



Twin Falls City Council Agenda

Monday, January 13, 2025, 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 City Council 2025 January 06, Minutes. By:
 - b) **ACTION ITEM:** Request to approve Accounts Payable for December 19, 2024, thru January 01, 2025.
By: Amy Luna, Deputy City Clerk
 - c) **ACTION ITEM:** Request to approve January 02, 2025, Travel Requests.
By: Amy Luna, Deputy City Clerk
 - d) **ACTION ITEM:** Request to approve Findings of Facts and Conclusions of Law for the following: PZ24-0112 ZDC Sundance Partners, LLC
PZ24-0113 ZDC -Chasewood, LLC
PZ24-0102 ZDC - City of Twin Falls
PZ24-0114 ZDA Amendment - Falls Crossing
PZ24-0123 - Additional Height - Glanbia
By: Jonathan Spendlove, Planning and Zoning Director
- 4) Items of Consideration
 - a) **ACTION ITEM:** Consider a request to approve a Property Agreement with Mary Sligh and David Henry for a parcel located adjacent to Canyon Trail Junction property.
By: Wendy Davis, Parks and Recreation Director, Bruce Castleton, City Attorney
- 5) General Public Input
- 6) Advisory Board Report/Announcements
- 7) Public Hearings
 - a) **ACTION ITEM:** Review of the City Manager's declaration that the property located at 660 Shoshone Street East in Twin Falls, commonly referred to as the Old Twin Falls Clinic Building, is a public nuisance, presents significant health and safety concerns as described in Idaho Code Section 50-334 and Twin Falls Municipal Code Section 7-1-19, and should be demolished at the owner's expense in accordance with Idaho Code 50-1008.
By: Travis Rothweiler, City Manager
- 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, January 6, 2025, 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

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, Airport Manager Bill Carberry, City Planner Kelli Ebersole, City Planner William Klaver, Planning and Zoning Director Jonathan Spendlove, Police Chief Craig Kingsbury, Desktop Support Analyst Brettrick Barker, Public Information Coordinator Joshua Palmer

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

- a) Request to approve the minutes for City Council Meeting 23 December 2024
- b) Request to authorize the mayor to sign a concession agreement renewal with Avis car rental.
- c) Request to authorize the mayor to sign a concession agreement renewal with Budget car rental.
- d) Request to authorize the mayor to sign a concession agreement renewal with Enterprise car rental.
- e) Request to authorize the mayor to sign a car wash service area agreement renewal with Avis/Budget car rental.
- f) Request to authorize the mayor to sign a car wash service area agreement renewal with Enterprise car rental.
- g) Request to authorize the mayor to sign an airport restaurant agreement renewal with Happy's Restaurant, L.L.C.
- h) Request City Council to approve the Special Event Permit for the organizers of the Annual Vietnam War Veterans Commemoration event.
- i) Summer Reading Finale Street Dance

4) General Public Input

5) Advisory Board Report/Announcements

Council Member Hawkins let us know that the Art Commission is done with the Art boxes on traffic signal boxes around the city.

City Manager Travis Rothweiler brought up cancelling the meeting on the 21 due to a conference that city managers need to attend.

6) Public Hearings

- a) Request to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritional's (PZ24-0123).

City Planner Kelly Ebersole request to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritional's (PZ24-0123).

Public Hearing Opened: 5:19 pm

Public Hearing Closed: 5:20 pm

Discussion ensued on the following:

Council Member Cutler asked for clarification on how many silos are they are looking for?

MOTION: Council Member Reid moved to approve the request to City Council to allow Additional Building Height for new silos, up to 75 feet, on property located at 236 Washington Street South. c/o Kim Jasper on behalf of Glanbia Nutritional's (PZ24-0123). **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 City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

City Planner William Klaver request to City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114).

Public Hearing Opened: 5:29 pm

Public Hearing Closed: 5:30 pm

Discussion ensued on the following:

Mayor Pierce asked for clarification on what the building will look like.

Council Member Reid asked for clarification if it meets all other city requirements?

Jared Nielsen spoke on this on why they are asking to build more.

MOTION: Council Member Stone moved to approve the request to City Council for a Zoning Development Agreement Amendment to allow an additional building on property located at 132 Falls Avenue West. c/o Jared Nielson on behalf of Falls Crossing (PZ24-0114). **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 City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102)

City Planner William Klaver request to City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102)

Public Hearing Opened: 5:38 pm

Public Hearing Closed: 5:39 pm

Discussion ensued on the following:

Deputy City Manager Mitch Humble spoke on that intent is to be able to sale this property to a larger group of people.

Council Member Stone let the staff know he appreciates the future use land maps it helps them understand what they are looking at.

