



Twin Falls Planning & Zoning Commission Agenda

Tuesday, September 15, 2026, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Council Chambers

Members -

City Limits: Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Rui Gomes; Alexis Gadsby

Area of Impact: Jeff Bulkley

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Conflict of Interest Declaration
- 3) Consent Calendar
 - a) Request to approve the minutes from the following meeting: July 28, 2026
- 4) Items of Consideration
 - a) **ACTION ITEM:** Request to approve a Preliminary Plat for R2M Investments LLC Subdivision, consisting of thirteen (13) residential lots on 3 (+/-) acres, c/o David Thibault, EHM Engineers, Inc. on behalf of Gerald Martens, R2M Investments, LLC. (PZ26-0020)
By: William Klaver, Senior Planner
 - b) **ACTION ITEM:** Consideration of Resolution No. 2026-XX validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ26-0110).
By: William Klaver, Senior Planner
- 5) Public Hearings
 - a) **ACTION ITEM:** Request to approve a Special Use Permit for a Fuel Station/Charging Station, Drive-Thru, and Extended Hours of Operation on property located at 1222 Latitude Circle (PZ26-0079).
By: William Klaver, Senior Planner
- 6) Upcoming Meeting(s)
 - a) September 29, 2026 - Cancelled due to no applications
October 7, 2026 - Work Session
October 13, 2026 - Regular meeting
- 7) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Jody Green (208) 735-7267 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.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION
Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chair 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 Chair, 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 Chair 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 Chair. The spokesperson shall be limited to 15 minutes.**
 - **Written comments, including e-mail, shall be received 2 business days prior to the date of the hearing to be accepted for consideration by the hearing body.**
 8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chair, 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 Chair may limit the time permitted for the answer.
 10. The Mayor or Chair 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 Planning & Zoning Commission Minutes

Tuesday, July 28, 2026, 6:00 PM

203 Main Ave East
Twin Falls, ID 83303

Council Chambers

Members -

City Limits: Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Rui Gomes; Alexis Gadsby

Area of Impact: Jeff Bulkley

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Zimmerman, Bulkley, Rambur

Staff Attending: Spendlove, Strickland, Ebersole, Green, O'Leary

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Request to approve the minutes from the following meeting: July 14, 2026.

MOTION: Commissioner Rambur moved to approve the minutes from the July 14, 2026, meeting. Vice-Chairperson Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

4) Items of Consideration

5) Public Hearings

- a) Request for a Special Use Permit to allow for a Major Event Center with Outdoor Amplified Sound on property located at 602 2nd Avenue South. c/o Tara Rueda (PZ26-0075).

Staff Presentation:

Planner Strickland presented the request for a Special Use Permit to allow for a Major Event Center with Outdoor Amplified Sound on property located at 602 2nd Avenue South. c/o Tara Rueda (PZ26-0075).

Per City Code 10-2-4E The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard with regard 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

The commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards:

- a. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- b. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- c. 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.
- d. Will not be hazardous or disturbing to existing or future neighboring uses.
- e. 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.
- f. 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.
- g. 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 noise, smoke, fumes, glare or odors.
- h. Will have vehicular approaches to the property which shall be so designed as not to create interference with traffic on surrounding public thoroughfares.
- i. Will not result in destruction, loss or damage to a natural, scenic or historic feature of major importance.

Conditions and Restrictions

In granting any special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title.

Conditions of approval may include but not be limited to:

- a. Minimizing adverse impact on other developments.
- b. Controlling the sequence and timing of development.
- c. Controlling the duration of development.
- d. Assuring the development is maintained properly.
- e. Designating the exact location and nature of development.
- f. Requiring the provision for onsite or off-site public facilities or services.
- g. Requiring more restrictive standards than those generally required in this title.

The subject property, formerly occupied by a pizza restaurant, has been vacant for a considerable period of time. In early May 2026, the Planning and Zoning Department received

notice that the applicant was operating as a commercial vending market with outdoor music and entertainment. Initially, the commercial vending market was a retail use permitted outright with licensed commercial vendors the additional outdoor music and entertainment was not permitted. After reviewing the reported activities, staff determined that the property is zoned Central City (CC) and that outdoor amplified sound requires approval of a Special Use Permit. The applicant was notified of this requirement. The applicant subsequently submitted an application requesting approval for Outdoor Amplified Sound. During the review process, staff's understanding of the proposed plan for the site was incomplete. As additional information was obtained from code enforcement, commercial vending permit applications, discussions regarding onsite alcohol service, and ongoing conversations with the applicant, staff gained a more complete understanding of the proposed use. Those discussions revealed that the applicant's intent was to operate an ongoing venue that would include organized events with attendance exceeding 150 people, multiple commercial vendors, food trucks, outdoor entertainment with amplified sound, and the service of alcohol during events.

Based on this information, staff determined that the proposal meets the definition of a Major Event Center under the 2026 Zoning Code. The Major Event Center classification is a new land use established with the adoption of the 2026 Code. Under previous zoning regulations, this type of operation was not specifically defined within the code, possibly making it an unpermitted use. The 2026 Code now provides a classification and review process to ensure that large-scale event venues are evaluated through the Special Use Permit process and that all associated activities are reviewed for compliance with the City Code.

To ensure the application accurately reflected the full scope of the proposed use and all activities identified by the applicant were reviewed and approved as required by the 2026 Zoning Code, staff expanded the Special Use Permit request to include both Outdoor Amplified Sound and Major Event Center. This action was necessary to ensure the commission's review included all the uses requiring a special use permit. Due to the scope of the application changed after the original public hearing notice had been posted, the item was removed from the July 14, 2026, Planning and Zoning Commission agenda, revised, reposted, and rescheduled for the July 28, 2026, Planning and Zoning Commission meeting to ensure accurate noticing of the proposal prior to the public hearing.

The proposal is to operate a major outdoor event venue that would accommodate over 150 people. The applicant indicates the venue is intended to be a place for the community to gather for a variety of activities. The narrative provided has proposed hours, noise mitigation plans, security lighting plans, sanitation, access to the property and the plan to coordinate with neighboring properties. The property is located at 602 2nd Ave S and is surrounded by Liberty St S, 2nd Ave S, and Minidoka Ave, making it a triangular island property with multiple access points.

To the east of the property is a railroad corridor and to the north, south and west is commercial. The future land use map designates this property as Downtown. This designation encourages a variety of commercial activities, entertainment, cultural facilities and mixed uses. The proposed event venue would generally be consistent with the Downtown designation. The zoning designation for this property is Central City. This zone encourages commercial, civic, entertainment and mixed-use development also.

A Major Event Center is listed as a land use in the Central City district. However, it does require approval of a special use permit. The land use is generally consistent with the zoning designation, but additional considerations need to be made regarding impacts on the

surrounding area as well as mitigation of those impacts. Because the request includes outdoor activities, amplified sound and extended business hours, the following items have been reviewed.

- **Noise** — Outdoor amplified sound could have a potential impact on the surrounding area. The applicant proposes several solutions including directional speakers, stage placement buffered by food trucks along the street frontage, and compliance with city noise regulations. Staff recommends that the amplified sound ends at 12:00 AM, speakers be directed inward towards the parking lot and be prepared to shut down if police intervention is required.
- **Hours of Operation** — The proposal is to have extended hours until 2am on Friday and Saturday evenings. Sale of alcohol concludes at 1:00 AM. Historically, businesses that have operated beyond this hour have generated increased law enforcement responses. Staff recommends that the business operation concludes at 1:00 AM and outdoor amplified sound concludes at 12:00 AM. This matches other businesses within the vicinity, making it more compatible with the area.
- **Parking**—The existing parking lot area will periodically be used by vendors, food trucks and event entertainment, possibly impacting the use of public street parking along the street and overflowing onto other properties in the area. The applicant has indicated overflow parking arrangements would be made for larger events when necessary. The P1 Parking Overlay does not require off-street parking for permitted land uses, however, with a special use permit the commission may require off-street parking. While parking may be limited when the larger events are occurring based on the site plan provided by the applicant, the areas labeled for parking should be adequate for daily use. However, staff recommends coordinating with the neighboring property owners for shared parking agreements for large events.
- **Traffic** — The volume of traffic will vary depending on the time, day and size of the event. However, the site does have direct access from Minidoka Ave, 2nd Ave S and Liberty St S. Should an event plan exceed 500 attendees, a separate Special Event approval would be required, where traffic impacts with this type of event would be included as part of this review. Another concern related to traffic is the possible impact of the movie and live entertainment area distracting traffic traveling along 2nd Ave S. The site plan displays food trucks along the 2nd Ave S frontage with the stage facing the oncoming traffic. The food trucks could be a sufficient buffer. However, the commission may want to consider a more significant buffer such as evergreen trees, a screening fence, or having the stage area relocated so that the back of the stage abuts the 2nd Ave S frontage. Staff has added a condition that buffering be provided along 2nd Ave S with scheduled movies and entertainment at the discretion of the commission.
- **Public Safety** — This site is within the downtown area of Twin Falls and is easily accessible for police, fire and emergency services. There are non-compliant ADA ramps located at the intersections of the street corners that will need to be upgraded to meet current city standards. Coordination of these improvements will need to be made with the City Engineering Department within 6 months to ensure a reasonable timeline for completion of this requirement can be met. Failure to coordinate will result in a review for revocation.
- **Utilities & Sanitation** — The site is adequately served by city water and sewer. The applicant has also indicated the site contains a grease interceptor on site, has adequate waste services and will provide additional trash receptacles when hosting larger events to reduce overflow of the standard facilities.

- **Lighting**—Ample lighting, onsite security for events and closure of the venue as recommended by staff should be generally adequate for regular operations. If the event is anticipated to exceed 500 attendees, the special event process will be required along with a review of security measures.

The City Code has recognized the need for Event Centers with the appropriate approvals. Event Center is a newly added land use and is defined primarily by the proposed number of attendees. A minor facility would serve up to 100 people during the events, while a major facility would serve 100-500 people during the events. A minor event center requires an administrative review within the Central City district, and a major event center requires a special use permit. Although outdoor amplified sound may be expected with many outdoor activities and is supported by both the comprehensive plan and zoning district, a special use permit is still required in the Central City district.

In summary, the request is consistent within the zoning district and generally compatible with the comprehensive plan. Compliance with approved conditions helps to ensure the venue remains harmonious with the surrounding commercial uses. There will be little if any impact on the health and welfare of the community. The property is served by existing streets constructed to handle the traffic sufficiently and public safety services are near the location. Approval of this request would authorize a major event center with outdoor amplified sound. It does not waive requirements for any other permits, licenses or approvals required to operate.

The commission is charged with reviewing the request for compatibility, impacts and mitigation measures. The commission may approve the request as presented, approve the request with staff recommendations, approve the request with amended recommendations, deny the request or table the request for additional information. Should the commission choose to approve the request, as presented, staff recommends the following:

1. Subject to outdoor amplified sound concluding no later than 12:00 AM;
2. Subject to business operations concluding no later than 1:00 AM;
3. Subject to speakers being directed inward toward the event area;
4. Subject to ADA ramps along the three corners (see attached aerial) being brought up to standards. A coordination plan with the City Engineering Department must be submitted within 6 months to ensure a timeline for compliance; failure to submit will initiate the reconsideration of the special use permit.
5. Subject to events anticipated to exceed 500, attendees shall obtain approval through the City's Special Event application process.
6. Subject to a buffer along 2nd Ave S being provided when movies or live entertainment is scheduled as defined by the commission.

Applicant Presentation:

Tara Rueda presented her request.

PZ/Questions & Comments:

- Commissioner Bulkley stated his concern is the safety of drivers leaving and how many people would be there. He feels the property is too small for 500 people.

- Tara Rueda replied that this is more for a targeted audience of people who are looking to attend classes or entertainment outside and just drink a little.
- Commissioner Bulkley asked if it's for an indoor or outdoor event center.
- Planner Strickland explained that it's both. Things will be happening indoors and outdoors.
- Vice Chairperson Zimmerman asked how big the property is and the square footage of the building.
- Tara Rueda stated 10,565 square feet and 80 parking spaces total. Occupancy for 300 indoors.
- Chairperson Campbell asked Lisa if the total number of people includes the employees.
- Planner Strickland replied she thinks it's just for attendees.
- Chairperson Campbell asked if this is allowed if there weren't any outdoor activities.
- Planner Strickland the amplified sound is what started the permit. Anything happening inside wouldn't need a permit.
- Chairperson Campbell asked about the additional parking spaces.
- Planner Strickland replied that the overlay doesn't require on street parking.
- Chairperson Campbell asked if Tara had spoken with any neighbors.
- Tara Rueda stated she has been dealing with a few neighbors and is trying to contact the rest.

Public Hearing: Opened

- Ben Lyda spoke in favor of this request and the city is in need of these types of businesses.

Public Hearing: Closed

Discussions Followed:

The commission likes the idea and potential. They feel the area is too small for a "major" event center permit. Discussion about why the definition is "major". Director Spendlove explained that the building has an occupancy load that is set currently at 300. They can't have 500 people because they don't have the occupancy for it.

with conditions 1-5

MOTION: Commissioner Bulkley moved to approve the request for a Special Use Permit to allow for a Major Event Center with Outdoor Amplified Sound on property located at 602 2nd Avenue South. c/o Tara Rueda (PZ26-0075) with staff conditions 1-5. Vice Chairperson Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

b)

Request for a recommendation to City Council for a Planned Unit Development Amendment – River Hawk Plaza PUD – to allow “Health/Fitness Facility – Minor” on property located at 1341 Park View Dr. c/o Gerald Martens. (PZ26-0077)

Staff Presentation:

Planner Ebersole presented the request for a recommendation to City Council for a Planned Unit Development Amendment – River Hawk Plaza PUD – to allow “Health/Fitness Facility – Minor” on property located at 1341 Park View Dr. c/o Gerald Martens. (PZ26-0077)

A Planned Unit Development (PUD) amendment shall be reviewed by the Planning and Zoning Commission, which will make a recommendation to the City Council. The City Council is the final decision-making body for PUD amendments. Approval of a PUD amendment shall be based on the following standards:

i. The proposed uses shall not be detrimental to the health, safety, and general welfare of the public.

A Health/Fitness Facility – Minor is limited to an occupant load of forty-nine (49) persons or fewer, resulting in a low-intensity commercial use. The proposed amendment is not anticipated to generate traffic, noise, or operational impacts beyond those associated with the existing neighborhood-serving businesses within the PUD. Staff finds the proposed use will not be detrimental to the public health, safety, or general welfare.

ii. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.

Although Health/Fitness Facility – Minor is not currently identified as an allowable use within the Professional Office Overlay, the River Hawk Plaza PUD was designed to accommodate a variety of neighborhood-serving office and service businesses. The development currently contains a fitness-related use operating under an approved Special Use Permit, demonstrating that the proposed use is compatible with the design, building layout, parking, and operational characteristics of the development.

iii. The underlying zoning district and the conceptual development plan shall conform to the Comprehensive Plan.

The 2016 Comprehensive Plan designates the area as Town Neighborhood, which supports residential development and neighborhood-serving services. The River Hawk Plaza PUD serves as a transition between surrounding residential neighborhoods and the larger institutional and commercial developments located along Cheney Drive and North College Road. The proposed amendment maintains this transitional function while providing an additional neighborhood-serving use.

iv. Existing and/or proposed streets and utility services are suitable and adequate for the proposed development.

The development is served by Park View Drive, Cheney Drive, and North College Road, all of which function as collector roadways intended to accommodate higher flows of traffic. Existing public utilities and infrastructure currently serve the fully developed PUD. Staff does not anticipate that adding Health/Fitness Facility – Minor as a potential use would require additional infrastructure improvements or adversely affect traffic circulation.

v. How the request at the location in question would be in the community's best interest.

The proposed amendment would provide an additional neighborhood-serving service within an established mixed office development. Small fitness facilities offer opportunities for convenient access to wellness and fitness services for nearby residents, employees, and students while expanding the variety of services available within the community.

vi. How the list of uses permitted would blend with surrounding land uses.

The proposed use is compatible with the existing mix of businesses within the River Hawk Plaza PUD, including medical offices, childcare services, beauty salons, counseling services, and professional offices. In addition, Xrossway Fitness and Life Center has successfully operated within the development under a Special Use Permit since 2015, demonstrating that a small-scale fitness facility can coexist with surrounding uses.

vii. Whether the subject site is physically suitable for the type and intensity of land uses permitted under the proposed zoning district.

The River Hawk Plaza PUD was developed as a professional office park consisting of multiple tenant spaces designed to accommodate low-intensity commercial and service-oriented businesses. A Health/Fitness Facility – Minor is consistent with the size, scale, and operational characteristics of the existing buildings and is physically suitable for the site.

viii. Whether the uses permitted in the proposed development would be adequately served by public facilities and services such as thoroughfares, police and fire protection, drainage, refuse disposal, water, sewer, and schools to ensure the public health, safety, and general welfare.

The subject property is fully served by existing public infrastructure and municipal services, including streets, water, sewer, drainage, police, and fire protection. The proposed amendment does not increase development density or require expansion of public facilities. Existing services are adequate to accommodate the proposed use.

ix. Whether the uses permitted in the proposed development would be compatible in terms of their scale, mass, coverage, density, and intensity with adjacent land uses.

A Health/Fitness Facility – Minor is limited in size and occupancy and is comparable in intensity to other service-oriented businesses already operating within the PUD. The amendment does not permit additional building area or increase site density. Staff finds the proposed use to be compatible with adjacent commercial, institutional, and residential land uses.

x. Whether the proposed zoning designation is consistent with the Comprehensive Plan land use map designation.

The proposed amendment is consistent with the Town Neighborhood land use designation by allowing an additional neighborhood-serving use within an existing planned development. The amendment supports the Comprehensive Plan's goal of providing services that are conveniently located near residential neighborhoods while maintaining an appropriate transition between residential and commercial development.

The River Hawk Plaza PUD was established in 2010 as an "R-2 PRO PUD Office Park". The development of this PUD has happened in phases, with lot 1 starting construction in 2012. The most recent completion of the development (lots 6-8) took place earlier this year.

The list of allowed uses in the PUD are limited to uses that were allowed in the previous R-2

zoning district, by Special Use Permit in the Professional Office Overlay (PRO), or outright permitted if land use is listed in the PUD. Health/Fitness Facility – Minor or Major, is not listed in the PUD as an allowed use.

In 2015, Xrossway Fitness and Life Center was granted a Special Use Permit to operate a religious facility that will include congregation meetings, counseling and body fitness, as part of their ministry. Xrossway Lutheran Ministries is located at 1385 Park View Drive, #103 (lots 3,4, and a portion of lot 2), within the River Hawk Plaza PUD. This Special Use Permit was granted specifically for this applicant, with the condition that any change in ownership/proprietorship would require a new Special Use Permit. As a fitness center is not an allowed use in the current PUD, this means that a fitness center or ministry could not come in and take over that location without zoning approval.

Comprehensive Plan Designations:

The 2016 Comprehensive Plan, Grow With Us, designates this area as Town Neighborhood, which is intended to support primarily residential development while also accommodating civic, institutional, and neighborhood-serving uses that meet the daily needs of surrounding residents. Although the underlying designation is residential, the River Hawk Plaza PUD was intentionally developed as a professional office park serving adjacent neighborhoods through the Professional Office Overlay.

The proposed amendment does not alter the overall character or intensity of the development. Instead, it adds one additional neighborhood-serving commercial use that is compatible with the existing office and service-oriented businesses already operating within the PUD. A Health/Fitness Facility – Minor functions similarly to other personal service and professional uses by providing services primarily to nearby residents and employees rather than attracting regional commercial activity.

The amendment maintains the transition between the surrounding residential neighborhoods and the larger institutional and commercial uses located along North College Road and Cheney Drive, consistent with the Comprehensive Plan's objective of providing orderly transitions between land use intensities.

Zoning Classifications:

Each zoning district listed in the city code has been created with a purpose along with a list of uses that are permitted with and without a special use permit within that zone. The River Hawk Plaza PUD has chosen to follow a modified version of the R-2 and Professional Office Overlay districts.

While R-2 (now called Town Neighborhood 1) is intended for single family and duplex residential properties, adding the Professional Office Overlay (PRO) gives the area more business options. There are a range of uses allowed in the PRO with a Special Use Permit. A Health/Fitness studio is not listed as an allowed use.

Zoning Development Agreement/Planned Unit Development

The purpose of a Planned Unit Development (PUD) is to provide flexibility in land use and site design while ensuring that development remains compatible with surrounding properties and consistent with the Comprehensive Plan. Unlike conventional zoning districts, a PUD allows for modifications to permitted uses when those modifications further the goals of the development without adversely affecting neighboring properties.

The proposed amendment is limited in scope. It does not increase development density, alter building setbacks, modify site design standards, or authorize additional building area. The amendment only expands the list of allowed uses in the PUD. The City retains the ability to evaluate each proposal individually for compatibility, parking, traffic, hours of operation, site circulation, and other operational characteristics.

Health/Fitness Facility-Minor Amendment Analysis

The applicant is seeking to add “Health/Fitness Facility-Minor” as a permitted land use to the agreement. Health/Fitness Facility is defined as an establishment or facility primarily designed for patrons to use equipment or space for the purpose of physical exercise or training under the direction/supervision of a coach or trainer; with a total occupant load of forty-nine (49) individuals or less. This land use is permitted by right in the many zones, including the Community Market and Mixed Use zone, but not listed as a permitted use in the PRO overlay.

A Health/Fitness Facility-Minor is intended for small groups or class sizes. Although this property is zoned residential, it is located on a block of Park View Dr. (between North College Rd. and Cheney Dr.) with Canyon Ridge High School’s western boundary on one side of the street and multiple businesses/offices on the other side of the street. This street block gives a transition from residential to commercial uses.

Examples of other land uses in this PUD are a childcare facility, medical and real estate offices, and beauty salons/shops. All these uses are intended to serve the surrounding community. St. Lukes Hospital is located just north of this area and Canyon Ridge High School is located directly east of the area. Cheney Drive and North College Rd. are collector roads that are intended to handle significant traffic. Park View Dr. is also a collector road designed to move cars through the area from residential to commercial. Staff believes that a Health/Fitness Facility-Minor would be a good fit in this area, as it is designed to be smaller to serve the surrounding community. With an occupant load of 49 people or less, traffic to and from the facility will not overload the current roadways.

Traffic generated by a Health/Fitness Facility – Minor is expected to be dispersed throughout the day and comparable to other customer-oriented businesses within the development. Given the occupant limitation of forty-nine persons or fewer and the existing collector street network, staff does not anticipate adverse impacts on roadway capacity.

Many of the existing businesses within the River Hawk Plaza PUD generate customer traffic throughout the day, including childcare, medical offices, salons, counseling services, and professional offices. A small fitness facility is expected to have similar operational characteristics and customer turnover rates, making it compatible with the existing mix of businesses.

Parking demand associated with a Health/Fitness Facility – Minor is also expected to remain manageable due to the limited occupant load. With the building permit review, it would include review of parking availability and site circulation to ensure the proposed operation can be accommodated without adversely affecting neighboring tenants.

Compatibility with Surrounding Development

The River Hawk Plaza PUD functions as a transitional area between surrounding residential

neighborhoods and larger institutional and commercial uses. Canyon Ridge High School is located directly east of the development, while St. Luke's Medical Center and other commercial services are located nearby. Existing uses within the PUD include childcare, professional offices, medical offices, beauty salons, counseling services, and the previously approved Xrossway Fitness and Life Center.

The addition of a Health/Fitness Facility – Minor would complement these existing neighborhood-serving businesses without substantially increasing the intensity of development.

The proposed amendment is consistent with the purpose of the River Hawk Plaza Planned Unit Development by allowing an additional neighborhood-serving use that complements the existing office and service-oriented businesses within the development. The request does not increase development intensity, alter site design standards, or authorize additional building area. Rather, it expands the list of uses while preserving the City's ability to evaluate each future proposal individually.

Staff finds that the proposed amendment satisfies the approval criteria for a Planned Unit Development amendment because:

- the proposed use will not be detrimental to the public health, safety, or welfare;
- existing streets and public infrastructure are adequate to serve the proposed use;
- the amendment is compatible with surrounding land uses and the established character of the PUD; and
- the use provides an additional neighborhood-serving service consistent with the transition between residential and institutional/commercial development.

For these reasons, staff recommends that the Planning and Zoning Commission recommend approval of the proposed Planned Unit Development amendment to allow Health/Fitness Facility – Minor as an outright use permitted within the River Hawk Plaza PUD.

The commission may recommend approval as presented, approval with added conditions, tabling the item for additional information, or the request be denied.

Applicant Presentation:

Gerald Martens presented his request.

Public Hearing: Opened and closed with no public input

Discussions Followed:

The Commission feels this request fits with the property.

MOTION: Commissioner Bulkley moved to approve the request for a recommendation to City Council for a Planned Unit Development Amendment - River Hawk Plaza PUD - to allow "Health/Fitness Facility - Minor" on property located at 1341 Park View Dr. c/o Gerald Martens. (PZ26-0077). Vice Chairperson Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) August 5, 2026 - Work Session
August 11, 2026 - Meeting Cancelled
August 25, 2026

7) Adjournment

The meeting adjourned at 07:18 PM

Jody Green, Planning Technician

DRAFT



Date: Tuesday, September 15, 2026
To: Planning and Zoning Commission
From: William Klaver, Senior Planner

ACTION ITEM

Request:

Request to approve a Preliminary Plat for R2M Investments LLC Subdvision, consisting of thirteen (13) residential lots on 3 (+/-) acres, c/o David Thibault, EHM Engineers, Inc. on behalf of Gerald Martens, R2M Investments, LLC. (PZ26-0020)

Time Estimate:

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

Background:

Gerald Martens of R2M Investments, LLC, represented by David Thibault of EHM Engineers, Inc., has submitted an application for a Preliminary Plat called "R2M Investments LLC, Subdivision".

This preliminary plat consists of 13 residential lots & 1 storm water lot on 3 (+/-) acres.

Approval Process:

Per City Code 10-12-2-4

The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision, the Commission shall consider the objectives of this Title and at least the following:

- a. The conformance of the subdivision with a Comprehensive Plan.
- b. The availability of public services to accommodate the proposed development.
- c. The continuity of the proposed development with the capital improvement program.
- d. The public financial capability of supporting services for the proposed development; and
- e. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

Budget Impact:

N/A

Regulatory Impact:

This preliminary plat must comply with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 4, 5.8, & 5.9 and all regulatory zoning standards.

All general criteria for approval must be met, per State Statute 50 - Chapter 13 and shall be compatible with the Comprehensive Plan.

Approval of the preliminary plat will set many parameters to which the final plat must substantially conform, including total number of lots, street layout, sidewalk connections and other similar items.

History:

The subject property is three parcels that are portions of Lot 2 of the Murtaugh East Addition, which was approved in June 1907.

The zoning for this property has been zoned for residential use since 1981. The 2016 comprehensive plan has indicated this area to be Town Neighborhood.

A "no-rise certificate" report, performed by Brockway Engineering in April 2025. This was submitted to the City on February 23, 2026 for review. On August 25, 2026, the application was approved by the City. This document ensures that the flood plain will not be blocked or slowed down and neighboring properties will not be affected by the work in that was done in the floodplain.

Analysis:

The subject property consists of 3.3 (+/-) acres and is located on three parcels, all of which are portions of Lot 2 of the Murtaugh East Addition Subdivision, which was approved in June 1907. The proposed subdivision has 13 buildable lots and 1 lot to be non-buildable.

The applicant has stated the intent for these lots are duplex and fourplex housing types. Meeting the zoning standards, as proposed, there are 2 lots with a max duplex area and 11 lots that would be eligible for duplex by right, and up to a fourplex pending a special use permit is approved by the Planning and Zoning Commission. This plat is permitted up to 26 units by right and up to 48 total units with approval of Special Use Permits. This means the plat would be looking at a density range between 3 and 14 units per acre.

This preliminary plat proposes to access each lot from Maurice Street by a private street/drive named Wildhorse Court. Although named a private street, Wildhorse Court will function as more of a driveway/parking lot for the development. There is also secondary access for emergency services at the eastern edge of the property and goes north to Addison Avenue East. This preliminary plat proposes the access road to be gravel. The applicant has stated they have an access agreement ready to be submitted at time of final plat, however, this has not been verified by the City at this time. Should no access easement be given to the city at time of final plat, the secondary access will not be permitted to be installed which may require the applicant to come back to the Planning and Zoning Commission, as this may cause a substantial change to the preliminary plat. Staff also question how the trash truck will turn around or get out of the proposed development due to the proposed location of the trash enclosure. Forcing a trash truck to back onto Maurice Street causes increased conflict points with flowing traffic, which raises safety concerns. Staff would recommend a condition to provide a turnaround, or other method, for the trash truck to access public roads facing forward.

The applicant is proposing to have sidewalks along Maurice Street and on both sides of the private drive. In looking at the surrounding area, ADA ramps have recently been installed on 11th Avenue East crossing Maurice Street. Staff would recommend Type 7 ADA ramps should be installed to connect the SW corner of 11th Avenue East and Maurice Street. Furthermore, Staff would recommend to have Type 9 ADA ramp to cross Wildhorse Court along Maurice Street.

A water and sewer model has been performed for this preliminary plat. Both models state there is enough capacity for our system to handle. However, it is important to note, since the time the water model was performed, there has been a change in how this preliminary plat is proposing pressurized irrigation (PI). Instead of creating their own PI station and system, the applicant has worked with staff to

utilize relief from the PI system requirement found in 10-12-4-2-P. The proposal is the applicant will turn over water shares, pay an in-lieu fee, as determined by the City Engineer, and utilize potable water with a backflow device for their irrigation needs. This will increase the consumption of water in this system. The City Engineer has stated he is okay with this proposal, and it should not affect the water model enough to warrant a new water model.

The subject property is located within a floodplain. As noted in the history, the floodplain for this area was modified in 2025 and received the City Engineer's approval in 2026. Now the floodplain is located only on the far east portion of the property. Due to this property being in the floodplain, Municipal Code 10-12-5-8 and 10-12-5-9 must be followed. The applicant has provided their responses to these sections, and staff has attached them to this staff report. Should the commission choose to approve this plat tonight as presented, staff would recommend a condition to be placed on this preliminary plat that construction plans shall be designed so that to ensure Municipal Code 10-12-5-8-B-3 is followed, as determined by the City Engineer.

Because this property is in the floodplain with the ground elevation going to the Perrine Coulee, staff sees a problem with the private drive being asphalt and the proposed fire access drive being gravel. The City will not have control of the maintenance of these two roads/drives. Broken roads shed loose materials. Coulees and flood plains concentrate and carry that material into stormwater systems. More sediment and pollutants mean more maintenance, poorer water quality, and a higher risk of flooding. Due to this, staff would recommend a condition to be placed on this preliminary plat that Wildhorse Court and the proposed fire access drive/road be built out of concrete, specs to be approved at time of construction plans by the City Engineer.

10-12-3-10 requires residential subdivisions to build and dedicate stormwater facilities, and for irrevocable restrictive covenants to be placed upon the development, for the City to charge for the maintenance of that stormwater retention facility. The applicant has proposed a stormwater retention basin to handle stormwater. This basin is proposed to be six feet (6') deep, with a four foot (4') security fence. City staff has identified a Rainstore System, or similar, with inspection and clean out ports, or a swale of adequate size and built to City Standards as acceptable methods. In reviewing this, having a 10 ft drop from the top of the fence to the bottom of the basin is dangerous and difficult to maintain. Due to this, staff would recommend a condition to be placed on this preliminary plat where stormwater management be transitioned to either of the following:

1. Rainstore System, or similar, with inspection and clean out ports; or
2. Swale of adequate size.

Conclusion:

The Commission may approve, approve with conditions, deny or table the application for further information. Should the Commission approve the application tonight, as presented, Staff would recommend the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards;
2. Subject to submittal of a preliminary plat submitted, with water and sewer modeling, prior to final plat submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated August 21, 2026;
3. Subject to this preliminary plat being brought back to the Commission should no access easement be granted by the neighboring property for the turnaround;

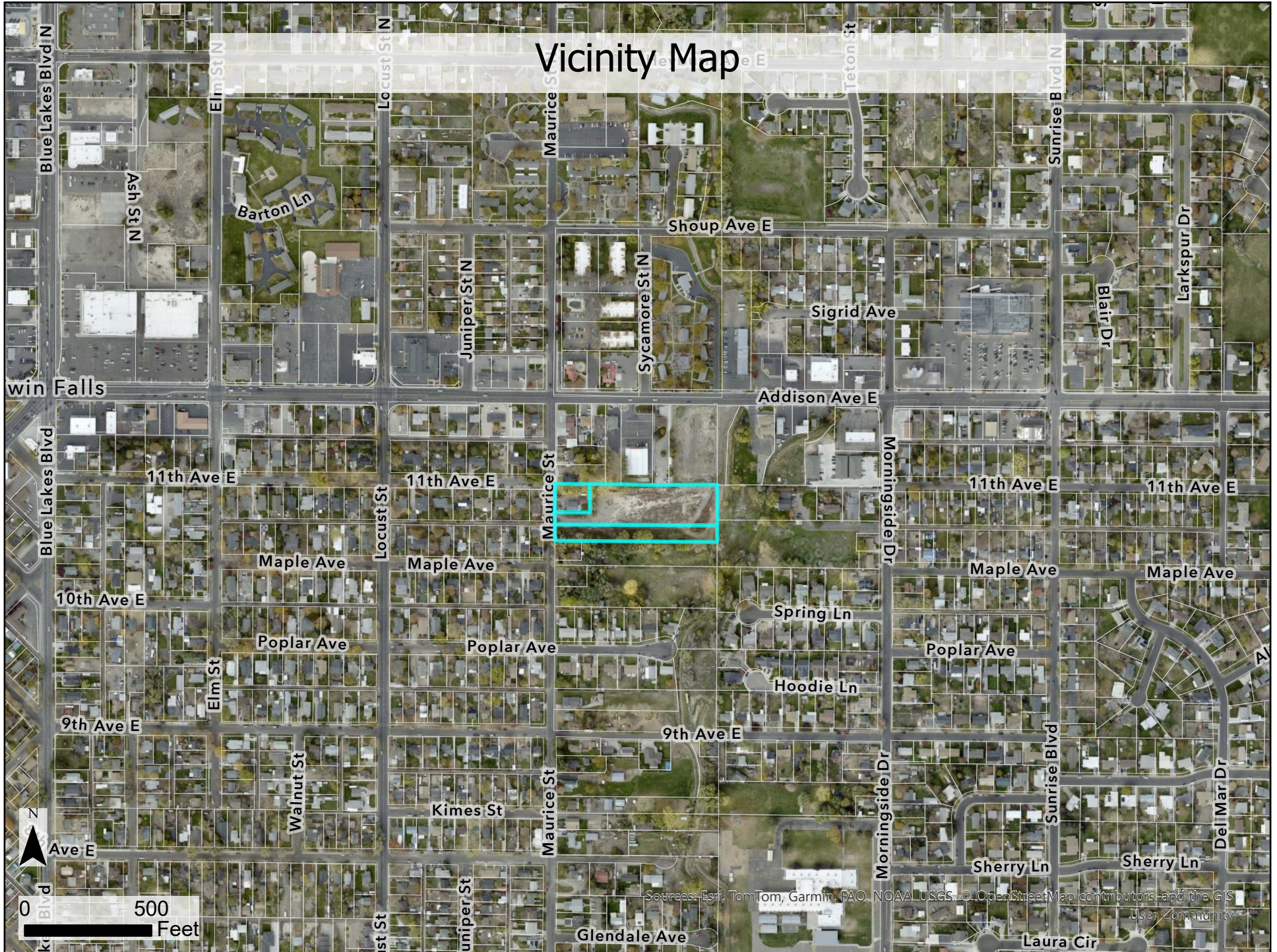
4. Subject to the construction plans being designed to ensure Municipal Code 10-12-5-8-B-3 is followed, as determined by the City Engineer;
5. Subject to Wildhorse Court and the proposed fire access drive/road be built out of concrete, specs to be approved at time of construction plans by the City Engineer;
6. Subject to providing a turnaround, or other method, for the trash truck to access public roads facing forward;
7. Subject to Type 7 ADA ramp, as attached to this staff report, being installed creating the accessible route from the East side of Maurice Street to the Southwest corner of 11th Avenue East and Maurice;
8. Subject to Type 9 ADA ramp, as attached to this staff report, being installed along Maurice Street where Wildhorse Court merges into Maurice Street;
9. Lot 7, which is to be deeded to the City of Twin Falls for stormwater management, to not include any portion of the floodplain and/or Perrine Coulee; and
10. Subject to stormwater management system be transitioned to either of the following:
 - Rainstore System, or similar, with inspection and clean out ports; or
 - Swale of adequate size.

Staff has several questions regarding this proposed preliminary plat. None on their own is a huge problem and may be easily remedied or conditionally approved. However, when the questions are weighed in conjunction with the whole, it shows a potentially problematic development. As presented today, Staff is not comfortable recommending approval of this preliminary plat. Rather, **Staff recommends** the Commission either deny the application, or table the application to a date certain so the Commission and Staff may see what these changes would create.

Attachments:

1. PZ26-0020 Vicinity Map
2. PZ26-0020 Aerial Map
3. PZ26-0020 Presentation Map
4. PZ26-0020 R2M Investments LLC Subdivision- Preliminary Plat Cover Letter
5. PZ26-0020 Proposed R2M Investments Preliminary Plat
6. PZ26-0020 R2M Investments LLC Subdivision Preliminary Plat Engineering Memo, 08-21-26
7. PZ26-0020 Proposed R2M Investments Preliminary Plat - Engineering Comments
8. PZ26-0020 Americans With Disability Act (ADA) Ramp Exhibits
9. PZ26-0020 Water Model
10. PZ26-0020 Sewer Model
11. PZ26-0020 Environmental Assessment
12. PZ26-0020 Applicant Response to City Code 10-12-5-8
13. PZ26-0020 Public Comment #1
14. PZ26-0020 Public Comment #2

Vicinity Map





Aerial Map

Addison Ave E

Addison Ave E

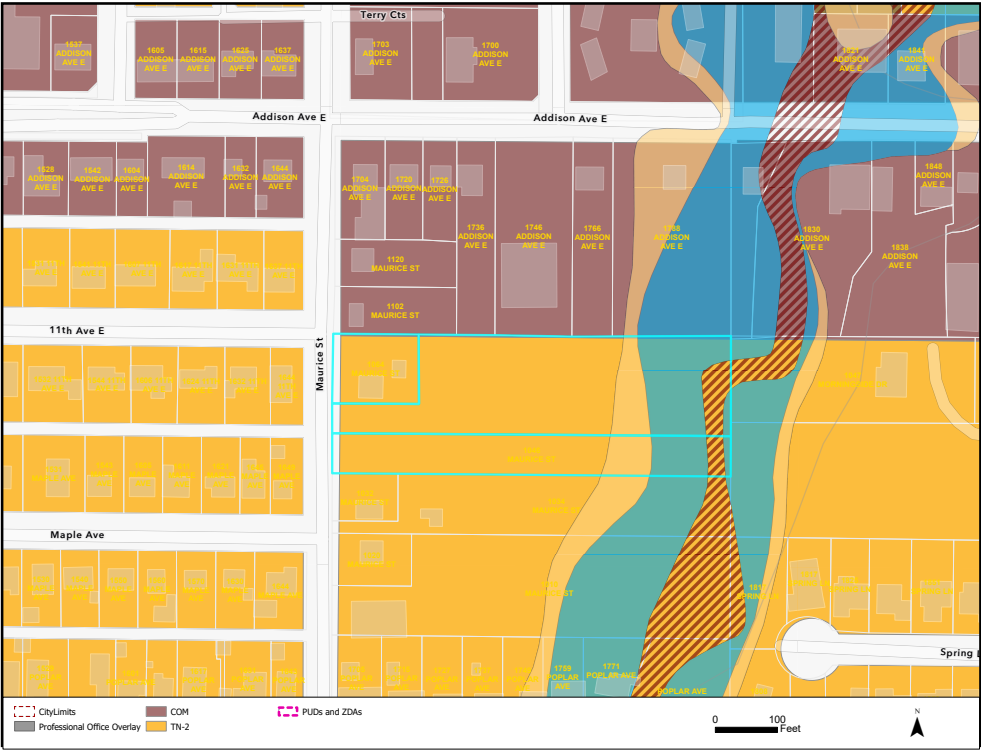
Maurice St



0 100 Feet

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

ZONING MAP



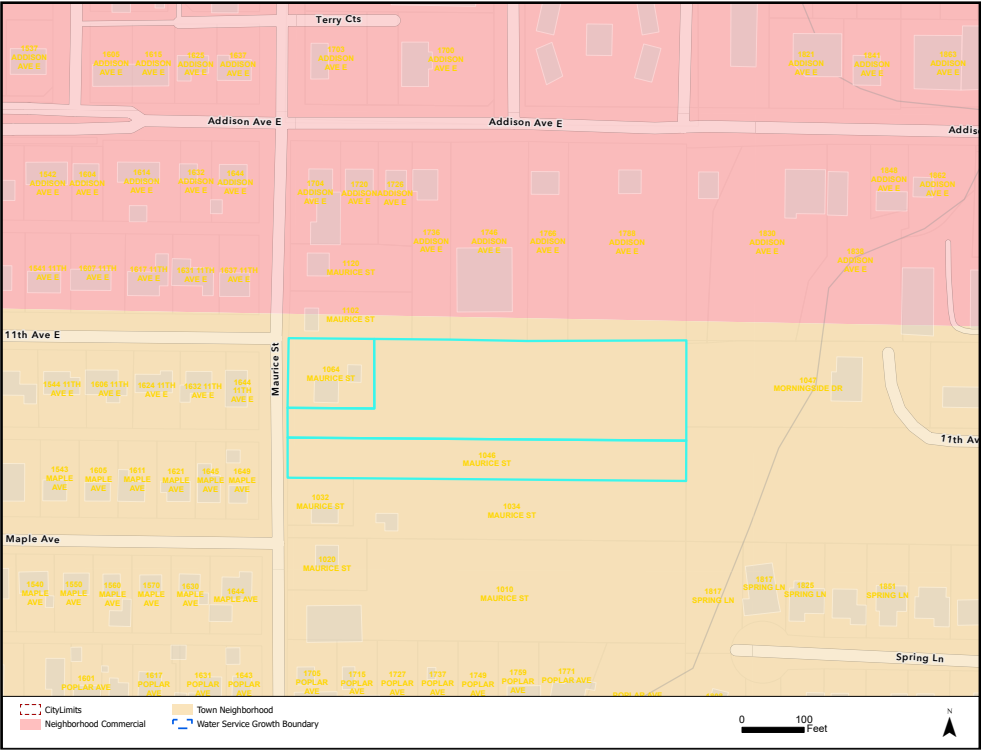
Zoning

<u>Current Zoning:</u>	TN-2
<u>Current Land Use:</u>	Residential
<u>Proposed Zoning:</u>	TN-2
<u>Proposed Land Use:</u>	Residential

Surrounding Area

<u>North:</u>	Residential / Commercial (COM)
<u>South:</u>	Residential (TN-2)
<u>East:</u>	Residential (TN-2)
<u>West:</u>	Residential (TN-2)

FUTURE LAND USE MAP



Regulations

Twin Falls Municipal Code Section(s) 10-12-2-4; 10-12-5-8; 10-12-5-9; and 10-3-7.

