier 1 components.

NOTE: Delivery times and pricing are subject to change without prior notice.
The quotation does not include any title, license, or state inspection.

Thank you for considering **Versalift** to meet your utility equipment needs. We look forward to earning your business.

Best Regards,

STAN TOMCHESSON

Government Contracts Sales Coordinator

Phone: (254) 399-2167

Email: StanTomchesson@versalift.com





Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Maxine Durand, Transit Coordinator

ACTION ITEM

Request:

Request to approve Transit Improvement Plan for submission to Magic Valley MPO

Time Estimate:

5 minute presentation plus time for questions from Council

Background:

To access 5307 funds already allocated to the City of Twin Falls for public transit operations in FY25, FTA requires the approval of a Transit Improvement Plan (TIP) by both the Magic Valley MPO and the Ride TFT governing board -- i.e., the Twin Falls City Council. The TIP must be approved by Council before moving through the MVMPO, the ITD board, and finally FTA, at which time 5307 funds already available for FY25 can be accessed by Ride TFT.

Approval Process:

Majority vote by Council

Budget Impact:

None at this time.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the approval of the Transportation Improvement Plan (TIP) in order to access 5307 dollars for public transit in FY25.

Attachments:

1. Transportation Improvement Plan (TIP) City of Twin Falls

Transportation Improvement Plan (TIP)							
City of Twin Falls Draft Public Transportation Program							
Key Number	Project	Year	Source	Federal	Local	Total	Recipient/ Subrecipient
Assigned by MPO	Operating Assistance - On-demand in Twin Falls	2025	5307	350,000.00	350,000.00	700,000.00	City of Twin Falls
Assigned by MPO	Preventative Maintenance - On demand in Twin Falls	2025	5307	560,000.00	140,000.00	700,000.00	City of Twin Falls
Assigned by MPO	Short-Range Planning	2025	5307	50,000.00	12,500.00	62,500.00	City of Twin Falls
Assigned by MPO	Long-Range Planning	2025	5307	100,000.00	25,000.00	125,000.00	City of Twin Falls
Assigned by MPO	Mobility Management Coordinated Marketing	2025	5307	50,000.00	12,500.00	62,500.00	City of Twin Falls
Assigned by MPO	Operating Assistance - Lincoln County Demand Response serving Twin Falls	2025	5307	35,000.00	35,000.00	70,000.00	Lincoln County
Assigned by MPO	Preventative Maintenance - Lincoln County	2025	5307	15,000.00	3,750.00	18,750.00	Lincoln County
Assigned by MPO	Operations Older Adults and Persons with Disabilities - Lincoln County	2025	5310	7,500.00	7,500.00	15,000.00	Lincoln County
Assigned by MPO	Operating Assistance - On-demand in Twin Falls	2026	5307	350,000.00	350000	700000	City of Twin Falls
Assigned by MPO	Preventative Maintenance - On demand in Twin Falls	2026	5307	560,000.00	140000	700000	City of Twin Falls
Assigned by MPO	Short-Range Planning	2026	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Long-Range Planning	2026	5307	100,000.00	25000	125000	City of Twin Falls
Assigned by MPO	Mobility Management Coordinated Marketing	2026	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Operating Assistance - Lincoln County Demand Response serving Twin Falls	2026	5307	35,000.00	35000	70000	Lincoln County
Assigned by MPO	Preventative Maintenance - Lincoln County	2026	5307	15,000.00	3750	18750	Lincoln County
Assigned by MPO	Operations Older Adults and Persons with Disabilities - Lincoln County	2026	5310	7,500.00	7500	15000	Lincoln County
Assigned by MPO	Operating Assistance - On-demand in Twin Falls	2027	5307	350,000.00	350000	700000	City of Twin Falls
Assigned by MPO	Preventative Maintenance - On demand in Twin Falls	2027	5307	560,000.00	140000	700000	City of Twin Falls
Assigned by MPO	Short-Range Planning	2027	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Long-Range Planning	2027	5307	100,000.00	25000	125000	City of Twin Falls

Assigned by MPO	Mobility Management Coordinated Marketing	2027	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Operating Assistance - Lincoln County Demand Response serving Twin Falls	2027	5307	35,000.00	35000	70000	Lincoln County
Assigned by MPO	Preventative Maintenance - Lincoln County	2027	5307	15,000.00	3750	18750	Lincoln County
Assigned by MPO	Operations Older Adults and Persons with Disabilities - Lincoln County	2027	5310	7,500.00	7500	15000	Lincoln County
Assigned by MPO	Operating Assistance - On-demand in Twin Falls	2028	5307	350,000.00	350000	700000	City of Twin Falls
Assigned by MPO	Preventative Maintenance - On demand in Twin Falls	2028	5307	560,000.00	140000	700000	City of Twin Falls
Assigned by MPO	Short-Range Planning	2028	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Long-Range Planning	2028	5307	100,000.00	25000	125000	City of Twin Falls
Assigned by MPO	Mobility Management Coordinated Marketing	2028	5307	50,000.00	12500	62500	City of Twin Falls
Assigned by MPO	Operating Assistance - Lincoln County Demand Response serving Twin Falls	2028	5307	35,000.00	35000	70000	Lincoln County
Assigned by MPO	Preventative Maintenance - Lincoln County	2028	5307	15,000.00	3750	18750	Lincoln County
Assigned by MPO	Operations Older Adults and Persons with Disabilities - Lincoln County	2028	5310	7,500.00	7500	15000	Lincoln County
				4,670,000.00	2,345,000.00	7,015,000.00	



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Maxine Durand, Transit Coordinator

ACTION ITEM

Request:

Request to adopt Resolution R-2024-012 - Resolution Authorizing the Filing of Applications with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance Authorized by Chapter 53 of Title 49 of the United States Code and Any Other Federal Statutes Administered by the Federal Transit Administration.

Time Estimate:

5 minutes for the presentation plus time for Council questions

Background:

As the City prepares to access 5307 small urban federal transit funding through the FTA for FY2026, we are required by FTA to set up an account in TrAMS, which is the FTA system for award management. One of the requirements is the passage of an authorizing resolution to establish signature authority.

Approval Process:

Majority approval by Council.

Budget Impact:

None.

Regulatory Impact:

None

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends Council pass Resolution R-2024-012 as a requirement to access federal transit funding for Ride TFT.

Attachments:

1. Authorizing_Resolution_TrAMS_City of Twin Falls

RESOLUTION NO. R-2024-012

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE AND ANY OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION¹

WHEREAS, the Federal Transit Administration has been authorized to provide funding to support public transportation under 49 U.S.C. Chapter 53;

WHEREAS, grants or cooperative agreements for Federal financial assistance will impose certain obligations upon the City of Twin Falls and may require the City of Twin Falls to provide the non-Federal share of transportation-related expenses supported with Federal financial assistance;

WHEREAS, the City of Twin Falls is legally authorized under Federal, state, or local law to apply for and receive Federal assistance;

WHEREAS, the City of Twin Falls has the authority to apply for and receive Urbanized Area Formula Program assistance authorized by 49 U.S.C. §5307, either alone or in addition to other Federal assistance administered by the Federal Transit Administration. The City of Twin Falls is the Designated Recipient for the City of Twin Falls Urbanized Area as defined by 49 U.S.C. §5307(a)(2) and has received authority from the Governor of the State of Idaho to apply for Urbanized Area Formula Program assistance.

WHEREAS, the City of Twin Falls is required to provide certain certifications and assurances to the Federal Transit Administration at least annually;

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Twin Falls:

1. That the Transit Coordinator or designee is authorized to submit and file an application for Federal assistance as a “Submitter” on behalf of the City of Twin Falls with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53 or any other Federal statutes authorizing activities administered by the Federal Transit Administration.
2. That the Mayor or designee is authorized to execute and file with the Federal Transit Administration the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement as an “Official”.

¹ NOTE TO APPLICANT: Designations in the letter of incumbency and resolution should reflect sufficient internal controls as required by 2 Code of Federal Regulations § 200.303. Please delete this note to applicant before printing/signing.

[Date]



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request to adopt ordinance #O-2024-022 for Zoning District Change on property located on the south side of the 1900 block of 4th Avenue East.

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On October 8, 2024, the Planning & Zoning Commission sent a positive recommendation to the City Council for the Zoning District Change and Zoning Map Amendment change from R-6 to C-1.

On November 18, 2024, City Council heard, deliberated and approved the Zoning District Change and Zoning Map Amendment Change of the property located on the south side of the 1900 block of 4th Avenue East, as requested by the applicant.

Approval Process:

Idaho Code requires that an ordinance be read on three separate days prior to its passage. Two of the readings can be satisfied by reading the title only. Further, Idaho Code allows the reading rules to be dispensed if "one half (1/2) plus one (1) of the members of the full council" authorize the action. Should the council wish to approve the ordinance this evening a motion to dispense with the rules would have to be approved by five or more council members, prior to a vote on the passage of the ordinance.

Suggested motion language if dispensing the rules: *I move that we dispense with the reading rules and place Ordinance 2024-022 on third and final reading by title only.*

If five or more council members approve dispensing with the rules, then the title must be read, followed by a motion on approval of Ordinance 2024-022: *I move that we approve Ordinance 2024-022 as presented.*

Budget Impact:

N/A

Regulatory Impact:

The passing of this ordinance will change the Zoning District of the property and new rules will apply to this property in regards to land use and other development criteria.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Zoning District Change and Zoning Map Amendment process.

Attachments:

1. O-2024-022 Ajia 4th Ave E rezone

ORDINANCE NO. O-2024-022

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

WHEREAS, Perrine Investments, LLC has made application for rezoning of property located on the south side of the 1900 block of 4th Avenue East.; City of Twin Falls, and an amendment of the revised Area of Impact and Comprehensive Plan Land Use Map; and

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 8th day of October, 2024, to consider the Zoning Designation and necessary Zoning & Planning Map amendment upon a rezone of the real property below described, and an amendment to the revised area of Impact and Comprehensive Plan Land Use Map; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 18th day of November, 2024.

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

SECTION 1. The following described real property located on the south side of the 1900 block of 4th Avenue East. is the subject of a Zoning District Change and Zoning Map amendment from R-6 to C-1 .

"Exhibit A"-Legal Description

SECTION 2. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same area hereby amended to reflect the rezoning designation of the real property above described.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or

sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____

Exhibit A
Legal Description
Rezone Boundary

A parcel of land located in the N1/2 SW1/4 SE1/4, Section 15, Township 10 South, Range 17 East, Boise Meridian, and more particularly described as follows:

BEGINNING at the Southeast corner of said Section 15;

THENCE North 00°04'41" West 1324.27 feet along the centerline of Eastland Drive to the intersection of Eastland Drive and 4th Avenue East;

THENCE North 89°36'18" West 1322.80 feet along the centerline of 4th Avenue East;

THENCE South 00°09'29" East 25.00 feet to the REAL POINT OF BEGINNING, said point also lies North 45°34'31" East 1844.54 feet from the South quarter corner of Section 15;

THENCE South 00°09'29" East 768.34 feet;

THENCE North 48°13'48" West 102.63 feet;

THENCE North 63°15'36" West 207.68 feet;

THENCE North 74°31'56" West 179.17 feet;

THENCE North 00°09'29" West 561.74 feet;

THENCE South 89°36'18" East 434.19 feet to the REAL POINT OF BEGINNING.

END OF DESCRIPTION



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request to adopt ordinance #O-2024-023 for Zoning District Change on property located on the 2000 and 2100 block of Pole Line Rd East (Entirety of Pillar Falls Plaza Subdivision).

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On October 8, 2024, the Planning & Zoning Commission sent a positive recommendation to the City Council for the Zoning District Change and Zoning Map Amendment Change from C-1 PUD to R-6, C-1 & C-1 NCO.

On November 18, 2024, City Council heard, deliberated and approved the Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 on the property located on the 2000 and 2100 block of Pole Line Rd East, as requested by the applicant.

Approval Process:

Idaho Code requires that an ordinance be read on three separate days prior to its passage. Two of the readings can be satisfied by reading the title only. Further, Idaho Code allows the reading rules to be dispensed if "one half (1/2) plus one (1) of the members of the full council" authorize the action. Should the council wish to approve the ordinance this evening a motion to dispense with the rules would have to be approved by five or more council members, prior to a vote on the passage of the ordinance.

Suggested motion language if dispensing the rules: *I move that we dispense with the reading rules and place Ordinance 2024-023 on third and final reading by title only.*

If five or more council members approve dispensing with the rules, then the title must be read, followed by a motion on approval of Ordinance 2024-023: *I move that we approve Ordinance 2024-023 as presented.*

Budget Impact:

N/A

Regulatory Impact:

The passing of this ordinance will change the Zoning District of the property and new rules will apply to this property in regards to land use and other development criteria.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Zoning District Change and Zoning Amendment process.

Attachments:

1. O-2024-023 Rezone ZDA Pillar Falls

ORDINANCE NO. O-2024-023

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

WHEREAS, Dirk Reitsma has made application for rezoning of property located at the 2000 and 2100 block of Pole Line Road East (Entirety of Pillar Falls Plaza Subdivision); City of Twin Falls, and an amendment of the revised Area of Impact and Comprehensive Plan Land Use Map; and

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 8th day of October, 2024, to consider the Zoning Designation and necessary Zoning & Planning Map amendment upon a rezone of the real property below described, and an amendment to the revised area of Impact and Comprehensive Plan Land Use Map; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 18th day of November, 2024.

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

SECTION 1. The following described real property located at the 2000 and 2100 block of Pole Line Road East (Entirety of Pillar Falls Plaza Subdivision); is the subject of a Zoning District Change and Zoning Map amendment from C-1 CRO PUD to C-1 CRO.

"Exhibit A"-Legal Description

SECTION 2. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same area hereby amended to reflect the rezoning designation of the real property above described.

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

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

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____

Exhibit A

LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
21, 22, 23, 24, 25, 26,

Tract A, Block 1, Of

PILLAR FALLS PLAZA, A PUD

Located in

A Portion of

Gov't Lots 6 & 18, Section 34

Township 9 South, Range 17 East Boise Meridian,

Twin Falls County, Idaho



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request to adopt ordinance #O-2024-024 for Annexation on property located east of Sunway Dr N from North College Rd W to Pole Line Rd W.

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On October 22, 2024, the Planning & Zoning Commission sent a positive recommendation to the City Council for this property to be zoned R-2 and C-1, if annexation was approved by the City Council.

On December 9, 2024, City Council heard, deliberated and approved the Annexation of the property located east of Sunway Dr N from North College Rd W to Pole Line Rd W, as requested by the applicant.

Approval Process:

Idaho Code requires that an ordinance be read on three separate days prior to its passage. Two of the readings can be satisfied by reading the title only. Further, Idaho Code allows the reading rules to be dispensed if "one half (1/2) plus one (1) of the members of the full council" authorize the action. Should the council wish to approve the ordinance this evening a motion to dispense with the rules would have to be approved by five or more council members, prior to a vote on the passage of the ordinance.

Suggested motion language if dispensing the rules: *I move that we dispense with the reading rules and place Ordinance 2024-024 on third and final reading by title only.*

If five or more council members approve dispensing with the rules, then the title must be read, followed by a motion on approval of Ordinance 2024-024: *I move that we approve Ordinance 2024-024 as presented.*

Budget Impact:

N/A

Regulatory Impact:

Annexation will bring this property into City jurisdiction for all Titles listed in City Code. Whereas previously, the property had been subject to Title 10 - Land Use Regulations only as required by the Area of Impact Agreement.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Annexation process.

Attachments:

1. O-2024-024 Annex Pole Line Rd W

ORDINANCE NO. O-2024-024

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

WHEREAS, Gary Nelson has made an application for annexation of property located east of Sunway DR N from North College Rd W to Pole Line Rd W; and,

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 22nd day of October, 2024, to consider the Zoning Designation and necessary Area of Impact and Zoning District Maps amendment upon annexation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 9th day of December 2024, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

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

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

"Exhibit A"- Annexation Legal Description

"Exhibit B" - C-1 Zone Legal Description

"Exhibit C" - R-2 Zone Legal Description

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

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned C-1 and R-2.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. The Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

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

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____

EXHIBIT "A"
Legal Description Of
Annexation Boundary
Twin Falls County, Idaho

Being all of Government Lots 4 and 5 a portion of Government Lot 3 and a portion of the Southeast Quarter of the Northwest Quarter of Section 6, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Beginning at the Northwest Corner of said Section 6 and being the **REAL POINT OF BEGINNING**;

Thence, along the North Boundary of said Government Lots 3 and 4, South 72°53'41" East 959.40 feet;

Thence, leaving said North Boundary, South 30°20'35" West 311.56 feet to the Northeast Corner of that certain Parcel of Land described in Deed recorded January 22, 2024 as Instrument No. 2024-000843 in the office of the County Recorder of Twin Falls County;

Thence, along the East Boundary of said Parcel of Land, South 00°11'08" East 2161.32 feet to a point on the South Boundary of said Southeast Quarter of the Northwest Quarter Section 6;

Thence, along said South Boundary and the South Boundary of said Government Lot 5, North 84°30'37" West 801.67 feet to the Southwest Corner of said Government Lot 5;

Thence, along the West Boundary of said Government Lot 4 and Lot 5, North 00°40'59" East 2635.87 feet to said **REAL POINT OF BEGINNING**.

Containing approximately 46.31 acres.