MOTION: Council Member Stone moved to approve the request to City Council for a Zoning District Change from R-4 to C-1 on property located at 929 Washington Street South. c/o City of Twin Falls (PZ24-0102). **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

7) Adjournment

The meeting adjourned at 05:40 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:)
)
Zoning District Change & Zoning Map Amendment,) FINDINGS OF FACT,
Application,)
) CONCLUSIONS OF LAW,
Sundance Partners, LLC)
) AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on December 23, 2024, for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 for approximately 68 acres (+/-) for property located south of South Hills Rd and east of Harrison ST S and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 for approximately 68 acres (+/-) for property located south of South Hills Rd and east of Harrison ST S.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: October 31, 2024 & December 5, 2024.
3. The property in question is zoned R-2 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood 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, 3600 N Rd; to the south, Rural Residential; to the east, Rural Residential; to the west, Residential.

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

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 for approximately 68 acres (+/-) for property located south of South Hills Rd and east of Harrison ST S is consistent with the purpose of the R-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-2, 10-4-11, 10-8-1 through 6, 10-14-1 through 6 of the Twin Falls City Code.

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

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

5. The application for a Zoning District Change and Zoning Map Amendment from XXXX to XXXX for XXXX acres (+/-), located XXXX should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 for approximately 68 acres (+/-) for property located south of South Hills Rd and east of Harrison ST S.

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

APPLICATION #: PZ24-0112



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
Zoning District Change & Zoning Map Amendment,) FINDINGS OF FACT,
Application,)
) CONCLUSIONS OF LAW,
Chasewood, LLC)
) AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on December 23, 2024, for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for approximately 7 acres (+/-) for property located at 182, 212, 228, and 244 Blue Lakes Blvd N and 273 Elm St N and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for approximately 7 acres (+/-) for property located at 182, 212, 228, and 244 Blue Lakes Blvd N and 273 Elm St N.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: October 31, 2024 & December 5, 2024.
3. The property in question is zoned C-1 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use 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, Commercial; to the south, Commercial/Grocery Store; to the east, Blue Lakes Blvd N/Commercial; to the west, Elm St/ Multifamily Residential.

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

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for approximately 7 acres (+/-) for property located at 182, 212, 228, and 244 Blue Lakes Blvd N and 273 Elm St N is consistent with the purpose of the C-1 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-2, 10-4-11, 10-8-1 through 6, 10-14-1 through 6 of the Twin Falls City Code.

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

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

5. The application for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for approximately 7 acres (+/-) for property located at 182, 212, 228, and 244 Blue Lakes Blvd N and 273 Elm St N should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 for approximately 7 acres (+/-) for property located at 182, 212, 228, and 244 Blue Lakes Blvd N and 273 Elm St N.

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. Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

APPLICATION #: PZ24-0113



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
Zoning District Change & Zoning Map Amendment,) FINDINGS OF FACT,
Application,)
) CONCLUSIONS OF LAW,
City of Twin Falls)
) AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on January 6, 2025, for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for approximately 1 acres (+/-) for property located at 929 Washington Street South and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for approximately 1 acres (+/-) for property located at 929 Washington Street South.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: November 14, 2024 & December 19, 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 Mixed Use 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, R-2/Residential; to the south, C-1 PUD; to the east, C-1 PUD; to the west, C-1.

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

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for approximately 1 acres (+/-) for property located at 929 Washington Street South is consistent with the purpose of the C-1 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-2, 10-4-11, 10-8-1 through 6, 10-14-1 through 6 of the Twin Falls City Code.

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

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

5. The application for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for approximately 1 acres (+/-) for property located at 929 Washington Street South should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for approximately 1 acres (+/-) for property located at 929 Washington Street South.

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. Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

APPLICATION #: PZ24-0102



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
PUD Amendment, Application,) FINDINGS OF FACT,
)
Falls Crossing) CONCLUSIONS OF LAW,
)
) AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on January 6, 2025, for public hearing pursuant to public notice as required by law for a PUD Amendment for the purpose to allow an additional building on property located at 132 Falls Avenue West, 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 a PUD Amendment to allow to allow an additional building on property located at 132 Falls Avenue West.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: November 14, 2024 and December 19, 2024.
3. The property in question is zoned R-6 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial/Town Neighborhood 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, R-4; to the south, R-4; to the east, CSI; to the west, R-4

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

CONCLUSIONS OF LAW

1. The application for a PUD Amendment to allow to allow an additional building on property located at 132 Falls Avenue West is consistent with the purpose of the R-6 PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-6-1 thru 4 of the Twin Falls City Code and the PUD Agreement.

3. The proposed use is proper use in the R-6 PUD Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as PUD fully set forth herein.

4. The application for a PUD Amendment to allow to allow an additional building on property located at 132 Falls Avenue West 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 subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a PUD Amendment to allow to allow an additional building on property located at 132 Falls Avenue West, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though full set forth herein.