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.

Gerald L. Martens, P.E./L.S.

621 N. College Road, Ste 100, Twin Falls, ID 83301

208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com

Received

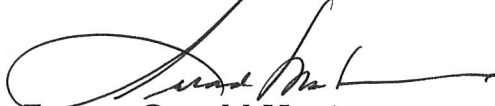
AUG 20 2026

City of Twin Falls Engineering Dept

Date: August 18, 2026

To: City of Twin Falls

Attn: William Klaver



From: Gerald Martens

Re: R2M Investment LLC. Subdivision

Resubmitted herewith are the plans for the above project with changes in design specifies in the preliminary plat date August 14, 2026.

The storm water basin has been revised to a solid wall retention basin on Lot 7. Lot 7 will be dedicated to the city upon completion of all required improvements and recordation of the final plat.

I wish to request that pressure irrigation for the very limited landscaping be provided with connections to the potable water system. Water shares will be transferred to the City of Twin Falls prior to plat recordation.

The easement for the secondary access and water loop has been negotiated with the property owner. The easement will be provided prior to recordation of the subdivision plat and final plan approval.

Wildhorse Drive, a private road, other than the secondary access is not in the final plan. Any access within the flood plain will be designed to accommodate flood waters or elevated to be above the flood elevation.

It is my desire to go to the September 15, 2026 hearing with the above noted revisions and request the conditioned approval.

Please feel free to call me if there are questions or additional information is required.

AUG 20 2026

City of Twin Falls Engineering Dept

**City of Twin Falls Engineering and Planning & Zoning Department**

P.O. Box 1907
203 Main Ave E.
Twin Falls, ID 83301

P: 208.735.7267
F: 208.736.2641

August 14, 2026

Gerald Martens
621 N. College Rd., STE 100
Twin Falls, ID 83301

Delivered via email to gmartens@ehminc.com; dthibault@ehminc.com

RE: Preliminary Plat – R2M Investments LLC Subdivision – PZ26-0020

Dear Mr. Martens,

City Staff has reviewed your preliminary plat application for R2M Investments LLC Subdivision on parcel(s) RPT3561000002E, RPT3561000002D, and RPT3561000002B. Staff will proceed with scheduling the Preliminary Plat to be seen at the September 15, 2026. Based on the following information, Staff will recommend denial or to table the item to a later date after information is provided:

1. Stormwater is to be dedicated to City and identified as Common Area Maintenance. Please modify lot lines to show this. This requirement was written down as an agreement, but it has not been shown. Staff needs to see how, if at all, this change will affect property lines. Furthermore, the City will not allow a drywell to be dedicated and maintained by the City. Other viable options are as follows:
 - a. Rainstore System, or similar, with inspection and cleanout ports; or
 - b. Swale of adequate size and built to City Standards.
2. Private PI station is a different standard than outlined in City Code 10-12-4-2 P. City recognizes the effort to utilize subsection 4 for relief due to special circumstances of the property. To do this the City needs one of the following paths identified and resubmitted.

We need a maintenance plan for the Private PI station. It is my understanding we need to see how this will be funded in perpetuity and understand what happens if an association for maintenance is disbanded. It's noted in the response letter that a property owners association will maintain this. Staff needs to see the following in addition to the response that a property owners association will maintain it:

- i. The Private PI station to be built to City of Twin Falls Public PI station standards; and
- ii. Maintenance schedule that shows what will be done, and how often that item will be completed.

OR

Provide an in-lieu fee with potable water hookups and block flow at each lot. This includes transferring the existing water shares to the City of Twin Falls.

Should you wish to proceed for the September 15, 2026 Planning and Zoning Commission meeting, staff will recommend denial or tabling the item for the above information. Should you wish to not go to the Planning and Zoning Commission with the above recommendation, please provide written correspondence stating you desire to either withdraw or place the item on hold.

For your information, the Engineering Department updated the engineering memorandum and is dated August 3, 2026. I have attached it here for your review.

I appreciate your time and attention to this matter and look forward to your submission.

Please let me know if you have any questions.

Best Regards,



William Klaver, AICP, Senior Planner
Planning & Zoning Department
203 Main Ave. E., Twin Falls, ID 83301
208-735-7270 | wklaver@tfid.org

Attachment(s):

1. Engineering Memorandum dated August 3, 2026

Key Notes:	Storm Drainage Calculations:
(C-1) EXISTING IRRIGATION STRUCTURE. (C-2) EXISTING SEWER MAIN (C-3) EXISTING WATER MAIN (C-4) EXISTING ASPHALT ROADWAY - REMOVE TO CL AND REPLACE PER ITSD-801 (C-5) EXISTING DITCH TO BE ABANDONED (C-6) EXISTING HOUSE AND GARAGE TO BE DEMOLISHED AND REMOVED. (C-7) EXISTING GRAVITY IRRIGATION MAIN - RETAIN AND PROTECT. (C-8) EXISTING SEWER MAIN - NO MANHOLE FOUND, TO BE REMOVED AND CARPETED AT PROPERTY LINE. (C-9) PROPOSED MANHOLE ON EXISTING MAINLINE PER CIT STD DWG TFSO-501. SEAL AND LOCKING LID REQUIRED PER CIT. (C-10) PROPOSED SEWER MAIN (C-11) PROPOSED WATER MAIN - LOOP FROM MAURICE TO ADDISON (C-12) PROPOSED ASPHALT ROADWAY PER DETAIL - RECONSTRUCT TO CENTERLINE. (C-13) PROPOSED VALLEY GUTTER (C-14) PROPOSED 6" WIDE SIDEWALK (THICKENED EDGE ADJACENT TO PARKING) (C-15) PROPOSED ADA PARKING AND RAMP (C-16) PROPOSED 24" WIDE GRAVEL DRIVE IN 30' ACCESS EASEMENT (C-17) PROPOSED RETENTION BASIN 39'x49.5'x6'DEEP (INSIDE DIMENSIONS) CITY OWNED AND MAINTAINED. (C-18) PROPOSED FIRE HYDRANT (C-19) PROPOSED PRESSURE IRRIGATION MAIN (C-20) INSTALL GATE W/ KNOCK BOX. (C-21) PROPOSED LANDSCAPE AREA	Note: Drainage Runoff Factors: $Vt=1.9/12(A/ROF)$ Impervious Area = 0.95 Landscape Area = 0.25 Undeveloped Area = 0.35 Pre-Development = Commercial No Allowance Total Drainage Area: Total Area = 144,900sf Impervious Area = 50,101sf Landscape Area = 13,250sf Undeveloped Area = 81,549sf Total = 144,900sf Building Lots Drainage Area: Total Area Inside Bldg Envelopes = 45,419sf (Assumed 100% Impervious) Impervious Area = 45,419sf Landscape Area = 45,500sf Total = 90,919sf Storm Drainage to be Retained in a Retention Basin as Shown 16,283sf Retention Required, 16,283sf Provided as Shown.

Topographic Legend
PROPERTY LINE
EASEMENT LINE
BUILDING SETBACK LINE
PRESSURE IRRIGATION METER
SEWER MANHOLE
WATER METER
FIRE HYDRANT
WATER VALVE
TELEPHONE RISER
SIGN
8" S&S SANITARY SEWER LINE
8" W WATER LINE
6" P&S PRESSURE IRRIGATION LINE
EDGE OF ASPHALT
CURB AND GUTTER
EXISTING GROUND CONTOUR (COTIF FIRE HYDRANT DATUM)

Preliminary Plat

For:
R2M INVESTMENTS LLC
SUBDIVISION
Located In
NW 1/4, Section 15
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2026

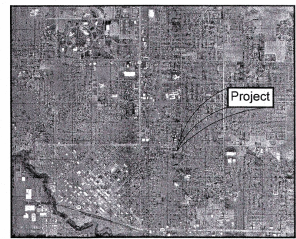
0 15' 30' 60'
Scale In Feet



Received
AUG 10 2025
City of Twin Falls Engineering Dept

Notes

- INTERIOR LOT LINES AND PRIVATE DRIVES MAY BE ADJUSTED OR DELETED AS NECESSARY.
- EASEMENTS FOR PUBLIC UTILITIES WILL BE PROVIDED ON FINAL PLAT.
- STORM WATER SHALL BE RETAINED ON SITE PER CIT STANDARDS.
- PRESSURIZED SURFACE IRRIGATION WATER SHALL BE PROVIDED TO ALL LOTS. PIPE SIZING WILL BE DETERMINED AS PART OF SITE DEVELOPMENT PLANS.
- ALL LANDSCAPING SHALL BE IRRIGATED UTILIZING TFC SURFACE WATER. PRESSURIZED IRRIGATION TO BE PROVIDED BY NEW PRESSURE IRRIGATION PUMP STATION.
- ALL PUBLIC INFRASTRUCTURE SHALL COMPLY WITH IDAHO STANDARDS FOR PUBLIC WORKS (ISPM) AND THE CURRENT ADOPTED TWIN FALLS REVISIONS TO ISPM.
- SEWER AND WATER MAINS WILL BE REQUIRED PER CITY OF TWIN FALLS REQUIREMENTS.
- APPROVAL FROM TWIN FALLS CANAL COMPANY WILL BE REQUIRED FOR CHANGES TO IRRIGATION FACILITIES.



VICINITY MAP
NOT TO SCALE

Design Data:

RPT135610000028, RPT135610000029, RPT135610000030

DEVELOPER/ OWNER: R2M INVESTMENTS LLC, K GERALD MARTENS

621 N. COLLEGE RD, SITE 100
TWIN FALLS, ID 83301

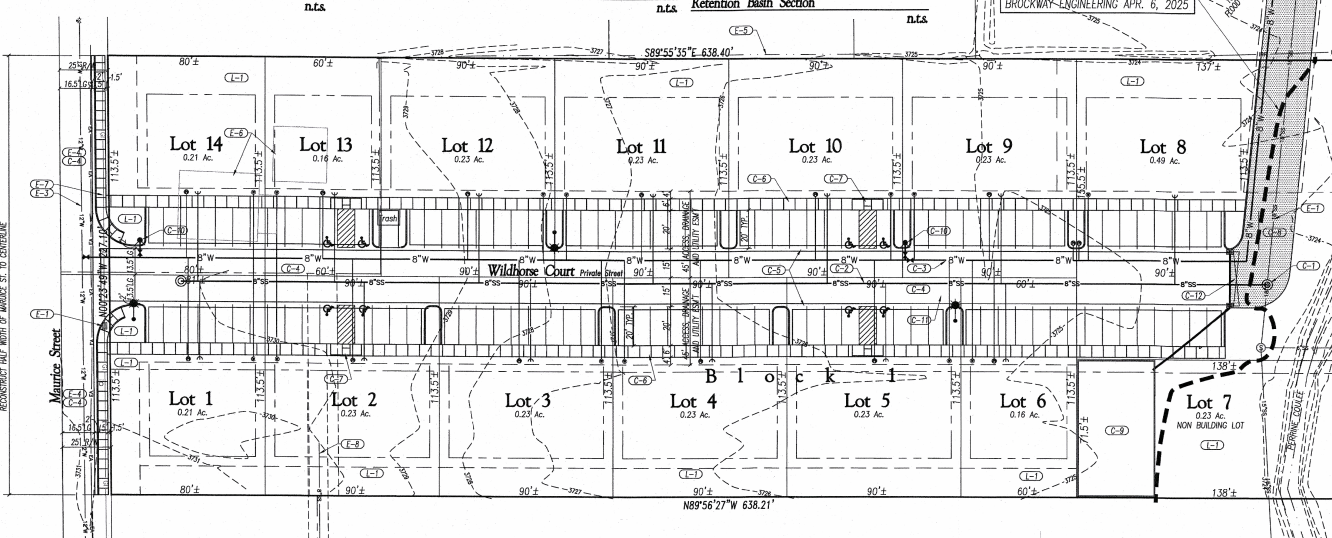
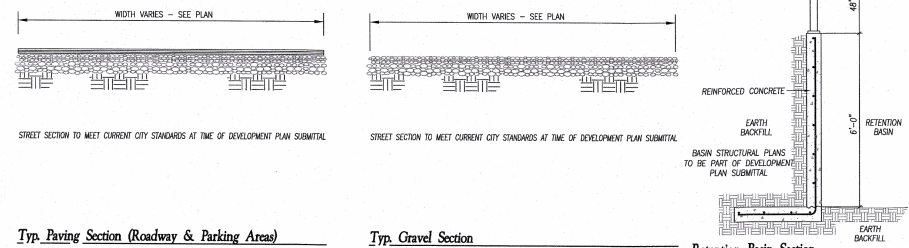
ENGINEER: EHM ENGINEERS INC.

621 N. COLLEGE RD, SITE 100
TWIN FALLS, IDAHO 83301
PHONE: (208) 734-4888

EASEMENTS: AS SHOWN

UTILITIES:	CITY SEWER, WATER & PR. IRRIGATION, UNDERGROUND POWER, GAS & CABLE I.V.
EXISTING ZONING:	TN2
PROPOSED ZONING:	TN2
EXISTING USE:	VACANT
PROPOSED USE:	DUPLEX & 4 PLEX HOUSING
SETBACKS:	PER CITY OF TWIN FALLS ZONING ORDINANCE.
VARIANCES:	NONE REQUESTED
SUBD. AREA:	3.326 ACRES

NOTE:
1. ALL ELEVATIONS BASED ON CITY OF TWIN FALLS FIRE HYDRANT DATUM.



EHM Engineers, Inc.
Engineers / Surveyors / Planners
621 N. College Rd., Suite 100 Twin Falls, ID 83301 - (208) 734-4888

Preliminary Plat
For:
R2M Investments LLC Subdivision
Twin Falls, Idaho

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 DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

REVISIONS:
CITY COMMENTS 1-5-26
CITY COMMENTS 2-19-26
CITY COMMENTS 7-23-26
CITY COMMENTS 8-4-26



APPROVED:	G. MARTENS
DESIGN:	T. MCBRIDE
DRAWN:	T. MCBRIDE
DATE:	DEC. 2025
SCALE:	AS SHOWN
DWG. NO.:	66-259v01r-5



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: Jen Jennings, Engineering Technician

Date: 08/21/2026

Re: Preliminary Plat – **R2M Investments LLC Subdivision** – Application #26-0020

The Engineering Department has reviewed the Preliminary Plat for the **R2M Investments LLC Subdivision**. The following changes and items shall be addressed prior to final plat application.

Sewer Comments:

1. Show the existing manhole located on Lot 2.
2. Clarify whether the sewer easement on Lot 2 is existing. If so, provide supporting documentation.

Pressure Irrigation Comments:

1. Show proposed PI/potable water connection.
2. PI line is missing.

Irrigation Comments:

1. An updated approval letter from the Twin Falls Canal Company will be required for the 12" GI pipe along the south end of the property to replace the canal in note E-5.
2. Relocate all gravity irrigation lines and irrigation boxes from the public right-of-way onto private property.

General Comments:

1. Specify responsibility for maintenance of the gravel access road.
2. The City needs to see the access easement for gravel access road.

Please see attached copy of the preliminary plat with redline comments for further clarification. If you have any questions, please contact Jen Jennings at 208-735-7310 or email at jjennings@tfid.org.

Cc: David Thibault, EHM Engineers dthibault@ehminc.com
Gerald Martens, First Gen Developments gmartens@ehminc.com
Kristi Fehringer, City of Twin Falls kfehringer@tfid.org
Troy Vitek, City Engineer tvitek@tfid.org

Note: During the preliminary plat review process, the City of Twin Falls Engineering Department will make every attempt to notify the developer of any code or design standard issues that may cause any zoning concerns. The purpose of the review is to check compliance of the proposed development with existing local and state policies, goals and objectives or comprehensive plans; it is not a technical engineering review. Design standards will be reviewed as part of the final platting process. The City of Twin Falls reserves the right to require compliance with all relevant federal, state and local codes as part of the final plat review process.

Key Notes:	Storm Drainage Calculations:
(C-1) EXISTING IRRIGATION STRUCTURE. (C-2) EXISTING SEWER MAIN (C-3) EXISTING WATER MAIN (C-4) EXISTING ASPHALT ROADWAY - REMOVE TO CL AND REPLACE PER TFS2-801 (C-5) EXISTING DITCH TO BE ABANDONED (C-6) EXISTING HOUSE AND GARAGE TO BE DEMOLISHED AND REMOVED. (C-7) EXISTING GRAVITY IRRIGATION MAIN - RETAIN AND PROTECT. (C-8) EXISTING SEWER MAIN - NO MANHOLE FOUND, TO BE REMOVED AND CARPED AT PROPERTY LINE. (C-9) PROPOSED MANHOLE ON EXISTING MAINLINE PER CTF STD DWG TFS2-501. SEAL AND LOCKING LD REQUIRED PER CTF. (C-10) PROPOSED SEWER MAIN (C-11) PROPOSED WATER MAIN - LOOP FROM MAURICE TO ADDISON (C-12) PROPOSED ASPHALT ROADWAY PER DETAIL - RECONSTRUCT TO CENTERLINE. (C-13) PROPOSED VALLEY GUTTER (C-14) PROPOSED 8" WIDE SIDEWALK (THICKENED EDGE ADJACENT TO PARKING) (C-15) PROPOSED 10' WIDE SIDEWALK AND DRIVE (C-16) PROPOSED 20' WIDE DRIVE IN 30' ACCESS EASEMENT (C-17) PROPOSED 20' WIDE DRIVE IN 30' ACCESS EASEMENT (WIDE DIMENSIONS) CITY OWNED AND MAINTAINED. (C-18) PROPOSED FIRE HYDRANT (C-19) PROPOSED PRESSURE IRRIGATION MAIN (C-20) INSTALL GATE W/ KNOCK BOX. (C-21) PROPOSED LANDSCAPE AREA	Note: Drainage Runoff Factors: $V=1.9/12(A/ROF)$ Impervious Areas = 0.95 Landscape Areas = 0.25 Undeveloped Areas = 0.35 Pre-Development = Commercial No Allowance Total Drainage Area: Total Area = 144,900sf Impervious Area = 50,101sf Landscape Area = 45,419sf Undeveloped Area = 49,380sf Total = 144,900sf Building Lots Drainage Area: Total Area Inside Bldg Envelopes = 45,419sf (Assumed 100% Impervious) Impervious Area = 45,419sf Landscape Area = 45,419sf Total = 90,838sf Storm Drainage to be Retained in a Retention Basin as Shown 16,283sf Retention Required, 16,283sf Provided as Shown.

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---	BUILDING SETBACK LINE
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⊙	SEWER MANHOLE
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⊙	SIGN
---	SANITARY SEWER LINE
---	WATER LINE
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Preliminary Plat

For:
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2026

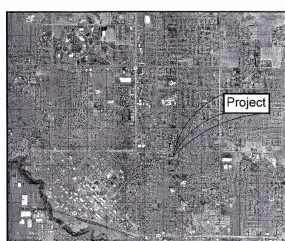
0 15' 30' 60'
Scale In Feet



Received
AUG 10 2025
City of Twin Falls Engineering Dept

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PRESSURIZED SURFACE IRRIGATION WATER SHALL BE PROVIDED TO ALL LOTS. PIPE SIZING WILL BE DETERMINED AS PART OF SITE DEVELOPMENT PLANS.
ALL LANDSCAPING SHALL BE IRRIGATED UTILIZING TFC SURFACE WATER. PRESSURIZED IRRIGATION TO BE PROVIDED BY NEW PRESSURE IRRIGATION PUMP STATION.
ALL PUBLIC INFRASTRUCTURE SHALL COMPLY WITH IDAHO STANDARDS FOR PUBLIC WORKS (SPWC) AND THE CURRENT ADOPTED TWIN FALLS REVISIONS TO SPWC.
SEWER AND WATER MAINS WILL BE REQUIRED PER CITY OF TWIN FALLS REQUIREMENTS.
APPROVAL FROM TWIN FALLS CANAL COMPANY WILL BE REQUIRED FOR CHANGES TO IRRIGATION FACILITIES.



VICINITY MAP
NOT TO SCALE

Design Data:

RPT135610000028, RPT135610000029, RPT135610000030

DEVELOPER/ OWNER: R2M INVESTMENTS LLC, K GERALD MARTENS
621 N. COLLEGE RD, STE 100
TWIN FALLS, ID 83301

ENGINEER: EHM ENGINEERS INC.
621 N. COLLEGE RD, STE 100
TWIN FALLS, IDAHO 83301
PHONE: (208) 734-4888

EASEMENTS: AS SHOWN

UTILITIES: CITY SEWER, WATER & PR. IRRIGATION, UNDERGROUND POWER, GAS & CABLE T.V.
EXISTING ZONING: TN2
PROPOSED ZONING: TN2
EXISTING USE: VACANT
PROPOSED USE: DUPLEX & 4 PLEX HOUSING
SETBACKS: PER CITY OF TWIN FALLS ZONING ORDINANCE.
VARIANCES: NONE REQUESTED
SUBD. AREA: 3.326 ACRES

EHM Engineers, Inc.
Engineers / Surveyors / Planners
621 N. College Rd., Suite 100 Twin Falls, ID 83301 - (208) 734-4888

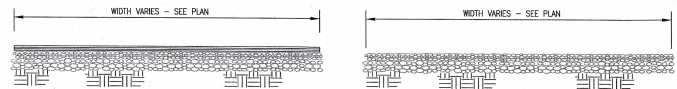
Preliminary Plat
For
R2M Investments LLC Subdivision
Twin Falls, Idaho

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 DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

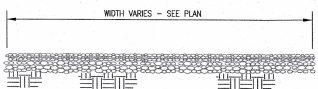
REVISIONS:
CITY COMMENTS 1-5-26
CITY COMMENTS 2-18-26
CITY COMMENTS 7-23-26
CITY COMMENTS 8-4-26



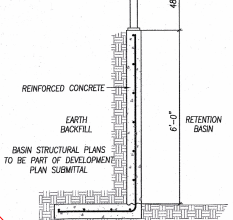
APPROVED: G. MARTENS
DESIGN: T. MCBRIDE
DRAWN: T. MCBRIDE
DATE: DEC. 2025
SCALE: AS SHOWN
DWG. NO.: 66-2549-Plat-5



STREET SECTION TO MEET CURRENT CITY STANDARDS AT TIME OF DEVELOPMENT PLAN SUBMITTAL



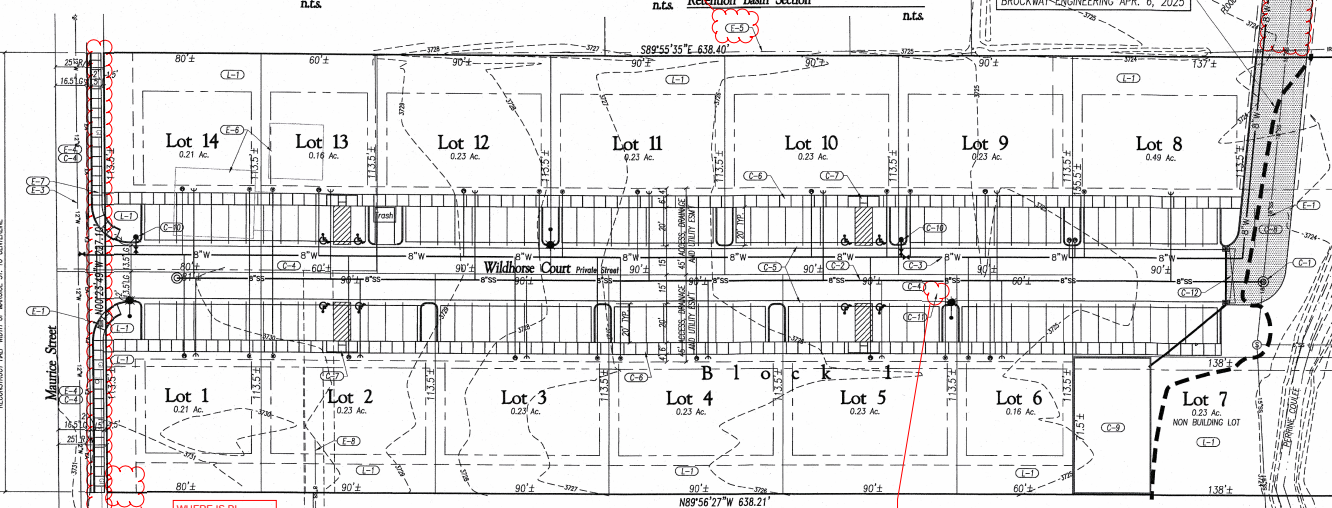
STREET SECTION TO MEET CURRENT CITY STANDARDS AT TIME OF DEVELOPMENT PLAN SUBMITTAL



Retention Basin Section

Typ Paving Section (Roadway & Parking Areas)

Typ Gravel Section



NOTE:
1. ALL ELEVATIONS BASED ON CITY OF TWIN FALLS FIRE HYDRANT DATUM.

GRAVITY IRRIGATION PIPE AND STRUCTURES NOT ALLOWED IN ROW

WHERE IS PI COMING FROM? PREVIOUSLY SHOWN PUMP ISN'T ON THE PLANS

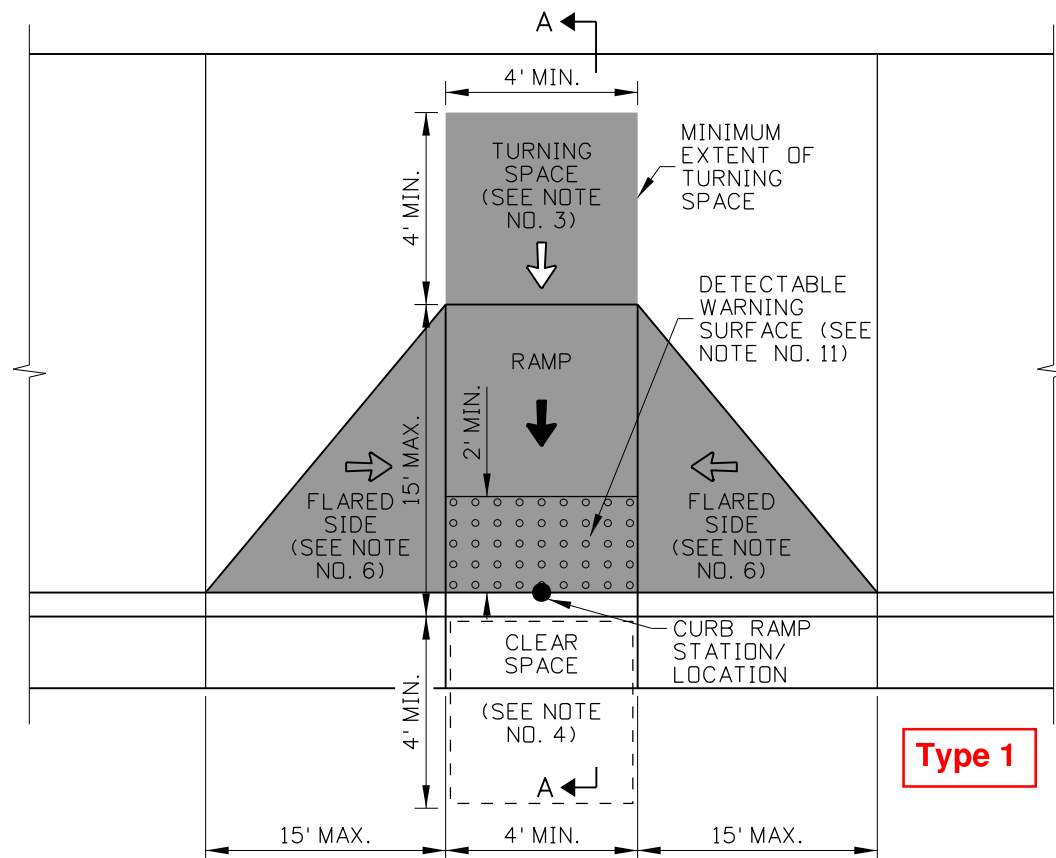
STILL NEED CORRESPONDENCE FROM TFCC

STILL NEED TO SPECIFY WHO WILL MAINTAIN THIS.

STILL NEED TO SEE ACCESS EASEMENT

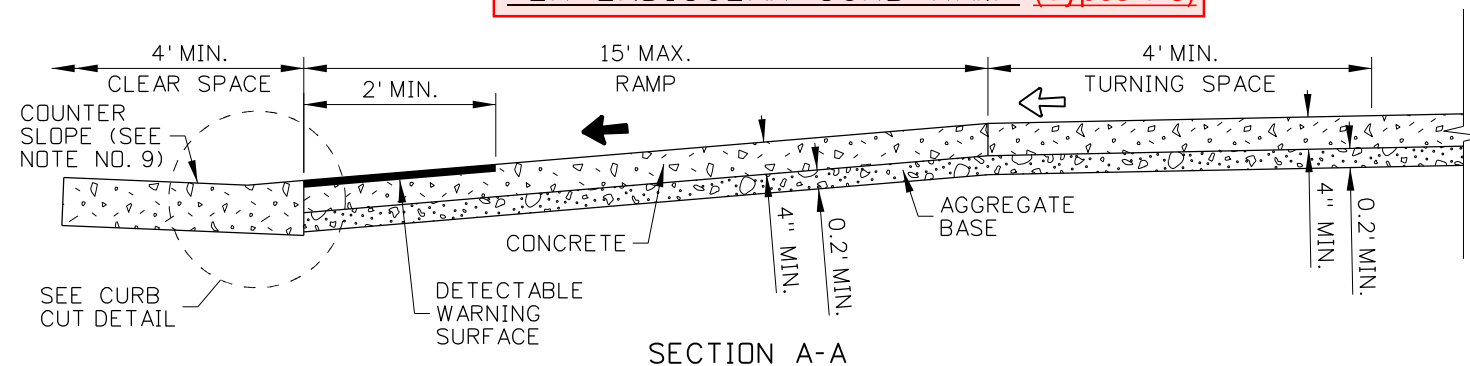
AMENDED FLOODPLAIN PER BROCKWAY-ENGINEERING APR. 6, 2025

PI line type not on?

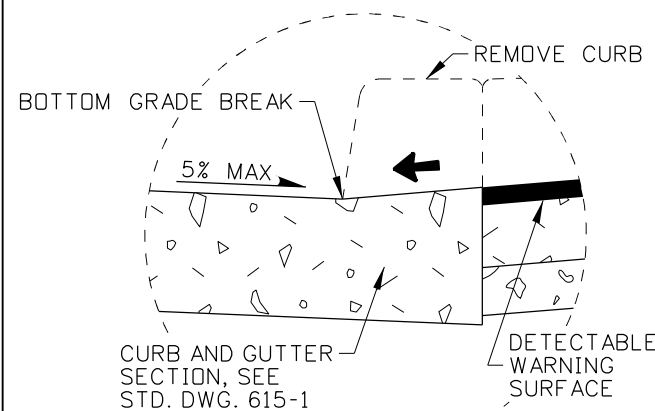


Type 1

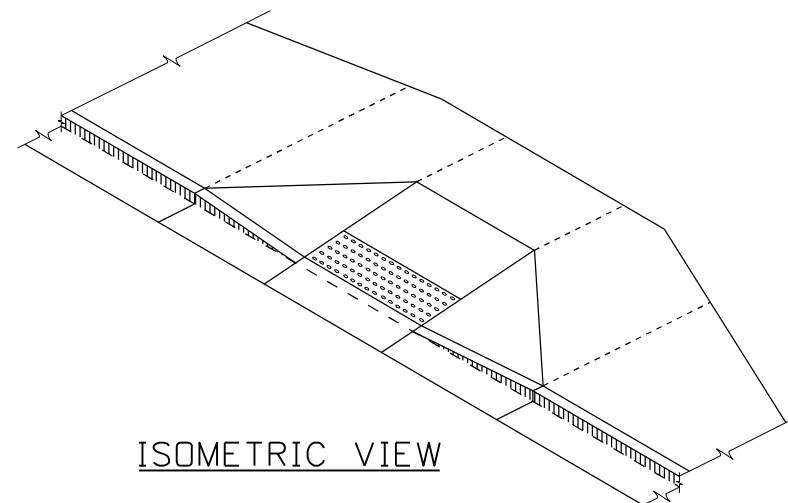
PERPENDICULAR CURB RAMP (Types 1-6)



SECTION A-A



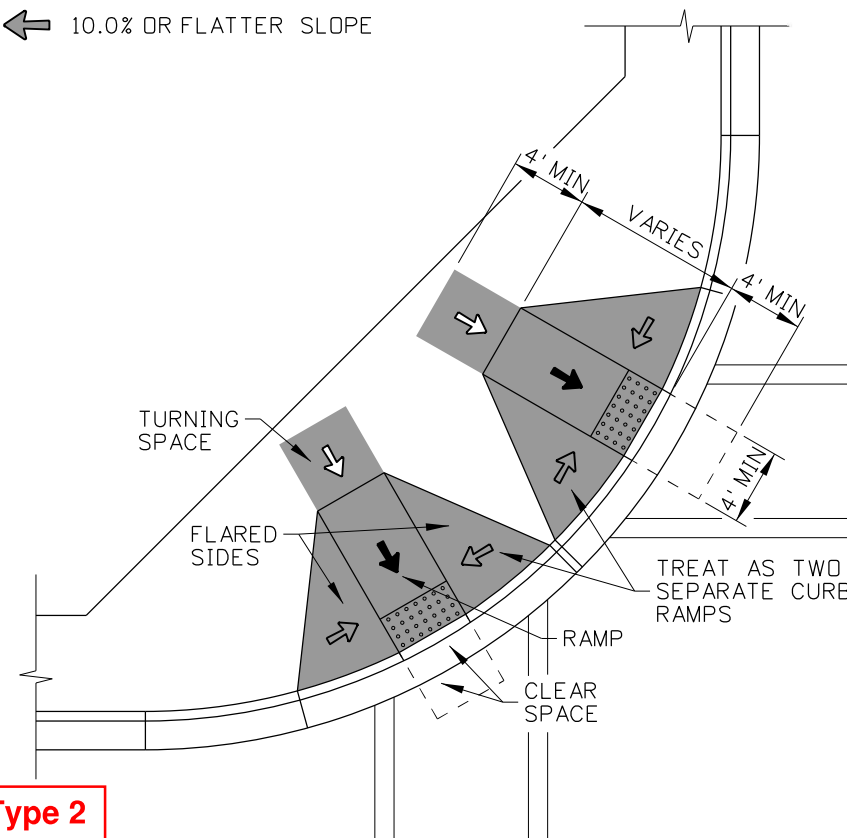
CURB CUT DETAIL



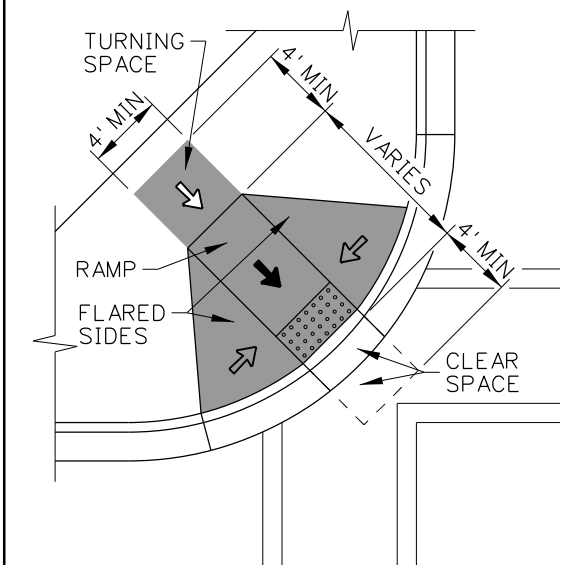
ISOMETRIC VIEW

SYMBOL LEGEND

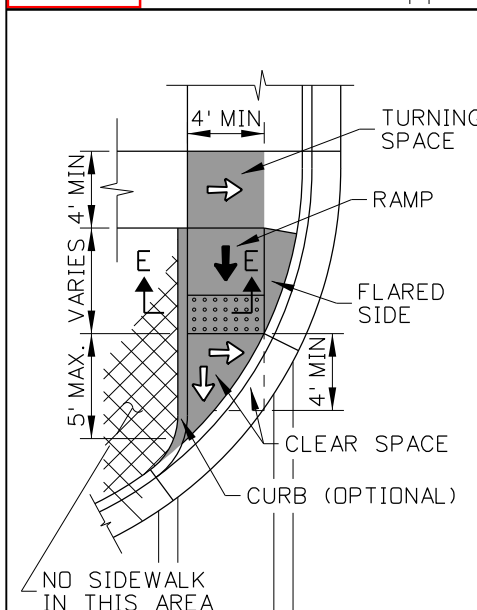
- 1.0% TO 2.0% SLOPE
- 5.0% TO 8.3% RUNNING SLOPE, 2.0% OR FLATTER CROSS SLOPE
- 10.0% OR FLATTER SLOPE



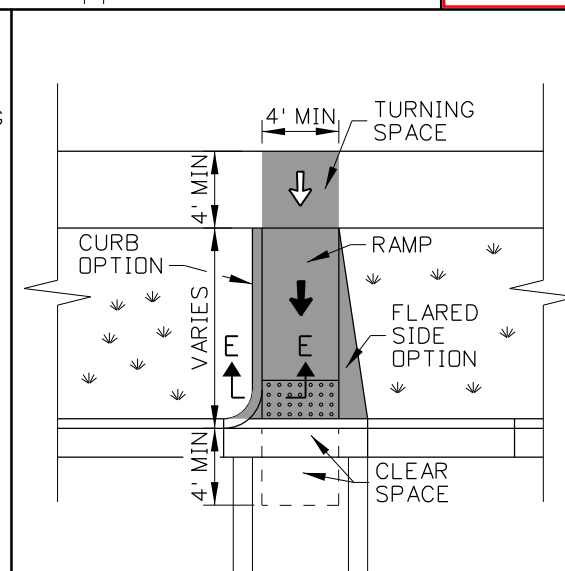
Type 2



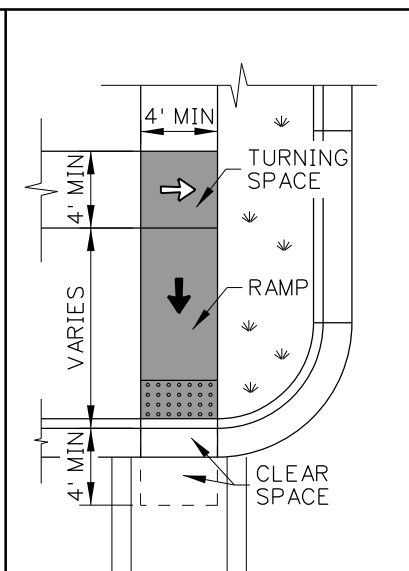
Type 3



Type 4



Type 5



Type 6

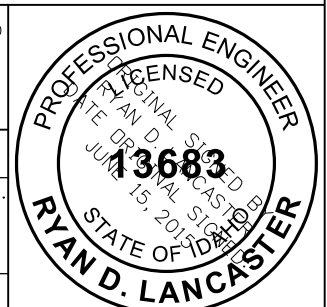
EXAMPLE APPLICATIONS

English

STANDARD DRAWING NO.