End of Description

EXHIBIT "B"
Legal Description of
C-1 Zone Boundary
Twin Falls County, Idaho

Being a portion of Government Lots 3, 4, and 5 and a portion of the Southeast Quarter of the Northwest Quarter of Section 6, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Northwest Corner of said Section 6;
Thence, along the West Boundary of said Government Lot 4, South 00°40'59" West 486.64 feet to a point on the South Right-of-Way Boundary of Pole Line Road West (U.S. Highway 93) and being the **REAL POINT OF BEGINNING**;
Thence, along said South Right-of-Way Boundary, South 89°19'05" East 39.25 feet;
Thence, continuing along said South Right-of-Way Boundary, North 00°40'55" East 165.36 feet;
Thence, continuing along said South Right-of-Way Boundary, South 71°42'29" East 440.51 feet;
Thence, continuing along said South Right-of-Way Boundary, along the arc of a tangent curve to the left having a radius of 5351.04 feet, through a central angle of 03°25'05", an arc distance of 319.22 feet and a long chord that bears South 73°25'02" East 319.18 feet to the Northeast Corner of that certain Parcel of Land described in Deed recorded January 22, 2024 as Instrument No. 2024-000843 in the office of the County Recorder of Twin Falls County;
Thence, along the East Boundary of said Parcel of Land, South 00°11'08" East 1101.58 feet;
Thence, leaving said East Boundary, North 89°30'48" West 221.96 feet;
Thence, along the arc of a tangent curve to the right having a radius of 300.00 feet, through a central angle of 21°41'47", an arc distance of 113.60 feet and a long chord that bears North 78°39'55" West 112.92 feet;
Thence, North 67°49'01" West 173.16 feet;
Thence, along the arc of a tangent curve to the left having a radius of 300.00 feet, through a central angle of 21°30'00", an arc distance of 112.57 feet and a long chord that bears North 78°34'01" West 111.91 feet;
Thence, North 89°19'01" West 178.79 feet to a point on the West Boundary of said Government Lot 5;
Thence, along said West Boundary, North 00°40'59" East 1052.34 feet to said **REAL POINT OF BEGINNING**.

Containing approximately 20.53 acres.

End of Description

EXHIBIT "C"
Legal Description Of
R2 Zone Boundary
Twin Falls County, Idaho

Being a portion of Government Lot 5 and a portion of the Southeast Quarter of the Northwest Quarter Section 6, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Northwest Corner of said Section 6;
Thence, along the West Boundary of Government Lot 4 and Government Lot 5, South 00°40'59" West 1538.98 feet to said **REAL POINT OF BEGINNING**.
Thence, leaving said West Boundary, South 89°19'01" East 178.79 feet;
Thence, along the arc of a tangent curve to the right having a radius of 300.00 feet, through a central angle of 21°30'00", an arc distance of 112.57 feet and a long chord that bears South 78°34'01" East 111.91 feet;
Thence, South 67°49'01" East 173.16 feet;
Thence, along the arc of a tangent curve to the left having a radius of 300.00 feet, through a central angle of 21°41'47", an arc distance of 113.60 feet and a long chord that bears South 78°39'55" East 112.92 feet;
Thence, South 89°30'48" East 221.96 feet to the East Boundary of that certain Parcel of Land described in Deed recorded January 22, 2024 as Instrument No. 2024-000843 in the office of the County Recorder of Twin Falls County;
Thence, along said East Boundary, South 00°11'08" East 1059.74 feet to a point on the South Boundary of said Southeast Quarter of the Northwest Quarter Section 6;
Thence, along said South Boundary and the South Boundary of said Government Lot 5, North 84°30'37" West 801.67 feet to the Southwest Corner of said Government Lot 5;
Thence, along said West Boundary of Government Lot 5, North 00°40'59" East 1096.89 feet to said **REAL POINT OF BEGINNING**.

Containing approximately 19.50 acres.

End of Description



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Kelli Ebersole, City Planner

ACTION ITEM

Request:

Request for a zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Time Estimate:

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

Background:

This is a request from Sundance Partners, LLC, represented by Tim Vawser of EHM Engineering, Inc., for a recommendation on a zoning district change from R-2 PUD to R-2 for 62.81 (+/-) acres located south of South Hills Rd and East of Harrison St S.

Approval Process:

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Zoning Map Amendment: The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.

Budget Impact:

N/A

Regulatory Impact:

City Council shall take into consideration the zoning designation recommended by the Planning & Zoning Commission and hold a public hearing to make a final decision on the request. Approval of such a request is followed by passage of an ordinance.

Approving this Zoning District Change will remove the property from the Sundance PUD and entitle it to the R-2 Residential Single Household or Duplex District zoning regulations.

History:

The Sundance R-2 PUD zoning designation was approved in 2008. The conditions of approval for the PUD were as follows:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable city codes and standards.
2. Subject to the property being platted through the City of Twin Falls prior to development
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of change of use of the property.
4. Subject to final approval of the PUD Agreement
5. Building setbacks to comply with R-2 development standards, or greater
6. The PUD Agreement includes a restriction that the first five lots on the southeast corner both north and west be a minimum of 10, 000 sq. ft.

The PUD agreement between the developer and the City of Twin Falls in 2008 was created to ensure that specific development requirements were approved and completed, such as irrigation, roadways, sewer, water and park dedication. The property was later preliminary platted in 2017 with approximately 447 residential lots. Development of this property has occurred in stages, moving from the west boundary towards the east. The westerly portion has had three (3) final plat approvals allowing for approximately 174 residential lots to be developed. The timeline for platting has expired for the eastern portion of the development, and with the recent decision by the city that a park dedication is no longer required, the applicant would like to subdivide the park area into residential lots when the eastern portion of the development is re-platted. In order to create additional lots, this would also require a PUD Amendment to modify the master development plan.

Analysis:

Upon review of the PUD, staff identified that the conditions set forth in the PUD were conditions that would be required by city code and that the development of the roadways, sewer, water, pressurized irrigation facility and park dedication were satisfied in the first stage of development. Rezoning to R-2 was recommended by staff. The original PUD directed the development to follow the R-2 zoning district standards limiting the development to single family lots only. Rezoning the property under the R-2 zoning district standards would entitle the applicant to have single family and duplex lots. The PUD also had a condition requiring lots along the southeast corner to be a minimum of 10,000 sq. ft. While reviewing the history of the PUD agreement, the intent for this condition was to provide a buffer for the large rural residential properties along the southeast corner of the development. Staff recommends that, if approved, the conditions for the larger lots on the southeast corner remain in place as required as listed in the original PUD. The applicant was agreeable to this recommendation. The applicant has indicated to staff that they do not intend to alter the original plan other than to convert the park area to residential lots.

Currently, the Comprehensive Plan has this property designated as Town Neighborhood. This designation is characterized primarily as residential with lot sizes that are smaller than rural residential lots and are often single family, duplexes, triplexes and town-homes. The R-2 zoning district would be compatible with the comprehensive plan therefore staff would be in support of this request.

Conclusion:

Upon conclusion, on November 19, 2024 the Planning & Zoning Commission held a public hearing and made a recommendation to approve the R-2 zoning designation, as presented. The City Council is tasked with making a final decision on the request to rezone the property with an R-2 zoning designation. After consideration, the council may decide to approve the request, as presented, deny the request, or table

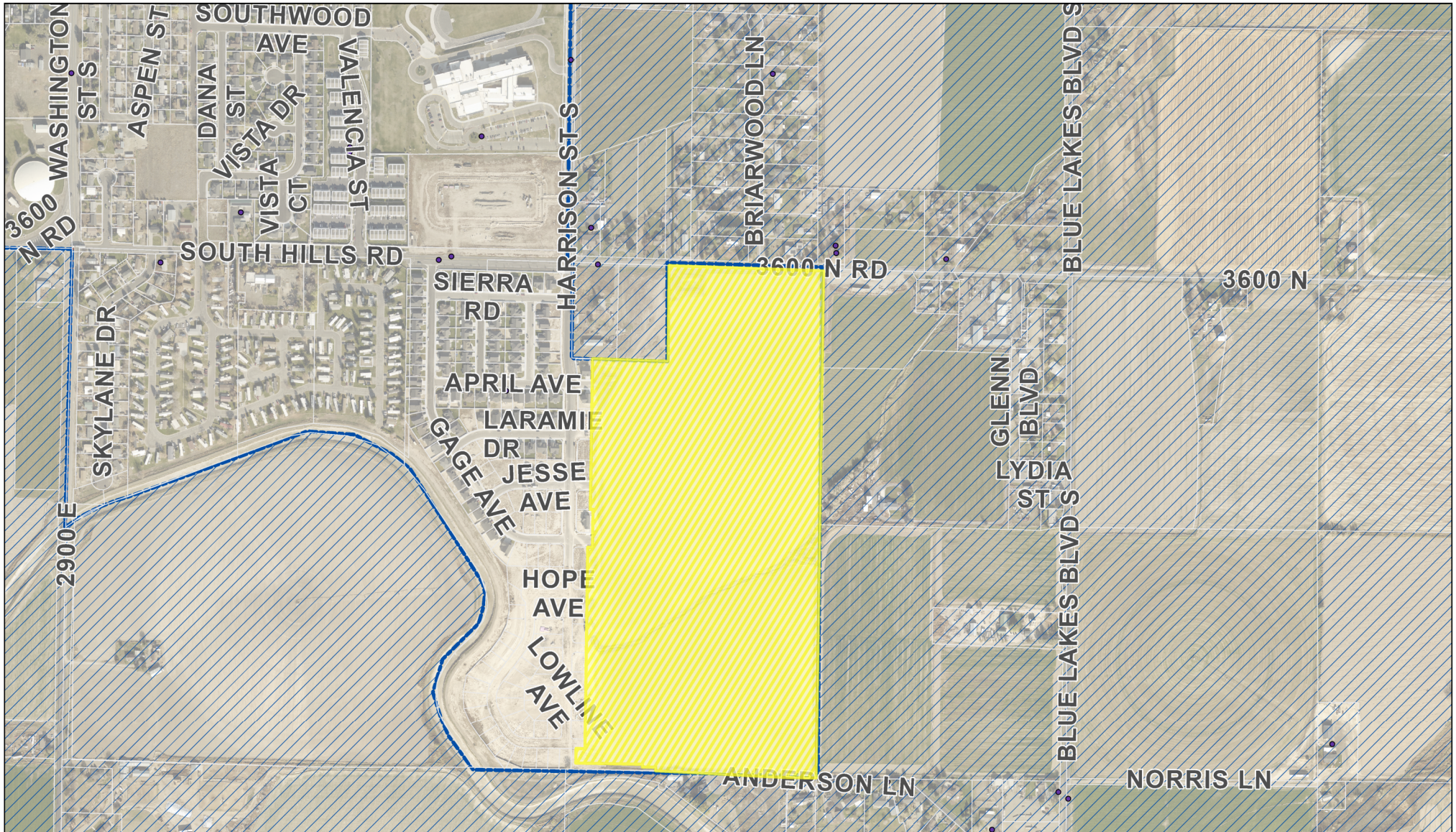
the request for additional information. Should the council approve the request, as presented, staff recommends the following condition:

1. Subject to the first five (5) lots on the southeast corner, both north and west, be a minimum of 10,000 Sq. Ft.

Attachments:

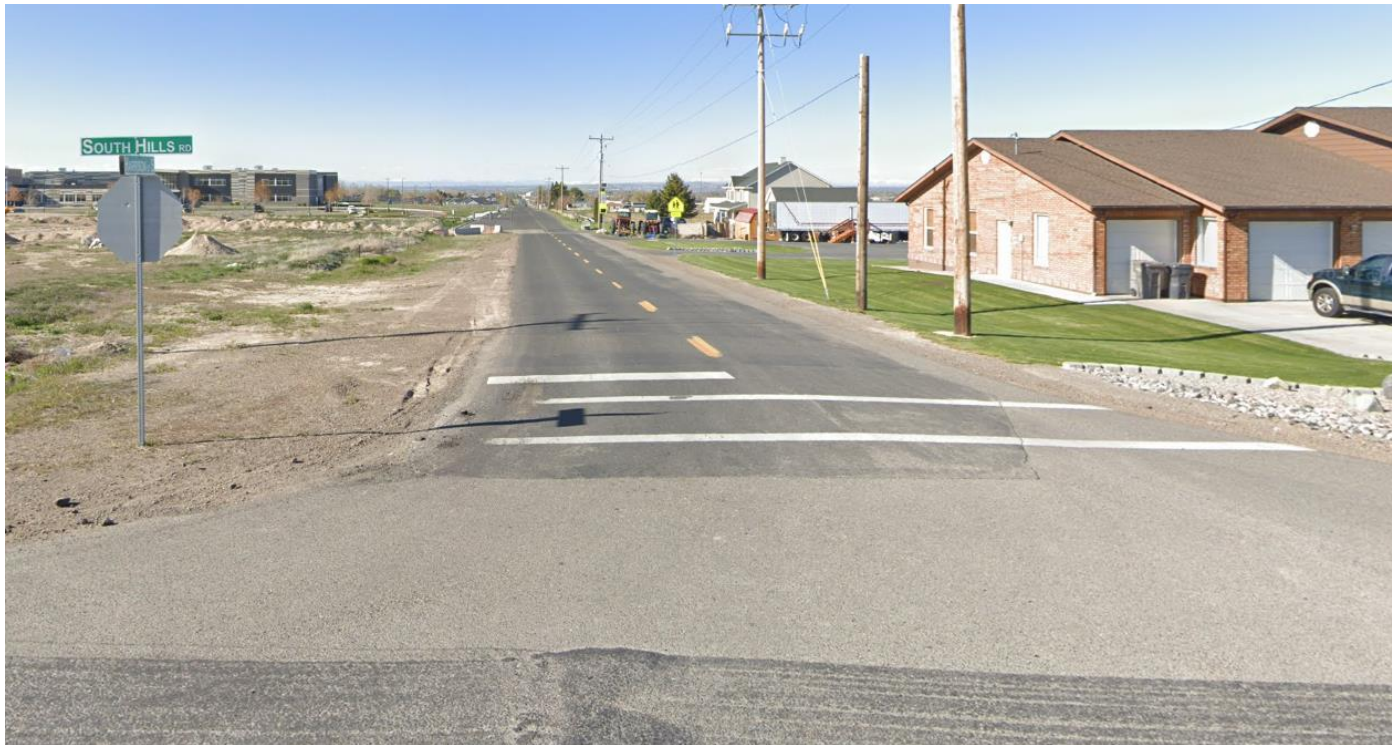
1. PZ24-0112 Vicinity Map
2. PZ24-0112 Street View NSEW
3. PZ24-0112 Zoning & FLU Map
4. PZ24-0112 Applicant Narrative
5. PZ24-0112 Sundance PUD Master Plan 2008- Exhibit
6. PZ24-0112 Land Use Comparison Chart
7. PZ24-0112 City Code 10-4-4 R-2
8. PZ24-0112 Sundance PUD
9. PZ24-0112 November 19, 2024 PZC Minutes