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 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. Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project.

APPLICATION #PZ24-0114



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
Additional Height,) FINDINGS OF FACT,
Application,)
) CONCLUSIONS OF LAW,
Glanbia Nutritionals)
)
Applicant(s)) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on January 6, 2025, for public hearing pursuant to public notice as required by law for Additional Height in the M-2 Zoning District from Fifty feet (50') height to Seventy-five feet (75') height for property located at 236 Washington Street South and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Additional Height in the M-2 Zoning District from Fifty feet (50') height to Seventy-five feet (75') height for property located at 236 Washington Street South
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: December 19, 2024.
3. The property in question is zoned M-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, City Facilities/ Manufacturing; to the south, Vacant/Agricultural; to the east, Washington St S/Residential; to the west, Vacant/Agricultural.

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

CONCLUSIONS OF LAW

1. The application for Additional Height in the M-2 Zoning District from Fifty feet (50') height to Seventy-five feet (75') height for property located at 236 Washington Street South is consistent with the purpose of the M-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-4-7 and 10-7-3 of the Twin Falls City Code.

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

4. The application for Additional Height in the M-2 Zoning District from Fifty feet (50') height to Seventy-five feet (75') height for property located at 236 Washington Street South should be granted, subject to all applicable requirements of the Zoning Ordinance, 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 Additional Height in the M-2 Zoning District from Fifty feet (50') height to Seventy-five feet (75') height for property located at 236 Washington Street South is hereby granted.

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

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

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



Date: Monday, January 13, 2025
To: Honorable Mayor and City Council
From: Wendy Davis, Parks and Recreation Director, Parks and Recreation Director, Bruce Castleton, City Attorney

ACTION ITEM

Request:

Consider a request to approve a Property Agreement with Mary Sligh and David Henry for a parcel located adjacent to Canyon Trail Junction property.

Time Estimate:

Allow approximately 15 minutes for presentation, questions and deliberation.

Background:

As the Parks and Recreation Department began work to develop the Canyon Rim Trailhead known at Canyon Trail Junction, a small sliver of land on the northwest end of the property that the new access road needs to cross, has unclear ownership. Staff has been working to resolve this. A Quiet Title process was initiated, and the adjacent property owner was notified. City staff has worked with the adjacent property owners, Mary Sligh and David Henry, and they have agreed:

1. That in exchange for the amount of Four Thousand Dollars (\$4,000.00) paid by the City, the Owners agree to relinquish any and all ownership and/or right to ownership of the Property they have or may have to the City;
2. That the Owners shall, as part of this Agreement, execute the Quitclaim Deed that is Exhibit B to this Agreement, and shall consent to this Quitclaim Deed being recorded at the Recorder's office of Twin Falls County, Idaho;
3. That upon the Owners' performance of its obligations herein, the City agrees to dismiss the Action, with all parties bearing their own attorney fees and costs.

Please see attached Property Agreement and Quitclaim Deed.

Approval Process:

A simple majority will approve this request.

Budget Impact:

A \$4,000 request for payment will be submitted and will be paid out of the Park Impact Fees recently allocated to the project.

Regulatory Impact:

Approval of this request will authorize the Parks and Recreation Director to sign the Property Agreement on behalf of the City of Twin Falls.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends council approve this request. With this action the Quiet Title process will be completed, and with the execution of the Property Agreement and the Quitclaim Deed, the City of Twin Falls will have ownership of the property in question.

Attachments:

1. Property Agreement 2025-01-07 FINAL
2. Quitclaim Deed Exhibit A
3. Quitclaim Deed

PROPERTY AGREEMENT

THIS AGREEMENT is effective the _____ day of January, 2025, between David Loren Henry and Mary Katharine Sligh, (“Owners”), and the City of Twin Falls, Idaho ("City").

RECITALS

Whereas, the City has filed a Verified Complaint to Quiet Title in the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Case No. CV42-24-4560 (hereinafter the “Action”) to determine the City’s ownership of a certain parcel of property identified more particularly herein in Exhibit A (hereinafter the “Property”) located within the City of Twin Falls, Idaho; and

Whereas, the City has named David Loren Henry and Mary Katharine Sligh (hereinafter the “Ownes”) as defendants in this Action based on claims of ownership made by the Owners to the Property; and

Whereas, the City and the Owners have come to an agreement for a resolution of this matter based on the terms herein; therefore,

THE PARTIES AGREE AS FOLLOWS:

1. That, in exchange for the amount of Four Thousand Dollars (\$4,000.00) paid by the City, the Owners agree to relinquish any and all ownership and/or right to ownership of the Property they have or may have to the City;
2. That the Owners shall, as part of this Agreement, execute the Quitclaim Deed that is Exhibit B to this Agreement, and shall consent to this Quitclaim Deed being recorded at the Recorder’s office of Twin Falls County, Idaho;
3. That upon the Owners’ performance of its obligations herein, the City agrees to dismiss the Action, with all parties bearing their own attorney fees and costs.