614-3

SHEET 4 OF 10



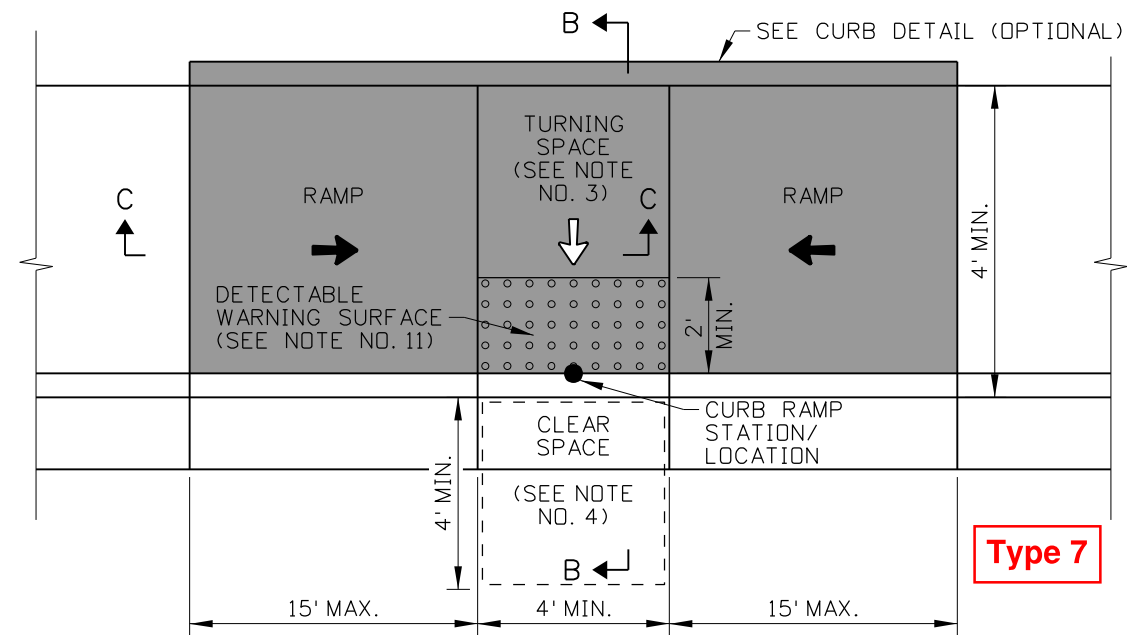
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2	12-95	MSM	7	12-04	MSM	12	09-11
3	06-98	MSM	8	06-05	MSM	13	05-15
4	08-01	MSM	9	05-06	MSM		
5	10-02	MSM	10	05-07	MSM		

SCALES SHOWN ARE FOR 11" X 17" PRINTS ONLY
CADD FILE NAME: 614-3_0615.dgn
DRAWING DATE: JUNE, 1990

IDAHO TRANSPORTATION DEPARTMENT
BOISE IDAHO

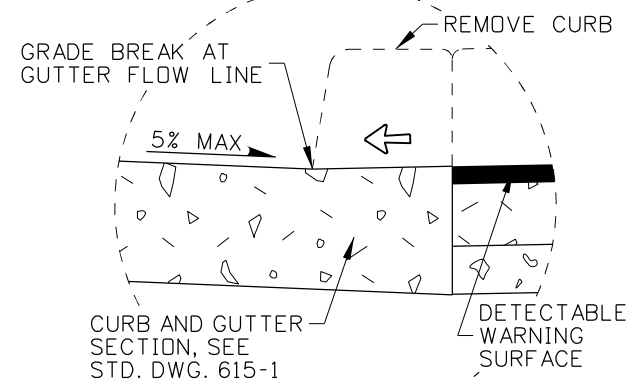
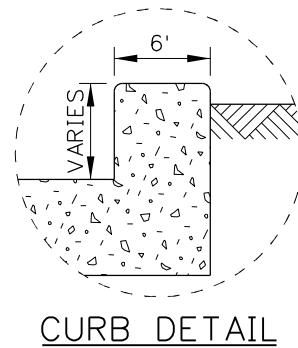
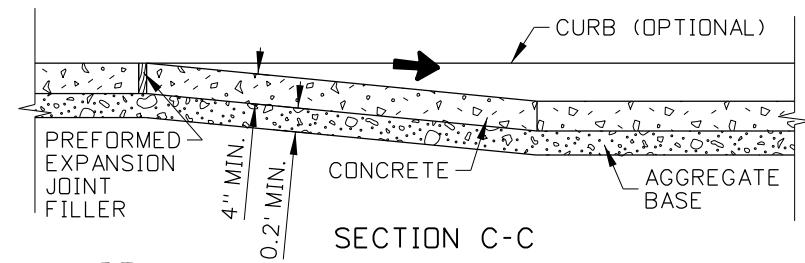
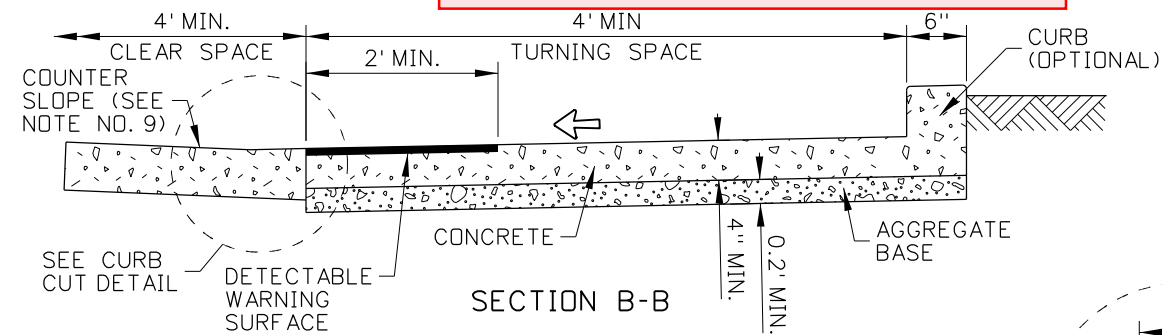
ORIGINAL SIGNED BY: KEVIN SABLAN DESIGN/TRAFFIC SERVICES ENGINEER
--

STANDARD DRAWING
CURB RAMPS

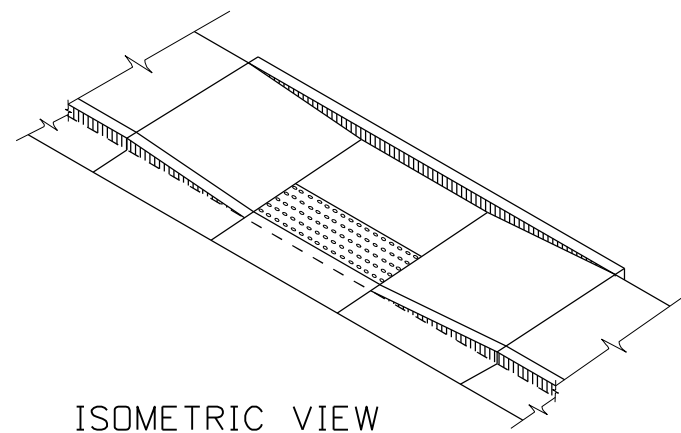


Type 7

PARALLEL CURB RAMP (Types 7-11)



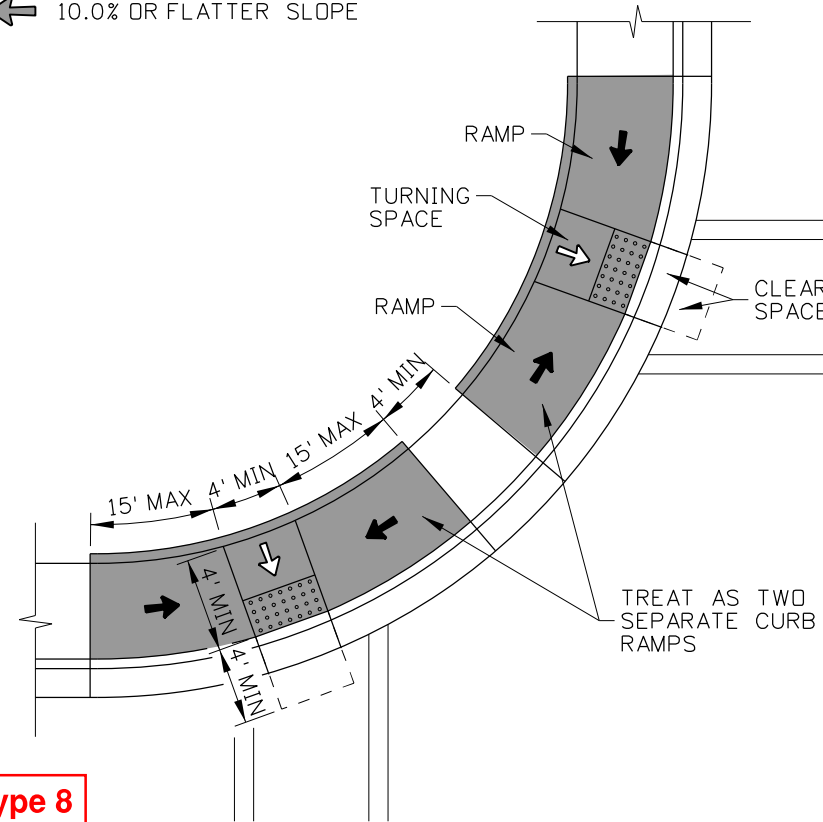
CURB CUT DETAIL



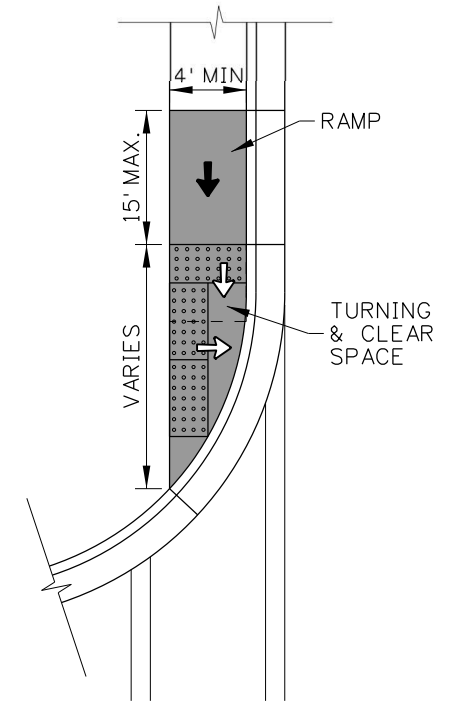
ISOMETRIC VIEW

SYMBOL LEGEND

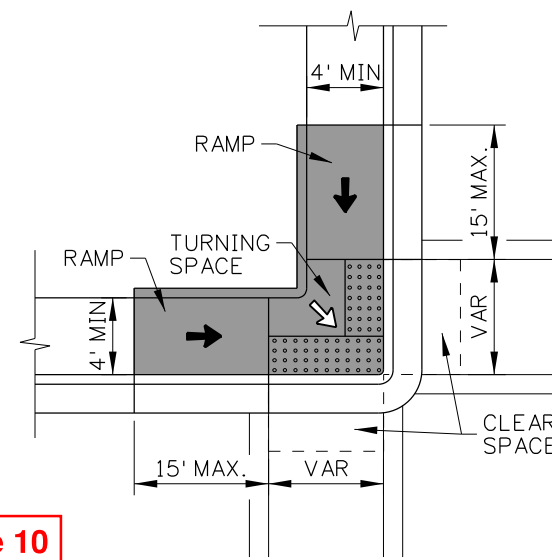
- 1.0% TO 2.0% SLOPE
- 5.0% TO 8.3% RUNNING SLOPE, 2.0% OR FLATTER CROSS SLOPE
- 10.0% OR FLATTER SLOPE



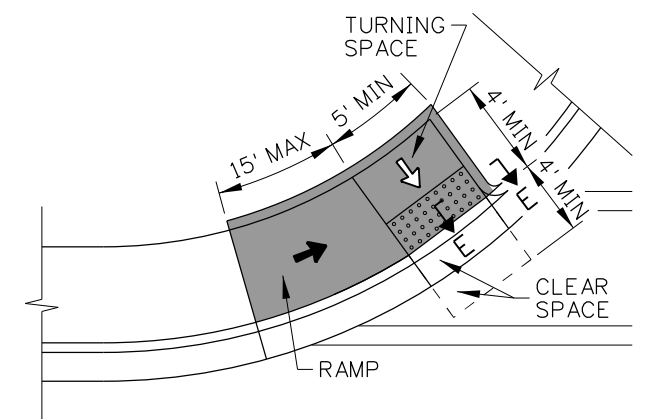
Type 8



Type 9



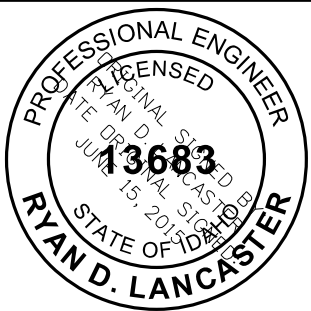
Type 10



Type 11

EXAMPLE APPLICATIONS

ORIGINAL STORED
AT: ITD,
Headquarters
3311 West State
Boise, Idaho



REVISIONS							
NO.	DATE	BY	NO.	DATE	BY	NO.	DATE
1	09-93	MSM	6	07-03	MSM	11	07-10
2	12-95	MSM	7	12-04	MSM	12	09-11
3	06-98	MSM	8	06-05	MSM	13	05-15
4	08-01	MSM	9	05-06	MSM		
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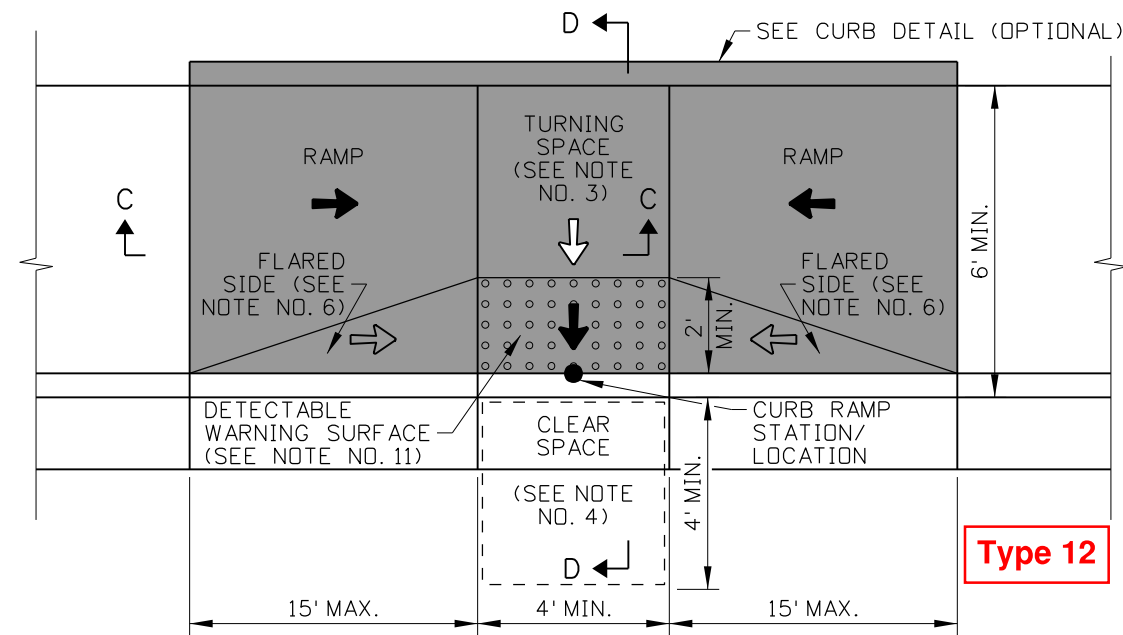
SCALES SHOWN ARE FOR 11" X 17" PRINTS ONLY
CADD FILE NAME: 614-3_0615.dgn
DRAWING DATE: JUNE, 1990

IDAHO TRANSPORTATION DEPARTMENT
BOISE IDAHO

ORIGINAL SIGNED BY: KEVIN SABLAN DESIGN/TRAFFIC SERVICES ENGINEER
--

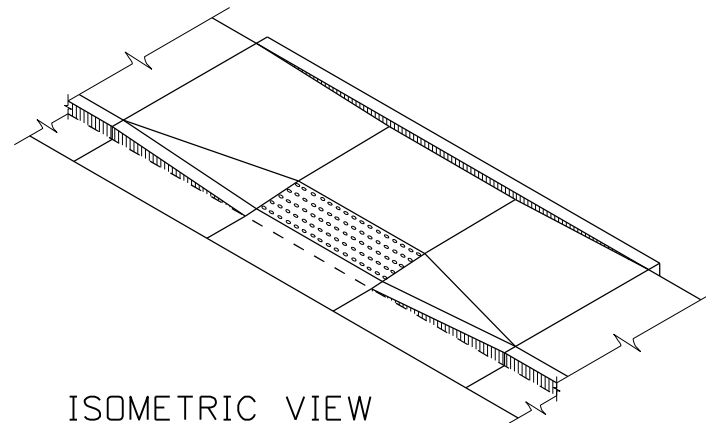
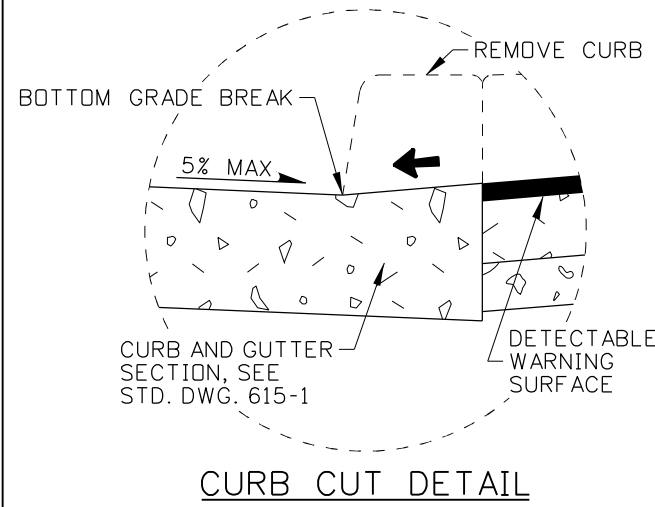
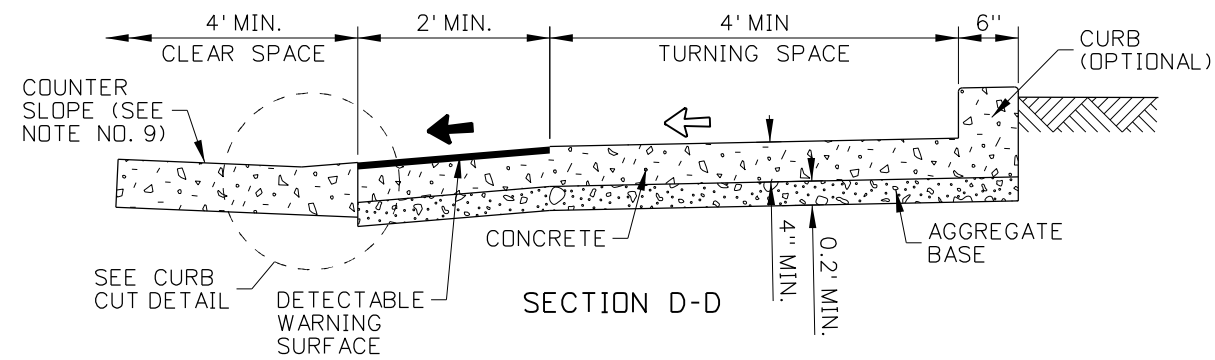
STANDARD DRAWING
CURB RAMPS

English
STANDARD DRAWING NO. 614-3
SHEET 5 OF 10



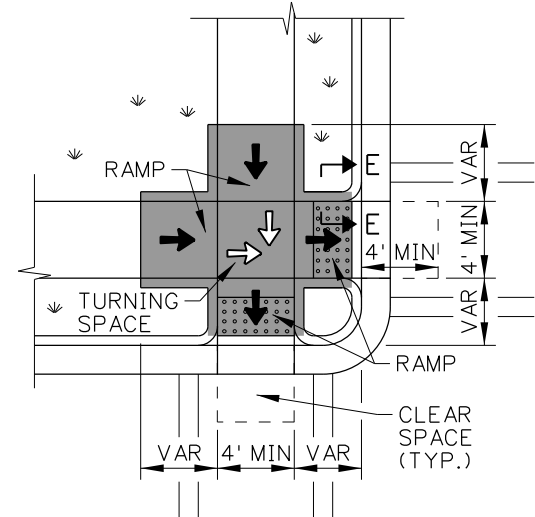
Type 12

COMBINATION CURB RAMP (Types 12-16)

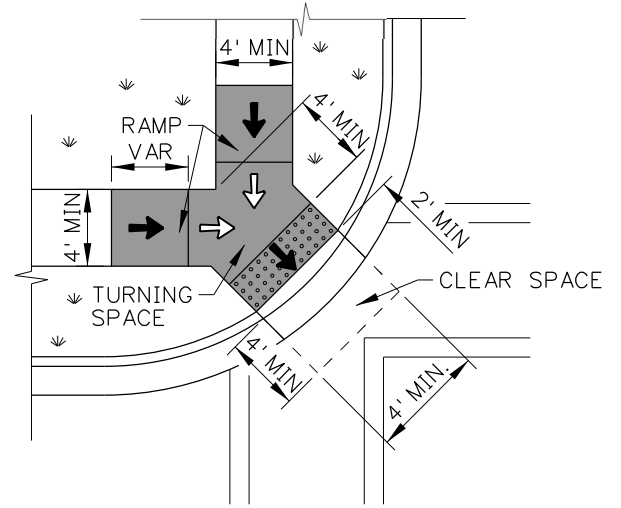


SYMBOL LEGEND

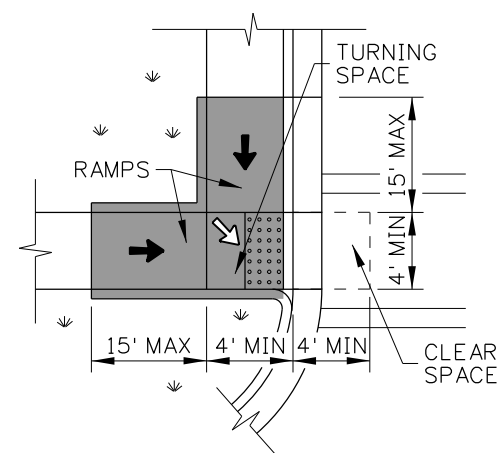
- ← 1.0% TO 2.0% SLOPE
- ← 5.0% TO 8.3% RUNNING SLOPE, 2.0% OR FLATTER CROSS SLOPE
- ← 10.0% OR FLATTER SLOPE



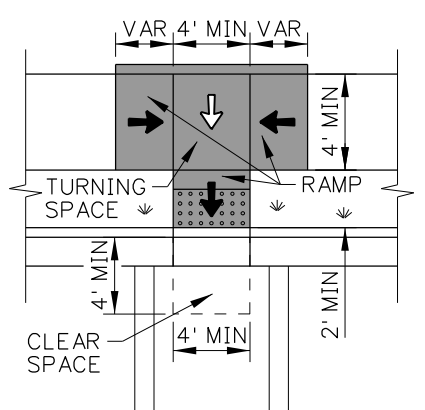
Type 13



Type 14



Type 15



Type 16

EXAMPLE APPLICATIONS

REVISIONS							
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2	12-95	MSM	7	12-04	MSM	12	09-11
3	06-98	MSM	8	06-05	MSM	13	05-15
4	08-01	MSM	9	05-06	MSM		
5	10-02	MSM	10	05-07	MSM		

SCALES SHOWN ARE FOR 11" X 17" PRINTS ONLY

CADD FILE NAME: 614-3_0615.dgn

DRAWING DATE: JUNE, 1990

IDAHO TRANSPORTATION DEPARTMENT

BOISE IDAHO

ORIGINAL SIGNED BY: KEVIN SABLAN

DESIGN/TRAFFIC SERVICES ENGINEER

STANDARD DRAWING

CURB RAMPS

English

STANDARD DRAWING NO. 614-3

SHEET 6 OF 10

ORIGINAL STORED AT: ITD, Headquarters 3311 West State Boise, Idaho

PROFESSIONAL ENGINEER

13683

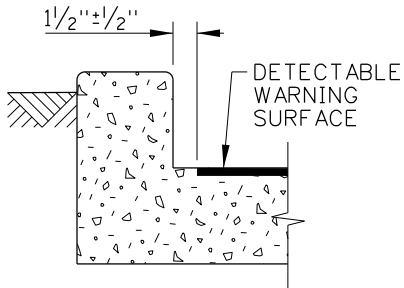
RYAN D. LANCASTER

STATE OF IDAHO

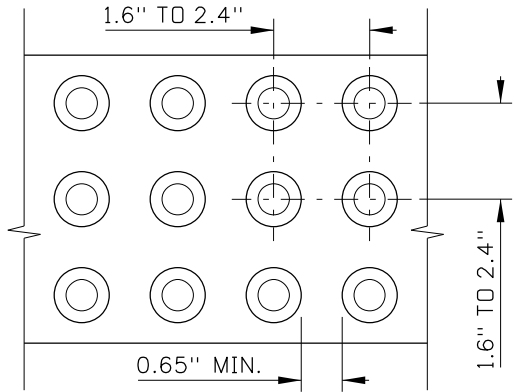
SYMBOL LEGEND

- ↵ 1.0% TO 2.0% SLOPE
- ➡ 5.0% TO 8.3% RUNNING SLOPE,
2.0% OR FLATTER CROSS SLOPE
- ➡ 10.0% OR FLATTER SLOPE

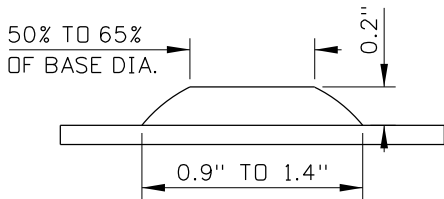
Slope	in./ft.	in./5-ft.	1-in./ft
1.0%	0.12	0.6	8.3
2.0%	0.24	1.2	4.2
5.0%	0.60	3.0	1.7
8.3%	1.00	5.0	1.0
10.0%	1.20	6.0	0.8



SECTION E-E

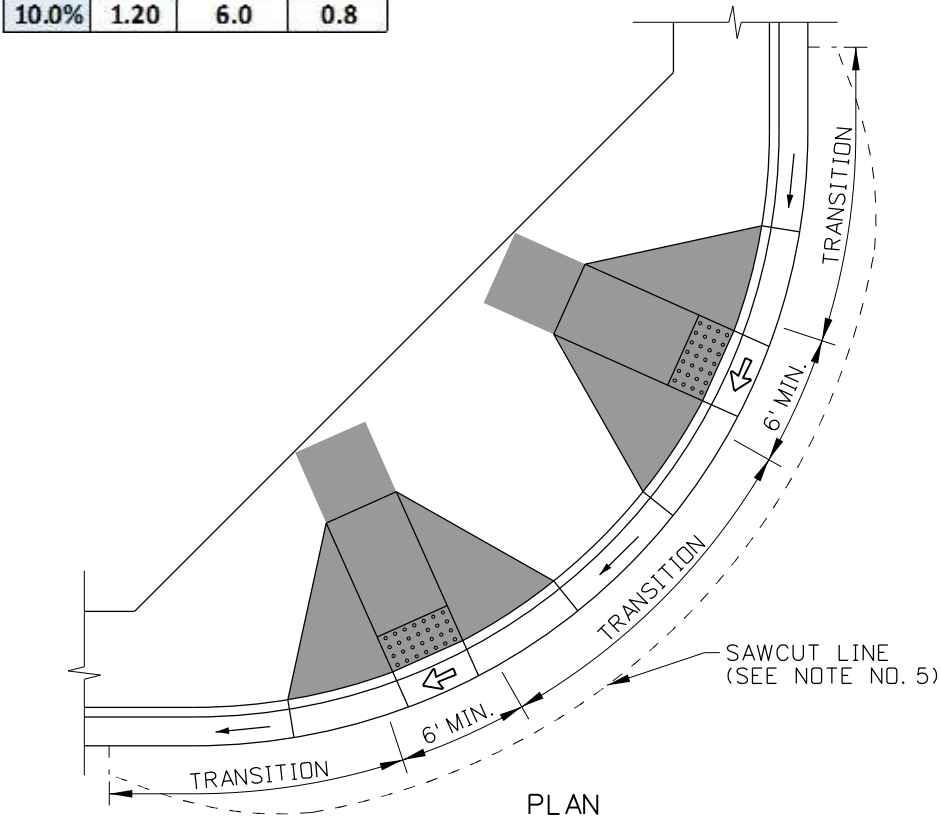


DOME SPACING

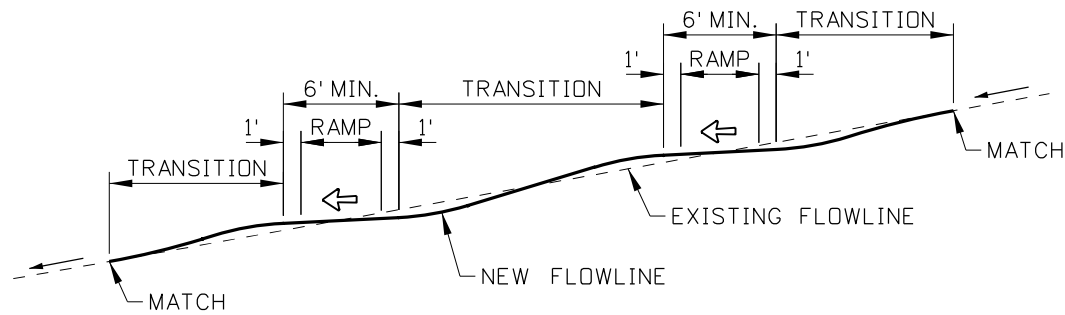


DOME SIZE

DETECTABLE WARNING SURFACE DETAILS
SEE NOTE NO. 11



PLAN



PROFILE

FLOWLINE PROFILE DETAIL
SEE NOTE NO. 5

1. EXTENTS OF CURB RAMP PAY ITEMS ARE SHOWN IN GRAY SHADING.
2. CURB RAMP CAN BE PERPENDICULAR, PARALLEL, OR A COMBINATION OF PARALLEL AND PERPENDICULAR RAMP. EXAMPLE APPLICATIONS OF EACH ARE SHOWN ON SHEETS 1, 2, AND 3.
PERPENDICULAR CURB RAMP HAVE A RAMP THAT CUTS THROUGH THE CURB AT RIGHT ANGLES OR MEETS THE GUTTER GRADE BREAK AT RIGHT ANGLES WHEN THE CURB IS CURVED.
PARALLEL CURB RAMP HAVE A RAMP OR RAMPS IN-LINE WITH THE DIRECTION OF SIDEWALK TRAVEL AND LOWER THE SIDEWALK TO A LEVEL TURNING SPACE WHERE A TURN IS MADE TO ENTER THE PEDESTRIAN STREET CROSSING.
COMBINATION CURB RAMP HAVE FEATURES FROM PERPENDICULAR AND PARALLEL CURB RAMP.
3. PROVIDE A TURNING SPACE WITH A 2.0% OR FLATTER SLOPE IN EACH DIRECTION. TURNING SPACES MAY OVERLAP WITH OTHER TURNING SPACES AND CLEAR SPACES.
PERPENDICULAR CURB RAMP:
PROVIDE A 4' BY 5' MINIMUM TURNING SPACE WHEN THE TURNING SPACE IS CONSTRAINED AT THE BACK-OF-SIDEWALK.
PARALLEL CURB RAMP:
PROVIDE A 4' BY 5' TURNING SPACE WHEN THE TURNING SPACE IS CONSTRAINED ON TWO OR MORE SIDES. ENSURE THAT THE 5' DIMENSION IS PROVIDED IN THE DIRECTION OF THE PEDESTRIAN STREET CROSSING.
4. PROVIDE A CLEAR SPACE BEYOND THE BOTTOM OF THE GRADE BREAK THAT IS WITHIN THE WIDTH OF THE PEDESTRIAN STREET CROSSING AND WHOLLY OUTSIDE THE PARALLEL VEHICLE TRAFFIC LANE.
5. CROSS SLOPE IS THE SLOPE PERPENDICULAR TO THE DIRECTION OF PEDESTRIAN TRAVEL. ENSURE THAT THE CROSS SLOPE OF THE RAMP AND TURNING SPACE DOES NOT EXCEED TWO PERCENT. AT PEDESTRIAN STREET CROSSINGS WITHOUT YIELD OR STOP CONTROL AND AT MIDBLOCK PEDESTRIAN STREET CROSSINGS, THE CROSS SLOPE MAY MATCH THE STREET OR HIGHWAY GRADE. FLATTEN THE GUTTER FLOWLINE THROUGH CURB RAMP TO TWO PERCENT OR FLATTER WHEN NEEDED. WHEN THE PAVEMENT IS SAWCUT TO FLATTEN THE FLOWLINE, VARY THE WIDTH OF THE SAWCUT SO THAT THE PAVEMENT PATCH SMOOTHLY MATCHES THE EXISTING PAVEMENT.
6. PROVIDE FLARED SIDES ON PERPENDICULAR CURB RAMP, OR COMBINATION CURB RAMP WHERE A PEDESTRIAN CIRCULATION PATH CROSSES THE CURB RAMP. THE FLARED SIDES ARE PART OF THE PEDESTRIAN CIRCULATION PATH, BUT ARE NOT PART OF THE PEDESTRIAN ACCESS ROUTE. THE SLOPE OF THE FLARED SIDES IS MEASURED PARALLEL TO THE CURB LINE. FLARED SIDES ARE NOT NEEDED OR MAY BE STEEPER WHEN THE PEDESTRIAN CIRCULATION PATH DOES NOT CROSS THE CURB RAMP.
7. THE PEDESTRIAN CIRCULATION PATH IS A PREPARED SURFACE PROVIDED FOR PEDESTRIAN TRAVEL IN THE PUBLIC RIGHT-OF-WAY. THE PEDESTRIAN ACCESS ROUTE IS A CONTINUOUS AND UNOBSTRUCTED PATH OF TRAVEL PROVIDED FOR PEDESTRIANS WITH DISABILITIES WITHIN OR COINCIDING WITH A PEDESTRIAN CIRCULATION PATH.
8. ENSURE THAT GRADE BREAKS ARE PERPENDICULAR TO THE DIRECTION OF THE RAMP RUN AND ARE FLUSH. DO NOT CREATE GRADE BREAKS ON THE SURFACE OF RAMP RUNS AND TURNING SPACES.
9. ENSURE THAT THE COUNTER SLOPE OF THE GUTTER OR STREET AT THE FOOT OF CURB RAMP RUNS DOES NOT EXCEED FIVE PERCENT.
10. WHERE PRACTICAL, PLACE UTILITY COVERS, VAULT FRAMES, AND GRATINGS OUTSIDE RAMP RUNS, TURNING SPACES, OR GUTTER AREAS. LOCATE CATCH BASINS AND INLETS OUTSIDE OF RAMP RUNS.
11. DETECTABLE WARNING SURFACES CONSIST OF TRUNCATED DOMES ALIGNED IN A SQUARE OR RADIAL GRID PATTERN. PROVIDE DETECTABLE WARNING SURFACES THAT CONTRAST VISUALLY WITH ADJACENT GUTTER, HIGHWAY, OR PEDESTRIAN ACCESS ROUTE SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT. ENSURE THAT THE DETECTABLE WARNING SURFACE EXTENDS THE FULL WIDTH OF THE RAMP RUN (EXCLUDING FLARED SIDES) OR TURNING SPACE.
PERPENDICULAR AND COMBINATION CURB RAMP:
WHERE THE ENDS OF THE BOTTOM GRADE BREAK ARE IN FRONT OF THE BACK OF CURB, PLACE THE DETECTABLE WARNING SURFACE AT THE BACK OF CURB.
WHERE THE ENDS OF THE BOTTOM GRADE BREAK ARE BEHIND THE BACK OF CURB, PLACE THE DETECTABLE WARNING SURFACE ON THE RAMP RUN WITHIN ONE DOME SPACING OF THE BOTTOM GRADE BREAK AND WITHIN 5' OF THE BACK OF CURB.
PARALLEL CURB RAMP:
PLACE DETECTABLE WARNING SURFACE ON THE TURNING SPACE AT THE BACK OF CURB.
12. USE A BOND PREVENTATIVE BETWEEN THE CURB RAMP OR SIDEWALK AND CURB WHEN CONSTRUCTED SEPARATELY AND PLACED ADJACENT TO EACH OTHER.
13. ALIGN ALTERNATING CURB AND SIDEWALK JOINTS. CONSTRUCT JOINTS APPROXIMATELY 1/8" WIDE AND 3/4" IN DEPTH.
14. DRAWING NOT TO SCALE.

REVISIONS							
NO.	DATE	BY	NO.	DATE	BY	NO.	DATE
1	09-93	MSM	6	07-03	MSM	11	07-10
2	12-95	MSM	7	12-04	MSM	12	09-11
3	06-98	MSM	8	06-05	MSM	13	05-15
4	08-01	MSM	9	05-06	MSM		
5	10-02	MSM	10	05-07	MSM		

SCALES SHOWN ARE FOR 11" X 17" PRINTS ONLY
CADD FILE NAME: 614-3_0615.dgn
DRAWING DATE: JUNE, 1990

IDAHO
TRANSPORTATION
DEPARTMENT

BOISE IDAHO

ORIGINAL SIGNED BY: KEVIN SABLAN
DESIGN/TRAFFIC SERVICES ENGINEER

STANDARD DRAWING

CURB RAMPS

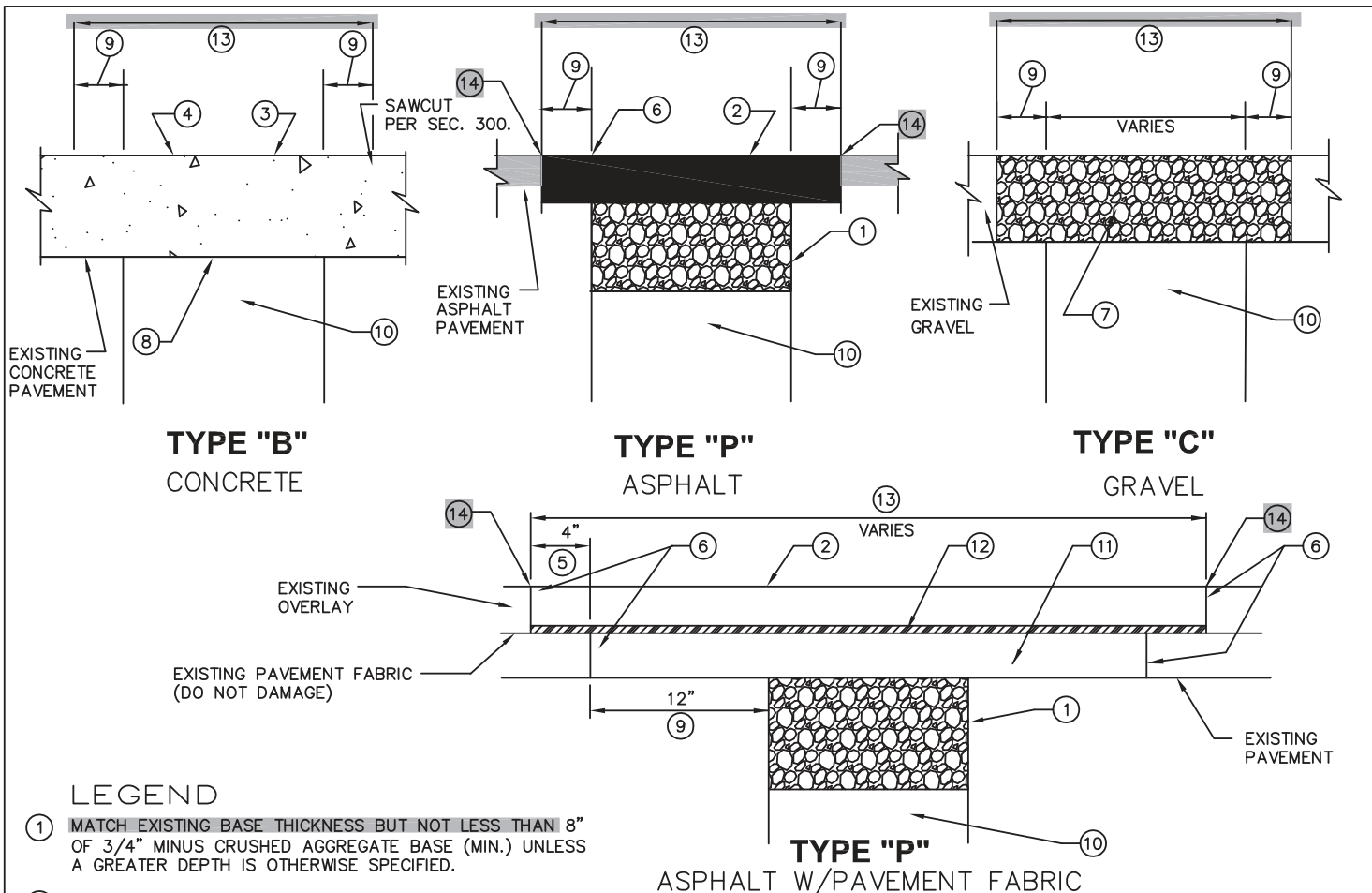
English

STANDARD DRAWING NO.
614-3

SHEET 7 OF 10

ORIGINAL STORED
AT: ITD,
Headquarters
3311 West State
Boise, Idaho

PROFESSIONAL ENGINEER
STATE OF IDAHO
13683
RYAN D. LANCASTER



2020

CITY
OF
TWIN FALLS

STREET CUTS AND SURFACE REPAIR DETAILS

STANDARD DRAWING
NO. **TFSD-303**

March 11, 2026

Jen Jennings
City of Twin Falls Engineering
P.O. Box 1907
Twin Falls, ID 83303-1907

RE: R2M Investments – Water Flow Analysis

Dear Jen,

The City of Twin Falls Water Model has been used to identify available capacity based on R2M Investments preliminary plat dated December 2025. This is a residential subdivision that is in the High Level Pressure Zone. An eight-inch water main is planned to loop through the lot and to connect to the water pipe in Addison Ave to the north and Maurice St to the west, which is an entrance to the development with the waterline that was recently built connecting to the subdivision. It is assumed to connect to the existing or future proposed 12-inch pipe in Addison Avenue.