VICINITY MAP



Street View

North



South



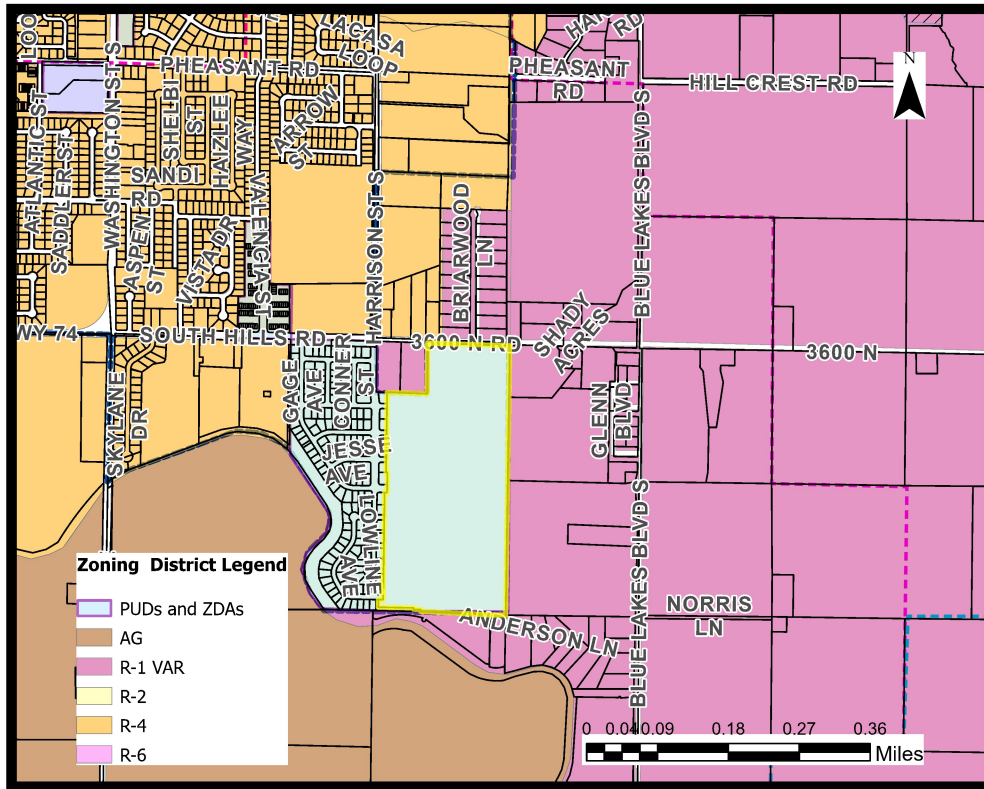
East



West



ZONING MAP



Zoning

Current Zoning: R-2 PUD

Current Land Use: Undeveloped

Proposed Zoning: R-2

Proposed Land Use:
Residential

Surrounding Area

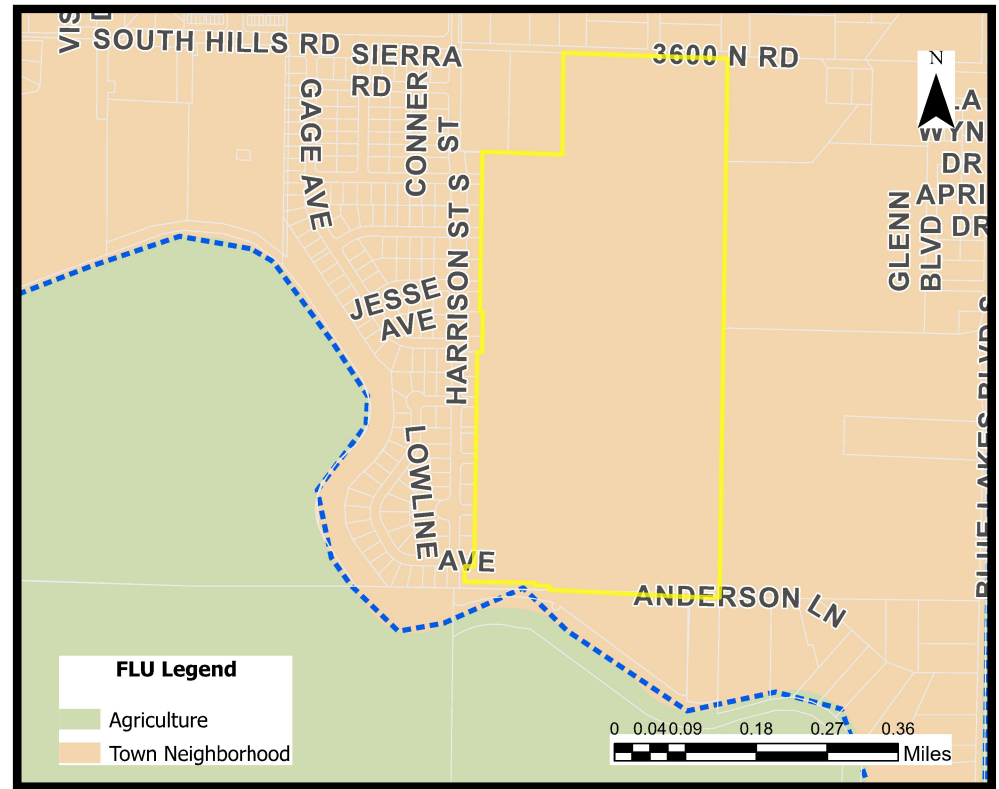
North: 3600 N RD

South: Rural Residential

East: Rural Residential

West: Residential

FUTURE LAND USE MAP



Regulations

10-1-4, 10-1-5, 10-4-4,
10-14-1 thru 10-14-7

FLU Category

Town Neighborhood Characteristics

Primarily residential in character, Lot sizes are smaller than found in rural residential, contiguous and clustered development to maximize open space and community gathering areas.

Land Uses:

Single-family attached and detached, Duplexes, triplexes, and townhomes, Parks and recreation facilities, Schools, Civic facilities

SUNDANCE
APPLICATION NARRATIVE

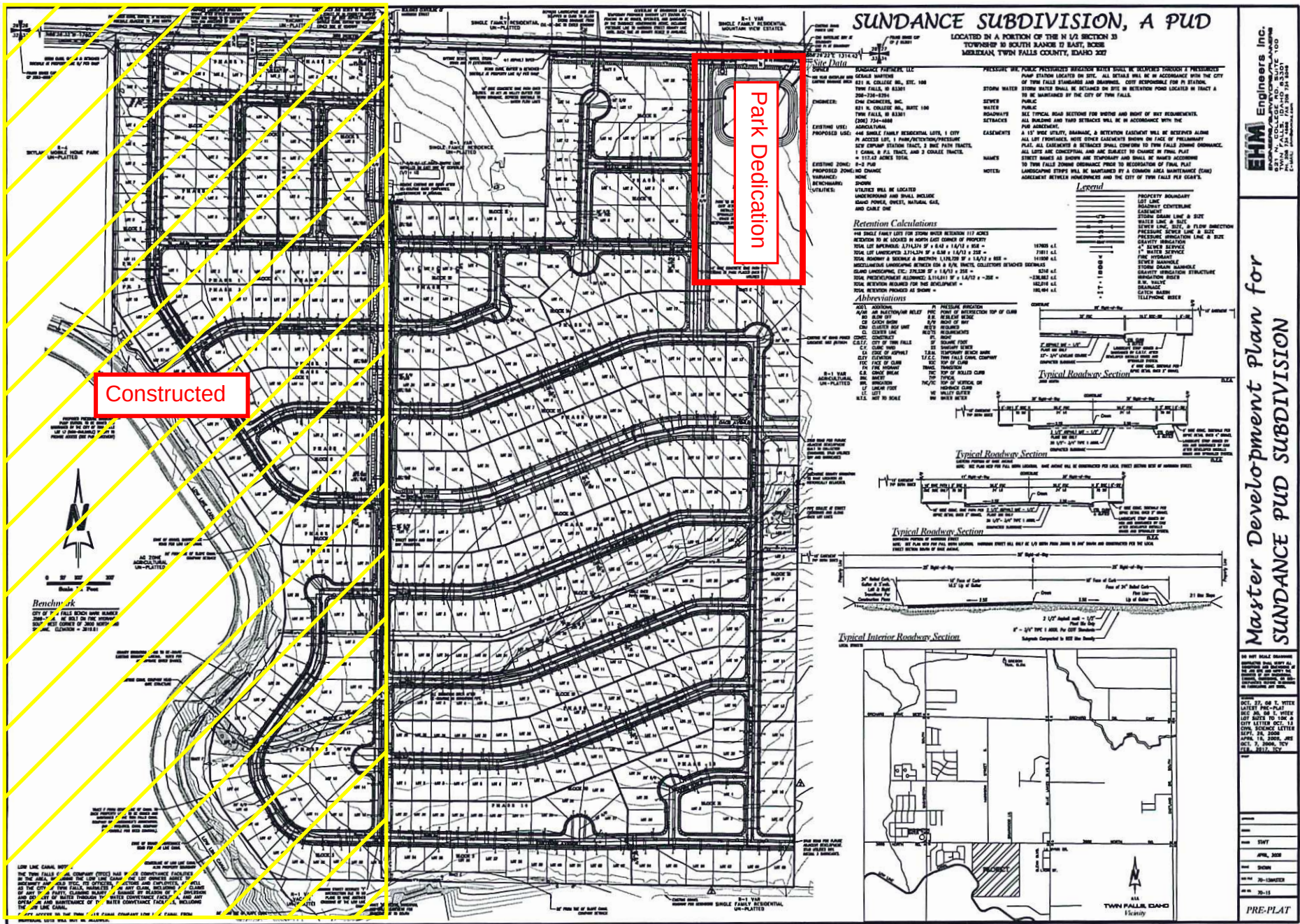
4.a. The proposal is to rezone the remaining land holdings within the existing development from R2 PUD to R2. After discussing moving on to additional phases with City staff, it was determined that updating the current agreement would be beneficial so that a new agreement was in place that related to current code and requirements that have been implemented over the past several years. Several of the improvements required by the original PUD have been installed and implemented throughout previous phases such as the pressure irrigation station and delivery system, roadway system, and related improvements. Other than development phasing, drainage areas, sewer system, and minor adjustments of layout, this is not a change of significance other than updating the agreement to align with current policies of the City and alleviating the need for a PUD.

4.b.i. The Comprehensive Plan along with the future land use plan depicts this area as town neighborhood and the current zoning map matches the zoning designation. The intent is to develop the area as stated with the proposed zoning.

4.b.ii. The property would be developed similarly to the originally approved agreement and is compatible with the surrounding area.

4.b.iii. The intended use of the property is develop the remainder of the land holdings in phases for residential housing.

EXHIBIT B



EHM Engineers Inc.
ENGINEERS/SURVEYORS/PLANNERS
821 N. COLLEGE RD. SUITE 100
TWIN FALLS, IDAHO 83301
PH. 208 734 4488 FAX 208 734 8346
E-MAIL: ehm@ehm-inc.com

Master Development Plan for
SUNDANCE PUD SUBDIVISION

CONTACTED SHALL VERIFY ALL
CHANGES AND SUBMISSIONS OF
THEir OWN AND VERIFY THE
ACCURACY OF ANY INFORMATION
PROVIDED TO THE AGENCY ON BEHALF
OF THE SUBMITTER. ANY CHANGES
OR ADDITIONS MUST BE MADE
BY THE SUBMITTER'S SIGNATURE.

NAME	
DATE	
TIME	STAFF
DATE	APRIL, 2002
TIME	SHOW
DATE	70-1340428
TIME	70-15
PRE-PLAT	

Land Use Comparison Chart

Property Development Standards Comparison

Sundance PUD	R-2
The PUD states density shall be less than four (4) lots per acre no duplex or any multi-family dwellings will be permitted.	Single Family & Duplex outright permitted.
The PUD Agreement includes a restriction that the first five (5) lots on the southeast corner both north and west be a minimum of 10,000 sq	Single Family minimum lot size 6000 Duplex minimum lot size 10000

The six conditions attached to the PUD approval are general code requirements for approval. The PUD agreement was used to ensure that required improvements were addressed for the streets, sewer, water, irrigation and park dedication.

1. Subject to the site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuild or built to current City standards upon development or change of use of the property.
4. Subject to final approval of the PUD Agreement.
5. Building setbacks to comply with R-2 development standards, or greater
6. The PUD agreement include a restriction that the first five (5) lots on the southeast corner both north and west be a minimum of 10,000 sq. ft.

10-4-4: R2, RESIDENTIAL SINGLE HOUSEHOLD OR DUPLEX DISTRICT:

10-4-4.1: PURPOSE:

This district is intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-4.2: USE REGULATIONS:

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

1. Communications And Utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex. (Ord. 2526, 5-20-1996)

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

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
4. Parks:

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

5. Public Assembly:

- a. Auditoriums.
- b. Religious facilities.
- c. Schools - private academic.
- d. Schools - public.

6. Residential:

- a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
- b. Home occupations.
- c. Bed and breakfast facilities.

7. Services:

- a. In home daycare services.

8. Sports Facilities:

- a. Golf courses and country clubs.
- b. Outdoor, public and commercial ice and roller skating facilities.
- c. Outdoor, public and commercial swimming pools.
- d. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

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

10-4-4.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R2 district except as provided by section [10-12-5-6](#) of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area shall be six thousand (6,000) square feet for a single household dwelling and ten thousand (10,000) square feet for a duplex dwelling.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section [10-7-6](#) of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the other street frontages.

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section [10-7-5](#) of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section [10-7-5](#) of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section [10-7-5](#) of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section [10-7-5](#) of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section [10-11-2](#) of this title.

(H) Off Street Parking:

1. Each residential dwelling unit shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply to the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section [9-9-16](#) of this code. (Ord. 2550, 6-2-1997)

PUD # 275

TWIN FALLS COUNTY

Recorded for:

TWIN FALLS, CITY OF
9:00:54 AM 04-05-2018

2018-005060

No. Pages: 15 Fee: \$
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

**SUNDANCE SUBDIVISION
R2 PLANNED UNIT DEVELOPMENT AGREEMENT**

THIS AGREEMENT made and entered into this 2nd day of April 2018
20__ by and between the **CITY OF TWIN FALLS**, a municipal corporation, State of
Idaho P.O. Box 1907 Twin Falls, ID 83303-1907 (hereinafter called "City"), and
SUNDANCE PARTNERS, LLC, (hereinafter called "Developer"), whose address is
621 North College Rd., Ste. 100, Twin Falls, ID 83301.

RECITALS:

WHEREAS, the Developer is the owner of the certain tract of land (the
"Property"), in the City of Twin Falls, County of Twin Falls, State of Idaho, more
particularly shown in **Exhibit A**, which contains the "Vicinity and Zoning Map" attached
hereto which Property is south of 3600 North Road and east of Washington Street South
and west of Blue Lakes Boulevard South, and is to be known as **SUNDANCE
SUBDIVISION PUD**; and

WHEREAS, the Developer has made request of the City to develop a residential
subdivision (the "Project") on the Property and has submitted to the City the Master
Development Plan (**Exhibit B**) thereof, which has, been approved for development as an
"R-2 Residential PUD" by the City Council of the City as follows:

On November 24, 2008 the CC Approved a Rezone from R-2 to R-2 PUD for 117.4 (+/-) acres to
develop a residential subdivision as presented with the following conditions: (density shall be less
than four (4) lots per acre, no duplexes or any multi-family dwellings will be permitted on the
property)

1. Subject to site plan amendments as required by Building, Engineering, Fire, and
Zoning officials to ensure compliance with all applicable City Code requirements and
Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being
dedicated to the City of Twin Falls and to be rebuilt or built to current City standards
upon development or change of use of the property.
4. Subject to final approval of the PUD Agreement.
5. Building setbacks to comply with R-2 development standards, or greater.
6. The PUD Agreement include a restriction that the first five (5) lots on the southeast
corner both north and west be a minimum of 10,000 square feet.

WHEREAS, the City, by and through its City Council, has agreed to the development of said Project within the City of Twin Falls, Idaho, subject to certain terms, conditions, and understandings, which terms, conditions and understandings are the subject of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Developer and the City agree as follows:

1. NATURE OF THE AGREEMENT. This agreement shall become part of the “R2, PUD” zone with respect to the Project upon its full execution and recording. The Developer and its assigns or successors in interest, as well as the City and its assigns or successors (if any), shall be bound by the terms and conditions contained therein.
2. NATURE OF THE DEVELOPMENT. It is agreed by the parties hereto that certain language and requirements pertaining to the “Project” shall be interpreted as follows:
 - A. General Uses and Features. The Project is a residential development based on an R-2 zoning designation with a Planned Unit Development (PUD) overlay. City owned and maintained storm water neighborhood park, Homeowners Association owned and maintained sewage lift station and pressurized sewer main from lift station to discharge manhole, a lot dedicated to the City of Twin Falls for access to a regional pressure irrigation facility, piped Twin Falls Canal Company gravity irrigation lateral, utilities, and City owned improvements. Utilities include natural gas service, telephone, electrical, power, and television cable. City owned improvements include gravity sanitary sewers, City water, City pressurized irrigation, and City streets with curb, gutter, and sidewalks (see attached Master Development Plan of the Project, **Exhibit B**). Specific features and locations are as follows:
 1. Tract A will be dedicated to the City as a “neighborhood park”. **Exhibit D**
 2. Upon execution of an acceptable agreement by the parties, Lot 17 Block 5 will be used by the City for access to a Regional Pressure Irrigation Facility.
 3. Tracts B, C, D, E, and F will be dedicated to the Sundance Homeowners Association. Additional Tracts may be dedicated to the Sundance Homeowners Association upon identified need within future platting.

B. Specific Uses – Permitted Uses

The Project shall be allowed all the Permitted Uses detailed in City Code 10-4-4.2-(A), with the following inclusions:

Permitted Use – City of Twin Falls Regional Pressure Irrigation Facility restricted to Lot 17 Block 5.

The total number of lots shall not exceed 469 lots. (117.42 gross acres, 4.0 lots per gross area)

And with the following exclusion:

Prohibited Use – Duplex Dwellings

C. Special Uses

The Project shall be allowed to have applications sought for all the Special Uses detailed in City Code 10-4.4.2-(B).

The Project shall meet the Property Development Standards detailed in City Code 10-4-4, as of April 16, 2007.

D. General Subdivision Provisions

The Project shall meet the General Subdivision Provisions detailed in City Code 10-12, as of April 16, 2007, with the following modifications:

Modification – 10-12-3-13 Right of Way Requirements:

Harrison Street south of 3600 North shall be a collector roadway to the intersection with the proposed Gage Loop, and residential street south of the above-described intersection. The Proposed Gage Loop shall be a residential roadway West of the Harrison Street, Gage Loop Intersection and a collector roadway East of the Harrison Street, Gage Loop Intersection. Briarwood Lane south of 3600 North shall be a collector roadway to the intersection with the proposed Jesse Avenue, and residential street south of the above-described intersection.

Modification – 10-12-5-3 Planned Unit Developments and Condominium Subdivisions, (D) Storage Areas:

The Project will not provide separate storage areas. The Project CCR's will allow for recreational vehicle parking on the individual lot.

Modification 10-12-5-3 Planned Unit Developments and Condominium Subdivisions, (F) Maintenance Building:

The Project will not provide a maintenance building. The Project CCRs will allow for individual storage sheds on the individual lot.

E. Phasing of Development.

Developer shall be permitted to develop the Property in phases, so long as those phases are in compliance with the Master Plan (**Exhibits B**), this PUD Agreement, and an approved preliminary plat. Approval for each phase may be

obtained by submission of a technically correct final plat for each phase to the City Council. The designation and location of specific uses on the Master Plan are conceptual and minor changes there from shall not provide basis for disapproval of any final plat. There shall be no minimum and three (3) year maximum time limit between phases.