THE PARTIES ADDITIONALLY AGREE AS FOLLOWS:

4. **City's Attorney.** Owners acknowledge that Twin Falls City Attorney Bruce Castleton represents the City in this transaction and has prepared this Agreement. Mr. Castleton does not represent the Owners nor does he owe the Owners any duty in this transaction.
5. **Attorney Fees and Costs.** The parties agree that if a party is in default under this Agreement, then such party shall pay to the other party (a) reasonable attorney fees and other costs and expenses incurred by the other party after default and referral to an attorney; (b) reasonable attorney fees and other costs and expenses incurred by the other party in any settlement negotiations; and, (c) reasonable attorney fees and other costs and expenses incurred by the other party in preparing for and prosecuting any suit or action ("Collection Costs"). Collection Costs shall be immediately due and payable.
6. **Venue and Choice of Law:** Should any dispute regarding this Agreement and its obligations arise, the Parties agree that any such dispute shall be brought before the Fifth District Court for the State of Idaho, in and for the County of Twin Falls, and that this agreement shall be interpreted according to the laws of the State of Idaho.
7. **Rights Cumulative.** Except as expressly provided in this Agreement, and to the extent permitted by law, any remedies described in this Agreement are cumulative and not alternative to any other remedies available at law or in equity.
8. **Nonwaiver of Remedies.** The failure or neglect of a party to enforce any remedy available by reason of the failure of the other party to observe or perform a term or condition set forth in this Agreement shall not constitute a waiver of such term or condition. A waiver by a party (i) shall not affect any term or condition other than the one specified in such

waiver, and (ii) shall waive a specified term or condition only for the time and in a manner specifically stated in the waiver.

9. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs, and personal representatives.

10. **Entire Agreement.** All exhibits to this Agreement constitute a part of this Agreement.

This Agreement, together with the accompanying exhibits, constitute the entire agreement among the parties and supersedes all prior memoranda, correspondence, conversations, and negotiations.

11. **Severability.** The invalidity of any portion of this Agreement, as determined by a court of competent jurisdiction, shall not affect the validity of any other portion of this Agreement.

12. **SIGNATURES.**

OWNERS:	CITY OF TWIN FALLS:
_____	_____
David Loren Henry	(Name and Position)
Date: _____	Date: _____

Mary Katharine Sligh	
Date: _____	

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

On this ____ day of January, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared David Loren Henry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public

Residing at: _____

Commission Expires: _____

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

On this ____ day of January, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Katharine Sligh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Notary Public

Residing at: _____

Commission Expires: _____

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

On this ____ day of January, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the _____ of the City of Twin Falls, Idaho and acknowledged to me that s/he executed the same.

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

Notary Public

Residing at: _____

Commission Expires: _____

PARCEL DESCRIPTION
for
CITY OF TWIN FALLS



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

J-U-B FAMILY OF COMPANIES

An irregular parcel of land located in part of the Amended Park Ridge Subdivision, Instrument # 629565 of the Twin Falls County records, and a part of Government Lot 4 in Section 2, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, County of Twin Falls, State of Idaho and being more particularly described as follows:

Commencing at the Northwest corner of said Section 2, being monumented by a 5/8 inch rebar with aluminum cap, CP&F Instrument # 2018-011861 and from which the West Quarter corner of said Section 2, being monumented by a 5/8 inch rebar with aluminum cap, CP&F Instrument # 2021-019336, bears South 00°55'37" West – 2594.74 feet;

Thence South 00°55'37" West along the westerly boundary of said Government Lot 4 for a distance of 20.00 feet to the southwest corner of said Amended Park Ridge Subdivision and the POINT OF BEGINNING;

Thence continuing South 00°55'37" West along the westerly boundary of said Government Lot 4 for a distance of 5.00 feet to a point on the southerly boundary of a 5.00 foot strip of land reserved for utilities as shown on said Amended Park Ridge Subdivision;

Thence South 89°34'54" East parallel with the northerly boundary of said Government Lot 4 and along the southerly boundary of said 5.00 foot strip for utilities a distance of 175.07 feet;

Thence North 00°36'30" East for a distance of 5.00 feet to the Initial Point of said Amended Park Ridge Subdivision;

Thence continuing North 00°36'30" East along the westerly boundary of Lot 7-A of said Amended Park Ridge Subdivision for a distance of 12.07 feet to a point on the southerly Right-of-Way of Pole Line Road East as shown on said Amended Park Ridge Subdivision;

Thence South 84°46'03" West along said southerly Right-of-Way for a distance of 122.53 feet to a point on the northerly boundary of said 5.00 foot strip for utilities;

THENCE North 89°34'54" West along the northerly boundary of said 5.00 foot strip for utilities a distance of 53.14 feet to the POINT OF BEGINNING;

The above described parcel contains 0.037 acres (1,611 sq. ft.), more or less.