An analysis of the system used the modeling criteria established in the most recent Facilities Plan. The attached figure titled: "R2M Investments Water Flow Analysis" shows the peak hour pressures and fireflow results of the model analysis with existing and proposed pipes. The model was run using demands from all other proposed and committed developments assuming that all previously requested developments with associated demands and pipe improvements are built. Note that as future demand from development occurs or instantaneous peak demands occur, actual pressures in this area may fluctuate or vary from the modeled pressures.

Please feel free to call me if you have any questions.

Sincerely,

Gary Haderlie, P.E.

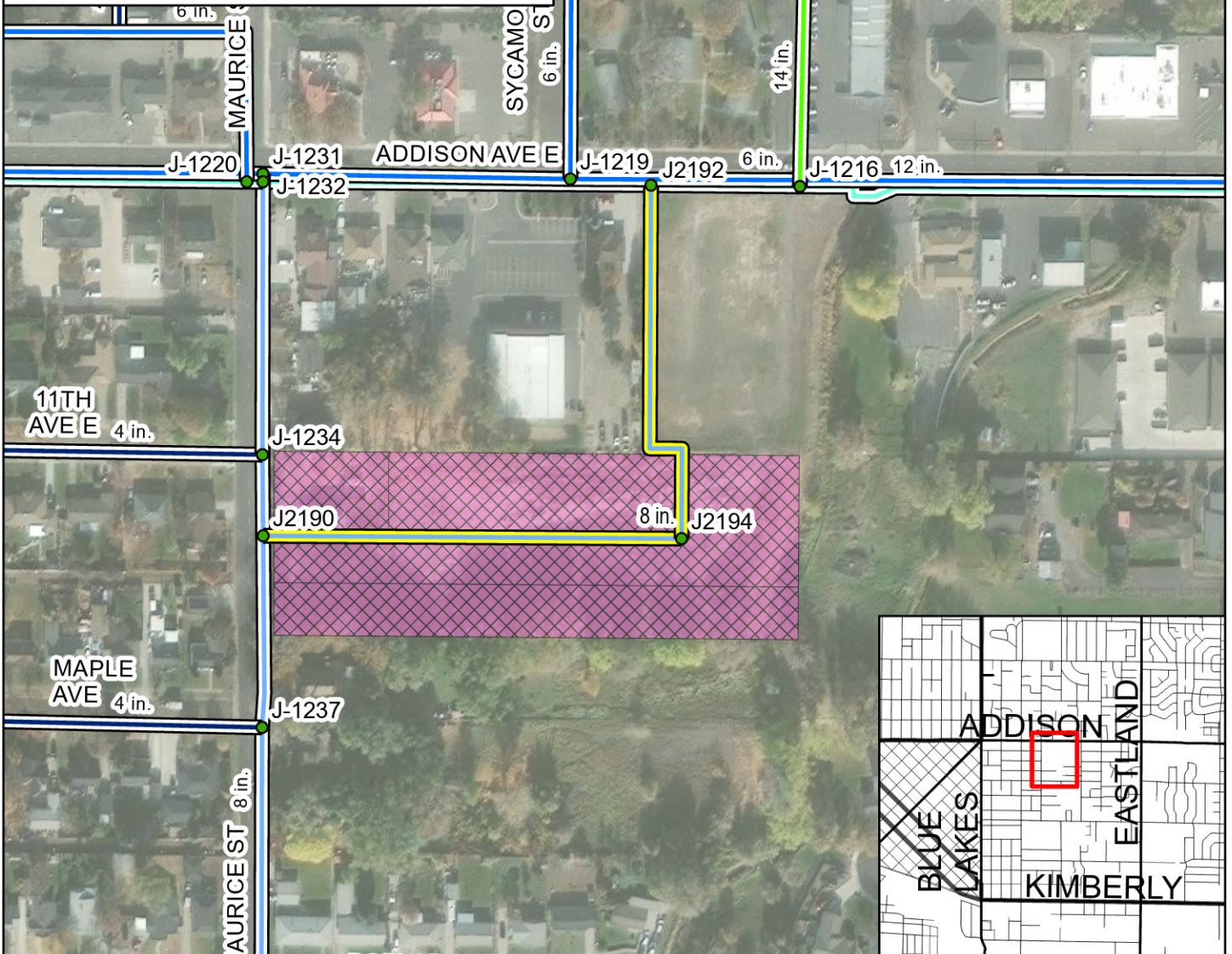
J-U-B ENGINEERS, Inc.

Enclosure: R2M Investments Water Flow Analysis

Cc: EHM Engineers, Inc.



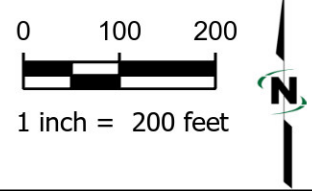
**NOTE: PIPE SIZE SHOWN BY COLOR.
PROPOSED PIPES ARE HIGHLIGHTED.**



CASE 1 Max Day Demands					CASE 2 Peak Hour Demands				
Modeled fireflow (limited to 2,500 gpm) and pressure of select junctions					Modeled pressure of select junctions				
ID	Static Demand (gpm)	Static Pressure (psi)	Fireflow (gpm)	Residual Pressure (psi)	ID	Demand (gpm)	Elevation (ft)	Head (ft)	Pressure (psi)
J-1216	3.7	77.9	2,500	74.2	J-1216	5.5	3723.0	3900	76.5
J-1219	5.0	77.1	1,724	54.4	J-1219	7.6	3724.6	3899	75.7
J-1220	2.8	75.7	2,500	71.9	J-1220	4.2	3728.0	3900	74.4
J-1231	0.1	75.7	1,755	73.3	J-1231	0.2	3728.0	3900	74.4
J-1232	1.7	75.7	2,500	71.9	J-1232	2.5	3728.0	3900	74.4
J-1234	6.5	75.1	2,500	65.2	J-1234	9.7	3729.5	3900	73.8
J-1237	7.1	74.0	2,500	60.4	J-1237	10.6	3732.1	3900	72.6
J2190	0.0	74.7	2,500	65.1	J2190	0.0	3730.3	3900	73.4
J2192	0.0	77.3	2,500	73.5	J2192	0.0	3724.4	3900	75.9
J2194	6.2	77.1	2,500	62.1	J2194	9.3	3724.8	3900	75.8



R2M Investments Subdivision Water Flow Analysis





THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

J-U-B FAMILY OF COMPANIES

March 11, 2026

Jen Jennings
City of Twin Falls Engineering
P.O. Box 1907
Twin Falls, ID 83303-1907

RE: R2M Investments LLC Subdivision – Sewer Flow Analysis

Dear Jen,

The City of Twin Falls Sewer Model has been used to verify available capacity based on R2M Investments preliminary plat dated December 2025. This is a subdivision that provides flow from the west side of the development and connects to the junction at the Madrona trunkline which is south of Addison Ave. Existing manhole D4-283 in the west end may need to be relocated. An analysis of the system used the modeling criteria established in the most recent Facilities Plan.

It appears that the Madrona trunkline does have the capacity needed to service the proposed R2M Investments Subdivision. The attached figure titled: "R2M Investments Subdivision Sewer Analysis" shows the location of this development with existing and proposed pipes. The model was run using flows from all other proposed and committed developments assuming that all previously requested developments with associated flows and pipe improvements are built.

Please feel free to call me if you have any questions.

Sincerely,

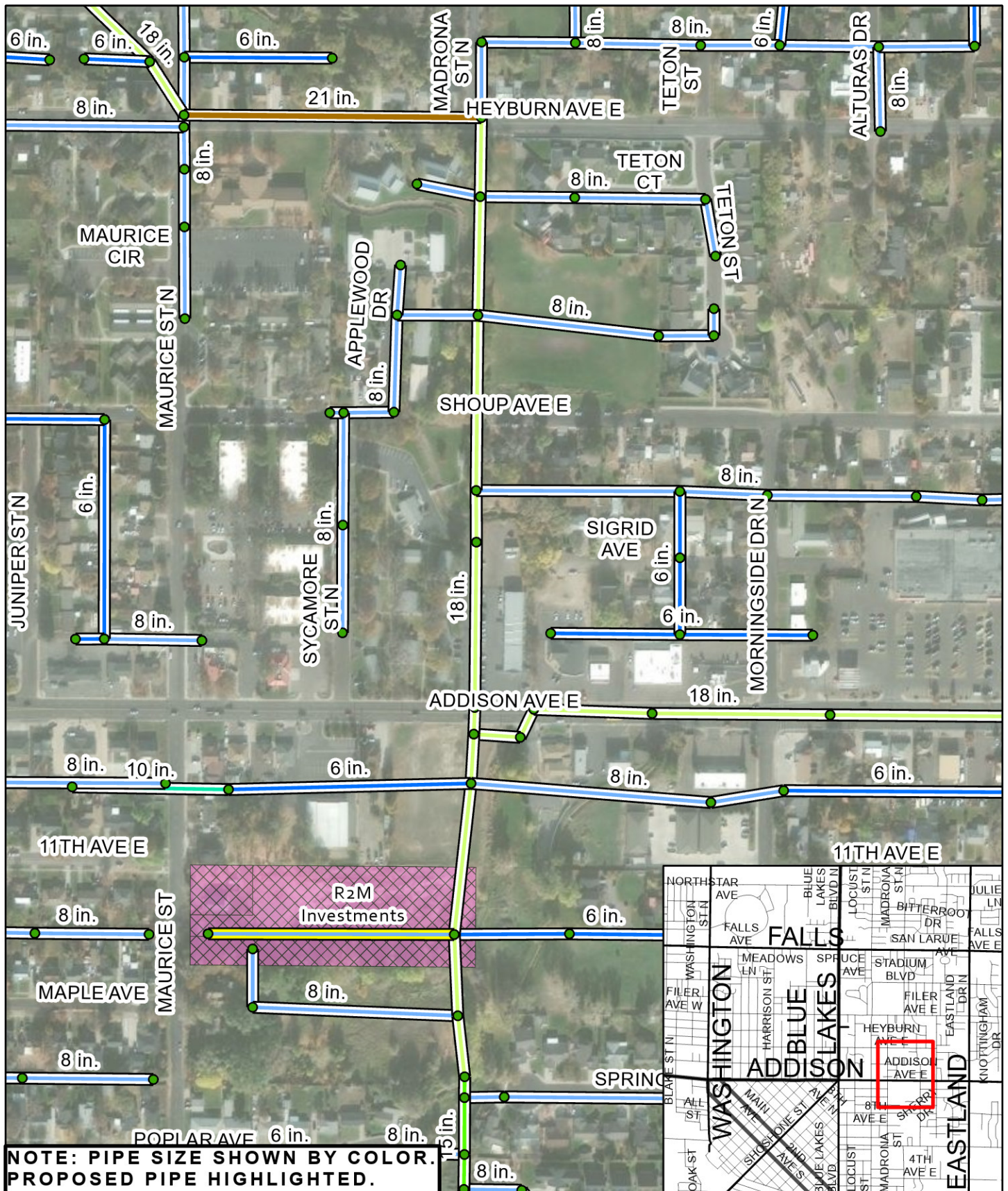
Gary Haderlie, P.E.

J-U-B ENGINEERS, Inc.

Enclosure: R2M Investments Sewer Flow Analysis

Cc: EHM Engineers, Inc.

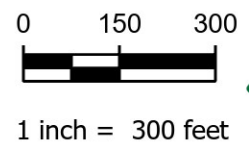




NOTE: PIPE SIZE SHOWN BY COLOR.
PROPOSED PIPE HIGHLIGHTED.



R2M Investments Subdivision Sewer Analysis



Gerald Martens, P.E.

621 N. College Road, Ste 100, Twin Falls, ID 83301

208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com

Date: **July 20, 2026**

To: **City of Twin Falls**

Attn: **William Klaver**

Received

JUL 23 2026

City of Twin Falls Engineering Dept

From: **Gerald Martens**

Re: **R2M Investments, LLC Subdivision**

The following is in response to the letter dated July 16, 2026 regarding the preliminary project for the above specified project:

1. Environmental Assessment:

The proposed development will have no impact on environment other than elimination of unused land as a result of infill development which will result in less environmental impact than would occur with growth in areas surrounding the boundaries of the City. The land has not been contributing to this economy for many years.

The development will primarily use existing city facilities including streets, water system, sewer system and utilities.

The modifications to the adjacent Perrine Coulee will provide for more stabilized flow, reduce area impacted by flood conditions and provide a more uniform waterway for purpose of flow and maintenance.

The project will have very minimal or no impacts to plant life, sound issues, economic conditions, noise, audio or visual impact. The improvements will increase tax revenue in the area with no significant expansion of existing public infrastructure.

The project will reduce storm drainage runoff to the Perrine Coulee as all storm water will be retained on site..

2. The plat will dedicate the storm water retention system to the City of Twin Falls.
3. The pressure irrigation system will be owned and operated by the property owners. The property owner's association documents will provide for perpetual

operation of the system requiring property owners to pay for operational. Failure to make payments will result in a lien filed on the parcels.

4. The requested gate for the secondary access is depicted on the site plan, will be installed and will be maintained by the property owner's association.

The above environmental comments are prepared to allow the project to be scheduled for public hearing before the planning and zoning commission. The engineering comments will be addressed as development plans are prepared.

This secondary access has been agreed upon by the neighboring property owner and the easement will be provided prior to recordation of the plat.

Gerald Martens, P.E.

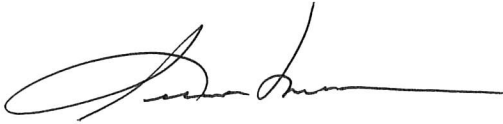
621 N. College Road, Ste 100, Twin Falls, ID 83301

208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com

Date: **July 23, 2026**

To: **City of Twin Falls**

Attn: **Will Klaver**

A handwritten signature in black ink, appearing to read "Gerald Martens", with a long horizontal flourish extending to the right.

From: **Gerald Martens**

Re: **R2M Preliminary Plat**

Transmittal herewith is the reviewed Preliminary Plat with comments on July 16 review.

Please call if there are questions.

JUN 16 2026

City of Twin Falls Engineering Dept

Gerald Martens, P.E.

621 N. College Road, Ste 100, Twin Falls, ID 83301

208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com

Date: June 11, 2026**To: City of Twin Falls****From: Gerald Martens****Re: R2M Investments LLC Subdivision**

Please find attached a revised plan for the previously submitted preliminary Plat. The revisions are:

1. A second emergency access road provides access to Addison Avenue. The owner of the adjacent property has agreed to provide the access easement to allow construction of the access road.
2. Revisions to the storm water drywell to keep entire drywell out of the floodplain. This resulted in reducing the size of Lot 6, reducing the number of living units to 44 units.
3. Minor revisions to water system layout and to accommodate the changes 1 and 2 noted above.

A - Flood Areas

Attached is the site development plan for the proposed R2M Subdivision that shows the following as specified in Code Section 10-12-5-8.

- A.1 All Development Improvements are shown in the Development Plan.
- A.2 The Floodplane limit is provided by Brockway Engineering report dated August 6, 2025, as depicted on the Development Plan.
- A.3 The current channel modifications were completed in accordance with the Brockway Engineering report noted in A.2.
- A.4 There are no planned rerouting of waterways.
- A.5 All drainage is shown on the Site Development Plan.
- A.6 There are no areas of frequent flooding in areas proposed to be developed.
- A.7 No flood proofing of buildings is required or planned
- A.8 No structures will be constructed in Floodplane.
- A.9 NA
- A.10 Storm Drainage will be accommodated with onsite storm water retention facilities.
- A.11 There are no structures proposed within the Floodplane.
- B.1 No buildings will be constructed in the Floodplane.
- B.2 No buildings will be constructed within the Floodplane per Brockway report dated: August 6, 2025. Any grading within the modified Floodplane will not impact or increase Floodplanes.

September 11, 2026

Julie Hilty and Richard Bupp
1544 11th Avenue East
Twin Falls, ID 83301
Email: threedogs2cats@icloud.com

To: City of Twin Falls Planning and Zoning Commission
Re: Public Comment on Proposed Subdivision R2M Investments application PZ26-0020

Dear Commissioners,

We have been residents at the above address since 2011. Our home is 1/2 city block from the proposed subdivision referenced above. While written public comments are due today, the website listed in the public notice, as of 1:50 p.m., lacked a meeting agenda and any detail, including staff analysis, regarding this proposal. Since we don't have access to that detail, these comments focus on anticipated resource management and public safety issues that could result from this development.

- 1) *Please clarify the type and number of residential units.* The notice states that there are 14 lots on 2.93 acres located at 1064 Maurice Street. There is no mention if the application is for single- or multi-family units, how many are planned, and the design of the development, including access points and green space. This will substantially influence the type and scale of potential impacts.
- 2) *Please provide information regarding plans for waste management, stormwater runoff, and water availability.* This would include analysis by the Idaho Department of Environmental Quality regarding how the development would affect the municipal sewer and sewage treatment capacity, stormwater runoff due to the potential change from a permeable to impermeable surface, and residential water availability. The stormwater runoff analysis should include potential impacts to the Perrine Coulee and Snake River.
- 3) *Please provide a traffic impact study, including proposed ingress/egress points for the subdivision.* Development in the area has already resulted in higher levels of and faster traffic on the main access roads (Locust, Maurice, Elizabeth, and Addison), congestion at concentration points (e.g., the light at Locust and Addison), and increased use by motorists of the residential streets that connect Locust and Maurice. This has created hazards to pedestrian use, particularly children who travel by foot, bike, scooter, or skateboard to Morningside Elementary, O'Leary Middle School, and Twin Falls High School. There is a history of accidents at the Locust/Addison and Maurice/Addison intersections, including fatalities. Planning should include proposals for facilitating traffic flow, provisions for pedestrian safety, safe ingress and egress for all residents in the area, and limiting speed on Maurice and adjacent residential streets.

We understand the need for managed growth and that some of these issues may have been addressed in the developer's proposal. However, the lack of proposal detail and staff analysis prior to today's comment due date make it impossible to determine if this is true. We request that additional public comment be considered after the developer and city have provided more thorough and detailed plans for this proposal.

Respectfully submitted,

Julie Hilty and Richard Bupp

Received

SEP 11 2026

City of Twin Falls Engineering Dept

David and Carolyn Brock
1010 Maurice Street
Twin Falls, Idaho
dlobro@gmail.com

September 11, 2026

To: City of Twin Falls Planning and Zoning Commission
Re: Public Comment on Proposed Subdivision R2M Investments app. PZ26-0020 @ 1064
Maurice St. (14 Lots on 2.93 Acres)

Dear Commissioners,

I am writing as a nearby resident to voice substantial safety and infrastructural concerns regarding the proposed subdivision down the street from our home. While I understand the need for managed growth, this specific proposal introduces critical hazards that are concerning.

I ask that the Commission consider the following conditions:

1. Clarification of Housing Type and Total Density

The application mentions 14 lots on 2.93 acres but leaves the neighborhood completely in the dark regarding the types of dwellings (single-family, duplexes, or fourplexes). If multi-family structures are planned, the true number of residential units will far exceed 14 (could easily exceed 60 new vehicles if four plexes are involved), placing a much different burden on our local infrastructure.

2. Traffic Safety and Neighborhood "Cut-Throughs"

Maurice St. is a two-way street and will serve as the sole entrance to this proposed development. It is a long straightaway (~0.5 mile) from Hamon Park which often results in high-speed traffic. Additionally, turning onto Addison, the main 4-lane east-west street, is incredibly hazardous due to the lack of a traffic signal at the intersection, resulting in a documented history of accidents and severe delays.

- Currently, neighborhood drivers bypass this hazard by using quiet residential side streets to reach a different intersection with a traffic light.
- Adding 14+ households will dramatically worsen this dangerous "cut-through" pattern, threatening the safety of children and pedestrians.
- Request: I urge the city to require a comprehensive Traffic Impact Study (TIS) and evaluate whether a traffic light, turn lane, or traffic-calming infrastructure must be funded by the developer.

3. Mandatory Canal Safety Measures and Fencing

A large, open canal borders one end of the subject property. This canal has historically been the site of tragic drownings. It is my understanding that under local standard safety practices (and possibly those of the Twin Falls Canal Company (TFCC), new developments must be entirely restricted from canal access.

- Request: As a non-negotiable condition of the final plat, the developer should be required to install a high, non-climbable, commercial-grade safety fence along the entirety of the property line bordering the canal to protect future and current neighborhood children.

I realize some of these issues may have been addressed in the design, but because of the lack of project details and the inability to review the staff analysis prior to comment due date, I felt compelled to call out these concerns.

Thank you for your time, service, and commitment to keeping our neighborhood safe and functional.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature is 'David Brock' and the second is 'Carolyn C. Brock'. They are written in a cursive, flowing style.

David and Carolyn Brock



Date: Tuesday, September 15, 2026
To: Planning and Zoning Commission
From: William Klaver, Senior Planner

ACTION ITEM

Request:

Consideration of Resolution No. 2026-XX validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ26-0110).

Time Estimate:

Approximately five (5) minutes for staff presentation.

Background:

In 2011, the Urban Renewal Agency of the City of Twin Falls (URA) created Revenue Allocation Area #4-3 (RAA 4-3). This area was created to facilitate the development of the Chobani Yogurt Plant. As many already know, that business has been very successful and made a large impact on the local economy.

In June 2025, as part of the URA directive to explore options for maximizing their allocation area benefits, they requested a first amendment to RAA #4-3. The Planning Commission found that first amendment to be in compliance with the Comprehensive Plan.

This request for a Second Amendment is to allow for additional public improvements in the vicinity (water, sewer, roadway infrastructure), and payment of impact fees, to utilize Urban Renewal Agency "revenue allocation funds" for appropriate expenses.

Approval Process:

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.

Budget Impact:

The decision of this body does not have an inherent impact on the City Budget.

Regulatory Impact:

Approval of this resolution has no regulatory impact on the property, in terms of Zoning Laws and Regulations.

History:

N/A

Analysis:

N/A

Conclusion:

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

City Staff recommends approval using the following sample motion:

Sample Motion: I move to approve Resolution 2026-XX validating the conformity of the "Revenue Allocaiotn Area #4-3: Second Amendment" with the City Comprehensive Plan.

Attachments:

1. 2nd Amendment to Urban Renewal Plan for RAA #4-3
2. PZ Resolution 2026- XX 2nd Amendment 4-3 RAA



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83301-1907

August 31, 2026

Amy Luna
Deputy City Clerk
City of Twin Falls
203 Main Avenue East
Twin Falls, ID 83301

RE: **Second Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3**

Dear Amy:

In compliance with the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), I am providing you with a copy of the **Second Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3** (the "Second Amendment"), adopted by the Urban Renewal Agency of the City of Twin Falls on August 31, 2026, pursuant to **Agency Resolution 2026-03**, a copy of which is also enclosed. The Second Amendment seeks to extend the duration of the Urban Renewal Plan for Revenue Allocation Area #4-3, as amended (the "Plan"), which contains revenue allocation financing provisions, to add, revise and update provisions in the Plan, and to extend the corresponding revenue allocation area, as amended ("RAA #4-3"). Under the provisions of the Law and the Act, a public hearing must be held by the City Council prior to the final reading of the Ordinance adopting the Second Amendment. I have requested the City Manager schedule the readings and the public hearing in compliance with the City's Ordinance approval process.

Published Notice of Hearing

The Act requires at least 30 days' notice of the public hearing. **With the public hearing, ordinance readings (consolidated) and final consideration of the ordinance scheduled for Monday, November 9, 2026, at 5:00 p.m.**, in the City Council Chambers, the first publication of the notice should occur by **Thursday, October 8, 2026**. A second publication date two weeks later on **Thursday, October 22, 2026**, should also be arranged. I understand a notice of the hearing date will be published in the *Times-News* within that time frame. A copy of the proposed public hearing notice is enclosed.

Transmittal of the Notice, Second Amendment and Agency Resolution to the Taxing Districts

Additionally, within the same time frame set forth above, the Act requires a copy of the notice, along with a copy of the proposed Second Amendment and Agency Resolution No. 2026-03, to be transmitted to the governing bodies of each taxing district affected by the revenue allocation financing provisions, *i.e.*, city of Twin Falls, Twin Falls County, Twin Falls Highway District, Twin Falls School District No. 411, Twin Falls Ambulance, Twin Falls County Pest Abatement District, and College of Southern Idaho. The taxing entities must **receive** that information no later than **Friday, October 9, 2026**, which is at least 30 days prior to the public hearing, but not more than 60 days prior to the date set for the final reading of the Ordinance. I have enclosed the proposed letters to the taxing entities.

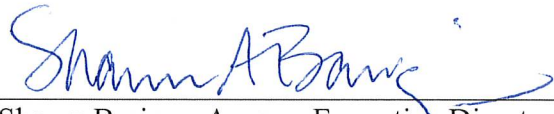
Planning and Zoning

The Second Amendment must also be reviewed by the Planning & Zoning Commission within this same time frame. The Commission will need to make a finding concerning the Second Amendment's conformity with the City of Twin Falls 2016 Comprehensive Plan, *Grow with Us*. I understand the Commission will consider the Second Amendment on **Tuesday, September 15, 2026**. I have enclosed a proposed resolution for consideration by the Planning & Zoning Commission.

Thank you for your cooperation in this matter. If you have any questions please do not hesitate to contact me.

Very truly yours,

URBAN RENEWAL AGENCY OF THE CITY
OF TWIN FALLS


Shawn Barigar, Agency Executive Director

c: Mayor Jason Brown
City Manager
Meghan S. Conrad
City Attorney

RESOLUTION NO. 2026-03

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS, IDAHO, RECOMMENDING AND ADOPTING THE SECOND AMENDMENT TO THE URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3, WHICH SECOND AMENDMENT SEEKS TO EXTEND THE DURATION OF THE PLAN, AS AMENDED, THE REVENUE ALLOCATION FINANCING PROVISION AND RAA #4-3 TO SUPPORT GROWTH OF A MANUFACTURING PROJECT; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR AND THE SECRETARY OF THE AGENCY TO MAKE CERTAIN TECHNICAL CHANGES TO THE SECOND AMENDMENT; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR TO TAKE APPROPRIATE ACTION; PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of the City of Twin Falls, Idaho, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act"), a duly created and functioning urban renewal agency for Twin Falls, Idaho, hereinafter referred to as the "Agency."

WHEREAS, by Resolution No. 909, dated July 19, 1965, the Board of Commissioners of the City of Twin Falls (the "City") created the Agency pursuant to the Law;

WHEREAS, on June 30, 1997, the City Council (the "City Council") of the City, by Resolution No. 1603, determined certain property to be a deteriorated area or a deteriorating area or a combination thereof and designated the area as appropriate for an urban renewal project to be known as Urban Renewal Area #4 (the "Area #4 Plan");

WHEREAS, on October 7, 2002, the City by Resolution No. 1692 approved expanding the Area #4 Plan to include additional area;

WHEREAS, the City Council, on December 12, 2011, after notice duly published conducted a public hearing on the Urban Renewal Plan for Revenue Allocation Area #4-3 (the "Plan") to redevelop a portion of the City within the boundaries of the Urban Renewal Area #4, as amended, pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3022 on December 12, 2011, approving the Plan, making certain findings, and establishing the RAA #4-3 revenue allocation area (the “RAA #4-3”);

WHEREAS, the City Council, on July 7, 2025, after notice duly published conducted a public hearing on the First Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the “First Amendment”), which First Amendment sought to deannex certain area from the existing RAA #4-3;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. O-2025-010 on July 7, 2025, approving the First Amendment and making certain findings;

WHEREAS, the Plan, as amended by the First Amendment (collectively, the “Plan”), contains revenue allocation area financing provisions as allowed by the Act;

WHEREAS, pursuant to Idaho Code Section 50-2904(5), the Agency seeks to amend the Plan, to extend the duration of the Plan including the revenue allocation financing provisions contained therein, and RAA #4-3 to support growth of a manufacturing project within the existing RAA #4-3, as amended, for an additional fifteen (15) years and seeks to establish a new termination date of December 15, 2046, recognizing revenue allocation proceeds may be received by the Agency in 2047 and used by the Agency to pay for project costs, outstanding reimbursement or debt service obligations, unless the Plan and RAA #4-3 are earlier terminated;

WHEREAS, Idaho Code Section 50-2904(5) contemplates an extension of an existing revenue allocation area to support growth and expansion of an existing manufacturing project; this does not require updated eligibility findings;

WHEREAS, Chobani certifies as a result of the First Amendment, that RAA #4-3 includes only parcels that are owned or controlled by Chobani and its affiliates as required by Idaho Code Section 50-2904(5) to extend the duration of the Plan and RAA #4-3;

WHEREAS, Chobani further certifies this Second Amendment is to support the growth of Chobani, through expansion of its facilities, and that the Chobani expansion meets the definition of a manufacturing project;

WHEREAS, the Agency has prepared the Second Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the “Second Amendment”), as set forth in **Exhibit 1** attached hereto, which includes the Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2026 Extension and Expansion (the “Second Supplemental Economic Feasibility Study”);

WHEREAS, the Act authorizes the Agency to adopt extensions to the existing Plan, including the revenue allocation financing provisions, and RAA #4-3;

WHEREAS, the Agency has reviewed the project information within the Second Amendment concerning the use of revenue allocation funds and approved such information at

several Agency Board meetings in 2026, and considered the Second Amendment at its meeting on August 31, 2026;

WHEREAS, the Second Amendment will be tendered to the Planning and Zoning Commission and to the City Council for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the Second Amendment shall include with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date;

WHEREAS, it is necessary and in the best interests of the citizens of the City to recommend approval of the Second Amendment and to adopt, as part of the Second Amendment, an extension to the duration of the Plan, the revenue allocation financing provisions and RAA #4-3 that will help finance the existing and additional urban renewal projects to be completed in accordance with the Second Amendment in order to (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of RAA #4-3 due to the inability of existing financing methods to provide needed public improvements; (3) to encourage taxing districts to cooperate in the allocation of future tax revenues arising in RAA #4-3 in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the Agency Board finds that the equalized assessed valuation of the taxable property in RAA #4-3 is likely to continue to increase as a result of the expansion of the manufacturing project within RAA #4-3;

WHEREAS, the projected base assessment roll of RAA #4-3 together with the combined base assessment roll values of the existing revenue allocation areas do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, the boundaries of RAA #4-3 overlap the boundaries of the Twin Falls Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and therefore, the allocation of taxes shall be governed by Idaho Code Sections 50-2908(2)(a)(ii), (b) for RAA #4-3;

WHEREAS, Agency staff and consultants recommend the Agency Board accept the Second Amendment and forward it to the City Council;

WHEREAS, the Second Amendment is expected to be considered by the City Council in accordance with the requirements of the Law and the Act, specifically, but not limited to the requirements set forth in Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to recommend approval of the adoption of the Second Amendment, as prepared by the Agency, and as set forth in **Exhibit 1** attached hereto, and to forward it to the Mayor, City Manager, and City Council, and recommend its adoption, in accordance with the requirements of the Law and the Act and subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS, IDAHO, AS FOLLOWS:

Section 1. The above statements are true and correct.

Section 2. That the Agency Board recommends that the Second Amendment, a copy of which is attached hereto as **Exhibit 1**, and incorporated herein by reference, seeking to extend the duration of the Plan, including the revenue allocation financing provisions, and the RAA #4-3, to December 31, 2046, recognizing revenue will be allocated to the Agency in 2047, be adopted by the City Council including any modifications to any section, attachments or text discussed at the August 31, 2026, Agency Board meeting.

Section 3. That the conditions of Idaho Code Section 50-2904(5) have been met in that RAA #4-3 includes only parcels that are owned or controlled by Chobani, and that Chobani's expansion meets growth of a manufacturing project as contemplated by the statute.

Section 4. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code, and the Act.

Section 5. That this Resolution constitutes the necessary action of the Agency under the Act, Idaho Code § 50-2905, recommending approval by the City Council and that the South 5th Plan includes with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

Section 6. That the projected base assessment roll of RAA #4-3, together with the combined base assessment roll values of the existing revenue allocation areas do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.

Section 7. That the Agency Executive Director is directed to coordinate with Zions Public Finance, Inc., to ensure compliance with Section 17K of the Agency Bond Resolution No. 2013-1, dated January 14, 2013, concerning the filing of a Consultant's Report, as defined in the Bond Resolution, with various parties on the effect of the proposed Second Amendment.

Section 8. That the Agency Executive Director is directed to work with the ambulance district to memorialize the relationship between the Agency and the ambulance district and the Agency's use of the levy rate.

Section 9. The Chair, Vice-Chair, or Executive Director, and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed Second Amendment for approval by the City Council, including but not limited to the preparation of the notice of public hearing on consideration for adoption of the Second Amendment by the City and submittal of the Second Amendment to the various taxing entities as required by Idaho Code § 50-2906.

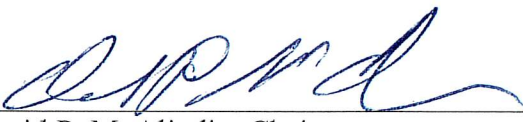
Section 10. That the boundaries of RAA #4-3 overlap the boundaries of the Twin Falls Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and therefore, the allocation of taxes shall be governed by Idaho Code Sections 50-2908(2)(a)(ii), (b) for RAA #4-3. A separate agreement for a different allocation is unnecessary.

Section 10. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Twin Falls, Idaho, on August 31, 2026.

APPROVED AND EXECUTED by the Chair of the Board of Commissioners of the Agency and attested by the Secretary to the Board of Commissioners, on this 31st day of August 2026.

APPROVED:

By: 
David P. McAlindin, Chair

ATTEST:

By: 
Andy Hohwieler, Secretary

EXHIBIT 1

SECOND AMENDMENT TO THE
URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3

**SECOND AMENDMENT TO THE
URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3**

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS, IDAHO

**Ordinance No. 3022
Adopted December 12, 2011
Effective December 15, 2011, publication**

**First Amendment to the Plan
Ordinance No. O-2025-010
Adopted July 7, 2025
Effective July 17, 2025, publication**

**Second Amendment to the Plan
Ordinance No. ____
Adopted ____, 2026
Effective ____, 2026, publication**

BACKGROUND

This Second Amendment (“Second Amendment”) to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the “Plan”) amends the Plan to extend the duration of the Plan, as amended, and the corresponding revenue allocation area, as amended (“RAA 4-3”) for an additional fifteen (15) years with a new termination date of December 15, 2046. The Plan establishing RAA #4-3, was adopted by Twin Falls City Council Ordinance No. 3022, on December 12, 2011. The Plan and RAA #4-3 were amended by the First Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3 the (“First Amendment”), which First Amendment was adopted by Twin Falls City Council Ordinance No. O-2025-010 on July 7, 2025, which de-annexed a single parcel from RAA #4-3. As amended by the Second Amendment, the Plan and RAA #4-3 will terminate on December 15, 2046; however, revenue allocation proceeds may be received pursuant to Idaho Code § 50-2905(7), and used for outstanding reimbursement or debt service obligations in 2047, if not earlier terminated.

Idaho Code Section 50-2904(5) allows a plan amendment to extend the duration of the plan and revenue allocation financing provisions when:

There is a plan amendment of an existing revenue allocation area to support growth or development of a manufacturing project where the revenue allocation area includes only parcels that are owned or controlled by the project owner and its affiliates, in which case the revenue allocation area financing provision may be extended for up to twenty (20) years during which the agency will continue to receive revenue allocation proceeds under section 50-2908, Idaho Code, until termination pursuant to the new termination date approved in the plan amendment. For the purposes of this subsection "controlled by" means that the project owner or its affiliates have entered into a binding contract leasing a parcel that will extend for the duration of the proposed extension of the revenue allocation area financing provision.

Idaho Code Section 50-2904(5). A “manufacturing project” is defined to mean “a manufacturing or industrial project and ancillary uses that manufactures, processes, or fabricates tangible personal property as defined in section 63-3616, Idaho Code.” Idaho Code Section 50-2903(12). Based on the Second Supplement to the Economic Feasibility Study (defined below), it is projected using the estimated new development values provided by Chobani, the estimated future levy rates, and anticipated repayment of existing obligations and Project Costs associated with the Additional Projects, only a maximum fifteen (15) year extension is necessary.

Chobani certifies as a result of the First Amendment, RAA #4-3 includes only parcels that are owned or controlled by Chobani and its affiliates. Chobani further certifies this Second Amendment is to support the growth of Chobani, through expansion of its facilities, of a manufacturing project and that the Chobani expansion meets the definition of a manufacturing project.

House Bill 606, effective July 1, 2016, amended the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) firmly establishing “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be

determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Though the provisions of Idaho Code § 50-2903A do not apply to the Plan, a plan amendment “to support growth or development of a commercial, manufacturing, or industrial project in an existing revenue allocation area” is a specifically identified exception to a base reset. Idaho Code § 50-2903A(1)(a)(iv). This highlights the legislative support for these types of amendments.

For purposes of this Second Amendment only, Zions Public Finance, Inc., by letter to the Agency, dated _____, specifically waived the requirement of Section 17K of the Agency Bond Resolution No. 2013-1, dated January 14, 2013 (the “Bond Resolution”), concerning the filing of a Consultant’s Report, as defined in the Bond Resolution, with the Trustee and the Registered Owner(s) on the effect of the proposed Second Amendment.

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan, as amended by the First Amendment.

2. Amendment to the “Introduction” Section of the Plan, as amended by the First Amendment to the Plan.

(a) The Section entitled “INTRODUCTION” is amended by adding a new paragraph following the end of the language added by the First Amendment to the Plan as follows:

This Second Amendment to the Plan (the “Second Amendment”) seeks to amend the Plan, as amended by the First Amendment to extend the duration of the Plan and the corresponding revenue allocation area as amended (“RAA 4-3”) for an additional fifteen (15) years with a new termination date of December 15, 2046. This Second Amendment also includes a Second Supplement to the Economic Feasibility Study. In accordance with the Law, this Second Amendment was submitted to the Planning & Zoning Commission of the City of Twin Falls. After consideration of the Second Amendment, the Commission filed a Resolution dated _____, 2026, with the City Council stating that the Second Amendment is in conformity with the Twin Falls 2016 Comprehensive Plan, *Grow with Us*, adopted by the Twin Falls City Council on November 7, 2016, as may be amended. Pursuant to the Law, the City Council, having published due notice thereof, held a public hearing on the Second Amendment. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted the Second Amendment on _____, 2026, pursuant to Ordinance No. _____.

3. Amendment to the “Purpose” Section of the Plan.

(a) The Section entitled “PURPOSE” is amended by adding new paragraphs following the end of the existing paragraph as follows:

The purpose of this Second Amendment is, in accordance with Idaho Code Section 50-2904(5), to extend the duration of the Plan, as amended, and RAA 4-3, as amended, for an additional fifteen (15) years and to establish a new termination date for the Plan and RAA 4-3 of December 15, 2046, to support the growth and expansion to the Chobani manufacturing facility. In support of the expansion, revenue allocation funds will be used to fund additional public infrastructure improvements needed to serve the Chobani expansion, including the construction of water system improvements and lines; sewer system improvements and lines; roadway improvements, including the widening of 3300 East and the addition of a signal at the intersection of US30 and 3300 East; upgrades to power infrastructure, including construction of a substation and a new transformer; and impact fees as further described below and in the Second Supplement to the Economic Feasibility Study (collectively, the “Additional Project”). It is expected these additional improvements will be primarily funded by revenue allocation proceeds, although the City or any other public agency, as properly budgeted and subject to any constitutional and/or statutory limitations, may expend money to assist the Agency in carrying out this Additional Project.

This Second Amendment acknowledges the priority of the existing repayment obligations entered into as part of the original Project, including the Revenue Allocation Bonds, Series 2013, issued pursuant to the Bond Resolution No. 2013-1, dated January 14, 2013 (the “Bond Resolution”). Additionally, this Second Amendment addresses the existing reimbursement obligation related to the Project as memorialized in the Project Improvements Reimbursement Agreement, dated May 9, 2016, and as subsequently amended by the First Addendum to Project Improvements Reimbursement Agreement, dated August 12, 2019 (the “Reimbursement Agreement”), which reimbursement amount is capped at the balance of \$14,234,032 with no interest accruing (the “Reimbursement Amount”). It is projected the Bond, the Reimbursement Amount and the Project Costs for the Additional Project will be fully redeemed, reimbursed and paid prior to 2046. To the extent the Bond, the Reimbursement Amount and the Project Costs for the Additional Project are fully redeemed, reimbursed and paid earlier than projected, it is the intent of the Agency to terminate the Plan, as amended, and RAA #4-3 prior to 2046.