3. STREET, SEWER, WATER, AND DRAINAGE IMPROVEMENTS. Developer shall be responsible for the design and construction of street, sewer, water, pressurized irrigation, and drainage systems on the Property (hereinafter "Improvements") as described herein in accordance with City Standards:
 - A. Improvement Plans. Developer shall, as to each phase of its development, file or cause to be filed with the City a complete set of plans for that development phase, showing all Improvements contemplated within that phase of the development (hereinafter "Improvement Plans"). The Improvement Plans and all Improvements thereon shall meet the approval of the City, which approval shall be given if such plans conform to established City policies and ordinances, the Master Plan and this PUD Agreement.
 - B. Improvement, Design and Construction. The Developer, at his expense, shall cause all Improvements shown on the Improvement Plans to be designed, constructed and installed consistent with the approved Improvement Plans except as otherwise provided therein. Notwithstanding the foregoing, nothing in this Agreement shall prohibit City participation in the cost or financing of improvements on the Property if mutually agreed to by the parties hereto.
 - C. Phased Construction The Developer may install the Improvements at one time, or in phases, as the Developer shall determine at his sole discretion. Developer shall provide the City with written notification of the timing and scope of the phase, or phases, of said Improvements it intends to complete at that time. Developer agrees to make such modifications to construct any temporary facilities necessitated by such phased construction work as shall be reasonably required and approved by the City.
 - D. Construction Supervision. The Developer shall use a registered professional engineer to supervise the construction; inspection and testing of the work as necessary, to ensure that all such Improvements are constructed in accordance with the approved Improvement Plans.
 - E. Non-Compliance. In the event any of the Improvements are not consistent with the Improvement Plans, the City shall give written notice to Developer of said non-compliance. Developer shall cure said non-compliance within thirty (30) days of its receipt of notice or, in the case of non-compliance that will take in excess of thirty (30) days to cure, Developer shall commence to cure within (30) days of receipt of notice and diligently pursue the same to completion. In the event Developer fails to cure said non-compliance in the manner set for hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within only that phase of such "PUD" until such time as all requirements specified in this Section 3 have been

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

- F. Fees. The Developer shall pay, or cause to be paid, to the City all applicable fees, if any, with regard to the installation of Improvements pursuant to the Improvement Plans. However, City water and sewer connection and service charges shall be paid for by individual developers and users at the rates set by applicable City ordinances and resolutions.
- G. Maintenance of Improvements. The City hereby agrees to accept maintenance responsibility for the public improvements upon their completion to City Standards in accordance with current City policy.

4. PLATS. Developer agrees to file with City a preliminary plat, or plats in phases, prepared by a registered professional engineer/land surveyor, of the Property, which is the subject of this Agreement. Preliminary and final plats for phases to be developed shall be submitted specifically identifying and dedicating all necessary public easements, open space, and mini park dedications, and those right-of-way the City agrees to accept herein and in the Standard Developer's Agreement. It is agreed that said plats and any amendments thereto must first be approved by the city if the final plat is in conformity with the approved preliminary plat.

5. INDIVIDUAL PARCEL DEVELOPMENT CRITERIA. The Property of any portion thereof shall be developed in accordance with criteria set forth in this Section.

A. Approval and Construction. All Improvements shall be constructed in accordance with engineered drawings and specifications, describing in reasonable detail the work to be performed, with drawings and specifications to first be approved by City, which approval shall not be unreasonably withheld.

B. Pump Irrigation Station Lot. Will be dedicated to the City of Twin Falls for use as access to a regional pump irrigation station. The City of Twin Falls will be responsible for all improvements to Lot 17, Block 5 and the Pump Station. Pump system appearance will meet conditions of this agreement. The Developer intends to make a charitable contribution to the City of Twin Falls for the appraised value of Lot 17, Block 5. Such contribution shall occur upon transfer of ownership of Lot 17, Block 5. Developer agrees to a) convey title to Lot 17, Block 5 prior to recordation of phase one final plat OR b) provide a temporary easement until such time the lot is platted in a future phase. Pressure irrigation will be provided for each phase of development per City Engineering approval.

C. Sanitary Sewer Pump Station. The Developer may construct a temporary sanitary sewer lift station on Tract A to pump to existing or proposed sewer pipeline west or north of the project. The design of the lift station will allow the disconnection and abandonment of the station and connection to a gravity sewer line on 3600 North, when available. The Developer will construct a force main from the lift station to the gravity sewer line. The lift station and force main from the lift station to the point of discharge, will be owned, operated, and maintained by the Sundance Homeowner's Association. The Association will contract with OMI or the City's current operating authority for the City's lift stations for the operation and maintenance of the station. When gravity sewer is available to the project, the City agrees to abandon the lift station and connect the project to the gravity sewer line.

D. Landscaping. Project landscaping includes landscaping and pressurized irrigation along 3600 North Road, hydro seeding and irrigation for the storm water detention pond and the 3.67 acre "neighborhood park" dedication (**Exhibit D**), and standard park strip on the collector portions of Harrison Street South and the collector portions of Sundance Loop. Each property owner adjacent to Harrison Street and Sundance Loop shall install and maintain the landscaping and vegetation on his property and in the public rights-of-way adjacent thereto or be subject to additional maintenance fees from the City of Twin Falls for common area maintenance. Each property owner shall be required to utilize the Project's pressurized irrigation system or future systems as required by the City for their landscaped area.

E. Building Standards. Buildings and Improvements shall comply with the following standards:

1. Design Standards. Residences shall conform to applicable city codes and the requirements of the Sundance Home Owner's Association Conditions, Covenants, and Restrictions (CC&Rs).
2. Trash containers, outdoor storage and such facilities on the City dedicated parcels shall be visibly screened from roadways, residential areas and adjacent properties. Screening may consist of landscaping, masonry walls or vision barrier fencing. The Developer and City Planning and Zoning Department or its assigns shall approve screening.
3. Utilities. All on-site utility service lines located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with screening material such as landscaping or other approved material. Relocation and burying of electrical lines does not apply to transmission lines currently located on the north and east boundary of the property.

F. Codes. All construction on the Property shall be to the standards established by applicable codes.

6. TIME LIMITATION. The "R-2 PUD" zone designation on the Property described in the legal description **Exhibit E** is expressly conditioned upon submission to the City Council and a final development plan of the first phase of development within two (2) years from the date hereof. The Developer may apply for two or more two-year extensions provided application is made in advance of the two-year expiration date. Approval shall not unreasonably be withheld.

7. STANDARD DEVELOPER'S AGREEMENT. It is understood and agreed by the parties hereto that Developer shall execute the City's Standard Developer's Agreement.

City and Developer recognize that in exchange for giving up substantial acreage for the pressurized irrigation facility, and the large impact it has on the residential area of the project, city is allowing R-2 PUD as proposed.

8. GENERAL PROVISIONS.

A. Cooperation. The parties hereto agree to cooperate each with the other. Developer shall submit to the City all plans, specifications, and working drawings required by the City.

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

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

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

Developer: Sundance Partners, L.L.C.
c/o Gerald Martens
621 N. College Rd., Ste. 100
Twin Falls, ID 83301

City: City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

E. Successors and Assigns. This Agreement shall be binding upon the successors, assigns and legal representatives of the parties hereto. Transfer of all or a portion of the Property shall create a notation releasing the transferor from obligations under this Agreement with respect to said transferred property.

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

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

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

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

J. Construction. Should any provision of this Agreement require judicial interpretation, the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a contract is to be construed more strictly against the person who himself, or through his agents, prepared the same, it being acknowledged that both parties have participated in the preparation hereof.

K. Attachments. All attachments to this Agreement and recitals are incorporated herein and made a part thereof as if set forth in full.

L. Captions. The captions, section and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and shall in no way affect interpretation of this Agreement.

IN WITNESS WHEREOF, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

ATTEST:

By: _____

City Clerk

"CITY"

CITY OF TWIN FALLS

By: _____

Mayor

"DEVELOPER"

SUNDANCE PARTNERS, L.L.C.

By: _____

Member

STATE OF IDAHO)

ss.

County of Twin Falls)

On this 23rd day of March, 20018, before me, a Notary Public for said County and State, personally appeared Gerald Martens, known or identified to me, to be the Member of SUNDANCE PARTNERS, L.L.C. that executed the said instrument.

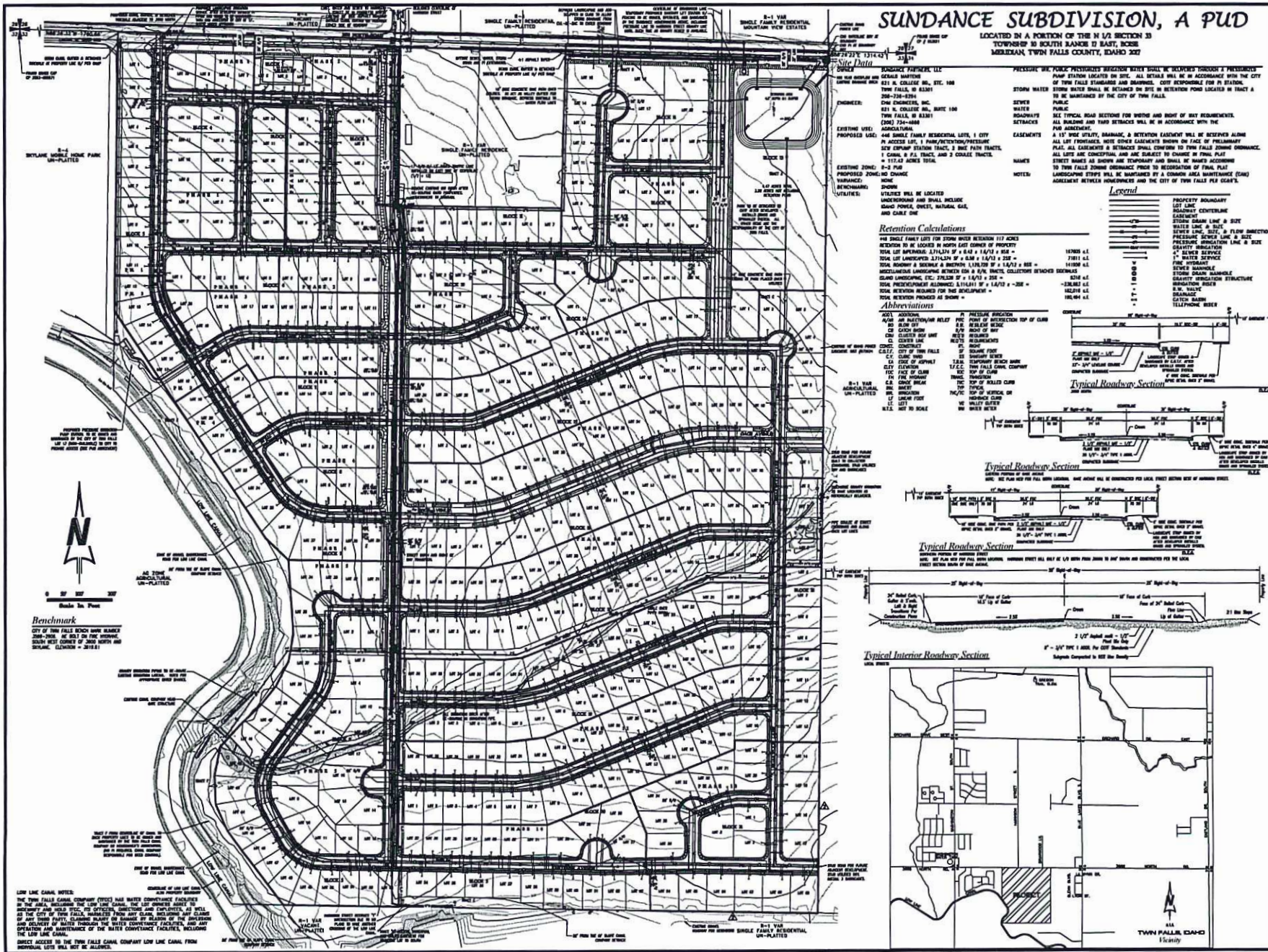
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Martha Tolman
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls
My commission expires 10/17/18

See Attached Exhibits A, B, D E. (there is no Exhibit C)
LEGAL DESCRIPTION is Exhibit "E"

EXHIBIT B



E.H.M. Engineers Inc.
ENGINEERS • SURVEYORS
821 N. COLLEGE RD. SUITE 100
TWIN FALLS, IDAHO 83301
PH. 208 734 2888 FAX 208 734 8248
E-MAIL: gmh@ehm.com

**Master Development Plan for
SUNDANCE PUD SUBDIVISION**

EXTRACTS SHALL VERIFY ALL
CORRECTIONS AND ENDORSEMENTS OF
THE JOB SPEC AND VERIFY THE
COMPLETION OF ALL EDUCATIONAL
REQUIREMENTS, OR DIS-
QUALIFYING ALIAS, OR RECORDS
ON FINGERPRINTS AND SUCH.

NAME	
ADDRESS	
CITY	
STATE	SWT
DATE	APRIL, 2008
TIME	SHOWN
AGE	20-25 MASTER
AGE	20-11

PRE-PLAT





Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 19, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

Vice-Chair Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Rambur, Weatherford, Herrgesell, Zimmerman

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, Handley

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of the minutes from the following meeting: October 22, 2024
Commissioner Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Weatherford seconded the motion.
- b) Approval of the minutes from the following meeting: November 4, 2024
Commissioner Rambur made a motion to approve the consent calendar, as presented. Commissioner Herrgesell seconded the motion.

4) Items of Consideration

- a) Preliminary Presentation for Planning and Zoning Commission on a PUD Amendment. Amend the master plan of the Campus Park PUD to allow for increase of square footage of residential structures. (Add a new building to the east side of the parking lot.) c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Staff Presentation:

Senior City Planner Klaver presented the preliminary Presentation for Planning and Zoning Commission on a PUD Amendment. Amend the master plan of the Campus Park PUD to allow for increase of square footage of residential structures. (Add a new building to the east side of the parking lot.) c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Per City Code 10-6-1.7 (B) The applicant is required to present a preliminary review prior to a public hearing to the Planning and Zoning Commission in which the Commission may give suggestions and ask questions of the applicant about the proposed ZDA.

Per City Code 10-6-1.7(E) Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surrounding properties; deviations from Title 10

shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan, and existing and/or proposed infrastructure must be adequate for the project.

Per City Code 10-14-1 thru 8 Any application for a zoning district change shall follow the procedures outlined in these sections.

N/A

A full analysis of this application will be provided during the public hearing.

Staff makes no recommendations at this time. Staff will present a full analysis of the request at the public hearing scheduled for Tuesday, December 3, 2024.

PZ/Questions & Comments:

- Commissioner Rambur asked if the setbacks were adequate.
- Senior Planner Klaver stated it is.
- Commissioner Rambur asked if parking is adequate.

- b) Consideration of Resolution 2024-010 validating conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan c/o Urban Renewal Agency of the City of Twin Falls (PZ24-0125).

Staff Presentation:

Planning and Zoning Director Spendlove presented the consideration of Resolution 2024-010 validating conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan c/o Urban Renewal Agency of the City of Twin Falls (PZ24-0125).

Per State Statute, the Planning and Zoning Commission is tasked with making a decision on the resolution (see attachments) validating the conformity of this URA Plan with the City Comprehensive Plan. A majority vote of the Commission will decide the outcome of this request.

N/A

N/A

The Planning and Zoning Commission is tasked with making a decision on this request, including the associated resolution.

The following options are available: approve the request, deny the request, or table the request for additional information.

Sample Motion: I move to approve Resolution 2024-010 confirming the conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan.

PZ/Questions & Comments:

- Vice-Chair Campbell asked if Planning and Zoning feels it is in compliance.
- Director Spendlove replied it is and falls in line with the comprehensive plan.
- Commissioner Rambur asked about the residential area on the southeast corner.
- Director Spendlove explained that they would be notified if anything changes.

MOTION: Commissioner Weatherford moved to approve Resolution 2024-010 confirming the conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan. Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

5) Public Hearings

- a) Request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)

COMMISSION RECOMMENDATION REQUIRED: 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. The council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the commission.

PUBLIC HEARING:

- 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.
- B. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the proposal with its recommendations to the council.
- C. The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the hearing of the council, if the council makes a material change in the plan or zone, further notice and hearing shall be provided before the council adopts the plan or zone
- D. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the planning and zoning regulations as shall be found to be necessary.

The area surrounding the property to the east and to the south were approved to rezone from R-4 to M-2 in 2018. Earlier this year, there was a request that is a little further south for a property to be annexed, located generally at the southwest corner of Washington Street S and Park Ave (extended), with the M-2 zoning designation. The commission recommended approval of the proposed zoning and council confirmed the recommendation and approved the annexation with the M-2 zoning designation. Although a declaration of land use is not required with a rezone request, the commission can take into consideration for the difference between the zones and the land use allowances when making their recommendation. The current zoning for the property is the area of impact and is county jurisdiction. Within the Area of Impact the county points to and utilizes City zoning standards. Records show the property has been the R-4 zone, a residential zoning designation, in an area surrounded by properties zoned M-2, Heavy Manufacturing. These two (2) zoning designations are very different in comparison to land use allowances and land uses. Staff has provided a copy of the R-4 and M-2 zoning codes for reference in the staff report packet. The properties to the south, east and west are undeveloped while the property to the north is occupied by an industrial land use.