This description was prepared by me or under my immediate supervision.
If any portion of this description is modified or removed without the written consent of Bert J. Nowak, PLS, all professional liability associated with this document is hereby declared null and void.



QUITCLAIM DEED

This indenture is made, as of the date set forth below, by and between **David Loren Henry** and **Mary Katharine Sligh**, husband and wife ("GRANTORS"), and **the City of Twin Falls, Idaho** ("GRANTEE"), _____.

W I T N E S S E T H:

That GRANTORS do hereby release and forever quitclaim unto GRANTEE, and to the heirs and assigns of the GRANTEE, all of the right, title, and interest held by GRANTOR in and to that certain real property situated in the County of Twin Falls, state of Idaho, and which is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

To have and hold said premises, together with the appurtenances, unto the GRANTEE, and to the heirs and assigns of GRANTEE, forever.

IN WITNESS WHEREOF, the GRANTORS have executed this conveyance as of the ____ day of January, 2025.

GRANTOR:

David Loren Henry

GRANTOR:

Mary Katharine Sligh

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

On this ____ day of January, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared David Loren Henry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public

Residing at: _____

Commission Expires: _____

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

On this ____ day of January, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Katharine Sligh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Notary Public

Residing at: _____

Commission Expires: _____



Date: January 13, 2025
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

Request:

Public Hearing in review of the City Manager's declaration the property located at 660 Shoshone Street East in Twin Falls, commonly referred to as the Old Twin Falls Clinic Building, is a public nuisance, resents significant health and safety concerns as described in Idaho Code Section 50-334 and Twin Falls Municipal Code Section 7-1-19, and should be demolished at the owner's expense in accordance with Idaho Code 50-1008.

request to demolish the between the City of Twin Falls and the City Manager.

Time Estimate:

This item is scheduled for a public hearing. It is estimated this time will take 15 minutes, plus time for hearing and time to answers.

Background:

The old Twin Falls Clinic building (referred to as the "Old Clinic") has been empty and out of use for many years. In its current state, the building is vacant and in extremely poor condition. Attempts to keep the building boarded up to prevent trespassing has not been successful. Individuals continue to damage the boards, and the windows and doors they cover, and enter the building. There have been numerous broken windows and doors all around the building. There is at least one location where cinder blocks have been torn out of the exterior wall to enable entry into the building.

The exterior of the building is in poor condition, with weeds regularly growing. The fencing surrounding the Old Clinic is in poor repair, with several sections having been torn down so people could gain entry onto the property. Although the City's Code Enforcement team continues to hire contractors to make repairs to the fencing and replace boards, their efforts do not typically last long as trespassers will simply break down the new fencing and boards to regain entry into the building. This has resulted in a cycle of events where efforts to secure the building from trespassers have proven ineffective.

The interior of the Old Clinic is dangerous, with broken glass, concrete, drywall, and other materials littering the floor in almost all areas. We have significant evidence that trespassers who enter the Old Clinic use the property to live there, use drugs, and vandalize the property further. The interior of the Old Clinic is dangerous and not suitable for any type of entrance by the public.

The Old Clinic is in violation of the International Fire Code Section 311, Vacant Premises. In Section 311.1 and 311.2 state that property owners are required to safeguard the premises to prevent entry by unauthorized individuals. Section 311.2.2 requires that the building have operable fire alarms, sprinklers, and standpipe systems. The Old Clinic has none of these. Section 311.3 requires the owner to remove all accumulations of combustible materials, flammable or combustible waste or rubbish. This has plainly not happened. Given that the property is strewn with combustible materials and debris, the Old Clinic is a significant fire hazard.

These concerns above are particularly concerning given the Old Clinic's adjacent location to St. Edwards Catholic School and Church, where young children and older members of the public regularly attend. This is simply an untenable situation that must end.

On September 10, 2024, the City Manager, also the appointed Health Officer for the City, has determined that the nuisance at the Old Clinic must be abated and declared the Twin Falls Clinic building a public nuisance under

Twin Falls City Code Section 7-1-18. Notice of this declaration was given to the property's owner, Galena Opportunity, Inc. (dba GOQOZ Twin Falls 660 LLC), along with a requirement that the owner provide the City with a detailed proposal of how the owner will abate the nuisance. A subsequent notice was sent to the owner on October 14, 2024 reiterating this requirement that the owner inform the City how this nuisance will be abated. The owner has not responded to either of these notices.