4. Amendment to the “Assessed Valuations” Section of the Plan, as amended by the First Amendment to the Plan.

(a) The Section entitled “Assessed Valuations” is deleted and replaced as follows:

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Twin Falls County Assessor, the estimated taxable value for the City as of May 27, 2026, less homeowners’ exemptions, is \$6,732,166,573. Therefore, the 10% limit is \$673,216,657.00.

The adjusted base assessed value of each of the existing revenue allocation areas and the assessed taxable value of RAA 4-3 as of July 2026, are as follows:

RAA 4-3 ¹	\$642,163
RAA 4-4	\$4,153,968
Orchard Drive East RAA	\$483,336
Old Towne-2 RAA	\$265,101,241
Southwest RAA	\$15,260,739
Total of Existing Districts	\$285,641,447.00

The adjusted base values for the combined existing revenue allocation areas total \$285,641,447.00, which is less than 10% of the City's estimated 2026 taxable value.

5. Amendment to the "Public Works or Improvements" Section of the Plan.

(a) The Section entitled "PUBLIC WORKS OR IMPROVEMENTS" is amended by adding new paragraphs following the end of the existing paragraph as follows:

The Additional Project includes:

- Road Improvements, including the engineering, design, installation, construction, and/or reconstruction of 3300 East, including the widening of 3300 East, improvements to the streetscapes, and related pedestrian and bicycle facilities, sidewalk, curb and gutter.
- Intersection Improvements, including the engineering, design, installation, construction, and/or reconstruction of improvements to the intersection of 3300 East and US30, including the installation of traffic signals.
- Power Upgrades, including the engineering, design, relocation, installation, construction, and/or reconstruction of the power distribution system and the addition of a transformer and installation of a new substation (within and outside of the Amended Project Area).
- Water System and Line Upgrades, including the engineering, design, relocation, installation, construction, and/or reconstruction of improvements and upgrades to the water distribution system and water capacity improvements for up to four (4) MGD, including water pipe from Falls Avenue south to the Hankins tank and the

¹ Adjusted to show removal of values from deannexed parcel.

addition of pumps at the Hankins Pump Station as needed to meet four (4) MGD (within and outside of the Amended Project Area).

- Sewer System and Line Upgrades, including the engineering, design, relocation, installation, construction, and/or reconstruction of wastewater system improvements and upgrades, including extension of the wastewater collection system, lift stations, and improvements to accommodate wastewater treatment for up to four (4) MGD including sewer line in Pole Line Road from Eastland Drive North to the Magic Valley Mall and additional sewer line improvements from the Magic Valley Mall to the Canyon Springs Road corner and other lines as needed to provide four (4) MGD service to the Chobani plant (within and outside of the Amended Project Area).
- Impact Fees related to the Additional Project as assessed for building permits secured by December 31, 2029.

6. Amendment to Plan to add new Section “Reimbursement Agreements.”

(a) The Plan is amended to add a new section entitled “Reimbursement Agreements” as follows:

REIMBURSEMENT AGREEMENTS

The Agency has and anticipates entering into future development participation agreements with Chobani as needed to reimburse Chobani for costs expended on the Additional Project and associated debt service. The terms “reimbursement agreement, “owner participation agreement” or “participation agreement” are intended to include all reimbursement agreements with a property owner, including reimbursement agreements, grant agreements or other participation agreements. The reimbursement agreements with Chobani related to the Additional Project within RAA #4-3 may be entered into throughout the duration of this Plan, as amended, in order to implement the Additional Project as set forth in this Plan, as amended.

Construction of the Chobani expansion is a condition of additional reimbursement agreements between the Agency and Chobani pursuant to this Plan, as amended, and will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the expansion meets the standards set forth in an executed reimbursement agreement and meets the conditions described below:

- a. The Chobani expansion and the Additional Project within RAA #4-3 shall be required to conform to all applicable provisions, requirements, and regulations of this Plan, as amended. Upon completion of improvements, the expansion must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of fifteen (15) years.
- b. All such buildings or portions of buildings which are to remain within RAA #4-3 shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.

c. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as amended, as well as to all applicable codes and ordinances of the City.

All reimbursement agreements will address phasing issues, development timing and schedule, justification and eligibility of project costs, and achievement of the objectives of the Plan, as amended. Obligations under reimbursement agreements shall terminate no later than the last date revenue allocation proceeds may be received and applied to outstanding obligations, September 30, 2047. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.

Whether or not Chobani enters into a reimbursement agreement with the Agency, the provisions of this Plan, as amended, are applicable to all public and private property in RAA #4-3.

Reimbursement agreements may be used to implement the following objectives:

a. Encouraging industrial users to accelerate expansion and development in RAA #4-3.

b. Subject to the limitations of the Law and the Act, providing incentives to Chobani to encourage utilization and expansion of existing permitted uses during the transition period to prevent a proliferation of vacant and deteriorated parcels in RAA #4-3 during the extended redevelopment of the Project Area.

c. To accommodate improvements and expansions allowed by City regulations and generally consistent with this Plan, as amended, for the RAA #4-3.

d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan, as amended, to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan, as amended.

e. Provide for advance funding by Chobani of those certain public improvements and projects related to or needed for the Chobani expansion and related to the construction of certain public improvements to support the expansion. In that event, the Agency will agree as set out in the reimbursement agreement to reimburse Chobani for the costs of public improvements and projects identified in the reimbursement agreement from RAA #4-3 generated by the Chobani expansion, to the extent the costs are funded by Chobani and not funded or repaid by other sources.

7. Amendment to Plan to add new Section “Participation with Local Improvement Districts, Business Improvement Districts and/or Community Infrastructure Districts.”

(a) The Plan is amended to add a new section entitled “Participation with Local Improvement Districts, Business Improvement Districts and/or Community Infrastructure Districts” as follows:

PARTICIPATION WITH LOCAL IMPROVEMENT DISTRICTS, BUSINESS IMPROVEMENT DISTRICTS AND/OR COMMUNITY INFRASTRUCTURE DISTRICTS

Under the Idaho Local Improvement District Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the local improvement district or to participate as an assessed entity to finance the local improvement district project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

Further, a community infrastructure district formed pursuant to the Community Infrastructure District Act, Chapter 31, Title 50, Idaho Code, provides an additional funding mechanism for certain public improvements benefitting the district, including highways, interstates, public parking facilities, pedestrian and bicycling trails, public safety facilities (law enforcement, fire, emergency medical and rescue), street lighting facilities, and real property acquisition for community infrastructure, water supply treatment, storage and distribution facilities, wastewater collection, treatment and disposal facilities, road, streets and related landscaping, storm water facilities, parks and open space. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of community infrastructure district facilities. This participation may include either direct funding to reduce the overall cost of the community infrastructure district or to participate as an assessed entity to finance the community infrastructure district project.

8. Amendment to the “Economic Feasibility” Section of the Plan, as amended by the First Amendment to the Plan.

(a) The Section entitled “Economic Feasibility Study” is amended by adding new sections immediately following the paragraph added by the First Amendment to the Plan as follows:

A. General Description of the Proposed Financing Method for the Additional Project

The Agency is authorized to finance the Additional Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, owner advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), or any other available source, public or private.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan, as amended by the First Amendment and the Second Amendment. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City

or any other public agency, as properly budgeted and subject to any constitutional and/or statutory limitations, may expend money to assist the Agency in carrying out this Project and Additional Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project and the Additional Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

B. Revenue Allocation Financing Provisions

The Agency previously adopted revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2011, with an original termination date of December 15, 2031. Pursuant to Idaho Code Section 50-2904(5), the Second Amendment extends the duration of the Plan, as amended, and RAA #4-3, as amended, and will terminate on December 15, 2046; however, revenue allocation proceeds may be received and used for outstanding reimbursement and/or debt service obligations in 2047 pursuant to Idaho Code § 50-2905(7), if not earlier terminated. These revenue allocation provisions shall continue to apply to all taxing districts which are located in or overlap RAA #4-3 as shown and described in the Plan and as amended by the First Amendment to include Attachments 1 and 2. The Agency specifically finds that the equalized assessed valuation of property within RAA #4-3, as amended is likely to continue to increase as a result of the growth and expansion of the Chobani facility. The Second Amendment is authorized by Idaho Code Sections 50-2904(5) and 50-2903(4) and the base year remains January 1, 2011; there is no base reset under Idaho Code Section 50-2903A.

The Agency issued its Revenue Allocation Bonds, Series 2013 by adoption of Bond Resolution No. 2013-1, dated January 14, 2013, and as subsequently supplemented by the Supplemental Resolution No. 2023-11, adopted by the Agency Board of Commissioners on July 17, 2023 (together, the “Bond Resolution”), pledging the Revenue Allocation Revenues from RAA #4-3 for repayment of the Series 2013 Bonds. The Series 2013B Bond has been fully paid and redeemed. The final payment under the Series 2013A Bond (the “Bond”) is April 1, 2031. In accordance with the terms of the Bond Resolution, certain excess funds may be used to pay for any “repairs, additions or improvements to the Project or for any new project in the Revenue Allocation Area approved by the Agency in accordance with the Law, upon the written request therefor submitted to the Trustee by the Agency; provided that there shall be retained in the Revenue Allocation Fund the amount necessary to make all Debt Service payments due during the next six (6) months.” Section 9 of the Bond Resolution. The Agency has been tracking project costs pursuant to the Project Improvements Reimbursement Agreement, dated May 9, 2016, and as subsequently amended by the First Addendum to Project Improvements Reimbursement Agreement, dated August 12, 2019 (the “Reimbursement Agreement”), which reimbursement amount is capped at the balance of \$14,234,032 with no interest accruing (the “Reimbursement Amount”). The Reimbursement Amount is funded through reimbursement of Available Pledged Revenues, which is subordinate to payment of the Bond. An annual Administrative Fee in the amount of \$150,000 is also paid to the Agency from Available Pledged Revenues, which is also subordinate to payment of the Bond, but is payable prior to reimbursement of the Reimbursement Amount.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs of the Additional Project as they are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys advance-funded by developers or property owners, borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the original Project Costs or the additional Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects. The Additional Project will be subordinate to the Bond and eligible for reimbursement using Available Pledged Revenues until such time as the Bond is fully redeemed. This Second Amendment contemplates the payment of administrative costs to the Agency.

The Agency may consider a note or line of credit issued by a bank or lending institution or the issuance of bonds premised upon revenue allocation funds generated by the Chobani expansion as contemplated by the Second Supplement to the Economic Feasibility Study, as defined in the Second Amendment, which would allow the Agency to more quickly fund the public improvements and eligible projects contemplated by this Second Amendment. Likewise, an owner advanced funding of certain eligible public infrastructure improvements and projects to be reimbursed pursuant to an owner participation agreement could achieve the same purpose.

The creation of the special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908 will continue through the duration of the Plan, as amended by this Second Amendment, and RAA #4-3, as amended. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing the additional public improvements and facilities, a schedule of improvements, the location of proposed public infrastructure improvements, a supplemental economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Second Amendment and in Attachment 3A to this Plan, as amended. This information necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. Agency revenue and the ability to fund reimbursement of eligible Project Costs and/or debt service is more specifically detailed in the annual budget.

Subject to the existing Bond, the Agency may appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Owner advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are and will continue to be irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project and/or the Additional Project in whole or in part, including reimbursement to any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in the "Termination Date" Section of the Plan, as amended by the Second Amendment. The Study and the Second Supplement to the Economic Feasibility Study incorporate estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The Second Supplement to the Economic Feasibility Study projects the Bonds, Reimbursement Amount and Project Costs for the Additional Project will be fully paid and/or reimbursed by 2040. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds from another source.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project and the Additional Project.

The Agency reserves the right to either pay for Project Costs from available revenue (pay as you go basis) or borrow funds by incurring additional debt through notes, bonds, or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

C. Economic Feasibility Study

The Economic Feasibility Study in the original Plan and the Second Supplement to the Economic Feasibility Study set forth in Attachment 3A to the Second Amendment constitute the Economic Feasibility Study for RAA #4-3 (together, the "Study"). The Second Supplement to the Economic Feasibility Study was prepared by Kushlan || Associates. The Study constitutes the financial analysis required by the Act and is based upon existing information from Chobani, the Agency, the City and others. Projections are based upon input from Chobani, the Agency, Twin Falls County, City and other public entities.

D. Assumptions and Conditions/Economic Feasibility Statement

The information contained in the Second Supplement to the Economic Feasibility Study assumes certain completed and projected actions. All debt is projected to be repaid by 2040, and in any event, no later than the duration period of the Plan, as amended. The total amount of indebtedness (and all other loans or indebtedness), owner reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of the private development and the subsequent expansion. Should the expansion take place as projected and be valued as projected, the project indebtedness could be extinguished earlier, dependent upon other legal obligations. Should the expansion take longer to materialize, or should the private development and subsequent expansion be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term. To the extent the Bond, the Reimbursement Amount and the Project Costs for the Additional Project are fully redeemed, reimbursed and paid, it is the intent of the Agency to terminate the Plan, as

amended, and RAA #4-3 prior to 2046. The Second Supplement to the Economic Feasibility Study assumes an aggressive development timeline requiring early installation of the Additional Project. Significant time was spent identifying the eligible public infrastructure, the project costs, the development timeline, and projected cash flow to ensure specificity to support the goals of the Second Amendment. This Second Amendment recognizes the importance of the Additional Project to support the Chobani expansion. The Second Amendment also recognizes the goal of reallocating the values back to the regular tax rolls. It is intended that if the listed Additional Projects are no longer required for the expansion, the fact the improvements were identified, but not completed will not delay early termination, or extend the Termination Date. Likewise, to the extent the Chobani expansion is delayed, or the values are less than projected, and/or the levy rates are less than projected, the Termination Date will not be extended, and any reimbursement agreements may not be fully re-paid by September 30, 2047.

The Plan, as amended, and the Second Supplement to the Economic Feasibility Study incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Second Amendment proposes certain additional public improvements as set forth in the Second Supplement to the Economic Feasibility Study, and in the "Public Works or Improvements" Section of the Plan, as amended, which will facilitate and support the Chobani expansion and associated public infrastructure projects and economic development opportunities in RAA #4-3 as more fully guided by the design, planning and desired goals set forth in the Comprehensive Plan.

The assumptions set forth in the Second Supplement to the Economic Feasibility Study are based upon the best information available to the Agency and its consultants through public sources or discussions with Chobani, City staff, the County, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek to issue debt or seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Additional Project on a "pay as you go" basis. The Agency Board will prioritize the activities set forth in this Plan, as amended, and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The additional project list within Attachment 3A is prioritized by way of feasibility based on timing of the Chobani expansion, estimated revenues to be received, amounts funded, and by year of funding. The projected timing of funding is primarily a function of the availability of financial resources but is also strategic, considering the timing of the expansion and future growth within RAA #4-3.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected expansion in RAA #4-3, assessed value increases, and assumed tax levy rates as more specifically set forth in the Second Supplement to the Economic Feasibility Study. Attachment 3A has taken into account and excluded levies that do not generate revenue for the Agency consistent with Idaho Code § 50-2908. For purposes of the Study, the levy for the Twin Falls Ambulance is included through payment of the Bond, and thereafter, the Twin Falls Ambulance levy is excluded from the analysis. In projecting the expansion, the Second

Supplement to the Economic Feasibility Study considered communications with Chobani, City and County staff and others. The Study concludes the Additional Project is feasible. But for urban renewal and revenue allocation financing, and without a method to construct the Additional Project, the Chobani expansion and future planned expansion activity is unlikely to occur in RAA #4-3.

It is understood that application of certain exemptions, including Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

9. Amendment to the “Estimated Project Costs” Section of the Plan.

(a) The Section entitled “Estimated Project Costs” is amended by adding a new paragraph immediately following the existing table as follows:

The estimated Additional Project Costs to fund eligible public infrastructure costs to support the Chobani expansion are listed in Attachment 3A.

10. Amendment to the “Fiscal Impact Statement” Section of the Plan.

(a) The Section entitled “Fiscal Impact Statement” Section is amended by adding new paragraphs immediately following the existing table as follows:

An estimate of the current overall impact of the revenue allocation project on each taxing district is shown in the Second Supplement to the Economic Feasibility Study through the new expansion projections set forth in Attachment 3A.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, than the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity’s levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation

areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan, as amended; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. The Second Supplement to the Economic Feasibility Study analysis is premised upon the fact the proposed expansion development and/or redevelopment would not occur but for the ability to use revenue allocation funds to fund certain significant public infrastructure improvements and projects removing certain impediments to the expansion development.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits most taxing entities² from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated, or a deannexation occurs. Any new construction within the Revenue Allocation Area is not available in the short term for inclusion by the taxing entities to increase their budget capacity. Upon termination of this Plan, as amended, or deannexation of area, the taxing entities will be able to include a percentage of the increment value on the new construction roll for purposes of setting the following year's budget and revenue from such value is not limited to the budget caps set forth in Idaho Code § 63-802.

As the 2026 certified levy rates are not determined until late November 2026, the 2025 certified levy rates have been used for purposes of the analysis. For Tax Year 2025, those taxing districts and levy rates are as follows:

Taxing Districts	Levy Rates:
CSI	.000731166
City of Twin Falls	.005049695
Twin Falls County	.002705909
Twin Falls Ambulance* (retain through debt service on existing bond)	.000114419
Twin Falls Pest Abatement	.000056692
Twin Falls Highway	.000732473
Twin Falls School #411	.000015747
TOTAL:	0.009406101
Minus ambulance:	.009291682

² Except for certain fire protection districts and emergency medical services districts as set forth in Idaho Code Section 63-301A.

The Second Supplement to the Economic Feasibility Study has made certain assumptions concerning the levy rate. First, pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account. This is also the reason there is no anticipated impact to School District #411.

Second, Idaho Code § 50-2906(4) provides that fire protection and ambulance service districts are not subject to the financing provisions of a revenue allocation area modified after July 1, 2025, unless the fire protection district and/or the ambulance service district each consent to be included pursuant to the process outlined in Idaho Code § 50-2906(4). This amendment will apply to this Plan. Should Twin Falls County Ambulance fail to consent to be included in RAA #4-3, as amended, the levy from that district will not generate revenue for RAA #4-3. To be conservative the Plan, as amended, and the Second Supplement to the Economic Feasibility Study consider receipt of revenue allocation funds from the Twin Falls County Ambulance levy in the revenue model through payment of the Bond, and thereafter, the Twin Falls Ambulance levy is excluded from the analysis. If the overall levy rate is less than projected, or if the Chobani expansion development value is less than projected, the Agency shall receive fewer funds from revenue allocation; the Termination Date will not be further extended.

The Second Supplement to the Economic Feasibility Study utilizes the following assumptions, in part, to support the revenue projection:

The value of the Chobani expansion was provided by Chobani and the Study assumes taxable investment levels, timing and depreciation as provided by Chobani. Based on recent legislative changes to taxing entity budget calculations, the net levy rate is assumed to decrease over time, with steeper reductions the years existing revenue allocation areas terminate adding additional market value to the rolls.

11. Amendment to Plan to add new Section “Phasing and Other Fund Sources.”

(a) The Plan is amended to add a new section entitled “Phasing and Other Fund Sources” as follows:

PHASING AND OTHER FUND SOURCES

The Agency anticipates other sources of funds for the Additional Projects listed on Attachment 3A which may include City, and other public entity parties, Chobani participation, and financing. It is important to note this Plan, as amended, does not financially bind or obligate the City, Agency, and/or any other public entity to any project. The City and/or other local government entities continue to be subject to statutory and constitutional budget and levy limitations. The City, Agency, and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

12. Amendment to the “Termination Date” Section of the Plan, as amended by the First Amendment to the Plan.

(a) The Section entitled “Termination Date,” as amended by the First Amendment is deleted and replaced as follows:

DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

In accordance with Idaho Code Section 50-2904(5), the duration of the Plan, as amended, and RAA #4-3, as amended is extended and will expire on December 15, 2046, except for any revenue allocation proceeds received in calendar year 2047, as contemplated by Idaho Code § 50-2905(7), unless earlier terminated following redemption and repayment of the Bond, Agency administrative costs, the Reimbursement Amount and the Project Costs associated with the Additional Project as set forth in Second Supplement to the Economic Feasibility Study. The Agency may use proceeds in 2047 to complete the projects set forth herein. Obligations under reimbursement agreements and/or debt service obligations shall terminate no later than the last date revenue allocation proceeds may be received and applied to outstanding obligations, September 30, 2047, if the Plan is not earlier terminated.

Pursuant to Idaho Code § 50-2914 the Agency may terminate an urban renewal plan containing a revenue allocation financing provision in accordance with the provisions of Idaho Code §§ 50-2903(5) and 50-2909(4). Idaho Code § 50-2903(5) provides “[i]n the event that the [A]gency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years”, the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1 in the year of termination. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2047, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located by the County Clerk in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.

c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall make its best efforts to adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan, to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City, depending on the nature of the asset.

13. Amendment to Plan to add new Attachment 3A. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 3A entitled "Second Supplement to the Economic Feasibility Study" attached hereto.

14. Urban Renewal Plan for Revenue Allocation Area #4-3. Except as expressly modified in this Second Amendment, the Plan and the Attachments thereto, as amended by the First Amendment, remain in full force and effect.

Attachment 3A
Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2026
Extension and Expansion

4919-0368-7746, v. 2

ATTACHMENT 3A
Second Supplement to the Economic Feasibility Study

Public Improvements within the Revenue Allocation Area

This Attachment includes a list of proposed additional public works or improvements within RAA #4-3, or the "Project Area," to support the Chobani expansion. The proposed improvements within the Project Area include improvements to streets and utilities, including water, sewer, and power upgrades and expansions.

The Area 4-3 Extension District Public Improvement List set forth below identifies needed investments in capital facilities by the Urban Renewal Agency of the City of Twin Falls (the "Agency" or "Twin Falls URA"). Capital facilities generally have long useful lives and significant costs. Some of the improvement projects contained in the Area 4-3 Extension District Public Improvement List are also contained in the City of Twin Falls Capital Improvement Plan (CIP) and other planning documents. Some improvement projects included in the Area 4-3 Extension District Public Improvement List have evolved upon consideration of these and various other City plans and policies, including the Comprehensive Plan, and may have grant funding allocated. The Area 4-3 Extension District Public Improvement List is not an appropriation or approval of any specific project. The Revenue Allocation Yield sets forth the estimated revenue generation for a 20-year expansion from the existing termination date, through 2051. The Cash Flow model projects the existing Bond, Reimbursement Amount and the Project Costs for the Area 4-3 Extension District Public Improvements, including an estimated 7% interest rate for debt service, should be fully redeemed, reimbursed and paid by 2040. The project is economically feasible and supports termination well prior to 2051.

It is anticipated that the Agency will issue no indebtedness, instead relying on reimbursement to the project proponent through reimbursement agreements, or other similar agreements, to be satisfied from the Revenue Allocation proceeds generated by the taxable investment in the Project Area; however, alternative funding scenarios are contemplated, including the issuance of debt by Chobani and/or the Agency, with reimbursement models assuming a 7% interest rate on borrowed funds. There are \$111,111,773 of debt service obligations including the principal and interest on existing Area 4-3 Bonds. The fiscal analysis also recognizes reimbursement of \$14,234,032 of outstanding, unfunded obligations due to the project proponent. Project costs projected for the District Extension are projected to amount to \$59,800,000, of which \$53,050,000 is expected to be reimbursed through revenue allocation proceeds. A seven (7) percent interest rate was assumed on any outstanding obligations. It is anticipated that \$2,250,000 will be committed for administrative and operational costs of the District during the first 12 years of the Extension. It is anticipated that all of the obligations of the District can be satisfied in twelve (12) years, or by 2040, based upon the projections of project costs, taxable investment provided by the project proponent, and estimated revenue generation. Should those estimates prove overly optimistic, the 12-year pay-out would not be feasible, but in all cases the revenue generated should be sufficient to cover all project costs by September 30, 2047, the maximum termination date of the District.

Project Funding

Secure funding includes revenue allocation funds and is money the Twin Falls URA is highly likely to receive. The funds may not be in the Twin Falls URA's possession at the beginning of the Plan Extension period, but it is virtually certain that the Twin Falls URA will receive the funds. The Twin Falls URA may need to take specific actions to generate the funding, but those actions are within the Twin Falls URA's powers. Despite the high probability of secure funding, no project can proceed until a specific, enforceable funding plan is in place.

Potential funding is money that might be received by the Twin Falls URA. In every case the Twin Falls URA is eligible for the funding, and the source of funding exists under current law. However, each potential funding source requires one or more additional steps or decisions before the Twin Falls URA can obtain the resources, and the ultimate decision is outside of the Twin Falls URA's independent control. Under the current scenario, it is anticipated that in addition to the costs projected to be reimbursed by the Twin Falls Urban Renewal Agency through a reimbursement agreement, the City of Twin Falls is projected to commit \$4,500,000 to the project for a sewer project as well as a State of Idaho contribution of \$750,000 and \$1,500,000 coming from Federal sources.

Additional potential funding is through the issuance of debt by the Agency, or Chobani advancing the funding and/or construction of projects, under which scenarios the Agency would either pay debt service, or reimburse Chobani for the eligible costs, plus interest. Both funding mechanisms have the effect of advancing the funding of projects secured by reimbursement of available revenue allocation proceeds.

Unfunded projects, or portions of projects lack secure or potential funding.

The amount of tax increment contributed to each project may vary. These projects will be funded in part from a variety of other revenue sources, as noted above, if available. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

The Plan proposes certain public improvements that will facilitate development and support further investment in the Project Area. The investments are anticipated to be funded from a variety of financing methods and sources. The primary method of financing will be through the use of tax increment revenue (i.e., incremental property taxes from the revenue allocation area). This Plan, as amended, anticipates that the tax increment revenue will be used to pay for improvements through reimbursement agreements, bonded indebtedness, grants, or a combination of sources as noted above.

Other sources of funding for project may include, but are not limited to:

- Local Improvement District (LID)
- Business Improvement District (BID)

- Development Impact Fees
- Franchise Fees
- Grants from federal, state, local, regional agencies and/or private entities
- Improvements and/or payments by developers

The total project costs, project timing and the amount of tax increment contributed to each project are estimates. The estimated project costs and revenues are based on Chobani's and the Twin Falls URA's present knowledge and expectations supported by information from the City and Agency staff and consultants. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

Summary of Projects

The following table summarizes the estimated total project costs to be incurred in implementing the Extension Plan in the Project Area. Specific project funding will be reviewed by the Twin Falls Urban Renewal Board during the annual budget cycle.

Area 4-3 District Extension Public Improvements List

	2025	2026	2027	2028	2029	CATEGORY TOTALS
Road improvements						
3300 East widening	\$	500,000				
Signal US30 / 3300 East		\$	2,300,000			
Additional widening 3300 East		\$	1,300,000			
						\$ 4,100,000
Power upgrades						
Early Procurement	\$ 900,000	\$ 800,000	\$ 1,700,000	\$ 1,000,000		
Substation		\$ 3,000,000	\$ 4,000,000	\$ 4,000,000	\$ 3,500,000	
Rule H Distribution		\$ 2,800,000				
						\$ 21,700,000
Sewer/Water						
Sewer Pole Line from Eastland to mall		\$	9,000,000			
Sewer 4MGD capacity improvements				4,000,000		
Water 4MGD capacity improvements				19,000,000		
						\$ 32,000,000
Impact fees	\$ 2,000,000					
						\$ 2,000,000
TOTALS BY YEAR	\$ 900,000	\$ 9,100,000	\$ 18,300,000	\$ 28,000,000	\$ 3,500,000	\$ 59,800,000

Revenue Allocation Income Generated by new Taxable investments by Year (2028-2040)

Year	Secure Funding	Potential Funding	Unfunded	Total Project Liabilities
2028	\$14,162,507	\$6,750,000 (1)	\$0.00	\$10,127,201
2029	\$16,798,113	\$0.00	\$0.00	\$13,399,654
2030	\$15,821,626	\$0.00	\$0.00	\$13,801,832
2031	\$10,768,038	\$0.00	\$0.00	\$11,103,148
2032	\$12,475,367	\$0.00	\$0.00	\$ 8,568,085
2033	\$11,723,736	\$0.00	\$0.00	\$ 8,568,085
2034	\$10,071,363	\$0.00	\$0.00	\$ 8,568,085
2035	\$9,265,214	\$0.00	\$0.00	\$ 7,918,085
2036	\$8,907,247	\$0.00	\$0.00	\$ 7,918,085
2037	\$8,128,693	\$0.00	\$0.00	\$7,918,085
2038	\$7,066,192	\$0.00	\$0.00	\$ 6,400,000
2039	\$7,353,125	\$0.00	\$0.00	\$7,150,000
2040	\$6,849,893	\$0.00	\$0.00	\$4,550,000
Total	\$115,990,345	\$0.00	\$0.00	\$ 115,990,345

- 1: Assumes City, State and Federal Funding is available in year one
- 2: A positive cash balance of \$2,299,893 remains at District termination after 2040, showing the Project could terminate early.

Economic Feasibility Study

The Plan is economically feasible because the proposed development is consistent with the City's Comprehensive Plan, the amount of projected growth in the area is consistent with the growth projected in the Comprehensive Plan and the revenue from the proposed extended Project Area equals or exceeds the estimated costs of the projects to be funded by the Twin Falls URA.

The economic feasibility of the Plan is based on the following factors:

- The amount of development proposed in the extended Project Area
- The amount of tax revenue to be generated by the anticipated development.
- The amount of other funding received or contemplated to be received for the Twin Falls URA public improvement projects.
- The estimated cost of Twin Falls URA public improvement projects to be funded by the Twin Falls URA's tax increment revenue and other potentially available funds.

The following is a summary of the analysis and estimates of the factors used to determine the economic feasibility of Plan.

Updated Economic Feasibility Analysis

Summary:

The Revenue Allocation Yield sets forth the estimated revenue generation for a 20-year expansion from the existing termination date, through 2051. The Cash Flow model projects the existing Bond, Reimbursement Amount and the Project Costs for the Area 4-3 Extension District Public Improvements, including an estimated 7% interest rate for debt service, should be fully redeemed, reimbursed and paid by 2040. The project is economically feasible, and supports termination well prior to 2051. The Economic Feasibility Study Cash Flow Model assumes continuation of the \$150,000 per year contribution to the Agency for administration and other project-related costs after a two-year catch up of delayed contributions, for a total of \$2,250,000 (assuming a twelve-year pay-off of all obligations allowing for early termination of the District).

The spreadsheet entitled "Area 4-3 Extension Cash Flow Analysis" gives a more detailed outlook on the revenues and expenses of the proposed Project Area.

The following assumptions were made in the formulation of the Economic Feasibility Analysis:

- Taxable investment within the Revenue Allocation Area will be consistent with the estimates provided by the project proponent.
- The timing of the taxable investment within the Revenue Allocation Area will be consistent with the schedule provided by the project proponent.
- The property tax rates will fluctuate consistent with the estimates provided by the Twin Falls County Assessor.

- Revenue Allocation proceeds will start to flow to the Agency in 2028 assuming Certificates of Occupancy (CO) issued in 2027. Delay in COs will delay revenue flow to the agency by one year for each year of delay in the construction schedule.
- Total estimated cost of the Area 4-3 Extension Public Improvements List over the life of the project: \$59,800,000.
- Of the total project costs noted above, \$53,050,000 is expected to be reimbursed by TFURA through the Revenue Allocation process. The balance is anticipated to come from City, State and Federal sources (\$6,750,000).
- Tax rate does not include levies excluded pursuant to Idaho Code 50-2908, such as voter approved bonds/levies after 2007, judgment levies or the School District Plant or supplemental levies excluded by law.

The Updated Economic Feasibility Analysis shows that the project is 100% financially feasible and will generate adequate funds within the Project Area to fund the necessary capital improvements and terminate well prior to 2051, and projected to be as early as 2040. The Agency and Chobani have pursued outside funding sources to augment tax increment revenues. While primarily contemplated to be funded through a reimbursement model, there is flexibility built in to address the issuance of debt by the Agency. The Cash Flow Model projects a 7% interest cost for carrying Project Costs. The Agency is committed to closing the Project Area as soon as the projects are deemed completed and all infrastructure improvements are made, and financial obligations satisfied, with an outside termination year of September 30, 2047, five (5) years prior to the outside termination date of 2052. This analysis, based on the data supplied by the project proponent with meet all obligations within a twelve-year timeframe, allowing the extended district to terminate after 2040, but by 2047 at the latest.

Preliminary Revenue Allocation Yield Estimate for RA Area 4-3 Extension ~ Subject to Change

	Real Estate Value	Personal Property Value	Assessed Value	Base Area 4-3 Value	Incremental Value	Net UR Tax Rate	Annual RA Yield	TFURA Operational Reserve	Net available for Project Costs and Debt Service	Cumulative Net Income Available for Project Cost & Debt Service
2025	\$ 224,346,878	\$ 229,305,965	\$ 533,269,665	\$ 642,163	\$ 532,627,522	0.9406101%	\$ 5,009,948	\$ 300,000	\$ 4,709,948	\$ 4,709,948
2026	303,963,720	229,305,965	533,269,665	642,163	532,627,522	0.9641254%	5,135,197	300,000	4,835,197	9,545,145
2027	303,963,720	229,305,965	533,269,665	642,163	532,627,522	0.9544841%	8,119,543	200,000	7,919,543	17,464,688
2028	472,642,367	378,673,261	851,315,628	642,163	850,673,465	0.9449393%	9,289,293	200,000	9,089,293	26,553,981
2029	523,052,314	460,646,975	983,699,290	642,163	983,057,127	0.9354899%	9,154,338	200,000	8,954,338	35,508,319
2030	547,207,412	431,995,672	979,203,084	642,163	978,560,921	0.9261350%	8,648,244	200,000	8,448,244	43,956,564
2031	542,718,633	391,723,110	934,441,742	642,163	933,799,579	0.9076123%	8,340,061	200,000	8,140,061	52,096,625
2032	553,584,892	365,958,612	919,543,504	642,163	918,901,341	0.8985361%	8,225,277	200,000	8,025,277	60,121,902
2033	567,615,989	348,434,747	916,050,736	642,163	915,408,573	0.8895508%	7,951,569	200,000	7,751,569	67,873,471
2034	573,598,078	320,930,032	894,528,111	642,163	893,885,948	0.8806553%	7,661,936	200,000	7,461,936	75,335,407
2035	573,499,688	297,169,161	870,668,850	642,163	870,026,687	0.8718487%	7,460,118	200,000	7,260,118	82,595,525
2036	578,605,920	277,702,797	856,308,717	642,163	855,666,554	0.8483550%	7,039,531	200,000	6,839,531	89,435,056
2037	577,613,231	251,837,935	829,451,167	642,163	828,809,004	0.8408615%	6,755,584	200,000	6,555,584	95,990,640
2038	575,782,436	228,271,908	804,054,344	642,163	803,412,181	0.8324529%	6,586,933	200,000	6,386,933	102,377,572
2039	572,445,354	219,464,766	791,910,120	642,163	791,267,957	0.8241283%	6,546,768	200,000	6,346,768	108,724,340
2040	575,902,579	219,126,494	795,029,073	642,163	794,386,910	0.8158870%	6,296,226	200,000	6,096,226	114,820,565
2041	551,275,803	221,069,460	772,345,263	642,163	771,703,100	0.8077282%	6,259,283	200,000	6,059,283	120,879,849
2042	550,800,396	224,766,213	775,566,610	642,163	774,924,447	0.7892312%	6,182,504	200,000	5,982,504	126,862,352
2043	552,220,610	231,779,271	783,999,881	642,163	783,357,718	0.7311438%	5,833,448	200,000	5,633,448	132,495,800
2044	561,809,543	236,685,024	798,494,567	642,163	797,852,404	0.6864709%	5,561,766	200,000	5,361,766	137,857,567
2045	565,518,951	245,320,154	810,839,105	642,163	810,196,942	0.6796062%	5,627,589	200,000	5,427,589	143,285,155
2046	578,185,089	250,523,201	828,708,290	642,163	828,066,127	0.6728101%	5,616,144	200,000	5,416,144	148,701,299
2047	581,697,630	253,673,945	835,371,575	642,163	834,729,412	0.6660820%	5,465,775	200,000	5,265,775	153,967,075
2048	564,767,499	256,460,558	821,228,057	642,163	820,585,894	0.6594212%	5,308,216	200,000	5,108,216	159,075,291
2049	545,999,037	259,624,227	805,623,264	642,163	804,981,101	0.6528270%	5,166,262	200,000	4,966,262	164,041,552
2050	530,590,848	261,418,964	792,009,811	642,163	791,367,648	0.6462987%	5,134,475	200,000	4,934,475	168,976,027
2051	530,930,723	264,154,426	795,085,149	642,163	794,442,986		\$ 174,376,027	\$ 5,400,000	\$ 168,976,027	

* Values supplied by project proponent

Note. Revenue Generation Table reflects Revenue Allocation Yield if the project were to run to its full term. Cash Flow analysis suggests all obligations will be satisfied after 2040 allowing early termination of the District

Cash Flow Projection Area 4-3 Extension

Cash Flow Projection - Area 4-3 Extension

	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Source of Funds													
Beginning Balance / Rndev. Fund	\$ 2,493,000	\$ 4,035,306	\$ 3,398,459	\$ 2,019,794	\$ 4,035,306	\$ 3,398,459	\$ 2,019,794	\$ 1,503,276	\$ 1,347,129	\$ 989,162	\$ 210,608	\$ 666,192	\$ 203,125
Total RAA 4-3 Fund Balance													
Source of Funds													
Total Revenue Allocation	\$ 3,110,543	\$ 2,367,521	\$ 2,134,118	\$ 3,544,241	\$ 4,340,761	\$ 4,120,177	\$ 2,950,565	\$ 2,741,928	\$ 2,490,118	\$ 2,021,211	\$ 1,792,485	\$ 1,596,911	\$ 1,344,761
Investment Income	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Debt Service Reserve	\$ 3,449,964	\$ 3,373,314	\$ 3,168,829										
Total Funds Available	\$ 14,162,507	\$ 16,798,113	\$ 15,821,626	\$ 10,768,038	\$ 12,475,367	\$ 11,723,736	\$ 10,871,363	\$ 9,285,214	\$ 8,907,247	\$ 6,128,693	\$ 7,086,192	\$ 7,353,125	\$ 6,849,893
Use of Funds													
District Operating Expenses	\$ 300,000	\$ 300,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 2,350,000
Existing Debt Service Principal	\$ 2,119,000	\$ 2,225,000	\$ 2,336,000	\$ 2,333,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,033,000
Existing Debt Service Interest	\$ 698,928	\$ 534,971	\$ 362,811	\$ 182,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,779,773
Total Existing Debt Service	\$ 3,117,928	\$ 2,759,971	\$ 2,698,811	\$ 2,535,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,111,773
Required Debt Service Reserve	\$ 3,449,964	\$ 3,373,314	\$ 3,168,829	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Repay elements (no interest)	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ 3,250,000	\$ 2,000,000	\$ 900,000	\$ 7,900,000
Principal and Interest on 7% obligations	\$ 7,609,309	\$ 6,316,169	\$ 7,134,192	\$ 7,768,085	\$ 7,768,085	\$ 7,768,085	\$ 7,768,085	\$ 7,768,085	\$ 7,768,085	\$ 7,768,085	\$ -	\$ -	\$ 70,436,265
Current Obligations	\$ 9,727,201	\$ 12,999,654	\$ 13,401,832	\$ 10,703,148	\$ 8,168,085	\$ 8,168,085	\$ 8,168,085	\$ 7,918,085	\$ 7,918,085	\$ 7,918,085	\$ 3,400,000	\$ 2,150,000	\$ 1,650,000
Reserve for Existing Note	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 5,000,000	\$ 3,500,000
Total Use of Funds	\$ 10,137,201	\$ 17,319,854	\$ 17,471,923	\$ 11,103,148	\$ 8,568,085	\$ 8,568,085	\$ 8,568,085	\$ 7,918,085	\$ 7,918,085	\$ 7,918,085	\$ 6,400,000	\$ 7,150,000	\$ 4,850,000
Ending Balance	\$ 4,035,306	\$ 3,398,459	\$ 2,019,794	\$ 4,035,306	\$ 3,398,459	\$ 2,019,794	\$ 1,503,276	\$ 1,347,129	\$ 989,162	\$ 210,608	\$ 666,192	\$ 203,125	\$ 2,299,893

Assumptions

- Revenue Allocation Proceeds reflect data provided by project proponent
- Provides 2-year catch up for District Operations, then historic agreed upon amount
- Recognizes Required Debt Service Reserve for current bonds
- Uses 10-year pay-off of 7% Debt to reduce overall interest cost
- Provides \$7,900,000 to repay non-interest bearing cost reimbursement
- Fully funds outstanding \$14,334,032 Note
- All obligations funded by 2040

RESOLUTION NO. 2026-00

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF TWIN FALLS, IDAHO, VALIDATING CONFORMITY OF THE SECOND AMENDMENT TO THE URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3 WITH THE CITY OF TWIN FALLS COMPREHENSIVE PLAN

WHEREAS, the Urban Renewal Agency of the City of Twin Falls, Idaho (hereinafter “Agency”), the duly constituted and authorized urban renewal agency of the City of Twin Falls, Idaho (the “City”), has submitted the proposed Second Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the “Second Amendment”) to the City. The Second Amendment seeks to extend the duration of the Urban Renewal Plan for Revenue Allocation Area #4-3, as amended (the “Plan”), which contains revenue allocation financing provisions, to add, revise and update provisions in the Plan, and to extend the corresponding revenue allocation area, as amended (“RAA #4-3”); and

WHEREAS, the City Manager and Twin Falls City Council referred the Second Amendment to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Second Amendment with the City’s Comprehensive Plan, *Grow With Us*, as amended (“Comprehensive Plan”); and

WHEREAS, the staff of the City Planning and Zoning Commission has reviewed said Second Amendment and has determined that it is in all respects in conformity with the Comprehensive Plan; and

WHEREAS, on September 15, 2026, the City Planning and Zoning Commission met to consider whether the Second Amendment conforms with the Comprehensive Plan for the City as required by Idaho Code Section 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Second Amendment in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Second Amendment is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF TWIN FALLS, IDAHO:

Section 1. That the Second Amendment, submitted by the Agency and referred to this Commission by the City Manager and City Council for review, is in all respects in conformity with the City’s Comprehensive Plan.