As part of the consideration, the commission must also review the comprehensive plan to determine if the zone requested would be appropriate and compatible with the future land use plan. Keeping in mind that the Comprehensive Plan is a guide to what the City proposes for the area and the designations are fluid, they are not attached to property boundaries and represent what would generally be compatible with the surrounding area. The current R-4 zoning designation would generally not be compatible with the future land use plan for this area,

The designation for this property is Industrial/Flex/Employment: This designation is characterized by businesses that provide non-retail employment and support local industries within the community, such as hotels, restaurants and other retail uses. The property is generally located near regional roads and railways. In reviewing the comprehensive plan designation and the proposed zoning change, M-2 would be more compatible with the plan and supports the goals of the comprehensive plan which is to allow future industrial growth in this area.

Taking into consideration the comprehensive plan and the land use/zoning of the surrounding properties, staff would be in support of the request, as presented. Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from R-4 to M-2, recommend the R-4 zone be maintained, recommend an alternative zoning designation, or table the request to acquire new information. Should the commission recommend approval staff recommends the following conditions:

1. Right-of-Way Dedication for Diamond Avenue W.
2. Diamond Avenue W. Right-of-Way improvements completed at the time of development.

Sample Motions:

1. Move to recommend to City Council the property be zoned M-2, as presented.
2. Move to recommend to City Council the property be zoned _____.
3. Move to table the request to a date certain.

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Rambur feels that with the M-2 zone to the north that this is a good option.
- Commissioner Herrgesell feels with the surrounding also changing to M-2 this shouldn't be an issue.

MOTION: Commissioner Herrgesell moved to recommend to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- b) Request for a Variance to the front yard setback on property located at 448 Addison Ave. c/o Arnel Culum. (PZ24-0109). - **Rescheduled**
- c) Request for a Special Use Permit to allow an automobile and truck service and/or repair on property located at 328 5th Ave W. c/o Logan Summers (PZ24-0111).

Staff Presentation:

City Planner Ebersole presented the request for a Special Use Permit to allow an automobile and truck service and/or repair on property located at 328 5th Ave W. c/o Logan Summers (PZ24-0111).

Per City Code 10-4-7.2 states "a special use permit is required for "Automobile and truck service and/or repair".

Per City Code 10-13-2-2 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 decide 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.

Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The property is zoned C-B, Commercial Central Business, which is intended to provide for commercial activities of various sizes with residential opportunities for persons wishing to work and live in a unified environment.

The applicant has owned the property since 2021.

The surrounding neighborhood is mixed with residential and commercial uses. There are other vehicle repair/service shops to the southeast and west of the property with residential uses to the northwest.

The applicant states he expects to see one (1) – four (4) vehicles a day and is self-employed. Along with the repair shop, the applicant runs a 24/7 roadside repair business.

Normal operating hours are stated to be 8:00 am – 8:00 pm. The applicant states there will be minimal impact to the surrounding properties due to noise, with the occasional use of pneumatic tools that can be heard up to twenty (20') feet from outside the building. According to the applicant, there will no impact from glare, odor, fumes, or vibrations, as the property is surrounded on all three (3) sides with automotive shops.

The applicant lives in the residential unit on property. A condition has been added to the Special Use Permit stating that the residence is not used for business, meaning there can be no customers in the residence during business hours.

Parking is tight at this property. This property is located within the P2 Parking Overlay, which allows for a 30% reduction to the minimum parking requirement. Therefore, the minimum parking spaces required on property are two for the residence, and three for business use. A condition has been added to the permit stating the required parking spaces for the residence and business be located on property, and not in the public Right-of-Way. The applicant has provided a site plan showing the proposed parking will be in front of the property on 5th Avenue West, with nighttime storage of vehicles located between the home and shop.

Screening between commercial and residential properties is required to be installed by the commercial use. There appears to be a six (6') foot wood fence installed between the applicant's property and the residential property to the northwest. Screening is also required for any non-operating vehicles and/ or car parts left outside. A condition has been added to require all non-operating vehicles and/or parts be stored within a screened area or inside a building.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown/High Density" uses, which defining characteristics are:

- Central business district serving the local and regional area
- Diverse mix of land use, including restaurants, retail, community and civic facilities, and residential
- Encourages redevelopment and infill
- Scaled to create a functional, walkable, pedestrian-friendly environment
- Civic and community facilities that are open to the public
- Regional and local educational and community serving facilities.

Staff had determined the proposed use may be compatible with the comprehensive plan, as there are other automobile/truck service facilities nearby, but has concluded that this location may not be the best fit for this business. Based on the standards for approval,

staff does foresee potential negative impacts related to the land use. This is a small residential property, not built to accommodate a business needing to house customer vehicles overnight. The similar businesses that surround the property are built on larger lots with more room for customer parking. Noise from various tools may be disturbing to neighboring residential properties.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. The Commission may approve the request as presented, add conditions to an approval, deny the request, or table the item for further information.

Should the Commission approve 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.
2. Subject to the primary residential building not used for the business.
3. Subject to the required parking spaces for the residence and business be located on property, and not in public the Right-of-Way.
4. Subject to non-operating vehicles or vehicle parts required to be stored within a site-obscuring fenced area or inside an enclosed building.
5. Subject to a site plan and building permit following city and building codes submitted prior to business operation.

PZ/Questions & Comments:

- Commissioner Rambur asked if the location is appropriate.
- Planner Ebersole replied the parking is tight and it was not built for storage of vehicles.
- Vice-Chair Campbell asked about the negative impact.
- Planner Ebersole showed where the other residential properties are and the distance.
- Commissioner Rambur asked about the letter and if the oil in question is an issue.
- Planner Ebersole explained the applicant brought a letter from the DEQ stating he was not in violation.
- Commissioner Herrgesell asked if the applicant is currently running the 24-7 business from the residence.
- Planner Ebersole replied that he parks his vehicle there.
- Commissioner Rambur asked if there is a business at the shop.
- Planner Ebersole stated to ask the applicant.

Applicant Presentation:

Logan Summers explained that he does run a business with a mobile-mechanic vehicle and did run a business from the location. He has called DEQ to come to his house to do a review because of the letter. He admits that storage is tight but he can provide parking to accommodate. He stated that this started as a hobby and turned to a business and he is trying to do what he needs to for permits. He feels the noise will not cause a problem with

neighbors.

PZ/Questions & Comments:

- Vice-Chair Campbell asked about operating without permits and how traffic has been managed with cars.
- Logan Summers stated this was started as a side business and became full time operation.
- Vice-Chair Campbell asked if cars have been an issue.
- Logan Summers stated that he has a few storage lots offsite.
- Vice-Chair Campbell asked if capacity increase or stay the same if given the permit.
- Logan Summers replied it should not increase as he is only one person.
- Commissioner Zimmerman asked if he has any employees.
- Logan Summers stated he does not.
- Commissioner Weatherford asked if customers will park in front of the home.
- Logan Summers stated yes and one ADA in the back.
- Commissioner Rambur asked for clarification about the business running for a year and a half without permit and how the City found out.
- Logan Summers stated a neighbor complained and trespassed causing the City to get involved.
- Vice-Chair Campbell asked the applicant to clarify why he called Department of Environmental Quality.
- Logan Summers stated he made a request to come out after hearing about the complaint.
- Planner Ebersole read the letter from August 8, 2024 and it states there are no violations.
- Commissioner Herrgesell asked if the staff recommendations of vehicles or parts being enclosed would be a problem.
- Logan Summers has no problem screening in. He will put signs up to prevent parking in public places.

Public Hearing: Opened

- James Kiernan turned in the letter about the oil. He has photos from a couple days ago showing where the storage container was put on the property line. He would like it moved to not be on his property.
- Sky Nichols owns a shop close by and his employees park in back. He stated he has not had any issues with noise from this business.
- RoseMary Boessen stated she has allowed the applicant to use her parking lot for the weekends.
- Eric Watte had noticed a lot of cars parked around the property but they were moved after having a conversation with applicant.
- Steve Timmons stated applicant has been a good neighbor. He feels changes for the good have been made and there has been no noticeable increase of noise.

Parking has been taken care of.

- Logan Summers feels the concerns have been addressed. He is good with conditions and feels it will be a positive outcome.
- Vice-Chair Campbell asked Planner Ebersole about the easement.
- Logan Summers stated it is a setback not an easement.
- Commissioner Zimmerman asked about moving the container
- Logan Summers said the container is empty and has been moved.
- Commissioner Zimmerman asked if he will keep it out of that spot.
- Logan Summers stated he will be disposing the container.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur feels that it is surrounded by similar businesses and will work.
- Commissioner Weatherford feels if all the conditions and concerns are met then this should work.
- Commissioner Herrgesell feels there are limiting factors and the applicant is willing to make them knowing this is not a permanent business.
- Commissioner Zimmerman feels the signage will help with traffic concerns.
- Vice-Chair Campbell has concerns about the land use and the small lot with parking issues.
- Commissioner Rambur feels the staff conditions for the parking will fix that.
- Director Spendlove explained that parking is handled with the building permit.
- Commissioner Zimmerman feels that with overflow available it will work.

MOTION: Commissioner Rambur moved to approve the request for a Special Use Permit to allow an automobile and truck service and/or repair with staff suggestions on property located at 328 5th Ave E c/o Logan Summers (PZ24-0111). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- d) Request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Zoning Map Amendment: The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.

The Sundance R-2 PUD zoning designation was approved in 2008. The conditions of approval for the PUD were as follows:

- 1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable city codes and standards.
- 2. Subject to the property being platted through the City of Twin Falls prior to development
- 3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of change of use of the property.
- 4. Subject to final approval of the PUD Agreement
- 5. Building setbacks to comply with R-2 development standards, or greater
- 6. The PUD Agreement includes a restriction that the first five lots on the southeast corner both north and west be a minimum of 10, 000 sq. ft.

The PUD agreement between the developer and the City of Twin Falls in 2008 was created to ensure that specific development requirements were approved and completed, such as irrigation, roadways, sewer, water and park dedication. The property was later preliminary platted in 2017 with approximately 447 residential lots. Development of this property has occurred in stages, moving from the west boundary towards the east. The westerly portion has had three (3) final plat approvals allowing for approximately 174 residential lots to be developed. The eastern portion of the property has not yet been developed and with the recent decision by the city that a park dedication is no longer required, the applicant would like to re-plat the park area for additional residential lots. In order to create additional lots, this would require a PUD Amendment to modify the master development plan along with a new plat to subdivide the park area.

Upon review of the PUD, Staff identified that the conditions set forth in the PUD were conditions that would be required by city code and that the development of the roadways,

sewer, water, pressurized irrigation facility and park dedication were satisfied in the first stage of development. Rezoning to R-2 was recommended by Staff. The original PUD directed the development to follow the R-2 zoning district standards limiting the development to single family lots only. Rezoning the property under the R-2 zoning district standards would entitle the applicant to have single family and duplex lots. The PUD also had a condition requiring lots along the southeast corner to be a minimum of 10,000 sq. ft. While reviewing the history of the PUD agreement, the intent for this condition was to provide a buffer for the large rural residential properties along the southeast corner of the development. Staff recommends that, if approved, the conditions for the larger lots on the southeast corner remain in place as required as listed in the original PUD. The applicant was agreeable to this recommendation. The applicant has indicated to Staff that they do not intend to alter the original plan other than to convert the park area to residential lots.

Currently, the Comprehensive Plan has this property designated as Town Neighborhood. This designation is characterized primarily as residential with lot sizes that are smaller than rural residential lots and are often single family, duplexes, triplexes and town-homes. The R-2 zoning district would be compatible with the comprehensive plan therefore staff would be in support of this request.

Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from R-2 PUD to R-2, recommend the R-2 PUD zoning be maintained, recommend an alternative zoning designation, or table the request to acquire new information. Should the commission recommend approval of the request, Staff recommends the following condition:

1. Subject to the first five (5) lots on the southeast corner, both north and west, be a minimum of 10,000 Sq. Ft.

PZ/Questions & Comments:

- Commissioner Rambur asked for clarification of removing the PUD if it removes the park.
- Planner Strickland stated that it does.
- Commissioner Rambur asked if there is a park to the west.
- Senior Planner Klaver stated the Parks Director said the City does not need another park in that area.
- Planner Strickland explained that the changes since this was created are impact fees are added to residential permits that allows the Parks Department to move fees where they are needed.
- Commissioner Rambur asked if the R-2 PUD to the west has any duplexes.
- Planner Strickland stated they don't.
- Commissioner Rambur asked how many they want.
- Planner Strickland stated they are planning single family and not wanting to change the original plan.

Applicant Presentation:

Tim Vawser EHM Engineers. Spoke about some of the history of this property. Harrison runs through this and everything west has been developed.

PZ/Questions & Comments:

- Commissioner Rambur noticed there are larger lots to the south and asked if it is new.
- Tim Vawser stated that is the city's wish for the neighbors.

Public Hearing: Opened

- Rick Hatridge had a question if the south end would have the larger lots because he doesn't want duplexes there.
- Tim Vawser couldn't answer the questions about what will be on the south end.
- Vice-Chair Campbell asked if it changed would it come back.
- Planner Strickland replied no.

Public Hearing: Closed

Discussions Followed:

Commissioner Rambur was worried about not having a park but if it isn't needed then he feels this will work.

The Commission feels this is a good idea and feel the conditions will make it better for the neighbors.

MOTION: Commission Weatherford moved to approve the recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located south of South Hills Rd and east of Harrison St S c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- e) Request for a recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).

Per City Code 10-14-4 thru 10-14-7: Zoning districts, zoning subdistricts and overlay districts shall be amended if the request is in accordance with a comprehensive plan. The commission may recommend, and the council may adopt or reject the ordinance amendment under the notice and hearing procedures. The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard.

The commission shall transmit its recommendation to the council. The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission, shall conduct at least one public hearing using the same notice and hearing procedures as the commission.

The properties are currently zoned C-1, Ash Street-Albertsons PUD. The PUD was established in 2003, and steps were taken at that time to demolish existing structures on the properties, but the overall Master Development Olan was never constructed. The original Master Development Plan was limited to a large Albertsons grocery to be accessed off Blue Lakes Blvd. N. The current state of the property is a result of Albertsons finishing the demolition of the structures, and promptly abandoning the rest of the development. The property was recently sold, and the new owner would like to be removed from the PUD and simply follow the city's C-1 zoning code.

The property consists of six (6) parcels, approximately 7.8 acres in size, between Blue Lakes Blvd. North and Elm Street.

The applicant proposes to use the subject property to continue the development of both retail and office building structures along the Blue Lakes Blvd. North frontage, with the property located between Ash Street (private drive) and Elm Street (public roadway) being considered for retail, office, service, government, multifamily residential (5 units or more) uses that are allowed in the C-1 zone.

City Staff finds the result of this change to be beneficial to the community as it is an ideal infill project, which will remediate the "hole" on Blue Lakes Blvd North that has been there for nearly 2 decades.

The potential detrimental impacts on surrounding areas could be from increased vehicle traffic on Elm Street, both of which have capacity per their current estimated traffic counts. This land has always been designated for commercial uses, and developing this property would be harmonious with the surrounding properties.

The Comprehensive Plan designates this area as "Mixed Use", which serves local and regional commercials, sitting at intersections of major arterial roadways, typically anchored by a grocery store, civic, or entertainment uses, allowing high-intensity mixed

use development in a compact, pedestrian oriented environment.

Staff has determined this request is compatible with the 2016 Grow with Us Comprehensive Plan.

The Commission is tasked with making a recommendation to the City Council on whether or not the zoning district change is appropriate for the area.

The Commission may recommend that the zoning district change be granted as requested, recommend a modification to the zoning district change requested, or may recommend that the zoning district be denied.

PZ/Questions & Comments:

- Commissioner Zimmerman asked about the new owner and the allowances for the property.
- Director Spendlove explained it could only be a grocery store.

Applicant Presentation:

David Thibault EHM explained that when this was developed it had a plan of exactly what was going to be there. They would like to just go back to the original zone.

PZ/Questions & Comments:

- Commissioner Weatherford asked about ASH St.
- David Thibault explained it is private property and not a road.

Public Hearing: Opened

- Sky Nichols feels the development will be great.

Public Hearing: Closed

Discussions Followed:

Commission feels this fits with the Comprehensive plan and is excited for development.

MOTION: Commissioner Weatherford moved to approve the recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- f) Request for a Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr. c/o Jackilyn Wadsworth (PZ24-0115)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr. c/o Jackilyn Wadsworth (PZ24-0115)

Per City Code 10-13-2-2 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 decide 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.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

10-13-2-2: Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.

3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

There is no pertinent historic information for this property. County records indicate the home was constructed in 1986.

The applicant is proposing to care for up to twelve (12) children in the home Mon-Sat with hours from 7am - 9pm offering some flexibility for parents that work later hours and possibly need services on Saturday. They would like to offer affordable daycare to parents that may need part-time or full-time services.

The applicant anticipates that the impact to the neighbors will be minimal except for possible noise from children playing outdoors. The parents will use the driveway as the primary drop-off and pick-up location. However, parents may park along the street if necessary. There will be minimal traffic throughout the day. The property has a fully fenced backyard that is large enough to accommodate the number of children proposed for the daycare. The home is located between two (2) fairly busy streets, Maurice St N and Madrona St N and Staff anticipates the additional vehicles to and from the home will be negligible. Availability of daycare services is limited within the community and the addition of this type of service to a neighborhood could be a benefit for parents.

The 2016 Comprehensive Plan designates this area as Town Neighborhood. The defining characteristics of this category are primarily residential in nature, typically consisting of single family, duplex, triplex and town-homes with parks, schools and civic facilities. Staff has determined the proposed in-home daycare would be compatible with the comprehensive plan and would be in support approval of the request.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. Upon conclusion should the Commission recommend approval of the request as presented, Staff recommends the following conditions of approval:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to the driveway being reserved for parents to use when dropping off or picking up their children.