Since the owner has failed to respond to the two notices provided to it regarding this nuisance, the City has determined to abate the nuisance on its own under its authority in Twin Falls City Code Section 7-1-19 and Idaho Code Section 50-334. The City has further determined that demolition of the Twin Falls Clinic building is the only manner in which the nuisance can be abated permanently given the condition of the building and the inability of the owner to abate the nuisance through lesser means. The City intends to thereafter assess the costs of demolition of the building against the owner under Idaho Code Section 50-335.

The City scheduled a public hearing to give the owner or its representative an opportunity to communicate any objection it has to the demolition of the building as a means of abating this nuisance. The City shared in writing, *"The failure of the owner to appear at this meeting or to send a representative to speak on its behalf may result in the City moving forward with demolition of the building without further notice."*

Representatives from the City's Police, Code Enforcement, Building Safety, and Fire Departments have put together a packet of information that summarizes the health concerns and the documented instances of health and safety issues the City has encountered there.

The building owner were informed the City Manager intends to invoke Idaho Code 50-335 to destroy the building if it is not remediated and the safety concerns eliminated.

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Regulatory Impact:

Idaho Code 50-335 – Destructions of Buildings inimical to Safety and Health – All cities in the state of Idaho shall have power to declare any building or structure to be a nuisance which, in the opinion of the city council, is so dilapidated or is in such condition as to menace the public health or the safety of persons or property on account of increased fire hazard or otherwise; and any council may cause the destruction or removal of any such building or structure at the expense of the person or persons, associations, corporations or copartnerships holding, owning or maintaining the same, and to levy a special assessment as provided in Idaho Code section 50-1008, on the land or premises whereon the nuisance is situated, to defray the cost or to reimburse the city for the cost of destruction or removal of said building or structure so declared to be a nuisance.

Idaho Code 50-1008 – Collection of Special Assessments — Certification to Tax Collector. All special assessments levied in any city to which the provisions of this act are made applicable shall be due and payable to the city treasurer and, if not paid within thirty (30) days after mailing of notification of assessment, shall be declared delinquent and be certified to the tax collector of the county by the city clerk not later than the first day of August and shall be by said tax collector placed upon the tax roll and collected in the same manner and subject to the same penalties as other city taxes. All money received on special assessments shall be held by the city treasurer as a special fund to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever unless to reimburse such city for money expended for such improvement.

Twin Falls City Code Section 7-1-19 – Duties of the Health Officer – (A) It shall be the duty of the health officer to ascertain and cause all nuisances declared to be such in this chapter to be abated, and he shall have authority, either by himself or by his agents or deputies, in the daytime, to enter any house, stable, store or building in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots and ground and cause all stagnant waters to be drained off, and pools, sinks, vaults, drains, holes or low grounds to be cleansed, filled up or otherwise purified, and to cause all noisome substances to be abated or removed.

(B) The Twin Falls City Manager shall be the designated Health Officer for the City of Twin Falls, with all powers and duties for this position as found within the City Code. (1958 Code, ch. X, art. 4, sec. 17; amd. Ord. 2024-009, 8-12-2024)

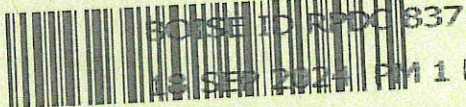
Attachments:

Certified Letter acceptance

Property Ownership from the Secretary of State's Office

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature  ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: GO 002 Twin Falls LLC William Traux 615 E. 3rd Street Garden City Id 83714  9590 9402 8529 3186 4626 80	3. Service Type ☐ Adult Signature ☐ Priority Mail Express® ☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☒ Certified Mail® ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery on Delivery ☐ Signature Confirmation™ ☐ Certified Mail Restricted Delivery on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail (over \$500)
2. Article Number (Printed) 7022 0410 0000 0534 1676	
PS Form 3811, July 2020 PSN 7530-02-000-9053	

Domestic Return Receipt

USPS TRACKING#	First-Class Mail Postage & Fees Paid USPS Permit No. G-10
 9590 9402 8529 3186 4626 80	
United States Postal Service	• Sender: Please print your name, address, and ZIP+4® in this box® City of Twin Falls P.O. Box 1907 Twin Falls Id 83301



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

OFFICE OF THE CITY MANAGER

208-735-7271

October 14, 2024

SENT VIA REGISTERED MAIL

GO QOZ Twin Falls 660 LLC
William Traux
P.O. Box 1158
Boise, ID 83702-1158

GO QOZ Twin Falls 660 LLC
William Traux
615 E. 3rd Street
Garden City, ID 83714

Galena JV Manager LLC
Registered Agent for GO QOZ Twin Falls 660 LLC
615 E. 43rd Street
Garden City, ID 83714

Galena JV Manager LLC
Registered Agent for GO QOZ Twin Falls 660 LLC
PO Box 1158
MANAGER
Boise, ID 83701

To GO QOZ Twin Falls 660 LLC,

I am following up with you regarding my prior letter (attached) dated September 10, 2024 in which I informed you that the City had declared the property located at 660 Shoshone Street East in Twin Falls a nuisance, and I required you to respond to that letter within ten (10) days of your receipt of it and provide a detailed proposal to me regarding how you intend to permanently abate the nuisance at the Old Clinic. I have received no response from you despite it having been more than ten days since your confirmed receipt of the letter.