Section 2. That **Exhibit A**, outlining the findings supporting the determination that the Second Amendment is in conformity with the City’s Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Director of the City's Planning and Zoning Department is hereby authorized and directed to provide the City Manager and Twin Falls City Council with a certified copy of this Resolution relating to said Second Amendment.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the City of Twin Falls, Idaho, this 15th day of September 2026.

APPROVED:

Cortney Campbell
Chair, Planning and Zoning Commission

ATTEST:

Jonathan Spendlove
Director, Planning and Zoning Department

EXHIBIT A

4917-7274-8611, v. 1



Date: Tuesday, September 15, 2026
To: Planning and Zoning Commission
From: William Klaver, Senior Planner

ACTION ITEM

Request:

Request to approve a Special Use Permit for a Fuel Station/Charging Station, Drive-Thru, and Extended Hours of Operation on property located at 1222 Latitude Circle (PZ26-0079).

Time Estimate:

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

Background:

Oasis Stop N Go, LLC, represented by Gerald Martens of EHM Engineers Inc., has requested a special use permit for a Fuel/Charging Station, Drive-thru, and Extended Hours of Operation on property located at 1222 Latitude Circle. The property is located in the Latitude 42 Planned Unit Development which comprises of a modified commercial zoning district.

Approval Process:

Per City Code 10-2-4E The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard with regard 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

The commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards:

- a. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- b. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- c. 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.
- d. Will not be hazardous or disturbing to existing or future neighboring uses.
- e. 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.
- f. 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.

- g. 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 noise, smoke, fumes, glare or odors.
- h. Will have vehicular approaches to the property which shall be so designed as not to create interference with traffic on surrounding public thoroughfares.
- i. Will not result in destruction, loss or damage to a natural, scenic or historic feature of major importance.

Conditions and Restrictions

In granting any special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title.

Conditions of approval may include but not be limited to:

- a. Minimizing adverse impact on other developments.
- b. Controlling the sequence and timing of development.
- c. Controlling the duration of development.
- d. Assuring the development is maintained properly.
- e. Designating the exact location and nature of development.
- f. Requiring the provision for onsite or off-site public facilities or services.
- g. Requiring more restrictive standards than those generally required in this title.

Budget Impact:

N/A

Regulatory Impact:

Approval of this special use permit, as presented, will permit a trucking facility that encompasses truck parking, fuel/charging stations, drive-thru window, and extended hours of operation.

History:

The subject property entered into a Planned Unit Development agreement in 2011, called Latitude 42 PUD and identified as Lots 1, 2 and 3 of the development plan. This agreement limited uses based off a distance from Cheney Drive (see exhibit C and D), Limited hours of operation from 7:00 AM - 10:00 PM, Provided increased landscaping requirements, Required Architectural elements such as materials, height, building placement, and limited sign placement and types. For reference regarding amendments, the subject property is Lots 1, 2 and 3 of the proposed development plan in the PUD.

In 2016, the Latitude 42 PUD was amended to allow for a reduced collector section of Cheney Drive West.

In 2020, the Latitude 42 PUD was amended to allow outside storage on Lots 11-15; hours of operation on Lot 11 is limited to 7:00 AM - 7:00 PM; Outside Storage on Lot 11 to comply with screening plan dated November 6, 2020, attached as Exhibit "a"; A vinyl fence constructed along the full boundary between Lot 1 and Lots 9 and 10; Uses on 9 and 10 are changed.

In 2021, the Latitude 42 PUD was amended to allow for tandem parking in relation to the Latitude 42 apartments.

Analysis:

Below is an analysis regarding minimum standards of approval as outlined in 10-2-4-E-5: Special Use Permits. The Commission shall find all criteria to be in the positive in order to approve the proposed Special Use Permit.

Will, in fact, constitute a special use as established by zoning requirements for the zone involved.

The zoning requirements applicable to this request are modified by the Latitude 42 Planned Unit Development (PUD), specifically Appendix C, approved in 2011. Gasoline service stations, drive-thru facilities, and extended hours of operation beyond 7:00 AM to 10:00 PM are uses eligible for consideration through a Special Use Permit. Several uses of higher intensity—such as trucking facilities, truck/bus parking lots or garages, RV and camping parks, freight transfer points, and bulk fuel sales—are specifically prohibited within the PUD.

Staff requested supporting documentation to determine whether the proposed site plan and associated operational characteristics align with an allowable special use or constitute a prohibited trucking-related use. The following information has not been provided:

- Specifications for gas/diesel pumps, including whether pumps are high-flow, low-flow, or a combination.
- An explanation of the intended use of the 15-foot by 60-foot parking stalls located along the eastern lot line.

Absent this information, staff's review indicates that the site configuration appears designed to accommodate large trucks or truck-and-trailer combinations. The size and orientation of the stalls and the potential for high-flow fueling equipment suggest operational characteristics similar to a trucking facility or freight transfer point, which are prohibited within the Latitude 42 PUD. Furthermore, the proposed elevations provided by the applicant shows a truck scale. Based on available information, staff cannot recommend approval of the request as currently proposed.

Will be harmonious with and in accordance with the general objectives or with any specific object of a comprehensive plan and/or zoning regulations.

Based on the design elements observed, staff finds the proposal is inconsistent with the permitted and special-use allowances of the Latitude 42 PUD and therefore is not harmonious with applicable 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.

The Latitude 42 PUD includes material and design requirements applicable to structures within the development. Based on the supplied information, the application meets this criteria. If the Special Use Permit is approved, staff will ensure compliance with all applicable design standards during the building-permit review process.

Will not be hazardous or disturbing to existing or future neighboring uses.

Existing land uses in the vicinity include an auto-body repair facility to the east, storage yards to the south, agricultural land to the west and north, and a major highway to the north. The broader surrounding area includes residential uses, churches, large-implement rental, and park facilities. A fuel/charging station, drive-thru, and extended hours of operation are generally compatible with a mixed-use environment. However, overnight parking or prolonged idling could introduce fumes and odors inconsistent with nearby residential uses, particularly the Latitude 42 apartments. The Commission may wish to consider whether such impacts are appropriate for this area.

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.

The property is adjacent to Pole Line Road, Creekside Way, and Latitude Circle. The proposed plan includes one access point to Creekside Way and two access points to Latitude Circle. Pole Line Road and the affected portion of Creekside Way lie within Idaho Transportation Department (ITD) right-of-way. A letter from ITD dated August 17, 2026, noted:

1. No access to US-93 will be granted.
2. A Traffic Impact Study (TIS) will be required if projected trips exceed 100 vehicles per peak hour or 1,000 vehicles per day.
3. A right-in/right-out configuration may be required for the Creekside Way access.

Creekside Way is a Major Collector and is anticipated to carry substantial traffic when fully built out. Latitude Circle is a local road ending in a cul-de-sac and currently serves storage units, auto-body repair, an apartment complex consisting of 130 units, and equipment rental. If access on Creekside Way is restricted to right-in/right-out movements, additional traffic may be directed toward Latitude Circle. While local-road capacity is not a concern, the existing pavement section was not designed for heavy-vehicle traffic. The Commission may wish to consider adding a condition to rebuild the entire width of Latitude Circle to a stronger cross-section, funded by the owner.

Staff notes that portions of Creekside Way and Cheney Drive West are currently built to reduced collector standards due to partial development and annexation constraints. These reduced widths may result in slower traffic movement and limited accommodation of larger vehicles.

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.

Local roads, especially cul-de-sacs, are designed for limited traffic counts and weight. Increased traffic counts and weights may significantly reduce pavement lifespan, creating long-term maintenance costs. Mitigation may be warranted, such as requiring reconstruction of Latitude Circle to a stronger pavement section coordinated with the City Engineer.

ITD has asked whether the City would be interested in accepting jurisdiction over Creekside Way. Should such a transfer occur, the City may assume additional responsibilities for managing traffic movements at the site access. Staff recommends the Commission consider requiring installation of a median, or other device, on Creekside Way to ensure right-in/right-out movement if ITD does not require it directly.

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 noise, smoke, fumes, glare, or odors.

Fuel/charging stations, drive-thrus, and extended hours are not generally expected to produce detrimental impacts. However, overnight parking or prolonged idling could introduce fumes and odors inconsistent with nearby residential uses, particularly the Latitude 42 apartments. The Commission may wish to consider whether such impacts are appropriate for this area.

Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

The proposed access on Creekside Way is in close proximity to its intersection with Pole Line Road. ITD indicates that access restrictions, including right-in/right-out configuration, may be required. If the City assumes jurisdiction over Creekside Way, then additional design controls or removal of access to Creekside way, may be warranted to prevent left-turn movements. Staff recommends a condition that the owner be required to install a median or remove the access on Creekside Way, if ITD Transfers ownership to the City.

Will not result in the destruction, loss or damage to natural, scenic or historic features of major importance.

Based on the information provided, the applicant complies with this criteria.

Conclusion:

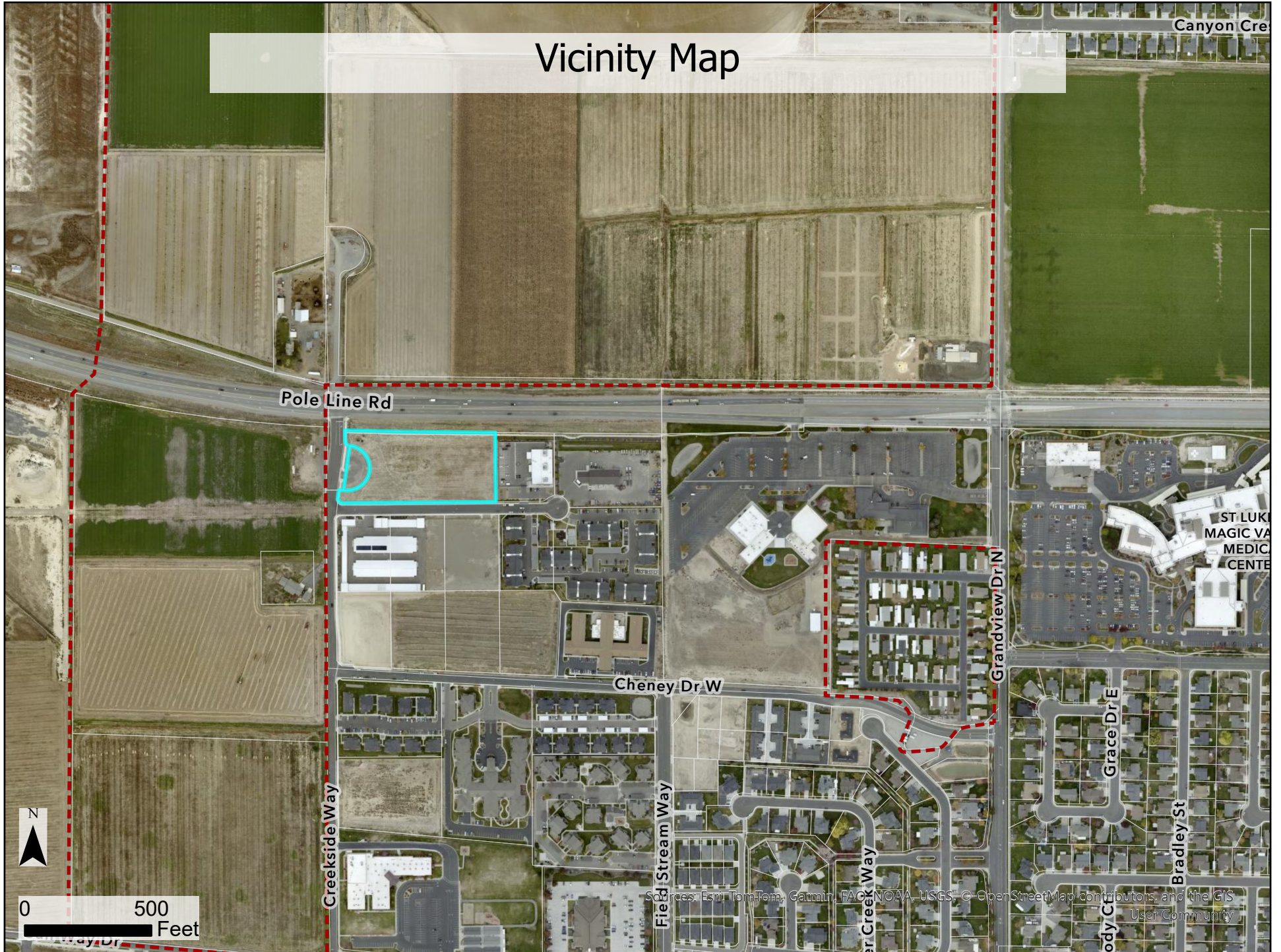
With the information provided at the time of staff report, staff cannot recommend approval of the proposed special use permit due to the use being determined as a trucking facility/truck stop. Therefore, staff recommends denial of the application or table to a date certain for more information to be provided by the applicant.

The Commission may approve the request as presented, approve with conditions, deny the request, or table the request to a date certain for more information.

Attachments:

1. PZ26-0079 Vicinity Map
2. PZ26-0079 Aerial Map
3. PZ26-0079 Presentation Map
4. PZ26-0079 Proposed Site Plan
5. PZ26-0079 Proposed Landscape Plan
6. PZ26-0079 Proposed Elevations With Staff Markup
7. PZ26-0079 ITD Letter - 8.17.26
8. PZ26-0079 Latitude 42 C-1 PUD #272 -recorded 03-28-16, 9-12-16, 11-24-20, 1-14-22

Vicinity Map



Aerial Map

Pole Line Rd

Pole Line Rd

Idaho Transportation Department Right-of-Way.

ITD has asked
if the City is
interested in
taking over
this portion of
Right-of-Way.

2740 E

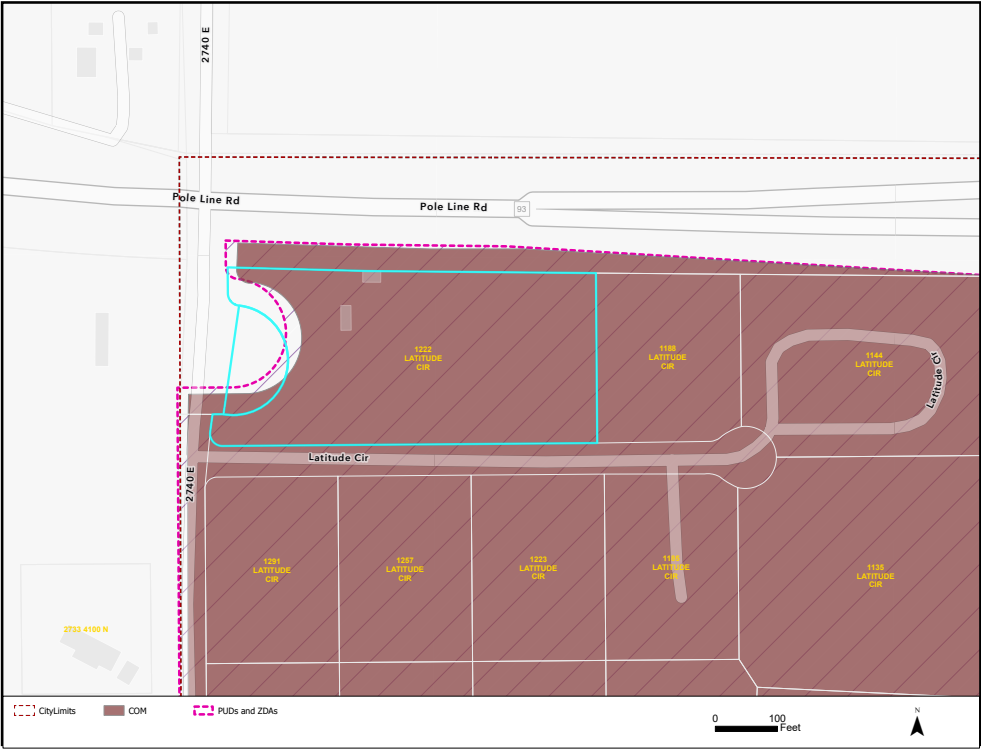
Latitude Cir



0 100 Feet

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

ZONING MAP



Zoning

Current Zoning: COM PUD (Latitude 42)

Current Land Use: Vacant

Proposed Zoning: COM PUD (Latitude 42)

Proposed Land Use: Fuel/Charging Stations, Drive-Thru, Extended Hours of Operation

Surrounding Area

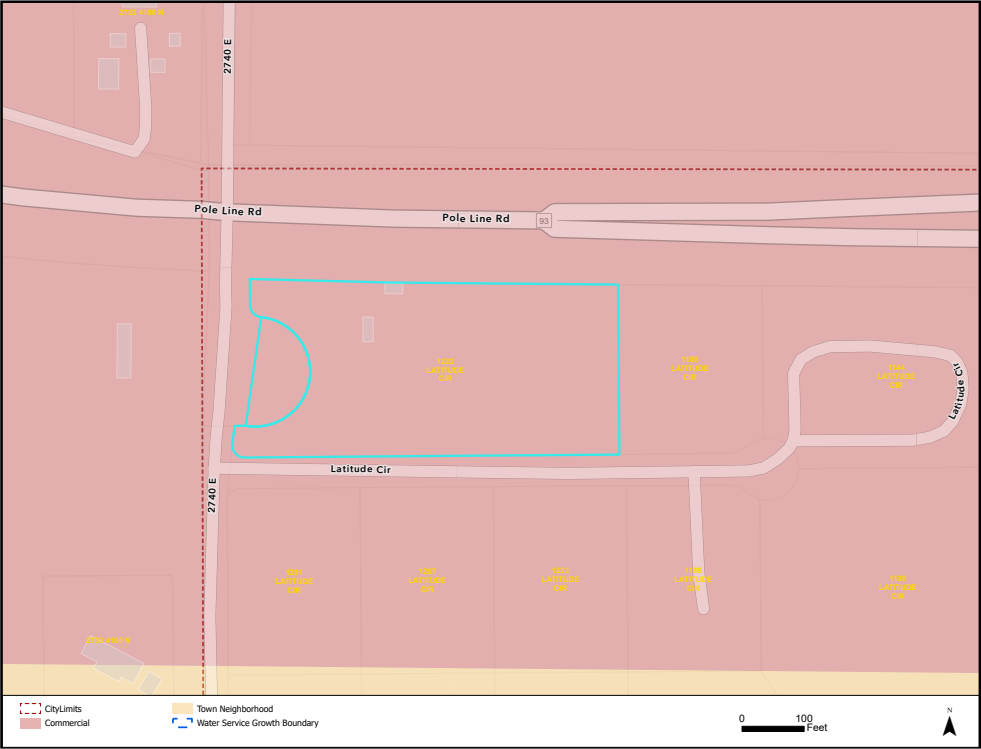
North: Agriculture (County Jurisdiction)

South: Storage Units (COM PUD)

East: Autobody Shop (COM PUD)

West: Agriculture (County Jurisdiction)

FUTURE LAND USE MAP



Regulations

Twin Falls Municipal Code Section(s) 10-2-4-E; 10-2-5-E; and Latitude 42 PUD.

Future Land Use Category

Commercial: Highway-Oriented, large-format retail, hotels, restaurants, and other retail.

Site Development Plan

For:

OASIS Stop 'N Go

In

Latitude 42 Subdivision No. 2, P.U.D.

Twin Falls, Idaho

GENERAL NOTES:

1. CONTRACTOR SHALL HAVE A CURRENT SET OF CONSTRUCTION PLANS STAMPED BY THE ENGINEER WITH AN APPROVAL STAMP BY THE CITY AND DEQ AT THE WORKSITE.
2. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF TWIN FALLS REVISIONS TO THE 2020 IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION, THE CITY OF TWIN FALLS REVISIONS TO ISPCW AND ALL OTHER LOCAL, STATE AND FEDERAL AGENCIES WHICH ARE APPLICABLE UNLESS OTHERWISE SHOWN.
3. THE CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM RUNOFF AND OR DEPOSITION OF DEBRIS RESULTING FROM ANY AND ALL WORK IN CONNECTION WITH SITE CONSTRUCTION. THE CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEAN-UP AND REMOVAL FROM THE JOB-SITE ANY TRASH OR EXCESS MATERIAL CREATED BY THE PERFORMANCE OF THEIR WORK. SUCH MATERIAL SHALL BE PLACED IN A DUMPSTER OR SIMILAR DEVICE PROVIDED BY THE CONTRACTOR OR TRANSPORTED FROM THE JOB-SITE.
4. RECORDED AND/OR FILED SURVEY MONUMENTS EXIST WITHIN THE LIMITS OF THIS PROJECT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT AND/OR HAVE REPLACED ANY MONUMENTS DISTURBED DURING CONSTRUCTION.
5. CONTRACTOR SHALL PROVIDE ALL NECESSARY HORIZONTAL AND VERTICAL TRANSITION BETWEEN NEW CONSTRUCTION AND EXISTING SURFACES TO PROVIDE FOR PROPER DRAINAGE AND INGRESS/EGRESS TO SAID CONSTRUCTION.
6. CONTRACTOR SHALL REMOVE AND SORT ALL ON-SITE EXCAVATED NATIVE MATERIAL AND USE SUITABLE MATERIAL WHERE DESIGNATED ON THE CONSTRUCTION PLANS AS REQUIRING FILL MATERIAL. FILL SHALL BE PLACED AND COMPACTED BY METHODS APPROVED BY THE CITY OF TWIN FALLS AND APPROVED BY THE DESIGN ENGINEER. ALL STRIPPINGS NOT SUITABLE FOR FILL MATERIAL SHALL BE USED AS DIRECTED BY THE ENGINEER OR DISCARDED OFF-SITE AT THE CONTRACTOR'S EXPENSE.
7. EXISTING UTILITIES ARE LOCATED ON THE PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR THE PROTECTION OF UTILITIES AND THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN ON THE PLANS OR NOT IN THE LOCATION SHOWN ON THE PLANS. THIS INCLUDES ALL SERVICE LATERALS OF ANY KIND.
8. AFFECTED UTILITY COMPANIES SHALL BE NOTIFIED AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION. CALL "DIGLINE" 48 HOURS PRIOR TO COMMENCING WORK.
9. THE CONTRACTOR SHALL TAKE REASONABLE MEASURES TO PROTECT EXIST. IMPROVEMENTS FROM DAMAGE AND ALL SUCH IMPROVEMENTS DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED TO THE ENGINEER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
10. ALL CHANGES REQUIRE APPROVAL BY THE PROJECT ENGINEER AND THE CITY ENGINEER. THE ENGINEER TAKES NO RESPONSIBILITY FOR ANY DEVIATIONS FROM THESE PLANS UNLESS AUTHORIZED, IN WRITING, BY THE ENGINEER.
11. IDAHO CODE 39-118 REQUIRES IDAHO DEPT. OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL. PRIOR TO CONSTRUCTION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE COMPLIANCE.
12. CONTRACTOR SHALL VERIFY DRAWINGS FOR CONFORMANCE WITH ARCHITECT'S PLANS PRIOR TO PROCEEDING WITH ANY PORTION OF CONSTRUCTION. ANY CONFLICTS SHALL BE VERIFIED BY THE CONTRACTOR AND IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
13. CONTRACTOR SHALL COORDINATE WITH THE OWNER REQUIREMENTS OF ITEMS SUCH AS LIGHT POLES, FIXTURES, LANDSCAPING, ETC. INCLUDING CONDUITS FOR SUCH ITEMS.
14. ALL APPROACH RADI ARE TO BE 20' TO FACE OF CURB UNLESS OTHERWISE NOTED. RETURN RADI AT CULDESACS ARE TO BE 20' TO FACE OF CURB. ALL VALLEY GUTTERS ARE TO BE 6' WIDE UNLESS OTHERWISE NOTED.
15. ALL WATER AND SEWER MAINS SHALL BE INSTALLED AND CONSTRUCTED TO HAVE A MINIMUM OF 3 HORIZONTAL FEET OF CLEARANCE FROM FINISHED LIP OF GUTTER.
16. PIPE TRENCHING AND BEDDING SHALL COMPLY WITH THE AFOREMENTIONED STANDARDS.
17. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FILL OUT AND SUBMIT A NOTICE OF INTENT (NOI) TO EPA AND HAVE A COPY OF THE POLLUTION PREVENTION PLAN AVAILABLE AT THE JOBSITE PRIOR TO CONSTRUCTION. SEE WEBSITE: <http://dow.epa.gov/epaospp/404main/404main.cfm>. QUESTIONS REGARDING THIS REQUIREMENT MAY BE REFERRED TO MISHA VAKOC OF EPA AT: (208) 553-6650. CONTRACTOR TO SUBMIT COPIES OF DOCUMENTS TO THE CITY OF TWIN FALLS.
18. DEVELOPER WILL PROVIDE ONE SET OF CONSTRUCTION STAKES ONLY. ANY SUBSEQUENT STAKING & COSTS INCURRED WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
19. TRAFFIC CONTROL & SIGNS FOR SUCH SHALL BE INCIDENTAL TO THE CONTRACT AND BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE PROJECT ENGINEER PRIOR TO COMMENCING WORK.
20. UTILITY CROSSINGS OF GRAVITY MAINS SHALL BE "POTHOLED" TO VERIFY POTENTIAL CONFLICTS PRIOR TO CONSTRUCTION.

Located In

Government Lot 2, Section 6,
Township 10 South, Range 17 East,
Boise Meridian

Twin Falls County, Idaho

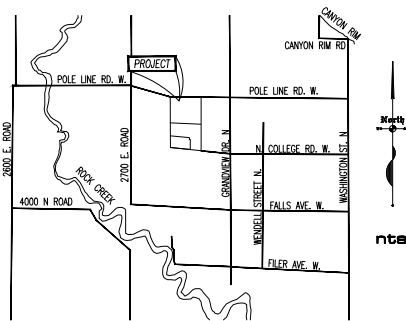
Portion of Lot 13, Lot 14 & 15, Block 1
Latitude 42 Subd. No. 1

Sheet Index:

Sheet 1 - Title Sheet

Sheet 2 - Site Plan

Sheet 3 - Misc. Details



TWIN FALLS, IDAHO

Key Notes

- (C-1) EXISTING IRRIGATION MAIN & STRUCTURES - RETAIN & PROTECT
- (C-2) EXISTING CURB, GUTTER & SIDEWALK - RETAIN & PROTECT
- (C-3) EXISTING ARTERIAL APPROACH - RETAIN & PROTECT
- (C-4) EXISTING SIDEWALK - RETAIN & PROTECT
- (C-5) EXISTING ASPHALT ROADWAY - RETAIN & PROTECT
- (C-6) EXISTING PRESSURE IRRIGATION MAIN - RETAIN & PROTECT
- (C-7) EXISTING SEWER MAIN - RETAIN & PROTECT
- (C-8) EXISTING WATER MAIN - RETAIN & PROTECT
- (C-9) EXISTING PI METER - RETAIN, PROTECT & UTILIZE. SEE LANDSCAPE PLANS FOR DETAILS.
- (C-10) EXISTING 1 1/2" WATER METER - RETAIN, PROTECT & UTILIZE
- (C-11) EXISTING 1 1/2" WATER METER - RETAIN & PROTECT. NOT USED.
- (C-12) EXISTING PI METER - RETAIN & PROTECT. NOT USED. RELOCATE AS NOTED.
- (C-13) EXISTING 4" SEWER SERVICE - RETAIN, PROTECT AND UTILIZE.
- (C-14) EXISTING 4" SEWER SERVICE - RETAIN & PROTECT. NOT USED.
- (C-15) EXISTING UTILITY DEVICES - RETAIN AND PROTECT
- (C-16) EXISTING FIRE HYDRANT - RETAIN AND PROTECT

- (C-1) CONST. 40' WIDE ARTERIAL APPROACH PER TFSO-708A, 6" VALLEY GUTTER PER TFSO-708A ADA RAMP PER TFSO-712C TYPE "C-4", 20" ROAD.
- (C-2) CONST. CONCRETE PARKING/PUMP SLAB AREAS PER DETAIL SHEET 2
- (C-3) CONST. ASPHALT DRIVEWAY/ AREA PER DETAIL SHEET 2
- (C-4) CONST. CATCH TYPE CURB & GUTTER PER DETAIL SHEET 2
- (C-5) CONST. RELEASE TYPE CURB & GUTTER (DENOTED BY DASHES) PER DETAIL SHEET 2
- (C-6) CONST. ADA PARKING W/ VEH ACCESSIBLE SPACE W/ SIGNS PER DETAIL SHEET 2, ADA AND ISPCW. DO NOT EXCEED 2% SLOPE IN ANY DIRECTION.
- (C-7) CONST. SIDEWALK PER DETAIL SHEET 2 (THICKENED EDGE REQUIRED ADJACENT TO PARKING AREAS) 2% MAX CROSS SLOPE OR MAX RUNNING SLOPE.
- (C-8) INSTALL 2" DOMESTIC WATER SERVICE LINE ON 1 1/2" METER. (VERIFY W/ MECH.)
- (C-9) INSTALL 4" PVC SEWER SERVICE LINE S=+1.0% MIN. SEE MECH. FOR CONNECTION AND LOCATION. INSTALL CLEAN OUTS PER CODE.
- (C-10) CONST. TRASH ENCLOSURE PER DETAIL SHEET 2
- (C-11) CONST. 4" WIDE VALLEY GUTTER PER DETAIL SHEET 2
- (C-12) INSTALL SHEDDING TYPE LIGHTPOLE, STYLE AND COLOR BY OWNER. SEE ELECTRICAL FOR CONDUITS, ETC. VERIFY NUMBER AND LOCATIONS WITH PHOTO METRICS (N.E.P. BY OTHERS)
- (C-13) INSTALL 2 STATION EV CHARGING STATION PER OWNER. COORDINATE W/ MECH. (2 LOCATIONS)

- (S-1) CONST. CATCH BASIN PER ISPCW SD-603, R/W=34.25, INW=30.25
- (S-2) INSTALL 150LF 12" PVC STORM DRAIN S=-2.07%
- (S-3) INSTALL STORM DRAIN MANHOLE PER DETAIL SHEET 2, R/W=33.65, INW=27.50, INV PER=-27.00, BTM M=-23.00
- (S-4) CONST. CATCH BASIN PER ISPCW SD-601, R/W=31.37, INW=28.37
- (S-5) INSTALL 144LF 12" PVC STORM DRAIN S=-0.50%
- (S-6) CONST. CATCH BASIN PER ISPCW SD-601, R/W=32.10, INW=27.65
- (S-7) INSTALL 22LF 12" PVC STORM DRAIN S=-0.68%
- (S-8) INSTALL STORM DRAIN MANHOLE PER DETAIL SHEET 2, R/W=32.34, INW=27.50, INV PER=-27.00, BTM M=-23.00
- (S-9) INSTALL 138LF 12" PERF. STORM DRAIN S=-0.00
- (S-10) CONST. 40"x180" DEEP STORM DRAIN DRY-WELL PER DETAIL SHEET 2, TOP DW=-31.00, INV PER=-27.00, BTM DW=-23.00

Storm Drainage Calculations

Note:
Drainage Runoff Factors: $V_i = 1.9 / (2.4 + \text{ROF})$
Impervious Areas = 0.85
Landscape Areas = 0.25
Undeveloped Areas = 0.35
Pre-Development = Commercial No Allowance
Dry Well Net Area = Voids 40%

Total Project Area Inside of R/W = 169,119 SF
Impervious Area = 147,163sf
Landscape Area = 21,956sf
Total = 23,005sf

Storm Drainage to be Retained in 40"x180"x8" Deep Basins as Shown
22,422sf Retention Required, 23,040sf Provided. Btm=-22.00 Top=30.00(M.N.)

Parking Summary:

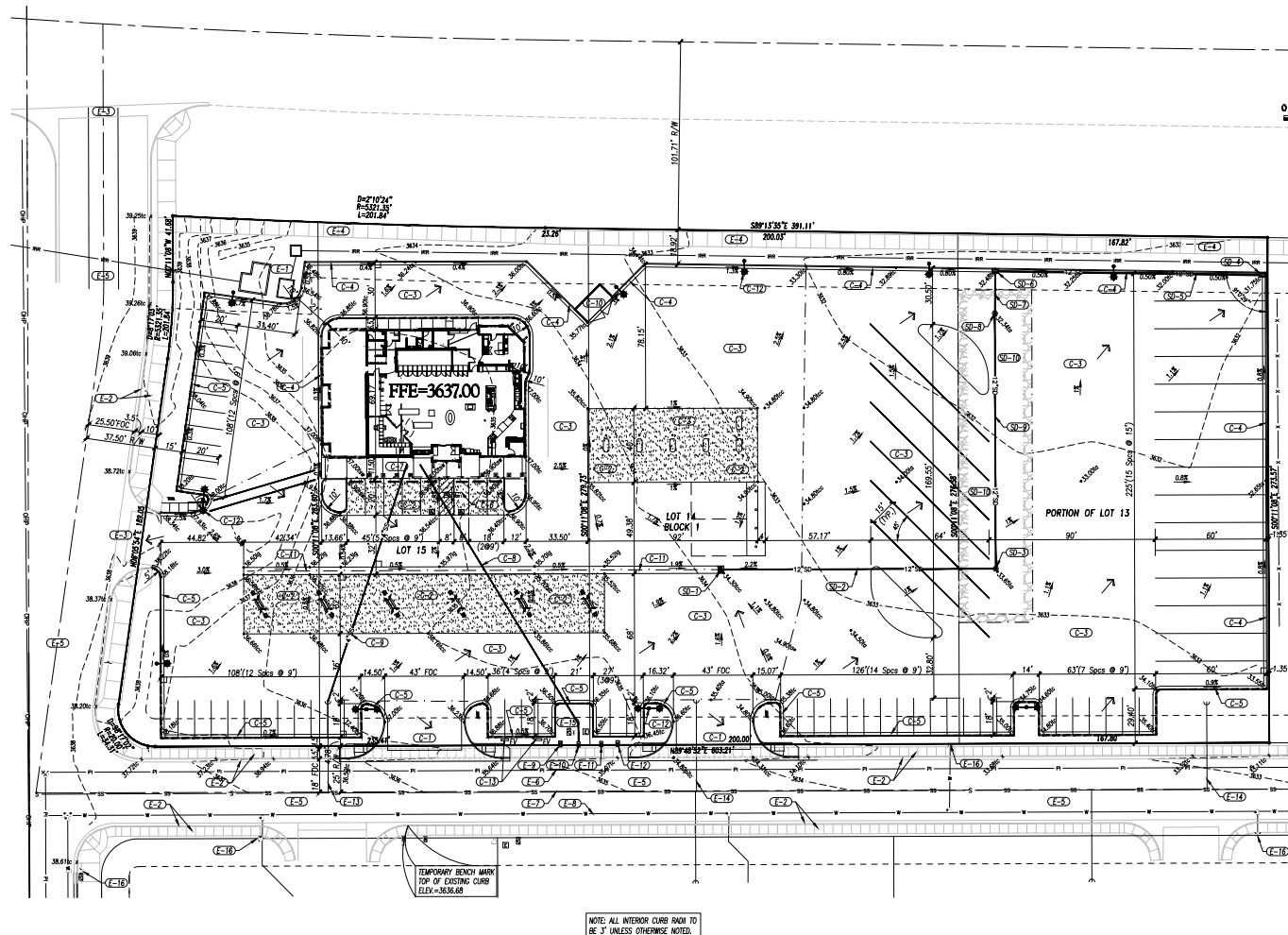
Building Square Footage = 7,500sf
Required Parking Per Title 10-8-4
Commercial Services = 1 Space per 500sf
Spaces Required = 15
Spaces Provided = 50

Design Data:

Owner/Developer: Oasis Stop & Go
130 2nd Ave North
Twin Falls, ID 83301
(208)734-8503

Engineer: EHM Engineers, Inc.
621 N. College Rd.
Ste 100
Twin Falls, ID 83301
(208)734-4888
David Thibault, P.E.

Dev. Area: 169,119sf (3.882Ac)
Zone: COM-Commercial ZDA
Existing User: Vacant
Proposed User: C-Store/Gas Station
Setbacks: Setbacks shall conform to City of Twin Falls Zoning and Subdivision Regulations



NOTE:
1. ALL ELEVATIONS BASED ON CITY OF TWIN FALLS FIRE HYDRANT DATUM.

Site Development Plan

For
OASIS Stop & Go
Latitude 42 Subdivision, No. 2, P.U.D.
Twin Falls, Idaho

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ENGINEER OF ANY UNUSUAL FINDINGS, OMISSIONS, DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

REVISION:
7/21/2024 TCM PER CIT

Original Signed By: Gerald Martens, P.E. / L.S.
License #2723
Date original Signed: 7/22/2024
Original stored at: EHM Engineers, Inc.



APPROVED: G. MARTENS

DRAWN: T. MCBRIDE

DESIGN: T. MCBRIDE

DATE: MAR, 2025

TITLE: AS SHOWN

FILE NO.: 317-245P

115

DLA



Not to Scale

Not to Soak

Not to Scale

nl8

n.f.s.

114

20 NLS

RE.: ISPWC STD. DWG. SD-708

REF: TFSD-712 Type C4 (radii may be 10' on interior private driveway)

DLS

SHEET C-3

NOTE:
ALL EXISTING PIPING TO BE
LOCATED AND PROTECTED

LANDSCAPE SUMMARY:

LANDSCAPE REQUIRED:
1 TREE / 500sf ~ 50% EVERGREEN
1 SHRUB / 100 sf

TOTAL LANDSCAPE AREA: 17,534 SF
CREEKSIDE WAY ~ 3,967 SF
POLE LINE ROAD ~ 8,185 SF
LATITUDE CIRCLE ~ 5,010 SF
PARKING LOT ~ 372 SF

TOTAL TREES REQUIRED: 17,534/500 = 36 TREES SHOWN: 36
TOTAL SHRUBS REQUIRED: 17,534/100 = 175 SHRUBS SHOWN: 175

LANDSCAPE MATERIALS:

TREES

☉ PURPLE CHOKE CHERRY, 5' MIN. HEIGHT



SPRUCE TREE

SHRUBS

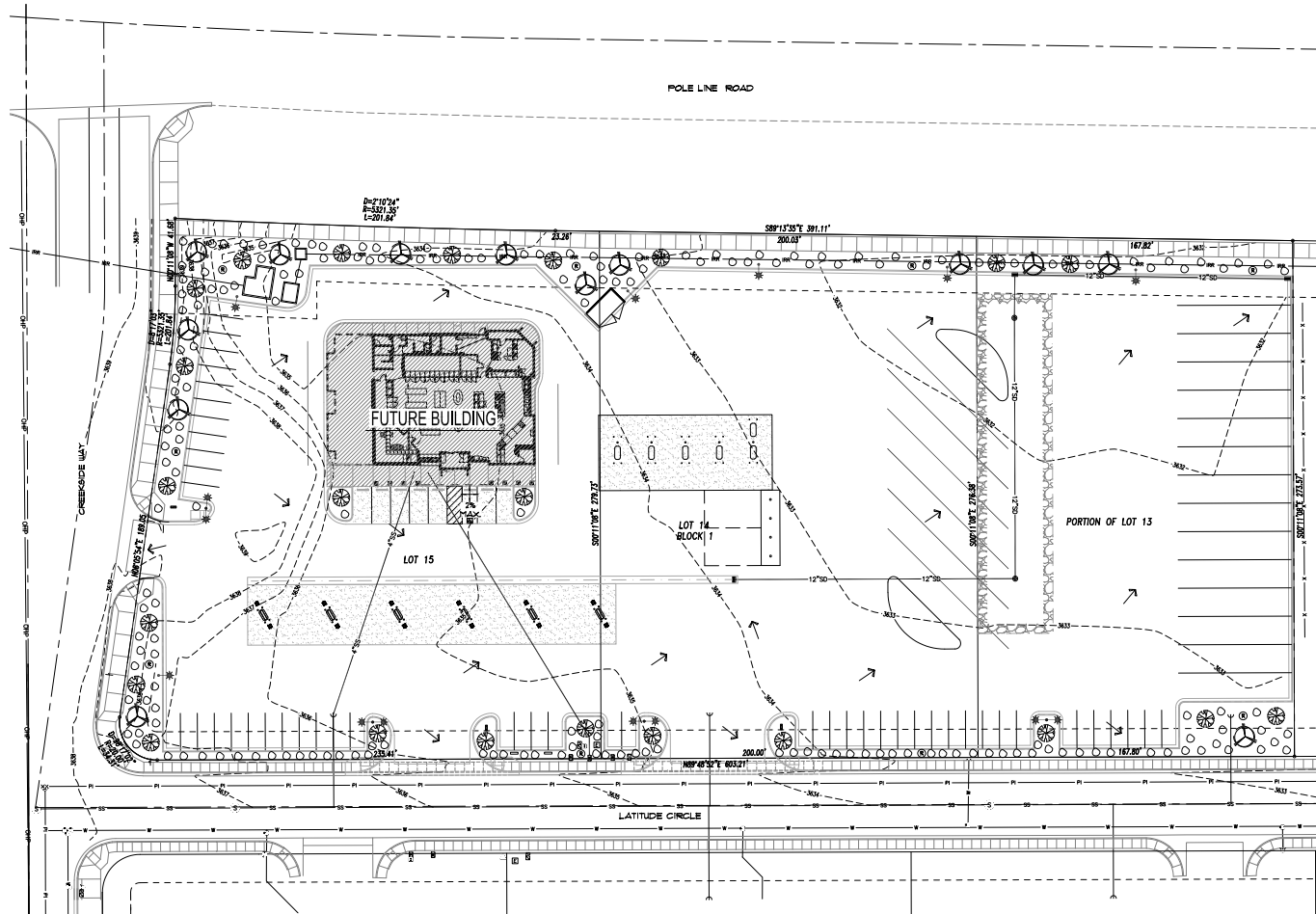
○ KINKIKINNICK - OR APPROVED EQUAL

☐ CONCRETE

Ⓡ DECORATIVE ROCK W/ NEED BARRIER.
ROCK TO BE APPROVED BY OWNER.