PZ/Questions & Comments:

- Commissioner Zimmerman had questions about parking and where that is.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission feels this will not be an issue and this is a good fit.

MOTION: Commissioner Weatherford moved to approve the Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr c/o Jackilyn Wadsworth (PZ24-0115). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

6) Upcoming Meeting(s)

- a) December 3, 2024
- b) 2025 Calendar

7) Adjournment

The meeting adjourned at 07:49 PM

Jody Green

Jody Green, Planning Technician



Date: Monday, December 23, 2024
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning & Zoning Director

ACTION ITEM

Request:

Request for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).

Time Estimate:

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

Background:

Chasewood, LLC, represented by David Thibault of EHM Engineers, Inc., recently acquired the 7.8 acres from Albertsons. The property is currently vacant and contains some remnants of the long demolished buildings that once stood on this property. The new owner was previously involved in the redevelopment of the property to the south (commonly referred to as the Shops @ 5 Points).

After acquiring these properties the owner began considering options to develop this property and has concluded the current Zoning of the property is extremely limited as the Albertsons PUD only allows for the development of a Grocery store. They have elected to seek rezoning of the property to C1 Commercial Highway District.

On November 19, 2024, the Planning and Zoning Commission recommended C-1, Commercial Highway District, as the appropriate zone for this property. This recommendation was forwarded by a vote of 5-0.

Approval Process:

Per City Code 10-14-4 thru 10-14-7: Zoning districts, zoning subdistricts and overlay districts shall be amended if the request is in accordance with a comprehensive plan. The commission may recommend, and the council may adopt or reject the ordinance amendment under the notice and hearing procedures. The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard.

The commission shall transmit its recommendation to the council. The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission, shall conduct at least one public hearing using the same notice and hearing procedures as the commission.

Budget Impact:

N/A

Regulatory Impact:

If approved, the zoning district regulations for title 10-4-8, Commercial Highway District, would then be applicable to this property.

History:

The properties are currently zoned C-1, Ash Street-Albertsons PUD. The PUD was established in 2003, and steps were taken at that time to demolish existing structures on the properties, but the overall Master Development Plan was never constructed. The original Master Development Plan was limited to a large Albertsons grocery to be accessed off Blue Lakes Blvd. N. The current state of the property is a result of Albertsons finishing the demolition of the structures, and promptly abandoning the rest of the development. The property was recently sold, and the new owner would like to be removed from the PUD and simply follow the city's C-1 zoning code.

The property consists of six (6) parcels, approximately 7.8 acres in size, between Blue Lakes Blvd. North and Elm Street.

Analysis:

The applicant proposes to use the subject property to continue the development of both retail and office building structures along the Blue Lakes Blvd. North frontage, with the property located between Ash Street (private drive) and Elm Street (public roadway) being considered for retail, office, service, government, multifamily residential (5 units or more) uses that are allowed in the C-1 zone.

City Staff finds the result of this change to be beneficial to the community as it is an ideal infill project, which will remediate the "hole" on Blue Lakes Blvd North that has been there for nearly 2 decades.

The potential detrimental impacts on surrounding areas could be from increased vehicle traffic on Elm Street, both of which have capacity per their current estimated traffic counts. This land has always been designated for commercial uses, and developing this property would be harmonious with the surrounding properties.

The Comprehensive Plan designates this area as "Mixed Use", which serves local and regional commercials, sitting at intersections of major arterial roadways, typically anchored by a grocery store, civic, or entertainment uses, allowing high-intensity mixed use development in a compact, pedestrian oriented environment.

Staff has determined this request is compatible with the 2016 Grow with Us Comprehensive Plan.

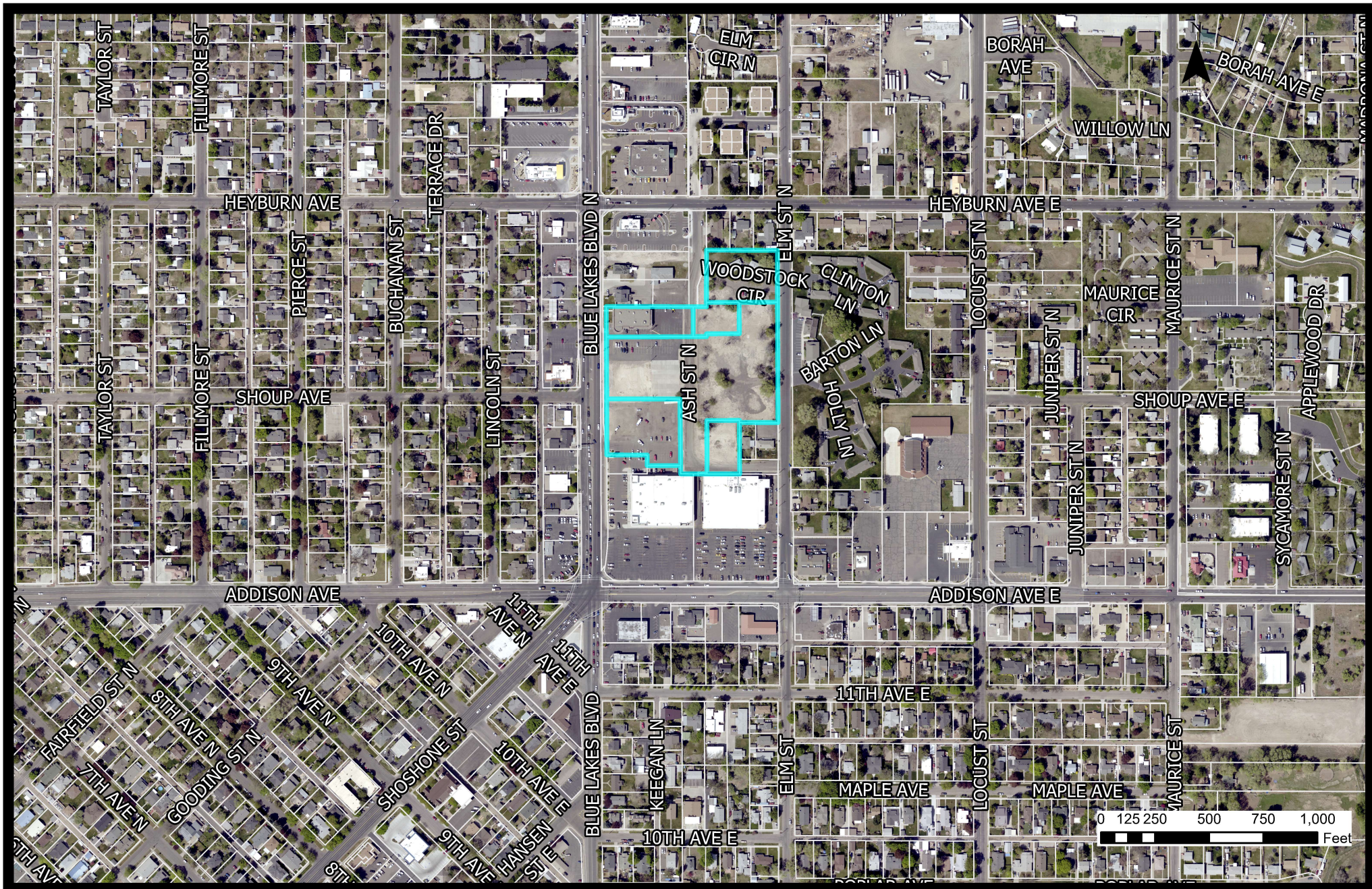
Conclusion:

The Council may approve the zoning district change as requested, conditionally approve the zoning district change, deny the zoning district change, or table the request for additional information.

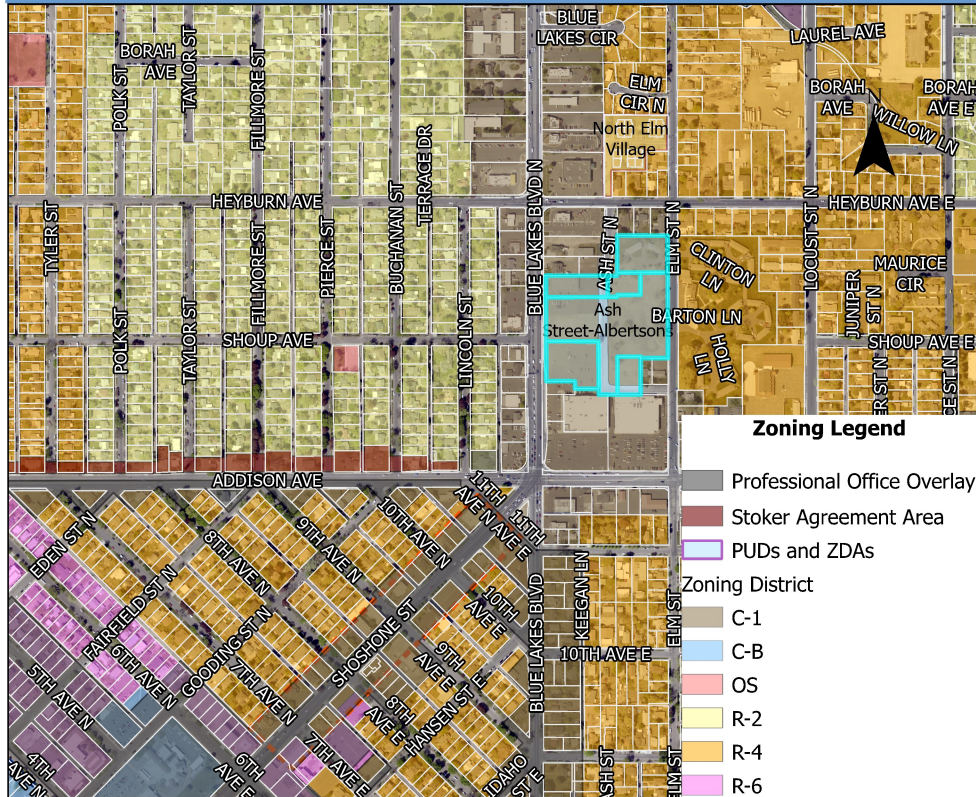
Attachments:

1. PZ24-0113 Vicinity Map
2. PZ24-0113 Presentation Map
3. PZ24-0113 Ash St PUD Master Plan
4. PZ24-0113 STREET VIEW
5. PZ24-0113 EHM Engineers Parcel Map
6. PZ24-0113 Applicant Narrative
7. PZ24-0113 November 19, 2024 PZC Minutes

VICINITY MAP



ZONING MAP



Zoning

Current Zoning: C1 PUD, Ash Street-Albertson's PUD

Current Land Use: vacant

Proposed Zoning: C1, Commercial Highway District

Proposed Land Use: Mixed Use

Surrounding Area

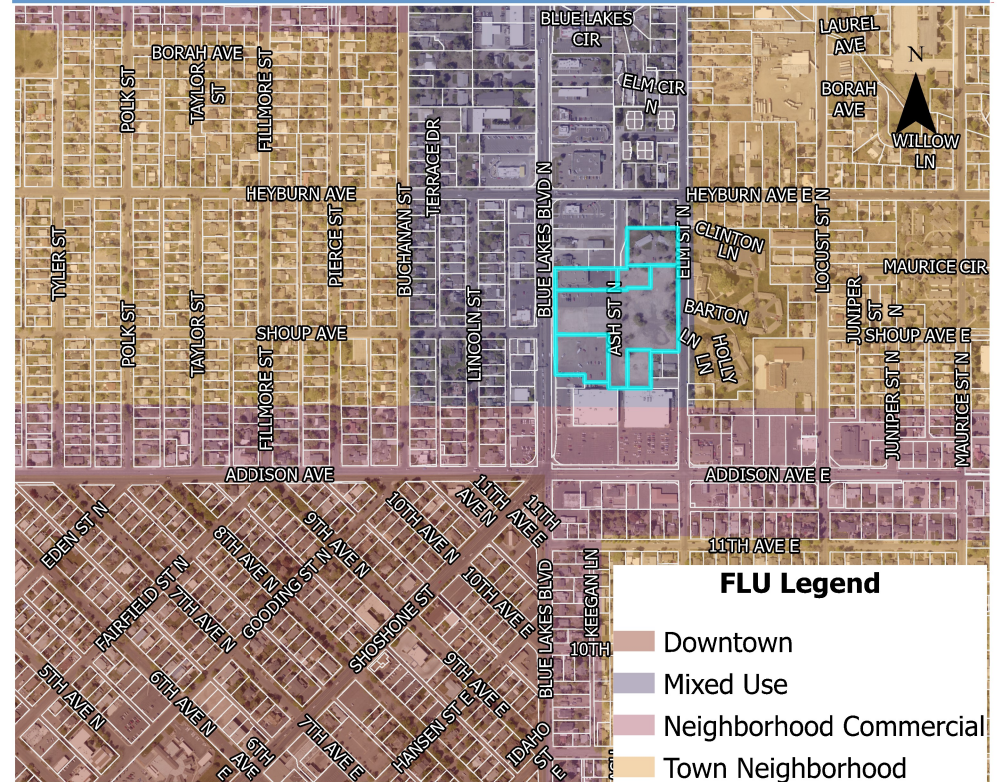
North: Commercial

South: Commercial/Grocery Store

East: Blue Lakes Blvd. North/Commercial

West: Elm Street/Multifamily Residential

FUTURE LAND USE MAP



Regulations

10-14-4 through 10-14-7
10-4-8.2

FLU Category

Mixed Use:

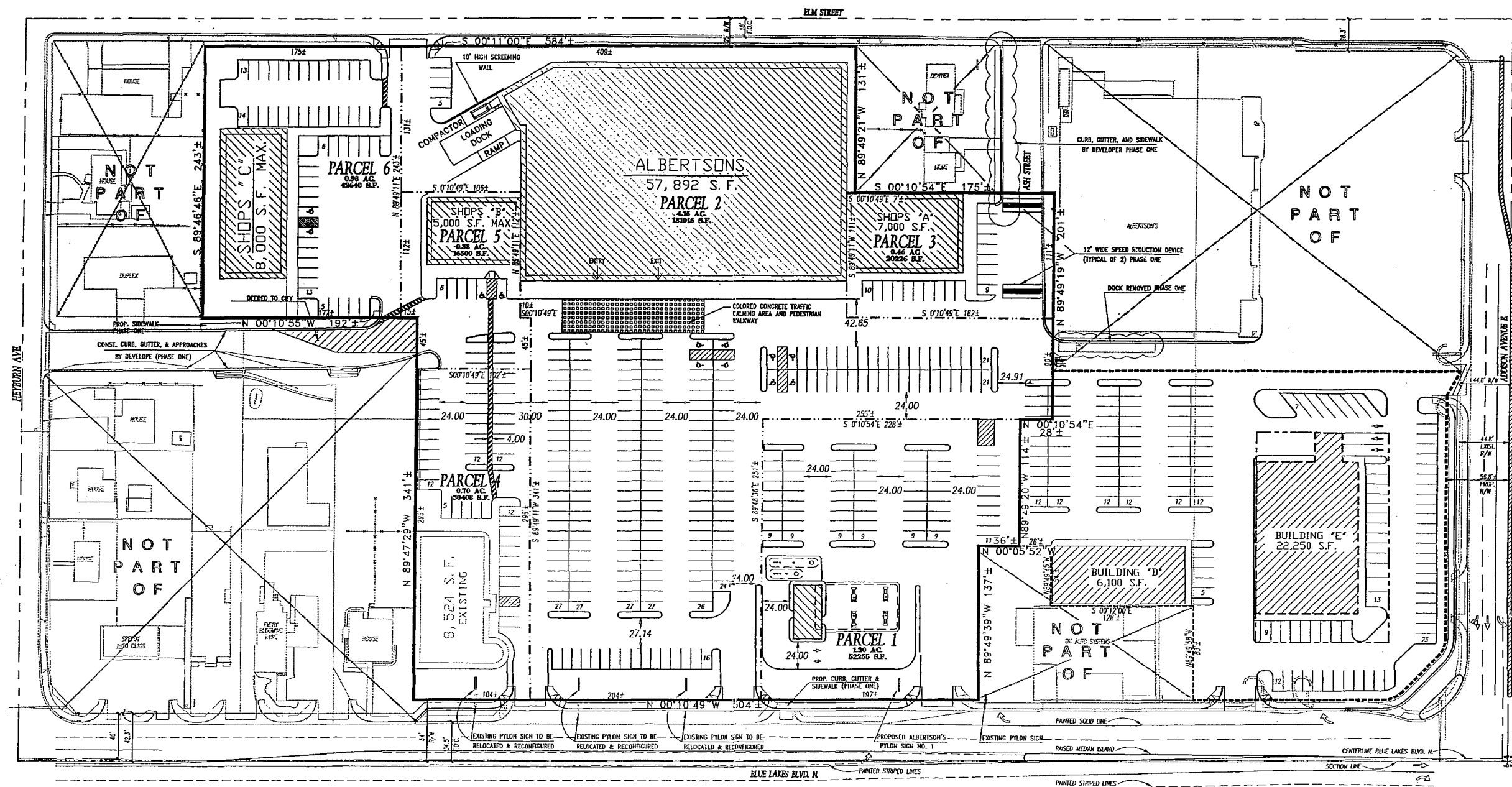
Serves local and regional commercial

- Siting at intersections of major arterials
- Typically anchored by a grocery store, civic, or entertainment uses
- Allows high-intensity mixed use development in a compact, pedestrian oriented environment.
- Pedestrian activity is the highest priority; buildings should be located close to the street.