October 14, 2024

I am writing one last time to ask that you abate this nuisance as directed. If you fail to respond to this letter I will take this as your refusal to do as directed, and the City will then take this matter into its own hands to correct. As I informed you in my previous letter, the City has the authority under Idaho Code § 50-335 to take action on its own to abate this nuisance and to then assess the costs of this against you and your property. This abatement may include, if necessary, the demolition of the building.

If I do not hear from you by Friday, November 1, 2024, the City will move forward with its own plan of nuisance abatement for this building.

Please reply as required above.



Travis Rothweiler, ICMA-CM,
City Manager
City of Twin Falls, Idaho

CC: Bruce Castleton, City Attorney
Gretchen Scott, Deputy City Manager
Mitch Humble, Deputy City Manager
Craig Kingsbury, Chief of Police
Les Kenworthy, Fire Chief
Jonathan Spendlove, Planning & Zoning Director
Matthew Long, Building Official
Sean Standley, Code Enforcement Coordinator



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2296

OFFICE OF THE CITY MANAGER

208-735-7271

September 10, 2024

SENT VIA REGISTERED MAIL

GO QOZ Twin Falls 660 LLC
William Traux
P.O. Box 1158
Boise, ID 83702-1158

GO QOZ Twin Falls 660 LLC
William Traux
615 E. 3rd Street
Garden City, ID 83714

Galena JV Manager LLC
Registered Agent for GO QOZ Twin Falls 660 LLC
615 E. 43rd Street
Garden City, ID 83714

Galena JV Manager LLC
Registered Agent for GO QOZ Twin Falls 660 LLC
PO Box 1158
MANAGER
Boise, ID 83701

To GO QOZ Twin Falls 660 LLC,

I am Travis Rothweiler, the City Manager for the City of Twin Falls, Idaho. I am also the duly appointed Health Officer for this City. **The purpose of this letter is to serve upon you NOTICE pursuant to Twin Falls City Code Section 7-1-18 that the property you own located at 660 Shoshone Street East in Twin Falls has been declared a nuisance and a menace to the public health and safety, and that you are hereby ordered to abate this nuisance as directed below.** Failure to abate this nuisance in the time and manner directed below will result in the City taking additional action to abate this nuisance itself,

September 10, 2024

including, if deemed necessary, the demolition of the building located on this property pursuant to Idaho Code Section 50-335.

As you are aware, this building (hereinafter referred to as the "Old Clinic") has been empty and out of use for many years. In its current state the building is vacant and in extremely poor condition. Although you or previous owners have attempted to keep the building boarded up to prevent trespassing, this has not kept people from damaging those boards and the windows and doors they cover and entering the building. There have been numerous broken glass doors and windows all around the building, as well as torn boards with jagged edges. There is also at least one location where cinder blocks have been torn out of the exterior wall to enable entry into the building.

The exterior of the building is in poor condition, with weeds regularly growing. The fencing surrounding the Old Clinic is in poor repair, with several sections having been torn down so people could gain entry onto the property. And although efforts are occasionally made to repair the fencing and boards, this typically does not last long as trespassers will simply break down the new fencing and boards to regain entry into the building. This has resulted in a cycle of events where efforts to secure the building from trespassers have proven ineffective.

For example, just two weeks ago the fencing and boarding was repaired, but that very day a trespasser tore a section of the fence down in an attempt to regain entry into the building. This demonstrates that simply fencing and boarding up the building does not abate the nuisance. And, as summer ends and colder weather approaches, we will see an increase in the number of trespassers who seek to take shelter in the Old Clinic rise significantly.

The interior of the Old Clinic is dangerous, with broken glass, concrete, drywall, and other materials littering the floor in almost all areas. We have significant evidence that trespassers who enter the Old Clinic use the property to live there, use drugs, vandalize the property further, and in some instances conduct satanic rituals. As stated above, the interior of the Old Clinic is dangerous and not suitable for any type of entrance by the public.

More so, the Old Clinic is in violation of the International Fire Code Section 311, Vacant Premises. In Section 311.1 and 311.2 you are required to safeguard the premises to prevent entry by unauthorized individuals. As stated above, the measures taken to secure this property are inadequate. Additionally, Section 311.2.2 requires that the building have operable fire alarms, sprinklers, and standpipe systems. The Old Clinic has none of these. Section 311.3 requires you as the owner to remove all accumulations of combustible materials, flammable or combustible waste or rubbish. This has plainly not happened. Given that the property is strewn with combustible materials and debris, the Old Clinic is a significant fire hazard.