GENERAL NOTES:

- ALL LANDSCAPING AND IRRIGATION TO CONFORM TO "CITY OF TWIN FALLS" and LATITUDE 42 SUBDIVISION NO. 2 A PUD PLANNED UNIT DEVELOPMENT AGREEMENT.
- ALL LANDSCAPE AREAS SHALL BE WATERED BY A PRESSURIZED UNDERGROUND AUTOMATIC IRRIGATION SYSTEM. CARE SHALL BE GIVEN IN THE DESIGN OF THE SYSTEM TO ENSURE ZERO OVERSPRAY ONTO HARD SURFACES INCLUDING WALKWAYS, DRIVEWAYS, BUILDINGS, AND STREETS. INSTALLATION OF THE APPROVED LANDSCAPE AND IRRIGATION SYSTEM SHALL OCCUR PRIOR TO OCCUPANCY OF THE PRIMARY BUILDING.
- ALL TREES SHALL HAVE A MINIMUM HEIGHT OF AT LEAST FIVE FEET WHEN PLANTED. INSTALL AN APPROVED IRRIGATION SYSTEM.
- LICENSED LANDSCAPE CONTRACTOR TO DESIGN AND INSTALL AN APPROVED IRRIGATION SYSTEM.



LANDSCAPE PLAN

SCALE: 1" = 30'



DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
CONDITIONS AND DIMENSIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DIMENSIONAL
DISCREPANCIES BEFORE BEGINNING
OR FABRICATING ANY WORK.

REVISIONS

Original Signed By: Gerald
Martens, P.E. / L.S.
License: 62723
Date original Signed: 8/1/06
Original stored at: EHM
Engineers, Inc.

STAMP



APPROVED: G. MARTENS

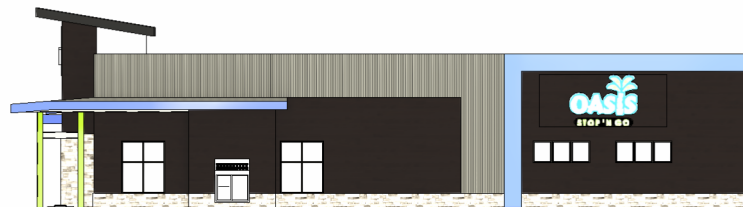
DRAWN: G. MARTENS

CREATED: K. ANDREWS

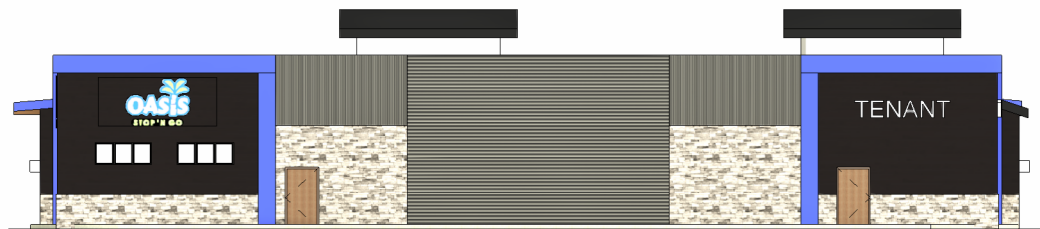
DATE: AUGUST, 2025

SCALE: AS SHOWN

FILE NO: 317-242P-Landscape



① SUP East
1" = 20'-0"

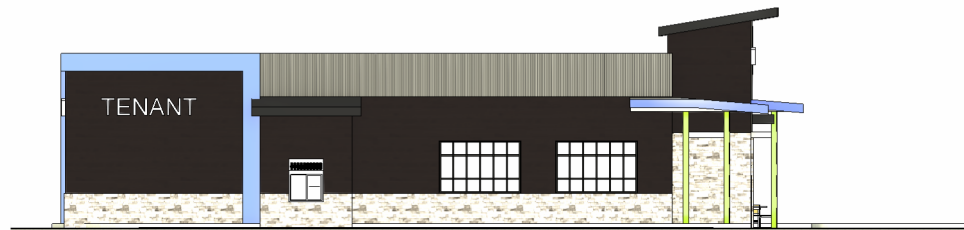


② SUP North
1" = 20'-0"

Laughlin Ricks Architecture architecture/planning 134 3RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	EXTERIOR ELEVATIONS- BUILDING	
		SUP-02	
		Drawn by KC	Checked by Checker
OWNER	OASIS STOP 'N GO 130 2ND AVE. N. TWIN FALLS, ID 83301	Scale 1" = 20'-0"	



① SUP South
1" = 20'-0"

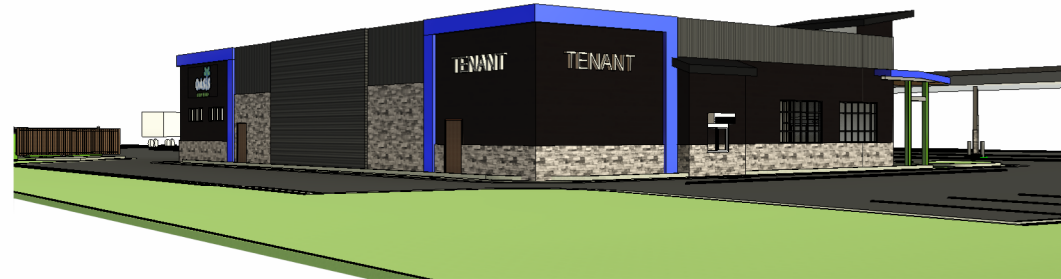


② SUP West
1" = 20'-0"

Laughlin Ricks Architecture architecture/planning 134 3RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	EXTERIOR ELEVATIONS-BUILDING	
		Drawn by KC Checked by RCR	SUP-03 Scale 1" = 20'-0"



1 SUP NE



2 SUP NW

Laughlin Ricks Architecture architecture/planning 134 3RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	RENDERING-BUILDING	
		SUP-04	
		Drawn by KC Checked by RCR	Scale

OWNER

OASIS STOP N' GO
130 2ND AVE. N.
TWIN FALLS, ID 83301



① SUP SE

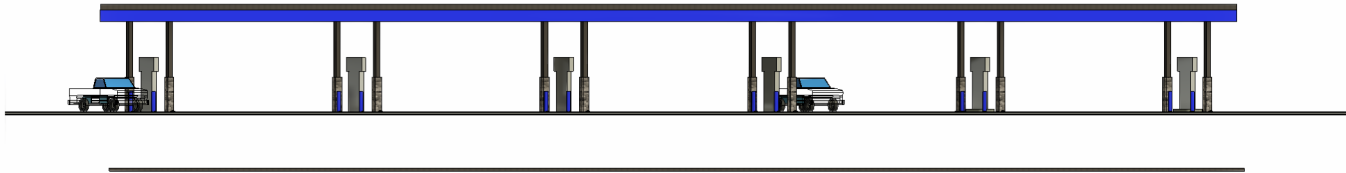


② SUP SW

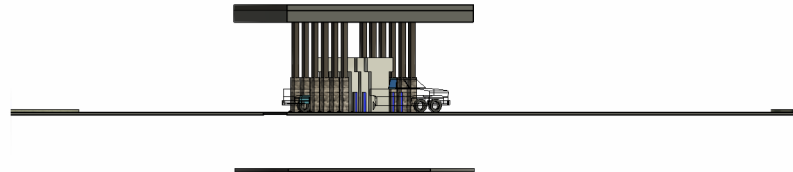
Laughlin Ricks Architecture architecture/planning 134 3RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	RENDERING-BUILDING	
		Drawn by KC Checked by RCR	SUP-05 Scale

OWNER

OASIS STOP N' GO
130 2ND AVE. N.
TWIN FALLS, ID 83301

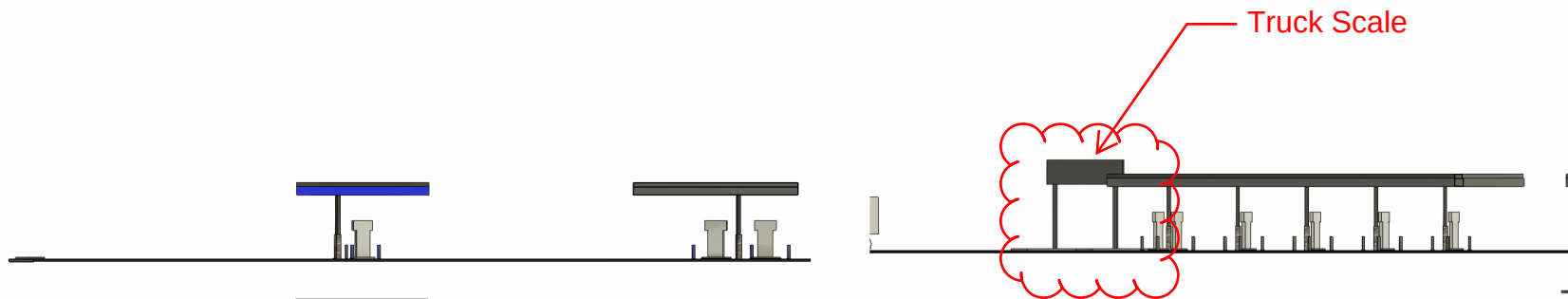


① GAS CANOPY NORTH
1" = 30'-0"



② Gas canopy West
1" = 30'-0"

Laughlin Ricks Architecture architecture/planning 134 3 RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	EXTERIOR ELEVATIONS- GAS CANOPY	
		SUP-06 Scale 1" = 30'-0"	
		Drawn by	KC
OWNER OASIS STOP N' GO 130 2ND AVE. N. TWIN FALLS, ID 83301		Checked by	RCR



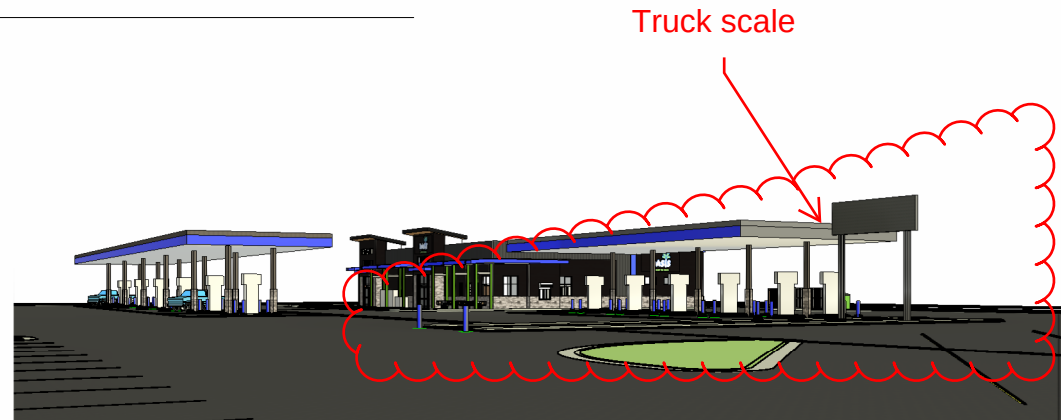
② Gas Canopy east
1" = 40'-0"

① Gas Canopy south
1" = 40'-0"

Laughlin Ricks Architecture architecture/planning 134 3RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050		OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA: LATITUDE 42		EXTERIOR ELEVATIONS- GAS CANOPY				
OWNER OASIS STOP N' GO 130 2ND AVE. N. TWIN FALLS, ID 83301		SUP-07						
		Drawn by		KC				
		Checked by		RCR		Scale	1" = 40'-0"	

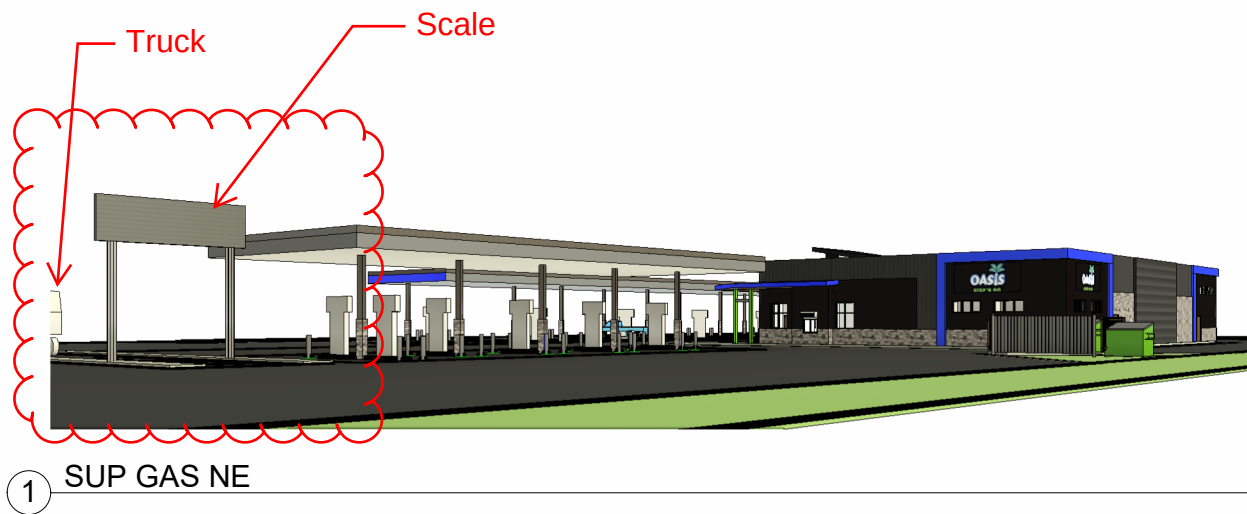


① SUP GAS SW



② SUP GAS SE

Laughlin Ricks Architecture architecture/planning 134 3 RD Ave. E. * Twin Falls, Idaho 83301 Phone: (208) 736-8050	OASIS PARCEL ID: RPT3132001013B ADDRESS: 1222 LATITUDE CIR ZONING: C-1 PUD ZDA; LATITUDE 42	GAS CANOPY RENDERING	
		SUP-08	
		Drawn by KC Checked by RCR	Scale



Laughlin Ricks Architecture
 architecture/planning
 134 3RD Ave. E. * Twin Falls, Idaho 83301
 Phone: (208) 736-8050

OASIS

PARCEL ID: RPT3132001013B
 ADDRESS: 1222 LATITUDE CIR
 ZONING: C-1
 PUD ZDA; LATITUDE 42

GAS CANOPY RENDERING

Drawn by KC

Checked by RCR

SUP-09

Scale



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

216 S. Date Street • Shoshone, ID 83352
(208) 886-7800 • itd.idaho.gov

August 17, 2026

Twin Falls County Planning & Zoning
630 Addison Ave West Suite 1100
Twin Falls, ID 83301

Re: G. Martens - EHM - Oasis Stop 'n' Go - Parcel RPT00107060620

Planning & Zoning:

A comment letter has been requested regarding a Special Use Permit for Parcel RPT00107060620. The property has access to Creekside Way through Idaho Transportation Department Right of Way (encroachment permit 4-18-054), no access to US-93 would be an option for this parcel due to sufficient access.

This business may require a Traffic Impact Study(TIS), typically fueling stations and convenient stores generate a substantial amount of traffic. A Traffic Impact Study will be required if the project vehicle trips meet the thresholds as stated in IDAPA 39.03.42, 100+ vehicle trips per peak hour or 1,000 vehicle trips per day. Typically these Traffic Impact Studies will provide mitigation measures that should be implemented to handle the increase in traffic generated from a new development or business in a specific area. Once the TIS is complete ITD would review the information and work with the developers to accomplish the requirements.

Due to the location of the access in proximity to the intersection at US-93, a Right-in/Right-out approach may be appropriate at the approach on Creekside Way within the ITD ROW.

If any encroachment within the state right of way is requested such as an addition, modification, relocation or change in use of an approach is proposed in the future, a Right of Way Encroachment permit will be required along with a full review of any changes.

If you have any questions or concerns regarding this access, please call me at 208-886-7839.

Sincerely,

Mary Ellen Russell | Project Coordinator
Idaho Transportation Department | District 4
Work: 208.886.7839
Email: MaryEllen.Russell@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

**THIRD AMENDMENT TO C-1 PLANNED UNIT DEVELOPMENT
LATITUDE 42, PUD**

This Third Amendment to C-1 Planned Unit Development Agreement – Latitude 42, PUD (“Third Amendment”), is made and entered into the 30 day of Dec, 2021 by and between the CITY OF TWIN FALLS, a Municipal Corporation (the “City”) and Osprey, L.L.C., an Idaho limited liability company; CHMR LLC, an Idaho limited liability company; Ken Stutzman; CZ LLC, an Idaho limited liability company and Latham Williams, Trustee of the Ruth Armstrong Family Trust; Latitude Partners, LLC, an Idaho limited liability company and Latitude 42 Apt LLC, an Idaho limited liability company (collectively “Developer”), whose address of record is 2541 E. Gala St., Ste. 310, Meridian, Idaho 83642.

RECITALS:

WHEREAS, the City and Developer, or predecessors in interest to Developer, entered into a C-1 Planned Unit Development Agreement for the development of Latitude 42, PUD dated March 16, 2016 (the “Latitude 42 PUD Agreement”).

WHEREAS, the City and Developer amended the Latitude 42 PUD Agreement on September 28, 2016.

WHEREAS, the City and Developer again amended the Latitude 42 PUD Agreement on November 20, 2020.

WHEREAS, the parties hereto desire to again amend the Latitude 42 PUD Agreement to clarify certain provisions related to on-site (off street) parking requirements.

WHEREAS, pursuant to the Property Development Standards provided in the Latitude 42 PUD Agreement, Developer is required to include the following off-street parking:

1. Each commercial use shall comply with the provisions of Chapter 10 [sic] of this title [sic] (referring to Title 10 Zoning and Subdivision Regulations, Chapter 10 Off Street Parking and Loading).
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide two (2) off street parking spaces for each residential unit.

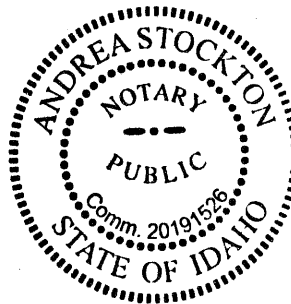
WHEREAS, the City, by and through its City Council on ¹⁶ ~~September~~ NOVEMBER 16, 2021, has agreed to amend the Latitude 42 PUD Agreement to clarify that garages and driveways (and resulting tandem parking) shall be included in calculating the required parking count pursuant to the terms herein.

State of Idaho)
) ss:
County of Ada)

On this 30th day of December, 2021, before me, the undersigned a Notary Public in and for said state personally appeared Michael Fife, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.

Andrea Stockton
Notary Public
Residing at: Meridian, Idaho
Commission Expires: 07/25/2025



AMENDMENT TO C-1 PLANNED UNIT DEVELOPMENT AGREEMENT

LATITUDE 42, PUD

The Amendment to the Agreement is made and entered into as of the 20th day of November, 2020 by and between the CITY OF TWIN FALLS, a Municipal Corporation (hereinafter called "City") and James and Anna McCormick, Gary Nelson, Blass, Inc., Gary Slette, Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Conen, Stephen George, Ilirby Dahl (hereinafter called "Developer"), whose address is PO Box 6004, Twin Falls, Idaho 83303-6004.

RECITALS:

WHEREAS, the City and Developer entered a C-1 Planned Unit Development Agreement for the development of Latitude 42, PUD. dated March 28, 2016.

WHEREAS, the City and Developer amended C-1 Planned Unit Development Agreement for the development of Latitude 42, PUD, dated September 28, 2016.

WHEREAS, the C-1 Planned Unit Development agreement identifies areas to be developed within Latitude 42, PUD.

WHEREAS, the parties hereto desire to amend the above referenced C-1 Planned Unit Development agreement regarding paragraph V-D-2 of the Developer's property in Latitude 42, PUD.

WHEREAS, The City, by and through its City Council on November 9, 2020, has agreed to amend paragraph V-D-2 subject to certain terms, conditions and understandings, which terms, conditions and understandings are the subject of the Agreement and are as follows:

1. Outside storage is permitted only on Lots 11-15.
2. Hours of business operation for uses that include outside storage on Lot 11 are limited to 7 am to 7 pm. Hours of the storage itself are not limited.
3. The outside storage on Lot 11 must comply with the screening plan dated November 6, 2020, attached as Exhibit "A" (part of the Ruth Armstrong Family Trust Letter).
- 4 A vinyl fence, of color and design acceptable to the owner of Lot 1 must be constructed along the full boundary between Lot 1 and Lots 9 and 10.
5. Uses on Lots 9 and 10 are limited to uses permitted in Exhibit C of the Original Latitude 42 PUD Agreement, except the following uses are not permitted without express written approval of the owner of Lot 1:
 - a. Uses requiring a special use permit (Section (B) in Exhibit C of original)
 - b. 3.a Fire Stations and police stations
 - c. 4.d. Drug and alcohol treatment centers
 - d. 6.a. Auditoriums
 - e. 8.t. Lumber, plumbing, and/or electrical supply stores

NOW, THEREFORE, the parties hereto, agree to amend the PUD agreement as follows:

Within paragraph V-2-D : Remove the last line "No outside storage is allowed".
Latitude 42, PUD—3

IN WITNESS WHEREOF, this Amendment Agreement has been executed on the day and year first above written.

City of Twin Falls,
a Municipal Corporation

Developer,

By: Suzanne Hawkins
Suzanne Hawkins, Mayor

By: Gerald Martens
Gerald Martens, Managing Member

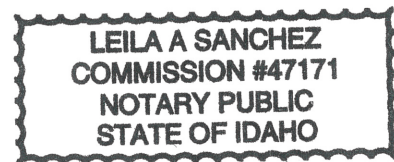
STATE OF IDAHO)
: ss.
COUNTY OF TWIN FALLS)

On this 20th day of November, 2020, before me, a Notary Public in and for said County and State, personally appeared Suzanne Hawkins, Mayor of Twin Falls, known or identified to me to be the individual whose name is subscribed to the within 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.

Leila A Sanchez
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls Idaho
My commission expires: 5-18-2024

Amendment To C-I Planned Unit Development Agreement



STATE OF IDAHO)

COUNTY OF TWIN FALLS)

On this 19th day of November, 2020, before me, a Notary Public in and for said County and State, personally appeared Gerald Martens, known or identified to me to be the individual whose name is subscribed to the within 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.



Martha Tolman
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls, Idaho
My commission expires: 10/17/24

RUTH ARMSTRONG FAMILY TRUST

November 9, 2020

Via Electronic Mail

Twin Falls City Council
203 Main Ave. East
Twin Falls, Idaho 83301

Re: Latitude 42 PUD Modification

Dear Council Members:

I am the trustee of the Ruth Armstrong Family Trust (the "Trust"), the owner of Lot 1 of the Latitude 42 PUD. The Trust consents¹ to the proposed modification of the Latitude 42 PUD C-1 Planned Unit Development Agreement (the "PUD Agreement") currently before the City Council provided the City Council impose the following conditions on the modification:

1. Outside storage is permitted only on Lots 11-15.
2. Hours of business operation for uses that include outside storage on Lot 11 are limited to 7am to 7pm. Hours of the storage itself are not limited.
3. The outside storage on Lot 11 must comply with the screening plan dated November 6, 2020, attached as Exhibit "A".
4. A vinyl fence of color and design acceptable to the owner of Lot 1 must be constructed along the full boundary between Lot 1 and Lots 9 and 10.
5. Uses on Lots 9 and 10 are limited to uses permitted in Exhibit C to the PUD Agreement except the following uses are not permitted without express written approval of the owner of Lot 1:
 - a. Uses requiring a special use permit (Section (B) in Exhibit C)
 - b. 3.a. Fire stations and police stations
 - c. 4.d. Drug and alcohol treatment centers
 - d. 6.a. Auditoriums
 - e. 8.t. Lumber, plumbing and/or electrical supply stores

¹ Our counsel advises us that the PUD Development Agreement for Latitude 42 requires the City and the developer to have the Trust's consent before any modification becomes effective or valid. Section VII.B of the Agreement states that "no amendment or modification to this Agreement shall be valid or effective unless reduced to writing and signed by the parties." The Trust became entitled to the protection of this provision when it purchased Lot 1 and became a successor in interest to the developer as to that property. Sections I and VII.E of the PUD Agreement both state that the successors and assigns of the parties are bound by the terms and conditions of the PUD Agreement.

- f. 8.z. Temporary automobile, truck and recreational vehicle sales ...
- g. 9.k. Dog grooming and/or kennels
- h. 11.a Bus facilities including pick up shelters

These conditions are necessary to protect the peace and serenity of the residents of the nursing home facility on Lot 1. Our understanding is the applicant agrees to these conditions. Please let me know if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Latham Williams", followed by a horizontal line and a period.

Latham Williams, Trustee

cc: Jonathan Spendlove, Planning & Zoning Director
Kip Prahl, TanaBell Health Services, Inc.
Jim Laski, Esq.
Gary Allen, Esq.

Exhibit A (p. 1 of 2)

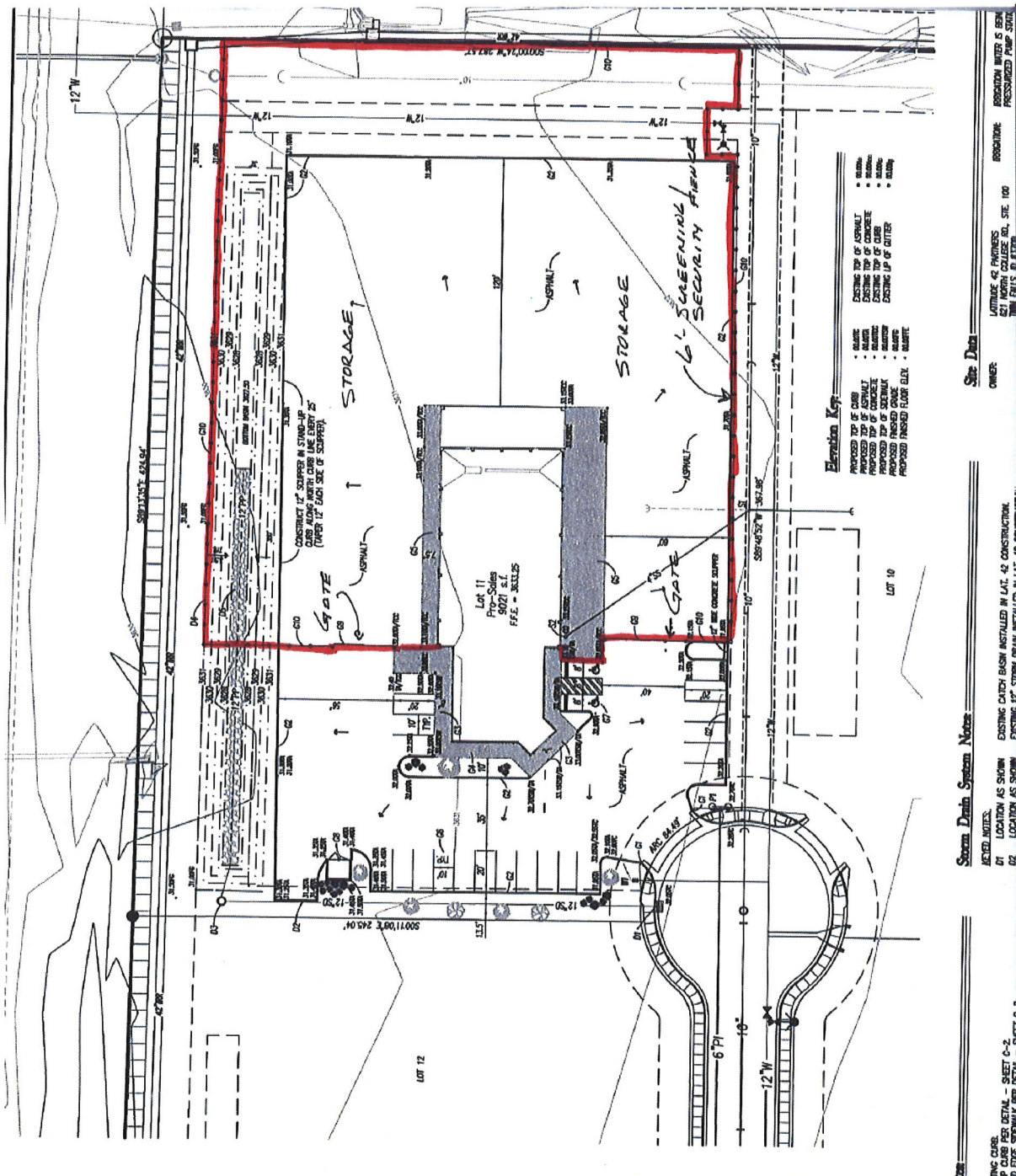


Exhibit A (p. 2 of 2)



AMENDMENT TO C-1 PLANNED UNIT DEVELOPMENT AGREEMENT

#272

LATITUDE 42, PUD

The Amendment to the Agreement is made and entered into as of the 28th day of September, 2016, by and between the CITY OF TWIN FALLS, a Municipal Corporation (hereinafter called "City") and James and Anna McCormick, Gary Nelson, Blass, Inc., Gary Slette, Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Konen, Stephen George, Kirby Dahl (hereinafter called "Developer"), whose address is PO Box 6004, Twin Falls, Idaho 83303-6004.

RECITALS:

WHEREAS, the City and Developer entered into a C-1 Planned Unit Development Agreement for the development of Latitude 42, PUD. dated March 28, 2016;

WHEREAS, the C-1 Planned Unit Development agreement identifies areas to be developed within Latitude 42, PUD;

WHEREAS, the parties hereto desire to amend the above referenced C-1 Planned Unit Development agreement in regards to the development of Cheney Drive West on the south boundary of the Developer's property in Latitude 42, PUD;

WHEREAS, Developer has made a request to the City to reduce the development requirements for Cheney Drive West, a collector street, between Field Stream Way and Creekside Way.

WHEREAS, The City, by and through its City Council on September 12, 2016, has agreed to the reduction of Cheney Drive West subject to certain terms, conditions and understandings, which terms, conditions and understandings are the subject of the Agreement and are as follows:

1. Subject to the fifty (50) foot ROW width only being applied for that section of Cheney Drive West from Field Stream Way to Creekside Way, *not including any part of the intersection of Cheney and Creekside.*
2. Subject to City Code 10-10-5 still being enforced on that smaller section of Cheney Drive as described above.

NOW, THEREFORE, the parties hereto, agree to amend the PUD agreement as follows:

1. Cheney Drive West is to be constructed to a total width of 38 feet, measured from the face of curb to face of curb with half that width defined as 19 feet from the centerline of the Cheney Drive West roadway to the face of curb. Right of way for Cheney Drive West will be a total width of 50 feet, measured 25 feet each side of centerline.

IN WITNESS WHEREOF, this Amendment Agreement has been executed on the day and year first above written.

City of Twin Falls,
a Municipal Corporation

Developer,

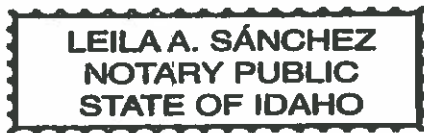
By: Shawn Barigar
Shawn Barigar, Mayor

By: Gerald Martens
Gerald Martens, Managing Member

STATE OF IDAHO)
:ss.
COUNTY OF TWIN FALLS)

On this 28th day of September, 2016, before me, a Notary Public in and for said County and State, personally appeared Shawn Barigar, Mayor of Twin Falls, known or identified to me to be the individual whose name is subscribed to the within 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.



Leila A. Sanchez
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls Idaho
My commission expires: 5-18-2018

STATE OF IDAHO)
:ss.
COUNTY OF TWIN FALLS)

On this 28th day of September, 2016, before me, a Notary Public in and for said County and State, personally appeared Gerald Martens, known or identified to me to be the individual whose name is subscribed to the within 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.

TWIN FALLS COUNTY
Recorded for:
TWIN FALLS, CITY OF
2:28:07 PM 09-29-2016
2016-017196
No. Pages:3 Fee: S
KRISTINA GLASCOCK
County Clerk
Deputy: JDEDMAN



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

Amendment To C-1 Planned Unit Development Agreement
Latitude 42, PUD - 2

Future Land Use Map

Reference Only

GRANDVIEW DR N



Commercial/Retail
Designation

POLE LINE RD W

Commercial/Retail
Designation

This is the portion of roadway
under consideration for narrower
than current standard.

Urban Village/Infill
Designation

Approx location of previously
approved Cheney Drive section.

POLE LINE RD W

CHENEY DR W

Urban Village/Infill
Designation

ANDVIEW DR N

GRACE DR W

GRACE DR E

RIVER MIST PATH

COBBLE CREEK RD

FIELDSTONE R

Medium Density
Designation

0 400 800 Feet

Due to extenuating development
constraints, unplatted developed
property to the North, an
agreement was reached to allow
this section of roadway to be
smaller than Collector Standard.

Aerial Photo - April 2016

FIELDSTREAM WAY

M

SILVER

DOWS TRL

BY CT

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT
2:31:20 pm 07-07-2009
2009-015548
NO. PAGES: 8 FEE: \$24.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DWIGHT

DECLARATION OF DEED RESTRICTION TB

THIS DECLARATION OF DEED RESTRICTION ("Declaration") is made this 11 day of June, 2009, by GARY N. NELSON, a married man; BLASS, INC., an Idaho Corporation; GARY D. SLETTE, a married man; GERALD MARTENS, a married man; J. EVAN ROBERTSON, a married man; DIRK D. GIBSON, a married man; DANIEL J. KONEN, a single man; STEPHEN E. GEORGE, a married man; KIRBY LANE DAHL, a single man; and JAMES J. MCCORMICK and ANNA L. MCCORMICK, husband and wife, all of whom are hereinafter collectively referred to as "Declarants".

RECITALS:

- A. The Declarants are the owners of the property described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Property"), located in Twin Falls County, Idaho.
- B. The City of Twin Falls has approved the C-1 zoning of the Property in the city of Twin Falls, provided that the Declarants adopt the Declaration as hereinafter set forth.

DECLARATION

Declarants hereby declare that the Property shall be held, conveyed, encumbered, and developed subject to the terms hereinafter set forth, which terms shall run with title to the land, and shall be binding upon the Declarants, and their successors in interest.

TERMS

1. The Property may not be developed until a Planned Unit Development ("PUD") agreement has been approved by the City of Twin Falls through its normal PUD approval process.
2. The approval of any final PUD will be subject to arterial and collector streets within or adjacent to the Property being built or rebuilt to current City of Twin Falls standards upon development of the Property.
3. This Declaration may be enforced by a successor of the Declarants, and may also be enforced by the City of Twin Falls. The Declarants acknowledges that the right of enforceability of this Declaration by the City of Twin Falls is a condition of the C-1 zoning of the Property, and that this Declaration must be approved by the City of Twin Falls prior to adoption of the rezoning ordinance and recordation of this Declaration.

"DECLARANTS"

Dirk D. Gibson

~~Gary N) Nelson~~

Daniel J. Konen

Gary D. Slette

Stephen E. George

Kirby Lane Dahl

James J. McCormick

J. Evan Robertson

Anna L. McCormick

Gerald Martens

)

SS.

)

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

My commission expires

IN WITNESS WHEREOF, the Declarants have executed this document on the day and year first written above.

"DECLARANTS"

Blass, Inc., an Idaho Corporation
By: R. Todd Blass - President

Dirk D. Gibson
Dirk D. Gibson

Gary N. Nelson

Daniel J. Koen
Daniel J. Koen

Gary D. Slette

Stephen E. George

Kirby Lane Dahl
Kirby Lane Dahl

James J. McCormick

J. Evan Robertson
J. Evan Robertson

Anna L. McCormick

Gerald Martens

STATE OF ~~IDAHO~~ ^{MONTANA})
County of ~~Twin Falls~~ ^{Cascade}) ss.

On this 11 day of June, 2009, before me, a Notary Public for said County and State, personally appeared Dirk D. Gibson, known or identified to me, to be the person whose name is subscribed to the within 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.



Laura E. Walker
NOTARY PUBLIC FOR ~~IDAHO~~ ^{MONTANA}
Residing at Great Falls, Montana
My commission expires 09-02-2010

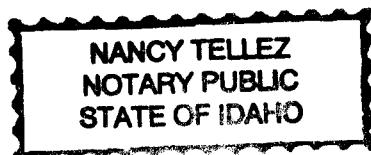
STATE OF IDAHO)

ss.

County of Twin Falls)

On this 30th day of June, 2009, before me, a Notary Public for the State of Idaho, personally appeared R. Todd Blass, known or identified to me, to be the President of BLASS, INC., and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Nancy Tellez
 NOTARY PUBLIC FOR IDAHO
 Residing at Jerome
 My commission expires 12/01/2011

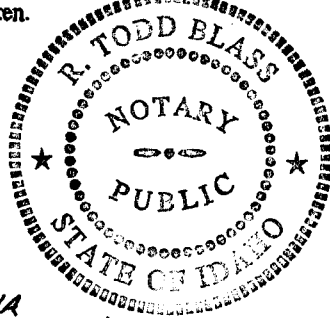
STATE OF IDAHO)

ss.

County of Twin Falls)

On this 16 day of June, 2009, before me, a Notary Public for said County and State, personally appeared Gary N. Nelson, known or identified to me, to be the person whose name is subscribed to the within 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.



R. Todd Blass
 NOTARY PUBLIC FOR IDAHO
 Residing at Twin Falls
 My commission expires 10-19-2011

STATE OF ~~IDAHO~~ MONTANA)

ss.

County of ~~Twin Falls~~ Cascade)

On this 11th day of June, 2009, before me, a Notary Public for said County and State, personally appeared Daniel J. Konen, known or identified to me, to be the person whose name is subscribed to the within 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.



Laura E. Walker
 NOTARY PUBLIC FOR ~~IDAHO~~ MONTANA
 Residing at Great Falls, Montana
 My commission expires 09-06-2010

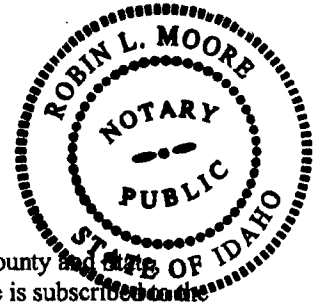
STATE OF IDAHO)

ss.

County of Twin Falls)

On this 16th day of June, 2009, before me, a Notary Public for said County and State of IDAHO, personally appeared Gary D. Slette, known or identified to me, to be the person whose name is subscribed to the within 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.



Robin L. Moore
NOTARY PUBLIC FOR IDAHO

Residing at Idaho

My commission expires 12-29-12

STATE OF ~~IDAHO~~ Texas)

ss.

County of ~~Twin Falls~~ Harris)

On this 11 day of June, 2009, before me, a Notary Public for said County and State, personally appeared Stephen E. George, known or identified to me, to be the person whose name is subscribed to the within 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.

Deena Kelly Reid
NOTARY PUBLIC FOR IDAHO

Residing at Houston, Texas

My commission expires 7/2/11

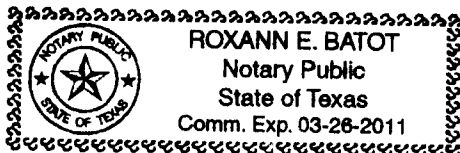
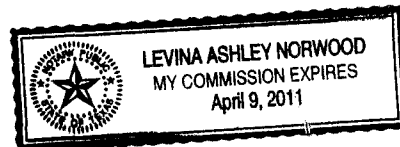
STATE OF ~~IDAHO~~ Texas)

ss.