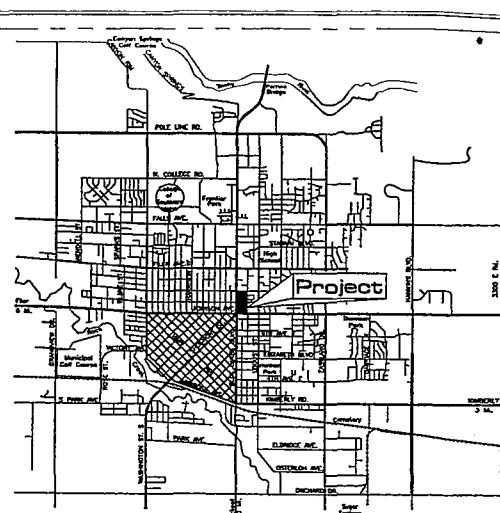
Wide sidewalks, street furniture, and other amenities are strongly encouraged

EXHIBIT "E"

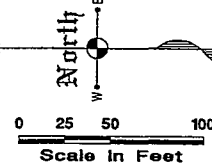
to Ash Street C-1 Planned Unit Development Agreement



SITE DESIGN DATA	
DEVELOPER:	KEVIN MORTENSEN IDG - TWIN FALLS 1939 S. 300 W., SUITE 200 SALT LAKE CITY, UTAH 84115 (801) 485-7797
ENGINEER:	EHM ENGINEERS, INC. 821 N. COLLEGE RD., SUITE 100 TWIN FALLS, IDAHO 83301 (208) 734-4888 C/O SCOTT ALLEN
EXISTING ZONING:	R-4, C-1
PROPOSED ZONING:	C-1 P.U.D.
TOTAL PARCEL AREA:	10.51 ACRES - INCLUDING RITE AID
GROSS BUILDING AREA:	115982 S.F. - 25.34% OF SITE
GROSS PARKING AREA:	292810 S.F. - 63.98% OF SITE
GROSS LANDSCAPED AREA:	48847 S.F. - 10.68% OF SITE



Ash Street P.U.D.
Located in
SW 1/4 SW 1/4, Section 10
Township 10 South, Range 17 East,
Boise Meridian
Twin Falls, Idaho
2001



LEGEND

PLAT BOUNDARY LINE
PARCEL LINE
BUILDING ENVELOPE LINE
BUILDING LINE

BUILDING AREAS:	
PARCEL	AREA - BUILDING AREAS
PARCEL 1	52255 S.F. 1216 S.F.
PARCEL 2 NEW ALBERTSON'S	181016 S.F. 57892 S.F.
PARCEL 3	20226 S.F. 7000 S.F.
PARCEL 4 BLOCKBUSTER	30408 S.F. 8524 S.F.
PARCEL 5	16500 S.F. 5000 S.F.
PARCEL 6	42940 S.F. 8000 S.F.
BUILDING E	114594 S.F. 22250 S.F.
BUILDING D	0 S.F. 6100 S.F.
TOTAL	457639 S.F. 115982 S.F.

PARKING COUNT:	
PROPOSED PARKING	REQUIRED PARKING
TOTAL 544	464
(1 PER 250 S.F.)	

PUD 231

EHM Engineers Inc.
ENGINEERS/SURVEYORS/PLANNERS
621 N. COLLEGE RD., SUITE 100
TWIN FALLS, IDAHO 83301
PH. 208 734 4888 FAX 208 734 6049
E-MAIL: ehminc.com

PHASE 3 MASTER SITE PLAN for IDG - TWIN FALLS

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONDITIONS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DIMENSIONAL
ERRORS, OMISSIONS, OR DIS-
CREPANCIES BEFORE BEGINNING
OR FABRICATING ANY WORK.

REVISED: 3/14/01
REV 1 - T.VTEX
REVISED PARKING
REV 2 - S.ALLEN
REVISED PARKING 2/28/01
REV 3 - S.ALLEN
REVISED ENTRY 3/14/01

APPROVED: _____
DESIGN: T. VTEX
DATE: JAN. 2001
SCALE: SHOWN
CAD FILE: 018-01PP1
JOB NO.: 018-01

PH3

Street View

North



South

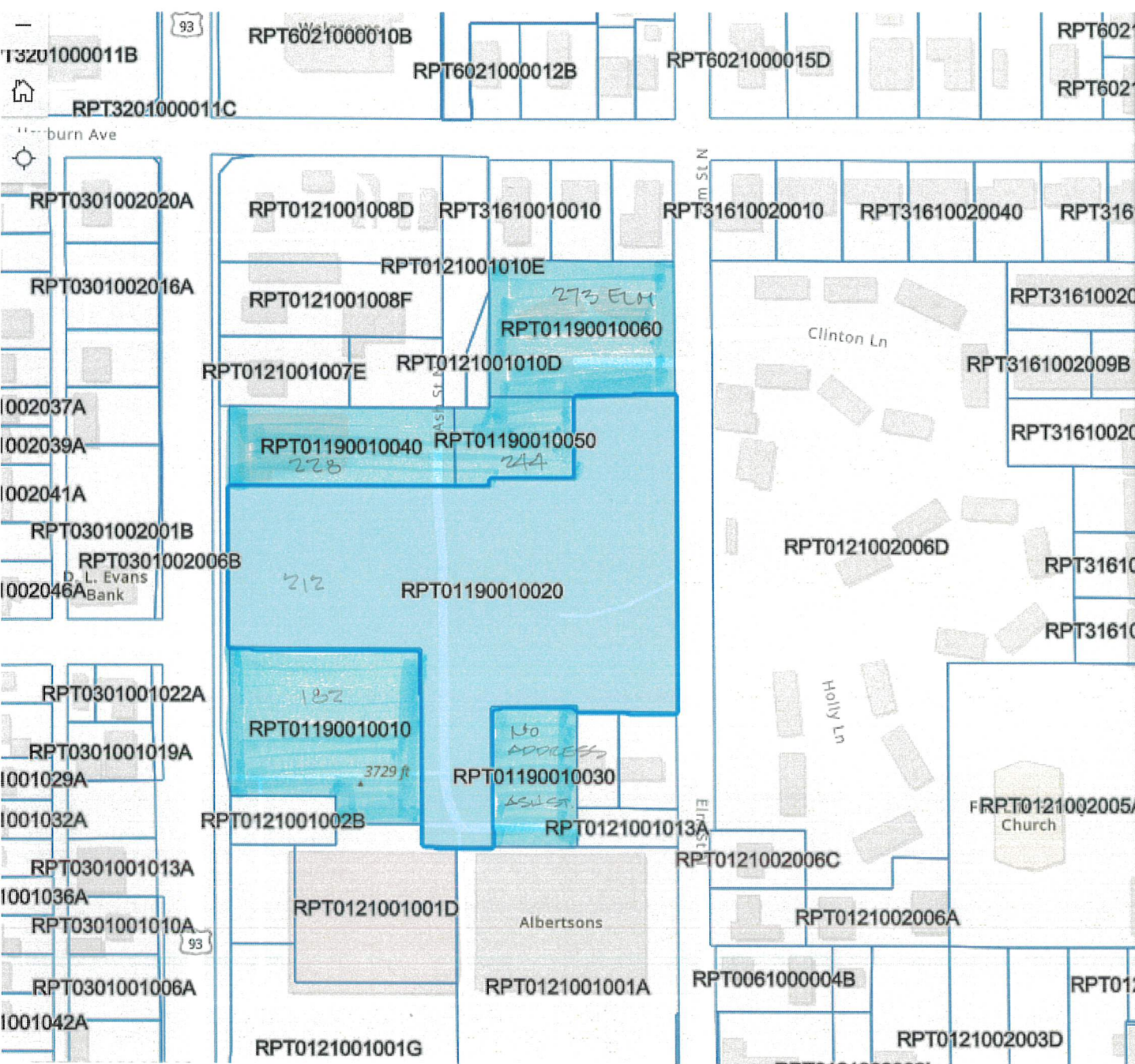


East



West





PROPERTY TAX

Zoom to

The parcel number is **RPT01190010020**

Owner 1: Comprehensive Property Tax

Address: 212 Blue Lakes Bl N 83301

Mailing Address: P O BOX 20, BOISE, ID

Legal Address: Twin Falls Ash Street P U D (10-10-17 Sw Sw)

Deeds: 2017019934, 2013006709, 04-00:03-010081

Acres: 4.156

Categories: |21|42|

Total Value: 2010542

Improvement Value: 0

Land Value: 1942812

Taxing Districts:

Tax Code Area: 0010000

City: TWIN FALLS

2018.017325 2017.019934
2018.016129 2023.002577

371.23

REASON FOR REQUEST OF ZONING DESIGNATION CHANGE

EHM Engineers, Inc. has been retained by Chasewood, LLC to prepare a rezone application package for submittal to the City of Twin Falls. The subject property is presently platted and identified as the "ASH STREET P.U.D." as described by Instrument #2003-010081. This planned unit development originated as part of Albertson's plans to develop and construct a new grocery store more than 20 years ago. Since that time, Albertson's ownership has sold from a strictly Idaho ownership entity to a larger conglomerate ownership based out-of-state. Any plans for new investment and development of a new grocery store have been postponed and ultimately have not come to fruition for this site. Therefore, we do not anticipate that a new, large sized, grocery store will be developed upon the subject property as originally intended by the P.U.D. as written in 2003.

Therefore, as Albertson's considers sale of the property, the applicant has requested that the subject property be rezoned to the underlying base zone of C-1 according to the zoning maps and the future land use maps. The Comprehensive Plan supports this request in that this area has been identified for neighborhood commercial use and mixed use potential. Blue Lakes Blvd. is the primary north/south thoroughfare through the City of Twin Falls and provides for many C-1 land uses and property uses along its length. The consistent implementation of zoning that utilizes the centralized compact and more dense uses satisfies the Land Use Policy 2.3 as described on pg. 20 of the Comprehensive Plan. This rezone will provide that opportunity to the subject property.

The surrounding properties have developed into retail business establishments provide service and sales to the residents of Twin Falls. Neighbors to the east include the Twin Falls Housing Authority which is a multi-family development that buffers the commercial uses along Blue Lakes Blvd. and Addison Ave. from the single family uses located even further to the east and to the north.

The applicant proposes to use the subject property to continue to develop both retail and office building structures along the Blue Lakes Blvd. frontage. The property located east of the Ash Street (private drive) and Elm Street (public roadway) will consider retail, office, service, government, multi-family residential (5 units or more) uses described within the C-1 use descriptions. Chasewood, LLC has been involved with the development of the Jimmy Johns, Carl's Jr., Boot Barn, UPS Store and others within the immediate vicinity and intends to continue to attract such business operators to the Twin Falls market. Access is gained to and from the subject property via existing



Twin Falls Planning & Zoning Commission Minutes

Tuesday, November 19, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

Vice-Chair Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Rambur, Weatherford, Herrgesell, Zimmerman

Staff Attending: Spendlove, Klaver, Strickland, Ebersole, Green, Handley

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of the minutes from the following meeting: October 22, 2024

Commissioner Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Weatherford seconded the motion.

- b) Approval of the minutes from the following meeting: November 4, 2024

Commissioner Rambur made a motion to approve the consent calendar, as presented. Commissioner Herrgesell seconded the motion.

4) Items of Consideration

- a) Preliminary Presentation for Planning and Zoning Commission on a PUD Amendment. Amend the master plan of the Campus Park PUD to allow for increase of square footage of residential structures. (Add a new building to the east side of the parking lot.) c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Staff Presentation:

Senior City Planner Klaver presented the preliminary Presentation for Planning and Zoning Commission on a PUD Amendment. Amend the master plan of the Campus Park PUD to allow for increase of square footage of residential structures. (Add a new building to the east side of the parking lot.) c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Per City Code 10-6-1.7 (B) The applicant is required to present a preliminary review prior to a public hearing to the Planning and Zoning Commission in which the Commission may give suggestions and ask questions of the applicant about the proposed ZDA.

Per City Code 10-6-1.7(E) Approval of a ZDA shall be based on the following standards: the proposed uses are not detrimental to surrounding properties; deviations

from Title 10 shall be warranted by the design of the conceptual plan; conformance to the Comprehensive Plan, and existing and/or proposed infrastructure must be adequate for the project.

Per City Code 10-14-1 thru 8 Any application for a zoning district change shall follow the procedures outlined in these sections.

N/A

A full analysis of this application will be provided during the public hearing.

Staff makes no recommendations at this time. Staff will present a full analysis of the request at the public hearing scheduled for Tuesday, December 3, 2024.

PZ/Questions & Comments:

- Commissioner Rambur asked if the setbacks were adequate.
- Senior Planner Klaver stated it is.
- Commissioner Rambur asked if parking is adequate.

- b) Consideration of Resolution 2024-010 validating conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan c/o Urban Renewal Agency of the City of Twin Falls (PZ24-0125).

Staff Presentation:

Planning and Zoning Director Spendlove presented the consideration of Resolution 2024-010 validating conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan c/o Urban Renewal Agency of the City of Twin Falls (PZ24-0125).

Per State Statute, the Planning and Zoning Commission is tasked with making a decision on the resolution (see attachments) validating the conformity of this URA Plan with the City Comprehensive Plan. A majority vote of the Commission will decide the outcome of this request.

N/A

N/A

The Planning and Zoning Commission is tasked with making a decision on this request, including the associated resolution.

The following options are available: approve the request, deny the request, or table the request for additional information.

Sample Motion: I move to approve Resolution 2024-010 confirming the conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan.

PZ/Questions & Comments:

- Vice-Chair Campbell asked if Planning and Zoning feels it is in compliance.
- Director Spendlove replied it is and falls in line with the comprehensive plan.
- Commissioner Rambur asked about the residential area on the southeast corner.
- Director Spendlove explained that they would be notified if anything changes.

MOTION: Commissioner Weatherford moved to approve Resolution 2024-010 confirming the conformity of the Southwest Urban Renewal Project Plan with the City Comprehensive Plan. Commissioner Herrgesell seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

5) Public Hearings

- a) Request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097)

COMMISSION RECOMMENDATION REQUIRED: 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. The council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the commission.

PUBLIC HEARING:

- 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.
- B. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the proposal with its recommendations to the council.
- C. The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the hearing of the council, if the council makes a material change in the plan or zone, further notice and hearing shall be provided before the council adopts the plan or zone
- D. Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the planning and zoning regulations as shall be found to be necessary.

The area surrounding the property to the east and to the south were approved to

rezone from R-4 to M-2 in 2018. Earlier this year, there was a request that is a little further south for a property to be annexed, located generally at the southwest corner of Washington Street S and Park Ave (extended), with the M-2 zoning designation. The commission recommended approval of the proposed zoning and council confirmed the recommendation and approved the annexation with the M-2 zoning designation. Although a declaration of land use is not required with a rezone request, the commission can take into consideration for the difference between the zones and the land use allowances when making their recommendation. The current zoning for the property is the area of impact and is county jurisdiction. Within the Area of Impact the county points to and utilizes City zoning standards. Records show the property has been the R-4 zone, a residential zoning designation, in an area surrounded by properties zoned M-2, Heavy Manufacturing. These two (2) zoning designations are very different in comparison to land use allowances and land uses. Staff has provided a copy of the R-4 and M-2 zoning codes for reference in the staff report packet. The properties to the south, east and west are undeveloped while the property to the north is occupied by an industrial land use.

As part of the consideration, the commission must also review the comprehensive plan to determine if the zone requested would be appropriate and compatible with the future land use plan. Keeping in mind that the Comprehensive Plan is a guide to what the City proposes for the area and the designations are fluid, they are not attached to property boundaries and represent what would generally be compatible with the surrounding area. The current R-4 zoning designation would generally not be compatible with the future land use plan for this area,

The designation for this property is Industrial/Flex/Employment: This designation is characterized by businesses that provide non-retail employment and support local industries within the community, such as hotels, restaurants and other retail uses. The property is generally located near regional roads and railways. In reviewing the comprehensive plan designation and the proposed zoning change, M-2 would be more compatible with the plan and supports the goals of the comprehensive plan which is to allow future industrial growth in this area.

Taking into consideration the comprehensive plan and the land use/zoning of the surrounding properties, staff would be in support of the request, as presented. Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from R-4 to M-2, recommend the R-4 zone be maintained, recommend an alternative zoning designation, or table the request to acquire new information. Should the commission recommend approval staff recommends the following conditions:

1. Right-of-Way Dedication for Diamond Avenue W.
2. Diamond Avenue W. Right-of-Way improvements completed at the time of development.

Sample Motions:

1. *Move to recommend to City Council the property be zoned M-2, as presented.*
2. *Move to recommend to City Council the property be zoned _____.*
3. *Move to table the request to a date certain.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

- Commissioner Rambur feels that with the M-2 zone to the north that this is a good option.
- Commissioner Herrgesell feels with the surrounding also changing to M-2 this shouldn't be an issue.

MOTION: Commissioner Herrgesell moved to recommend to City Council on the appropriate zoning designation for a proposed annexation of approximately 9.58 acres on the south side of the 300 block of Diamond Ave W. c/o Gary Palmer (PZ24-0097). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- b) Request for a Variance to the front yard setback on property located at 448 Addison Ave. c/o Arnel Culum. (PZ24-0109). - **Rescheduled**
- c) Request for a Special Use Permit to allow an automobile and truck service and/or repair on property located at 328 5th Ave W. c/o Logan Summers (PZ24-0111).