These concerns above are particularly concerning given the Old Clinic's adjacent location to St. Edwards Catholic School and Church, where young children and older members of the public regularly attend. This is simply an untenable situation that must end. The City has determined that the nuisance at the Old Clinic must be abated with measures that will be permanent and not just temporary.

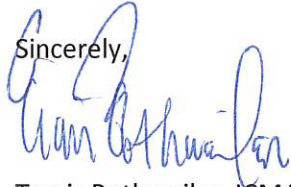
Accordingly, I am directing you to respond to this letter within ten (10) days of your receipt of it and provide a detailed proposal to me regarding how you intend to permanently abate the nuisance at the Old Clinic. This plan must, at a minimum, effectively show how the access and fire issues raised above will be permanently abated within one (1) month from the date of your response. The plan must also set forth how you intend to permanently resolve all other nuisance issues on this property within six (6) months from your response. This plan must address those issues raised above in terms of specifically identifying how you intend to eliminate these issues within the Old Clinic.

September 10, 2024

If you fail to comply with this direction, or if after submitting a satisfactory plan of abatement to the City the nuisance is not ultimately abated within the time periods specified, the City may take action on its own to abate the nuisance on this property including, if deemed necessary, demolition of the building. If this happens, the City will assess the costs of doing so to you as the owner of the property under the authority of Idaho Code Section 50-335. If payment is not made for these costs, the City may then assess a special assessment upon the land to reimburse the cost of the destruction or removal of the building that has been declared to be a nuisance.

Please reply as required above.

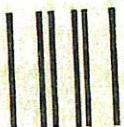
Sincerely,

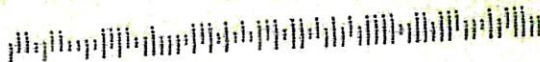
A handwritten signature in blue ink, appearing to read "Travis Rothweiler".

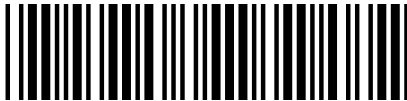
Travis Rothweiler, ICMA-CM,
City Manager
City of Twin Falls, Idaho

CC: Bruce Castleton, City Attorney
Gretchen Scott, Deputy City Manager
Mitch Humble, Deputy City Manager
Craig Kingsbury, Chief of Police
Les Kenworthy, Fire Chief
Jonathan Spendlove, Planning & Zoning Director
Matthew Long, Building Official
Sean Standley, Code Enforcement Coordinator

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature  ☐ Agent ☐ Addressee	
1. Article Addressed to: 60002 Twin Falls LLC William Traux 615 E. 3rd Street Garden City Id 83714  9590 9402 8529 3186 4626 80		B. Received by (Printed Name) _____ C. Date of Delivery _____	
2. Article Number (Printed) 7022 0410 0000 0534 1676		D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: _____	
3. Service Type ☐ Adult Signature ☐ Priority Mail Express® ☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☐ Certified Mail® ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery on Delivery ☐ Signature Confirmation™ ☐ Certified Mail Restricted Delivery on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail Restricted Delivery (over \$500)			
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

USPS TRACKING#		First-Class Mail Postage & Fees Paid USPS Permit No. G-10	
 9590 9402 8529 3186 4626 80			
United States Postal Service		• Sender: Please print your name, address, and ZIP+4® in this box® City of Twin Falls P.O. Box 1907 Twin Falls Id 83301	





0005852778

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005852778

Date Filed: 8/8/2024 3:41:51 PM

Entity Name and Mailing Address:

Entity Name: GO QOZ TWIN FALLS 660 LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0003624885
Address: MANAGER
PO BOX 1158
BOISE, ID 83701-1158

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: GALENA OPPORTUNITY, INC.
Registered Agent
Physical Address
999 W MAIN ST
STE 1400
BOISE, ID 83646
Mailing Address
PO BOX 1158
WILLIAM TRUAX
BOISE, ID 83701-1158

The new physical (street) address of the existing agent in Idaho is:

Physical Address: MANAGER
615 E 43RD ST
GARDEN CITY, ID 83714

The new mailing address of the existing agent in Idaho is:

Mailing Address: MANAGER
PO BOX 1158
BOISE, ID 83701-1158

Limited Liability Company Managers and Members

Name	Title	Business Address
 Galena Opportunity, Inc.	Manager	999 WEST MAIN STREET, STE 1400 BOISE, ID 83702
 GALENA OPPORTUNITY INC	Manager	MANAGER PO BOX 1158 BOISE, ID 83701-1158

The annual report must be signed by an authorized signer of the entity.

Job Title: MANAGER

WILLIAM TRUAX08/08/2024

Sign Here

Date