County of ~~Twin Falls~~ Guadalupe)

On this 15th day of June, 2009, before me, a Notary Public for said County and State, personally appeared Kirby Lane Dahl, known or identified to me, to be the person whose name is subscribed to the within 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.



Roxann E. Batot
NOTARY PUBLIC FOR ~~IDAHO~~ Texas

Residing at Seguin, Tx

My commission expires 3-26-2011

STATE OF IDAHO)

ss.

County of Twin Falls)

On this 16th day of June, 2009, before me, a Notary Public for said County and State, personally appeared J. Evan Robertson, known or identified to me, to be the person whose name is subscribed to the within 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.



Robin L. Moore
NOTARY PUBLIC FOR IDAHO

Residing at Jerome

My commission expires 12-29-12

STATE OF IDAHO)

ss.

County of Twin Falls)

On this 16th day of June, 2009, before me, a Notary Public for said County and State, personally appeared Gerald Martens, known or identified to me, to be the person whose name is subscribed to the within 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.



R. Todd Blase
NOTARY PUBLIC FOR IDAHO

Residing at Twin Falls

My commission expires 10-19-2011

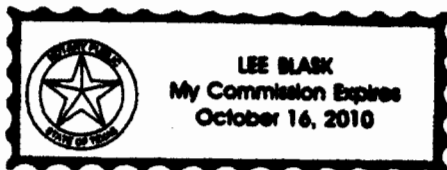
Texas
STATE OF ~~IDAHO~~)

ss.

Harris
County of ~~Twin Falls~~)

On this 10th day of June, 2009, before me, a Notary Public for said County and State, personally appeared James J. McCormick, known or identified to me, to be the person whose name is subscribed to the within 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.



Lee Blask
NOTARY PUBLIC FOR ~~IDAHO~~ Texas

Residing at _____

My commission expires _____

STATE OF ~~IDAHO~~ ^{Texas})
County of ~~Twin Falls~~ ^{Harris})
ss.

On this 10th day of June, 2009, before me, a Notary Public for said County and State, personally appeared **Anna L. McCormick**, known or identified to me, to be the person whose name is subscribed to the within 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.



Lee Blask
NOTARY PUBLIC FOR ~~IDAHO~~ ^{Texas}
Residing at _____
My commission expires _____

STATE OF TEXAS)
County of Harris)
ss.

On this _____ day of _____, 2009, before me, a Notary Public for said County and State, personally appeared **Stephen E. George**, known or identified to me, to be the person whose name is subscribed to the within instrument as the attorney in fact of **Dirk D. Gibson**, and acknowledged to me that he subscribed the name of **Dirk D. Gibson** thereto as principal, and his own name as attorney in fact.

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

NOTARY PUBLIC FOR TEXAS
Residing at _____
My commission expires _____

STATE OF TEXAS)
County of Harris)
ss.

On this _____ day of _____, 2009, before me, a Notary Public for said County and State, personally appeared **Stephen E. George**, known or identified to me, to be the person whose name is subscribed to the within instrument as the attorney in fact of **Daniel J. Konen**, and acknowledged to me that he subscribed the name of **Daniel J. Konen** thereto as principal, and his own name as attorney in fact.

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

NOTARY PUBLIC FOR TEXAS
Residing at _____
My commission expires _____

\\rlm\realest\CCR\deed restriction_30 acres

**EXHIBIT A
T070057**

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

Section 6: Government Lot 2, excepting therefrom the following described parcels:

A parcel of land located in Government Lot 2 of Section 6, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the North Quarter Corner of said Section 6, from which the Northeast corner of said Section 6 bears S 89°29'35" E 2658.72 feet, said North Quarter Corner being the TRUE POINT OF BEGINNING;

THENCE S 89°29'35" E along the North boundary of the NE¼ of said Section 6 for a distance of 355.00 feet;

THENCE S 00°30'35" W for a distance of 178.42 feet;

THENCE N 89°29'35" W parallel with the North boundary of the NE¼ of said Section 6 for a distance of 71.57 feet to the point of curvature of a curve right;

THENCE Northwesterly along the arc of the curve right for a distance of 280.70 feet to a point on the West boundary of the NE¼ of said Section 6, said arc having a radius of 5,351.04 feet and a long chord bearing and distance of N 87°59'20" W 280.67 feet;

THENCE N 00°27'06" W along the West boundary of the NE¼ of said Section 6 for a distance of 171.07 feet to the TRUE POINT OF BEGINNING.

AND EXCEPTING the portion deeded to the Idaho Transportation Department in Deed recorded as Instrument No. 2004018072, and re-recorded as Instrument No. 2006001420 and described as Parcel 3, Parcel I.D. No. 0041443, according to the Right of Way Plat of Project No. DHP-NH-F-22390(104) filed for record in the office of the County Recorder of Twin Falls County, Idaho on the 9th day of August 2004 under Instrument No. 2004017039, and modified by Affidavit Authorizing Change on Urban Phase of Twin Falls Alternate Route Right-of-Way Plats, recorded June 2, 2006 as Instrument No. 2005011669: Being a portion of the (NW¼NE¼ Government Lot 2) of Section 6, Township 10 South, Range 17 East of the Boise Meridian.

PUD 272
TWIN FALLS COUNTY
Recorded for:
TWIN FALLS, CITY OF
3:02:06 PM 04-11-2016
2016-005648
No. Pages: 40 Fee: \$
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

LATITUDE 42 PUD
C-1 PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this 28th day of March, 2016 by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City"), and James & Anna McCormick, Gary Nelson, Blass, Inc., Gary Slette, Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Konen, Stephen George, Kirby Dahl (hereinafter called "Developer"), whose address is PO Box 6004, Twin Falls, Idaho 83303-6004.

RECITALS

WHEREAS, Developer is the owner of the certain tract of land in the City of Twin Falls, State of Idaho, more particularly described in Exhibit "A", attached hereto, (the "Property") which Property is at the southeast intersection of Pole Line Road West and Creekside Way.

WHEREAS, Developer intends to develop all or portions of the property from time to time; and

WHEREAS, Developer has made request of the City to develop a planned commercial center (the "Project") on the Property and has submitted to the City a Master Development Plan (Exhibit "B") thereof which has been submitted for approval for development as a "C-1 PUD by the Planning and Zoning Commission of the City; and

WHEREAS, on January 10, 2011 the City Council approved the request to rezone the property, more particularly described in Exhibit "A", attached hereto, from C-1 to C-1 PUD, as presented and subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls, and to be rebuilt, or built, to current City standards upon development of the property.
3. Subject to complete the design approval of Cheney Drive West being constructed to ½ width and per City Standards.
4. Subject to an approved and recorded PUD Agreement, to include a Master Development Plan, prior to approval and recordation of a Final Plat.

WHEREAS, the proposed 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.

COVENANTS

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

I. NATURE OF THE AGREEMENT. This Agreement shall become part of the "C-1 PUD" zone with respect to the Project upon its full execution and recording. Developer and its assigns or successors in interest, as well as City and its assigns or successors (if any), shall be bound by the terms and conditions contained herein.

II. NATURE OF THE DEVELOPMENT. It is agreed by the parties hereto that certain language and requirements pertaining to the "Project" zone shall be interpreted as follows:

A. Uses.

1. Except as provided herein, the uses for the area more than 150 feet from the southern boundary, aka Cheney Dr W, shall be limited to those allowed in the C-1 zone (Code Section 10-4-8.2) as amended and attached hereto as "Exhibit C".
2. Uses within 150 feet of the southern boundary, aka Cheney Dr W, shall be limited to uses as identified in the C-1 zone (Code Section 10-4-8.2) as amended and attached hereto as "Exhibit D".
3. Parking structures providing parking for uses within the Latitude 42 PUD.

B. Building Size. There is no limitation to building size provided buildings conform to the IBC.

C. Hours of Operation. Hours of operation for all buildings and uses shall be restricted from 7:00 am to 10:00 pm unless extended hours of operation are permitted with an approved special use permit.

D. Phasing of Development.

1. Developer shall be permitted to develop the property in phases, so long as those phases are in compliance with the Master Development Plan and this PUD Agreement. Approval for each phase may be obtained by submission to the City Engineer of technically correct designs and improvement plans for necessary construction. The designation and location of specific uses on the Master Development Plan are conceptual and changes therefrom shall not provide basis for disapproval of any phase. There shall be no minimum or maximum limit between phases.

III. STREET, SEWER, WATER AND DRAINAGE IMPROVEMENTS.

Developer shall be responsible for the design and construction of street, sewer, water and drainage systems on the Property and adjacent right-of-ways (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 development (hereinafter "Improvement Plans"). The Improvement Plans and all improvements shall thereon meet the approval of the City, which approval shall be given if such plans conform to established City requirements, the Master Development Plan and this PUD Agreement.

B. Improvement Design and Construction. Developer, at its expense, shall cause all Improvements shown on the Improvement Plan to be designed, constructed and installed consistent with the approved Improvement Plans except as otherwise

provided herein. Notwithstanding the foregoing, nothing in this Agreement shall prohibit City, State or Federal participation in the cost or financing of Improvements on the Property if mutually agreed by the parties hereto.

- C. Phased Construction. Developer may install the Improvements at one time, or in phases, as the Developer shall determine in its 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 modifications to construct any temporary facilities necessitated by such phased construction work as shall be reasonably required and approved by the City.
- D. 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 days of its receipt of notice, or in the case of non-compliance that will require in excess of thirty days to cure, Developer shall commence to cure within thirty 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 forth 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 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 should 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 right of the parties are preserved at law and equity.
- E. Fees. 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.

- F. Maintenance of Improvements. City hereby agrees to accept maintenance responsibility for the public improvements upon their completion to City Standards in accordance with current City policy.

IV. PLATS.

- A. Developer agrees to file with City preliminary plat, or plats in phases, prepared by a registered professional engineer, of the real 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 and those rights-of-ways 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.

- V. PARCEL DEVELOPMENT CRITERIA.** The Property or any portion thereof shall be developed in accordance with the criteria set forth in this Section 5.

- 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. Landscaping and Planting. Landscaping buffer along bordering and interior streets shall be required to be installed on each parcel of the Property and may be in the public right-of-way adjacent thereto at the time site and building improvements are completed thereon. Such landscaped buffer shall be installed from the back of the curb or future curb in the public right-of-way and shall be extended to the dimensions set forth below.

1. A 35-foot wide landscape buffer including sidewalk, pathway or other hard-surfaced landscape improvements, measured from the curb or future curb, will be constructed along Pole Line Road West.

2. A 20-foot wide landscape buffer including sidewalk, pathway or other hard-surfaced landscape improvements, measured from the back of curb or future curb, will be constructed along Cheney Drive West, Fieldstream Way and Creekside Way.

3. The Developer will maintain all landscaping and common parking areas (if any) in a uniform manner. The Property landscaping will utilize a pressure irrigation system constructed in compliance with applicable standards.

C. Landscaping Plan. For each buffer area, as per 5B above, at the time of development, each parcel shall be landscaped to include the following:

1. Fifty percent (50%) of the lineal footage of landscaping shall have berms with a ridge elevation of at least eighteen inches (18") in height with at least fifty percent (50%) of the berming having a minimum ridge elevation of thirty inches (30") in height. The landscape buffer shall be planted with a minimum of one tree per five-hundred (500) square feet of landscaped area and a minimum of one shrub per one-hundred (100) square feet of landscaped area. At least fifty percent (50%) of all trees shall be evergreen. At least fifty percent (50%) of all trees and shrubs shall be from groups last approved by the Tree Commission through its Tree Selection Guide. Trees and shrubs may be grouped, but there shall be no space greater than seventy-five feet (75') between tree and shrub groupings. All trees shall have a height of at least four feet (4') when planted.

2. The use of planters and landscaped islands within parking lots will be used to reduce visual impact of large paved areas and these shall be planted with shade trees and shrubbery. The area adjacent to residential areas shall be landscaped with coniferous and deciduous trees with shrubs, and berms to create a dense buffer in a relatively short period of time.

3. In all cases, landscaping will meet or exceed the minimum requirements of the City of Twin Falls Title 10; Zoning and Subdivision Regulations.

4. Nothing herein shall preclude the City from evaluating the landscape on a project basis when such evaluation can be shown to provide a more uniform and aesthetically desirable landscaping.

D. Building Standards. Buildings and improvements shall comply with the following standards.

1. Architectural Standards.

a) All buildings shall be constructed of architectural masonry, stone, stucco or architectural steel. Building faces shall include windows, setbacks, awnings, parapet variations, material variations, color variations and other architectural treatments to break up large uniform surfaces. Where building parapets cannot effectively screen roof top equipment the equipment shall be screened with equipment obscuring screens of material of a color and texture to minimize observation. Basic building colors shall be neutral earth tones.

b) Height Limitations. No occupied floor shall be greater than 35' in height except as provided by Section 10-7-3 of City Code.

c) Building Siting. Buildings will be located in a manner that optimizes the appearance of the building to adjacent streets and other public areas. Where possible, buildings shall be utilized to screen or break up large parking areas. Buildings shall also be located in a manner that preserves, to the extent possible, the aesthetics and appearance of existing buildings. All building lighting shall be located in soffit areas or shielded to preclude the light source from being seen from adjacent properties or any residential areas, unless such lighting is deemed by the developer as necessary for the safe operation of hospital and its functions, or for the safety of staff, patients, or visitors.

See last page for clarification.

d) Building Landscaping. Building plans shall include detailed landscape plans. The landscaping shall be designed to complement the building, and provide further screening for large uniform building surfaces.

2. Outside Storage / Loading Docks/Trash Containers. Loading docks, trash containers, medical gas storage and emergency facilities shall be screened from roadways, residential areas and adjacent properties in conformance with City code. Screening may consist of landscaping, masonry walls, buildings or fencing. No outside storage is allowed.

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.

4. Sign Plan. All signage shall conform to City of Twin Falls Sign Regulations Ordinance subject to the following:

a) Building signage shall be limited to wall mounted signs or monument type signs with a maximum height of twenty feet (20') measured above the adjacent curb.

b) Illumination. Signs shall be internally illuminated, or lighted with exterior fixtures provided with shielding to preclude the light source from being visible from adjacent properties.

5. Pedestrian / Bicycle Facilities. Development plans for each project phase and each building shall include facilities that will accommodate pedestrian and bicycle access to the project interior streets, adjacent neighborhood and collector streets and the adjacent arterial streets. Where reasonably feasible the pathways shall be separated from the interior streets by landscaping or other features to encourage use of pedestrian/bicycle facilities.

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

VII. 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".
- 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 thereof shall not be affected.

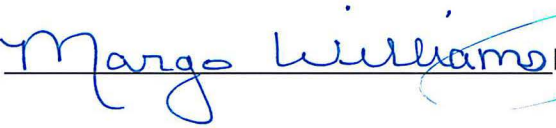
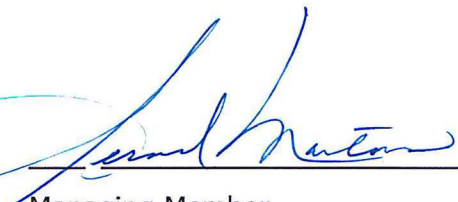
- G. Signatories. Each of the persons executing this Agreement hereby warrants that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing, and that this Agreement is binding on, and enforceable against, such entity.
- H. Effective Date. This Agreement shall become valid and binding upon its approval by the 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, 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. Attachment. 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, sections 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.

CITY OF TWIN FALLS

ATTEST:  BY: 
Mayor

DEVELOPER

ATTEST:  BY: 
Managing Member

ACKNOWLEDGEMENTS

EXHIBIT A – LEGAL DESCRIPTION

TWIN FALLS COUNTY

RECORDED FOR:

TWIN FALLS, CITY OF
9:51:45 am 05-20-2011

2011-009718

NO. PAGES: 4

FEE: \$

KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BHURTER

ORDINANCE NO. 3004

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

WHEREAS, JAMES & ANNA McCORMICK, GARY NELSON, BLASS, INC., GARY SLETTE, GERALD MARTENS, EVAN ROBERTSON, DIRK GIBSON, DANIEL KONEN, STEPHEN GEORGE, AND KIRBY DAHL had made application for a rezone of property located on the south side of the 1200 & 1300 blocks of Pole Line Road West; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 14th day of December, 2010, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon a REZONE of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 10th day of January, 2011.

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

SECTION 1. That the following described real property located on the south side of the 1200 & 1300 blocks of Pole Line Road West is the subject of a Zoning District Change and Zoning Map Amendment from C-1 to C-1 PUD:

See Attachment "A"

SECTION 2. 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 zoning of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 3. That 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 rezoning of the real property above described.

0-3004

PASSED BY THE CITY COUNCIL

May 9, 2011

SIGNED BY THE MAYOR

May 12, 2011



Mayor

ATTEST


Deputy City Clerk

PUBLISH: Thursday, May 19, 2011

ATTACHMENT "A"

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

Section 6: Government Lot 2, EXCEPTING therefrom the following described parcels:

A parcel of land located in Government Lot 2 of Section 6, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the North Quarter Corner of said Section 6, from which the Northeast corner of said Section 6 bears S 89°29'35" E 2658.72 feet, said North Quarter Corner being the TRUE POINT OF BEGINNING;

THENCE S 89°29'35" E along the North boundary of the NE ¼ of said Section 6 for a distance of 355.00 feet;

THENCE S 00°30'35" W for a distance of 178.42 feet;

THENCE N 89°29'35" W parallel with the North boundary of the NE ¼ of said Section 6 for a distance of 71.57 feet to the point of curvature of a curve right;

THENCE Northwesterly along the arc of the curve right for a distance of 280.70 feet to a point on the West boundary of the NE ¼ of said Section 6, said arc having a radius of 5,351.04 feet and a long chord bearing and distance of N 87°59'20" W 280.67 feet;

THENCE N 00°27'06" W along the West boundary of the NE ¼ of said Section 6 for a distance of 171.07 feet to the TRUE POINT OF BEGINNING.

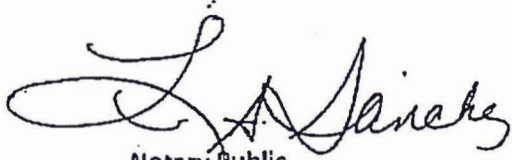
AND EXCEPTING the portion decded to the Idaho Transportation Department in Deed recorded as Instrument No. 2004018072, and re-recorded as Instrument No. 2006001420 and described as Parcel 3, Parcel I.D. No. 0041443, according to the Right of Way Plat of Project No. DHP-NH-F-22390(104) filed for record in the office of the County Recorder of Twin Falls County, Idaho on the 9th day of August 2004 under Instrument No. 2004017039, and modified by Affidavit Authorizing Change on Urban Phase of Twin Falls Alternate Route Right of Way Plats, recorded June 2, 2006 as Instrument No. 2005011669: Being a portion of the (NW ¼ NE ¼ Government Lot 2) of Section 6, Township 10 South, Range 17 East of the Boise Meridian.

Containing approximately 28.96 acres.

0-3004

State of Idaho }
 } ss
Twin Falls)

On this 12th day of May, before me a notary public in and for said State, personally appeared Don Hall known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at Twin Falls, Idaho
My Commission Expires:

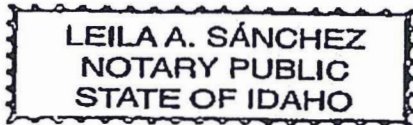
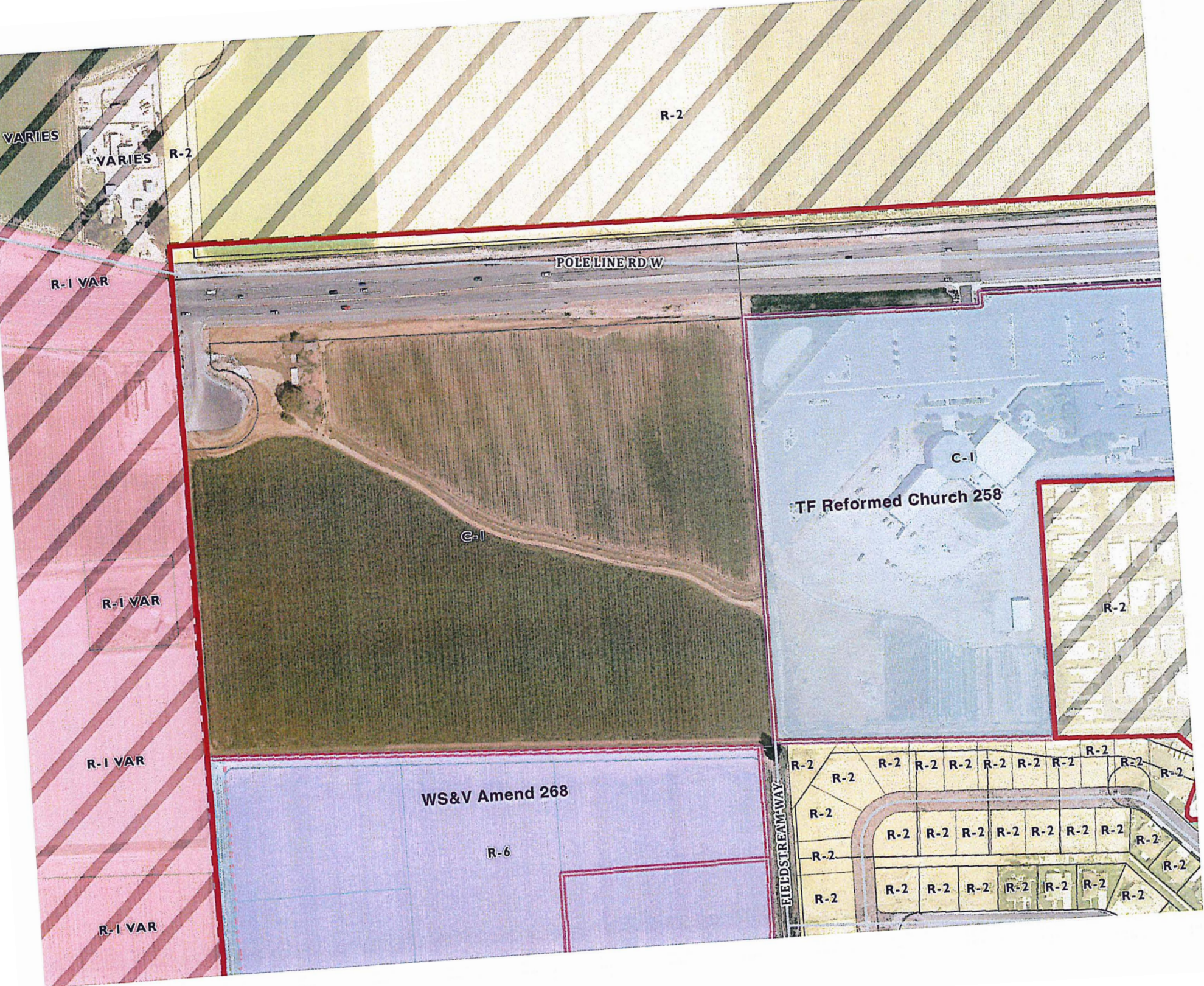


EXHIBIT B – MASTER DEVELOPMENT PLAN



COMP PLAN MAP

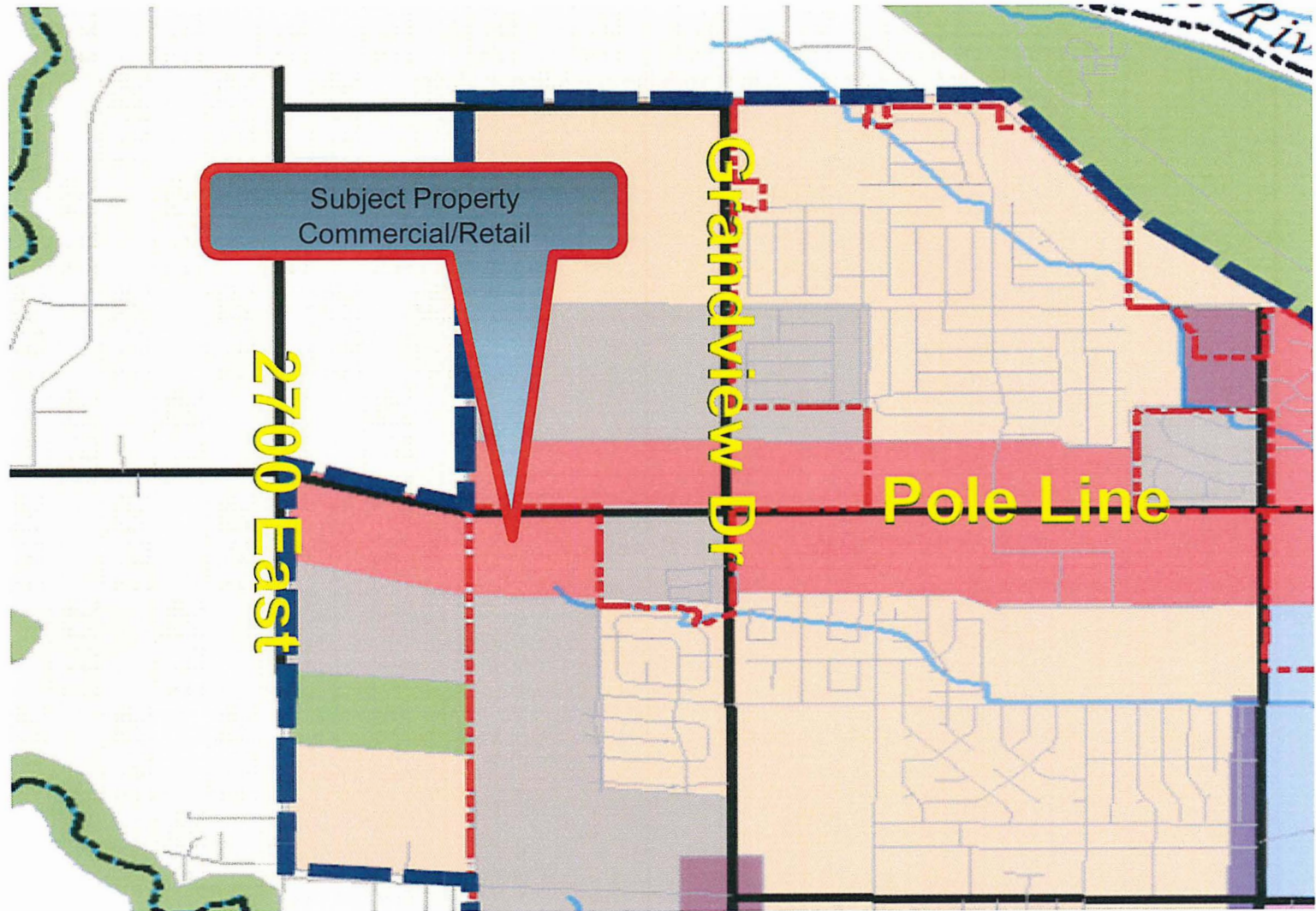


EXHIBIT C

Uses specified below are for the area more than 150' from southern boundary/Cheney Drive West to Pole Line Road West:

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

1. Communications And Utilities:

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

4. Medical Facilities:

- a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
- b. Ambulance service.
- c. Doctors' offices. Offices for health care professionals
- d. Drug and alcohol treatment centers.
- e. Hospitals and clinics.
- f. Rehabilitation services.
- g. Assisted living facilities
- h. Extended care facilities
- i. Nursing homes

5. Parks:

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

6. Public Assembly:

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

7. Residential:

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

8. Retail Trade:

- a. Alcoholic beverages when consumed on premises where sold and if located three hundred feet (300') or more from residential property.
- b. Apparel and accessories.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. ~~Commercial greenhouses.~~
- g. Craft shop, in conjunction with retail business.
- h. Eating places and the sale of alcohol when consumed on the premises where sold if located three hundred feet (300') or more from residential property.
- i. Farm and garden supplies.
- j. Florist shop.
- k. Food, drugs, etc.
- l. General merchandise.

- m. Hardware Store.
- n. Hobby and toy store.
- o. Home furnishings and equipment.
- p. Ice cream store.
- q. Import store.
- ~~r. Laundering and dry cleaning.~~
- ~~s. Laundromats.~~
- t. Lumber, plumbing and/or electrical supply stores.
- u. Music store.
- ~~v. Pawnshop.~~
- ~~w. Pet shop.~~
- x. Sporting goods store.
- ~~y. Taxidermy studio.~~
- z. Temporary automobile, truck and recreational vehicle sales permitted with staff approval, provided that there shall be state approval, no parking or display of vehicles in landscaped areas, and no sight obstructions.

9. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Copy center - self-service.
- j. Daycare services.

- k. Dog grooming and/or kennels.
- l. Duplicating and stenographic offices.
- m. Employment agency.
- n. Finance and investment offices.
- ~~o. Horticultural services.~~
- ~~p. In-home daycare services.~~
- q. Insurance and related business.
- r. Labor unions and organizations.
- s. Photography studios.
- t. Professional organizations.
- u. Professional services.
- v. Real estate and related business.
- w. Tourist information center.
- x. Welfare and charitable facilities.

~~10. Sports Facilities:~~

- ~~a. Athletic areas.~~
- ~~b. Miniature golf courses.~~
- ~~c. Outdoor, public and commercial ice and roller skating facilities.~~
- ~~d. Outdoor, public and commercial swimming pools.~~
- ~~e. Outdoor, public and commercial tennis courts.~~

11. Transportation:

- a. Bus facilities, including pick up shelters.
- b. Open parking lot or garage for automobiles. *Parking structures providing parking for uses within the Latitude 42 PUD.*
- c. Taxicab office.
- d. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2786, 6-1-2004; amd. Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2958, 12-22-2008)

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

1. Communications And Utilities:
 - a. Radio and television stations with wireless communications facilities.
2. ~~Cultural Facilities:~~
 - a. ~~Cemeteries.~~
 - b. ~~Zoos.~~
- ~~2. Governmental Facilities:~~
 - a. ~~Jails, detention centers, work release centers.~~
 - b. ~~Water treatment plants.~~
4. Manufacturing:
 - a. Handcrafted furniture.
5. Medical Facilities:
 - a. ~~Animal hospital—large animals.~~
 - b. ~~Animal hospital—small animals.~~
 - c. Prosthetics - sales, service and/or construction.
6. Miscellaneous:
 - a. Any facility with drive-through service.
- ~~7. Parks:~~
 - a. ~~Amusement parks.~~
- ~~8. Public Assembly:~~

- ~~a. Exhibition halls.~~
- ~~b. Fairgrounds.~~
- ~~c. Sports arena.~~
- ~~d. Theaters outdoor.~~

9. Residential:

- ~~a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.~~
- b. Motels and transient hotels.
- ~~c. RV and camping parks.~~
- ~~d. Shelter homes.~~

10. Retail Trade:

- a. Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.
- b. Automobile and recreational vehicle rental/storage yard.
- c. Automobile and truck sales and/or rentals.
- d. Car wash facilities.
- e. Equipment rental.
- ~~f. Fuel sales (bulk).~~
- g. Gasoline service stations.
- ~~h. Large implement and heavy equipment sales and/or rentals.~~
- i. Manufactured/mobile home sales and/or rentals.
- j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M
- k. Sporting vehicles and motorcycles - sales and/or rentals.
- l. Storage unit rentals.
- ~~m. Tire shops.~~

11. Services:

- a. Appliance repair.
- ~~b. Auctions and/or public sales.~~

- c. Automobile and truck service and/or repair.
- d. Furniture repair/upholstery.
- e. Publishing and printing business.
- f. Sporting vehicles and motorcycles - service and repair.
- g. ~~Tattoo parlors or demographic studies approved by the South Central district health department or other state regulatory agency.~~
- h. Testing laboratories.

~~12. Sports Facilities:~~

- a. ~~Go-cart tracks.~~
- b. ~~Golf courses and country clubs.~~
- c. ~~Golf driving ranges.~~
- d. ~~Indoor recreation facility.~~

~~13. Transportation:~~

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

14. Wholesale:

- a. Wholesale distribution and warehousing, but excluding H-1 facilities.
(Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2798, 8-2-2004; 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)

EXHIBIT "D"

Within 150 feet of the South boundary/Cheney Drive West uses are limited as follows:

10-4-8.2: USE REGULATIONS:

Hours of operation for all buildings located within 150 feet of the Southern boundary shall be restricted to 7:00 am to 10:00 pm unless extended hours of operation are permitted with an approved special use permit.

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

1. Communications And Utilities:

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

4. ~~Manufacturing:~~

- a. ~~Business park PUD only~~

5. Medical Facilities:

- a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
- b. Ambulance service.
- c. Offices for health care facilities.
- d. ~~Hospitals and clinics.~~
- e. Rehabilitation services.
- f. Assisted living facilities.
- g. Extended care facilities.
- h. Nursing homes.

6. Parks:

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

7. Public Assembly:

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

8. Residential:

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

9. Retail Trade:

- a. Alcoholic beverages when consumed on premises where sold and if located three hundred feet (300') or more from residential property.
- b. Apparel and accessories.
- c. ~~Automobile parts store.~~
- d. Bakery.
- e. Bookstore.
- f. ~~Commercial greenhouses.~~
- g. ~~Craft shop, in conjunction with retail business.~~
- h. Eating places.
- i. ~~Farm and garden supplies.~~
- j. Florist shop.
- k. ~~Food, drugs, etc.~~
- l. ~~General merchandise.~~
- m. ~~Hardware store.~~
- n. Hobby and toy store.
- o. Home furnishings and equipment.

- p. Ice cream store.
- ~~q. Import store.~~
- r. Laundering and dry cleaning.
- s. Laundromats.
- ~~t. Lumber, plumbing and/or electrical supply stores.~~
- u. Music store.
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- ~~x. Sporting goods store.~~
- ~~y. Taxidermy studio.~~
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10. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- ~~c. Beauty and barber shops.~~
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Copy center - self-service.
- j. Daycare services.
- k. Dog grooming
- l. Duplicating and stenographic offices.
- m. Employment agency.
- n. Finance and investment offices.
- ~~o. Horticultural services.~~

- ~~p. In-home daycare services.~~
 - q. Insurance and related business.
 - r. Labor unions and organizations.
 - s. Photography studios.
 - t. Professional organizations.
 - u. Professional services.
 - v. Real estate and related business.
 - ~~w. Tourist information center.~~
 - x. Welfare and charitable facilities.
- ~~11. Sports Facilities:~~
- ~~a. Athletic areas.~~
 - ~~b. Miniature golf courses.~~
 - ~~c. Outdoor, public and commercial ice and roller skating facilities.~~
 - ~~d. Outdoor, public and commercial swimming pools.~~
 - ~~e. Outdoor, public and commercial tennis courts.~~
12. Transportation:
- ~~a. Bus facilities, including pick-up shelters.~~
 - ~~b. Open parking lot or garage for automobiles.~~
 - c. Taxicab office.
 - ~~d. Ticket and arrangement facilities.~~

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2786, 6-1-2004; amd. Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2958, 12-22-2008)

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

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 - a. ~~Jails, detention centers, work release centers.~~
 - b. ~~Water treatment plants.~~
4. ~~Manufacturing:~~
 - a. ~~Handcrafted furniture.~~
5. Medical Facilities:
 - a. ~~Animal hospital—large animals.~~
 - b. ~~Animal hospital—small animals.~~
 - c. Prosthetics - sales, service and/or construction.
6. Miscellaneous:
 - a. Any facility with drive-through service.
7. ~~Parks:~~
 - a. ~~Amusement parks.~~
8. ~~Public Assembly:~~
 - a. ~~Exhibition halls.~~
 - b. ~~Fairgrounds.~~
 - c. ~~Sports arena.~~
 - d. ~~Theaters—outdoor.~~

9. ~~Residential:~~

- a. ~~Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.~~
- b. ~~Motels and transient hotels.~~
- c. ~~RV and camping parks.~~
- d. ~~Shelter homes.~~

10. Retail Trade:

- a. Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.
- b. ~~Automobile and recreational vehicle rental/storage yard.~~
- c. ~~Automobile and truck sales and/or rentals.~~
- d. ~~Car wash facilities.~~
- e. ~~Equipment rental.~~
- f. ~~Fuel sales (bulk).~~
- g. ~~Gasoline service stations.~~
- h. ~~Large implement and heavy equipment sales and/or rentals.~~
- i. ~~Manufactured/mobile home sales and/or rentals.~~
- j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- k. ~~Sporting vehicles and motorcycles sales and/or rentals.~~
- l. Storage unit rentals.
- m. ~~Tire shops.~~

11. Services:

- a. Appliance repair.
- b. ~~Auctions and/or public sales.~~
- c. ~~Automobile and truck service and/or repair.~~
- d. Furniture repair/upholstery.
- e. Publishing and printing business.

- ~~f.—Sporting vehicles and motorcycles—service and repair.~~
- ~~g.—Tattoo parlors or demographic studies approved by the South Central district health department or other state regulatory agency.~~
- h. Testing laboratories.

~~12. Sports Facilities:~~

- ~~a.—Go-cart tracks.~~
- ~~b.—Golf courses and country clubs.~~
- ~~c.—Golf driving ranges.~~
- ~~d.—Indoor recreation facility.~~

~~13. Transportation:~~

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

~~14. Wholesale:~~

- ~~a.—Wholesale distribution and warehousing, but excluding H-1 facilities. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006)~~

LATITUDE 42 C-1 PUD AGREEMENT - PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the Latitude 42 C1 PUD District:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Uses: No requirement.
2. Residential Uses: Residential uses less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district.
- Building Height: No building shall exceed thirty five feet (35') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(C) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses And Residential Uses With Five Or More Units Per Building: No property line setbacks are required on side yard or rear yard. A setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:
 - a. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five feet (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
 - b. Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of twenty feet (20') or the minimum

required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission. (Ord. 2981, 12-7-2009)

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district.

(D) 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.

- Development plans for each phase and building shall include facilities that will accommodate pedestrian and bicycle access to the interior streets, adjacent neighborhood and collector streets, and the adjacent arterial streets. Where reasonably feasible the pathways shall be separated from the interior streets by landscaping or other features to encourage use of pedestrian/bicycle facilities.

(E) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater.
2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area.

3. Additional Landscaping Requirements for this PUD:

A landscaping buffer along bordering and interior streets shall be required on each property and in public right-of-way at time of site and building improvements.

- A 35-foot wide landscape buffer including sidewalk, pathway or other hard-surfaced landscape improvements, measured from the curb, will be constructed along Pole Line Road.
- A 20-foot wide landscape buffer including sidewalk, pathway or other hard-surfaced landscape improvements, measured from the curb, will be constructed along Cheney Drive and Creekside Way.
- Developer will maintain all landscaping and common areas in a uniform manner. Property landscaping will utilize a pressure irrigation system.
- For each buffer area 50% of the lineal footage shall have berms with a ridge of at least 18" in height with 50% of berming at a minimum of 30".

- The use of planters and landscaped islands in parking lots will be used to reduce visual impact of large paved areas.
- Area adjacent to residential areas shall to be landscaped to create a dense buffer in a relatively short period of time.

(F) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(G) 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)

1. Additional Development Requirements for this PUD:

- Loading docks, trash containers, medical gas storage and emergency facilities shall be screened from roadways, residential areas and adjacent properties to the extent possible. Screening may consist of landscaping, masonry walls, buildings or fencing.
- Pedestrian/Bicycle Facilities: each project phase shall include facilities to accommodate pedestrian and bicycle access to interior streets, adjacent neighborhood and collector streets and adjacent arterial streets.
- All buildings shall be constructed of architectural masonry, stone, stucco or architectural steel. Building faces shall include windows setbacks, awnings, parapet variations, material variations, color variations, and other architectural treatments to break up large uniform surfaces.
- Basic building colors shall be neutral earth tones.
- Lighting: All building lighting shall be located in soffit areas or shielded to preclude the light source from being seen from adjacent properties or any residential areas,

unless such lighting is deemed by the developer as necessary for the safe operation of hospital and its functions, or for the safety of staff, patients, or visitors.

From: Jonathan Spendlove
Sent: Thursday, March 26, 2020 2:55 PM
To: 'Gerald Martens'
Subject: RE: Latitude 42 - Height Determination

Gerald,

In regards to Latitude 42, the specific section in question reads as follows:

Covenant V. PARCEL DEVELOPMENT CRITERIA: *The property or any portion thereof shall be developed in accordance with the criteria set forth in this Section 5.*

(...)

D. Building Standards: *Buildings and improvements shall comply with the following standards.*

1. Architectural standards

(...)

b) Height Limitations. No occupied floor shall be greater than 35' in height except as provided by section 10-7-3 of City Code.

(...)

It is my determination the words "occupied floor", as used in this document, have the meaning of "rooms, or areas, on the same level of a building".

Therefore, I conclude this section to mean the 35' limitation would be height measured from the ground at the building site up to the ceiling of the "occupied floor".

If there are any questions regarding this determination, please contact me.



Jonathan Spendlove, AICP
Planning and Zoning Director
Planning & Zoning Department
203 Main Ave. E., Twin Falls, ID 83301
208.735.7276
jspendlove@tfid.org

From: Gerald Martens <gmartens@ehminc.com>
Sent: Tuesday, March 24, 2020 8:35 AM
To: Jonathan Spendlove <JSpendlove@tfid.org>
Subject:

[EXTERNAL SENDER]

Jonathan,

I am waiting for your written interpretation of the height limit allowance in general but in specific to the Latitude 42 property.

Gerald Martens, PE
208.420.2461