Staff Presentation:

City Planner Ebersole presented the request for a Special Use Permit to allow an automobile and truck service and/or repair on property located at 328 5th Ave W. c/o Logan Summers (PZ24-0111).

Per City Code 10-4-7.2 states "a special use permit is required for "Automobile and truck service and/or repair".

Per City Code 10-13-2-2 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 decide 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.

Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The property is zoned C-B, Commercial Central Business, which is intended to provide for commercial activities of various sizes with residential opportunities for persons wishing to work and live in a unified environment.

The applicant has owned the property since 2021.

The surrounding neighborhood is mixed with residential and commercial uses. There are other vehicle repair/service shops to the southeast and west of the property with residential uses to the northwest.

The applicant states he expects to see one (1) – four (4) vehicles a day and is self-employed. Along with the repair shop, the applicant runs a 24/7 roadside repair business.

Normal operating hours are stated to be 8:00 am – 8:00 pm. The applicant states there will be minimal impact to the surrounding properties due to noise, with the occasional use of pneumatic tools that can be heard up to twenty (20') feet from outside the building. According to the applicant, there will no impact from glare, odor, fumes, or vibrations, as the property is surrounded on all three (3) sides with automotive shops.

The applicant lives in the residential unit on property. A condition has been added to the Special Use Permit stating that the residence is not used for business, meaning there can be no customers in the residence during business hours.

Parking is tight at this property. This property is located within the P2 Parking Overlay, which allows for a 30% reduction to the minimum parking requirement. Therefore, the minimum parking spaces required on property are two for the residence, and three for business use. A condition has been added to the permit stating the required parking spaces for the residence and business be located on property, and not in the public Right-of-Way. The applicant has provided a site plan showing the proposed parking will be in front of the property on 5th Avenue West, with nighttime storage of vehicles located between the home and shop.

Screening between commercial and residential properties is required to be installed by the commercial use. There appears to be a six (6') foot wood fence installed between the applicant's property and the residential property to the northwest. Screening is also required for any non-operating vehicles and/ or car parts left outside. A condition has been added to require all non-operating vehicles and/or parts be stored within a screened area or inside a building.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown/High Density" uses, which defining characteristics are:

- Central business district serving the local and regional area• Diverse mix of land use, including restaurants, retail, community and civic facilities, and residential
- Encourages redevelopment and infill
- Scaled to create a functional, walkable, pedestrian-friendly environment
- Civic and community facilities that are open to the public
- Regional and local educational and community serving facilities.

Staff had determined the proposed use may be compatible with the comprehensive plan, as there are other automobile/truck service facilities nearby, but has concluded that this location may not be the best fit for this business. Based on the standards for approval, staff does foresee potential negative impacts related to the land use. This is a small residential property, not built to accommodate a business needing to house customer vehicles overnight. The similar businesses that surround the property are built on larger lots with more room for customer parking. Noise from various tools may be disturbing to neighboring residential properties.

Approval of this zoning request does not preclude the applicant from obtaining the

required permits and/or licenses needed to complete the project. The Commission may approve the request as presented, add conditions to an approval, deny the request, or table the item for further information.

Should the Commission approve 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.
2. Subject to the primary residential building not used for the business.
3. Subject to the required parking spaces for the residence and business be located on property, and not in public the Right-of-Way.
4. Subject to non-operating vehicles or vehicle parts required to be stored within a site-obscuring fenced area or inside an enclosed building.
5. Subject to a site plan and building permit following city and building codes submitted prior to business operation.

PZ/Questions & Comments:

- Commissioner Rambur asked if the location is appropriate.
- Planner Ebersole replied the parking is tight and it was not built for storage of vehicles.
- Vice-Chair Campbell asked about the negative impact.
- Planner Ebersole showed where the other residential properties are and the distance.
- Commissioner Rambur asked about the letter and if the oil in question is an issue.
- Planner Ebersole explained the applicant brought a letter from the DEQ stating he was not in violation.
- Commissioner Herrgesell asked if the applicant is currently running the 24-7 business from the residence.
- Planner Ebersole replied that he parks his vehicle there.
- Commissioner Rambur asked if there is a business at the shop.
- Planner Ebersole stated to ask the applicant.

Applicant Presentation:

Logan Summers explained that he does run a business with a mobile-mechanic vehicle and did run a business from the location. He has called DEQ to come to his house to do a review because of the letter. He admits that storage is tight but he can provide parking to accommodate. He stated that this started as a hobby and turned to a business and he is trying to do what he needs to for permits. He feels the noise will not cause a problem with neighbors.

PZ/Questions & Comments:

- Vice-Chair Campbell asked about operating without permits and how traffic has been managed with cars.
- Logan Summers stated this was started as a side business and became full

time operation.

- Vice-Chair Campbell asked if cars have been an issue.
- Logan Summers stated that he has a few storage lots offsite.
- Vice-Chair Campbell asked if capacity increase or stay the same if given the permit.
- Logan Summers replied it should not increase as he is only one person.
- Commissioner Zimmerman asked if he has any employees.
- Logan Summers stated he does not.
- Commissioner Weatherford asked if customers will park in front of the home.
- Logan Summers stated yes and one ADA in the back.
- Commissioner Rambur asked for clarification about the business running for a year and a half without permit and how the City found out.
- Logan Summers stated a neighbor complained and trespassed causing the City to get involved.
- Vice-Chair Campbell asked the applicant to clarify why he called Department of Environmental Quality.
- Logan Summers stated he made a request to come out after hearing about the complaint.
- Planner Ebersole read the letter from August 8, 2024 and it states there are no violations.
- Commissioner Herrgesell asked if the staff recommendations of vehicles or parts being enclosed would be a problem.
- Logan Summers has no problem screening in. He will put signs up to prevent parking in public places.

Public Hearing: Opened

- James Kiernan turned in the letter about the oil. He has photos from a couple days ago showing where the storage container was put on the property line. He would like it moved to not be on his property.
- Sky Nichols owns a shop close by and his employees park in back. He stated he has not had any issues with noise from this business.
- RoseMary Boessen stated she has allowed the applicant to use her parking lot for the weekends.
- Eric Watte had noticed a lot of cars parked around the property but they were moved after having a conversation with applicant.
- Steve Timmons stated applicant has been a good neighbor. He feels changes for the good have been made and there has been no noticeable increase of noise. Parking has been taken care of.
- Logan Summers feels the concerns have been addressed. He is good with conditions and feels it will be a positive outcome.
- Vice-Chair Campbell asked Planner Ebersole about the easement.
- Logan Summers stated it is a setback not an easement.
- Commissioner Zimmerman asked about moving the container
- Logan Summers said the container is empty and has been moved.
- Commissioner Zimmerman asked if he will keep it out of that spot.
- Logan Summers stated he will be disposing the container.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur feels that it is surrounded by similar businesses and will work.
- Commissioner Weatherford feels if all the conditions and concerns are met then this should work.
- Commissioner Herrgesell feels there are limiting factors and the applicant is willing to make them knowing this is not a permanent business.
- Commissioner Zimmerman feels the signage will help with traffic concerns.
- Vice-Chair Campbell has concerns about the land use and the small lot with parking issues.
- Commissioner Rambur feels the staff conditions for the parking will fix that.
- Director Spendlove explained that parking is handled with the building permit.
- Commissioner Zimmerman feels that with overflow available it will work.

MOTION: Commissioner Rambur moved to approve the request for a Special Use Permit to allow an automobile and truck service and/or repair with staff suggestions on property located at 328 5th Ave E c/o Logan Summers (PZ24-0111). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- d) Request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located South of South Hills Rd and East of Harrison St S. c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112).

Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Zoning Map Amendment: The commission, prior to recommending a zoning map

amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.

The Sundance R-2 PUD zoning designation was approved in 2008. The conditions of approval for the PUD were as follows:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable city codes and standards.
2. Subject to the property being platted through the City of Twin Falls prior to development
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of change of use of the property.
4. Subject to final approval of the PUD Agreement
5. Building setbacks to comply with R-2 development standards, or greater
6. The PUD Agreement includes a restriction that the first five lots on the southeast corner both north and west be a minimum of 10, 000 sq. ft.

The PUD agreement between the developer and the City of Twin Falls in 2008 was created to ensure that specific development requirements were approved and completed, such as irrigation, roadways, sewer, water and park dedication. The property was later preliminary platted in 2017 with approximately 447 residential lots. Development of this property has occurred in stages, moving from the west boundary towards the east. The westerly portion has had three (3) final plat approvals allowing for approximately 174 residential lots to be developed. The eastern portion of the property has not yet been developed and with the recent decision by the city that a park dedication is no longer required, the applicant would like to re-plat the park area for additional residential lots. In order to create additional lots, this would require a PUD Amendment to modify the master development plan along with a new plat to subdivide the park area.

Upon review of the PUD, Staff identified that the conditions set forth in the PUD were conditions that would be required by city code and that the development of the roadways, sewer, water, pressurized irrigation facility and park dedication were satisfied in the first stage of development. Rezoning to R-2 was recommended by Staff. The original PUD directed the development to follow the R-2 zoning district standards limiting the development to single family lots only. Rezoning the property under the R-2 zoning district standards would entitle the applicant to have single family and duplex lots. The PUD also had a condition requiring lots along the southeast corner to be a minimum of 10,000 sq. ft. While reviewing the history of the PUD agreement, the intent for this condition was to provide a buffer for the large rural residential properties along the southeast corner of the development. Staff recommends that, if approved, the conditions for the larger lots on the southeast corner remain in place as required as listed in the original PUD. The applicant was agreeable to this recommendation. The applicant has indicated to Staff that they do not intend to alter the original plan other than to convert the park area to residential lots.

Currently, the Comprehensive Plan has this property designated as Town

Neighborhood. This designation is characterized primarily as residential with lot sizes that are smaller than rural residential lots and are often single family, duplexes, triplexes and town-homes. The R-2 zoning district would be compatible with the comprehensive plan therefore staff would be in support of this request. Upon conclusion, the commission is tasked with making a recommendation to the City Council on the zoning designation being requested by the applicant. The commission may recommend the proposed zone change from R-2 PUD to R-2, recommend the R-2 PUD zoning be maintained, recommend an alternative zoning designation, or table the request to acquire new information. Should the commission recommend approval of the request, Staff recommends the following condition:

1. Subject to the first five (5) lots on the southeast corner, both north and west, be a minimum of 10,000 Sq. Ft.

PZ/Questions & Comments:

- Commissioner Rambur asked for clarification of removing the PUD if it removes the park.
- Planner Strickland stated that it does.
- Commissioner Rambur asked if there is a park to the west.
- Senior Planner Klaver stated the Parks Director said the City does not need another park in that area.
- Planner Strickland explained that the changes since this was created are impact fees are added to residential permits that allows the Parks Department to move fees where they are needed.
- Commissioner Rambur asked if the R-2 PUD to the west has any duplexes.
- Planner Strickland stated they don't.
- Commissioner Rambur asked how many they want.
- Planner Strickland stated they are planning single family and not wanting to change the original plan.

Applicant Presentation:

Tim Vawser EHM Engineers. Spoke about some of the history of this property. Harrison runs through this and everything west has been developed.

PZ/Questions & Comments:

- Commissioner Rambur noticed there are larger lots to the south and asked if it is new.
- Tim Vawser stated that is the city's wish for the neighbors.

Public Hearing: Opened

- Rick Hatridge had a question if the south end would have the larger lots because he doesn't want duplexes there.
- Tim Vawser couldn't answer the questions about what will be on the south end.
- Vice-Chair Campbell asked if it changed would it come back.

- Planner Strickland replied no.

Public Hearing: Closed

Discussions Followed:

Commissioner Rambur was worried about not having a park but if it isn't needed then he feels this will work.

The Commission feels this is a good idea and feel the conditions will make it better for the neighbors.

MOTION: Commission Weatherford moved to approve the recommendation to City Council for a Zoning District Change from R-2 PUD to R-2 for approximately 68 acres located south of South Hills Rd and east of Harrison St S c/o Tim Vawser on behalf of Sundance Partners, LLC (PZ24-0112). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- e) Request for a recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N. c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113).

Per City Code 10-14-4 thru 10-14-7: Zoning districts, zoning subdistricts and overlay districts shall be amended if the request is in accordance with a comprehensive plan. The commission may recommend, and the council may adopt or reject the ordinance amendment under the notice and hearing procedures. The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard.

The commission shall transmit its recommendation to the council. The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission, shall conduct at least one public hearing using the same notice and hearing procedures as the commission.

The properties are currently zoned C-1, Ash Street-Albertsons PUD. The PUD was established in 2003, and steps were taken at that time to demolish existing structures

on the properties, but the overall Master Development Plan was never constructed. The original Master Development Plan was limited to a large Albertsons grocery to be accessed off Blue Lakes Blvd. N. The current state of the property is a result of Albertsons finishing the demolition of the structures, and promptly abandoning the rest of the development. The property was recently sold, and the new owner would like to be removed from the PUD and simply follow the city's C-1 zoning code.

The property consists of six (6) parcels, approximately 7.8 acres in size, between Blue Lakes Blvd. North and Elm Street.

The applicant proposes to use the subject property to continue the development of both retail and office building structures along the Blue Lakes Blvd. North frontage, with the property located between Ash Street (private drive) and Elm Street (public roadway) being considered for retail, office, service, government, multifamily residential (5 units or more) uses that are allowed in the C-1 zone.

City Staff finds the result of this change to be beneficial to the community as it is an ideal infill project, which will remediate the "hole" on Blue Lakes Blvd North that has been there for nearly 2 decades.

The potential detrimental impacts on surrounding areas could be from increased vehicle traffic on Elm Street, both of which have capacity per their current estimated traffic counts. This land has always been designated for commercial uses, and developing this property would be harmonious with the surrounding properties.

The Comprehensive Plan designates this area as "Mixed Use", which serves local and regional commercials, sitting at intersections of major arterial roadways, typically anchored by a grocery store, civic, or entertainment uses, allowing high-intensity mixed use development in a compact, pedestrian oriented environment.

Staff has determined this request is compatible with the 2016 Grow with Us Comprehensive Plan.

The Commission is tasked with making a recommendation to the City Council on whether or not the zoning district change is appropriate for the area.

The Commission may recommend that the zoning district change be granted as requested, recommend a modification to the zoning district change requested, or may recommend that the zoning district be denied.

PZ/Questions & Comments:

- Commissioner Zimmerman asked about the new owner and the allowances for the property.
- Director Spendlove explained it could only be a grocery store.

Applicant Presentation:

David Thibault EHM explained that when this was developed it had a plan of exactly what was going to be there. They would like to just go back to the original zone.

PZ/Questions & Comments:

- Commissioner Weatherford asked about ASH St.
- David Thibault explained it is private property and not a road.

Public Hearing: Opened

- Sky Nichols feels the development will be great.

Public Hearing: Closed

Discussions Followed:

Commission feels this fits with the Comprehensive plan and is excited for development.

MOTION: Commissioner Weatherford moved to approve the recommendation to City Council for a Zoning District Change from C-1 PUD to C-1 on property located at 182, 212, and 228 Blue Lakes Blvd N c/o EHM Engineers, Inc on behalf of Chasewood, LLC (PZ24-0113). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

- f) Request for a Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr. c/o Jackilyn Wadsworth (PZ24-0115)

Staff Presentation:

City Planner Strickland presented the request for a Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr. c/o Jackilyn Wadsworth (PZ24-0115)

Per City Code 10-13-2-2 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 decide 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.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.

- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

10-13-2-2: Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

There is no pertinent historic information for this property. County records indicate the home was constructed in 1986.

The applicant is proposing to care for up to twelve (12) children in the home Mon-Sat with hours from 7am - 9pm offering some flexibility for parents that work later hours and possibly need services on Saturday. They would like to offer affordable daycare to parents that may need part-time or full-time services.

The applicant anticipates that the impact to the neighbors will be minimal except for possible noise from children playing outdoors. The parents will use the driveway as the primary drop-off and pick-up location. However, parents may park along the street if necessary. There will be minimal traffic throughout the day. The property has a fully fenced backyard that is large enough to accommodate the number of children proposed for the daycare. The home is located between two (2) fairly busy streets, Maurice St N and Madrona St N and Staff anticipates the additional vehicles to and from the home will be negligible. Availability of daycare services is limited within the community and the addition of this type of service to a neighborhood could be a benefit for parents.

The 2016 Comprehensive Plan designates this area as Town Neighborhood. The defining characteristics of this category are primarily residential in nature, typically consisting of single family, duplex, triplex and town-homes with parks, schools and civic

facilities. Staff has determined the proposed in-home daycare would be compatible with the comprehensive plan and would be in support approval of the request.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. Upon conclusion should the Commission recommend approval of the request as presented, Staff recommends the following conditions of approval:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to the driveway being reserved for parents to use when dropping off or picking up their children.

PZ/Questions & Comments:

- Commissioner Zimmerman had questions about parking and where that is.

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission feels this will not be an issue and this is a good fit.

MOTION: Commissioner Weatherford moved to approve the Special Use Permit to allow an in-home daycare on property located at 1721 Maplewood Dr c/o Jackilyn Wadsworth (PZ24-0115). Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

6) Upcoming Meeting(s)

- a) December 3, 2024
- b) 2025 Calendar

7) Adjournment

The meeting adjourned at 07:49 PM

Jody Green

Jody Green, Planning Technician