

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
Vice Mayor			Mayor			

**AGENDA**

Meeting of the Twin Falls City Council

Monday, June 10, 2013

City Council Chambers

305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

CONFIRMATION OF QUORUM

INTRODUCTION OF STAFF

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

PROCLAMATIONS: **None**

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		<u>Action</u>	<u>Staff Report</u>
1. Consideration of a request to approve the accounts payable June 4 –June 10, 2013, total: \$680,057.65.			Sharon Bryan
2. Consideration of a request to approve the June 3, 2013, Minutes.			Leila A. Sanchez
3. Consideration of a request from the "Magic Valley Citizens' 4 th of July" to approve the annual fireworks display held at the College of Southern Idaho on Thursday, July 4, 2013.			Ryan Howe
4. Consideration of a request by Robert Forbes, representing a non-profit Christian Radio Station, to approve the Third Annual Parktacular Event to be held at the Twin Falls City Park on Sunday, June 30, 2013.			Dennis Pullin
5. Consideration of a request to approve a Trust Agreement between Hometowne Holdings, LLC, and the City of Twin Falls.			Troy Vitek
6. Consideration of a request to approve a Trust Agreement between The Group, LLC, and the City of Twin Falls.			Troy Vitek
7. Consideration of a request to approve the Final Plat of Westpark Commercial Subdivision #7 – A `PUD, 2.53 (+/-) acres consisting of one lot on property located at 1810 Washington Street North			Mitchel Humble
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. Consideration of a request by Melinda Anderson, Economic Development Director, to approve the Grand Opening Event for the Glanbia Corporate Office and Cheese Innovation Center to be held on Wednesday, August 7, 2013.		Action	Dennis Pullin
2. Consideration of a request to approve the FAA AIP-34, 2013 Pavement Slurry Seal Project to Straight Stripe Painting, Inc., in the amount of \$378,690, contingent upon the available funding and concurrence of the Federal Aviation Administration.		Action	Bill Carberry
3. A presentation by the City Manager followed by citizen input and possible general discussion about the FY 2014 budget priorities and philosophies.		Presentation/ Discussion	Travis Rothweiler
4. Public input and/or items from the City Manager and City Council.			
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.			
1. Request for the Vacation of 15' x 125' alley (1875 sq. ft.), located west of 303 Shoshone Street North. c/o EHM Engineers on behalf of First Federal Savings Bank. (2567)		PH	Mitchel Humble
2. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD - Westpark Commercial #7 PUD, for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North., c/o Gerald Martens on behalf of Westpark Partners, LLC. (2565)		PH	Mitchel Humble
3. Consideration of the preliminary design for Key 11495 CSI Safety Initiative III – Cheney Dr.		PH	Jacqueline Fields
V. <u>ADJOURNMENT:</u>			

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
Vice Mayor			Mayor			

**MINUTES**

Meeting of the Twin Falls City Council

Monday, June 3, 2013

City Council Chambers

305 3rd Avenue East - Twin Falls, Idaho**4:00 P.M.**

Presentations from eligible Municipal Powers Outsource Grants (MPOG) applicants.

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

CONFIRMATION OF QUORUM

INTRODUCTION OF STAFF

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following amendments to the agenda:**I.2.d. Consent Calendar: Consideration of a request to approve the May 20, 2013, AMENDED MINUTES.****Consideration of a request to adjourn to Executive Session 67-2345(1) (e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.**

PROCLAMATIONS: None

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		<u>Action</u>	<u>Staff Report</u>
1. Consideration of a request to approve the accounts payable for May 21, 2013 – June 3, 2013.			Sharon Bryan
2. Consideration of a request to approve the following City Council Minutes:			Leila Sanchez
a. April 29, 2013			
b. May 6, 2013			
c. May 13, 2013			
d. May 20, 2013 (Amended May 20, 2013)			
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. Consideration of a request to reconsider conditions placed on an amendment to the Muni Storage C-1 PUD Agreement, approved May 20, 2013.	Possible		Mitchel Humble/
2. Consideration of the R-2 NCO Tomeryl, LLC Planned Unit Development (PUD) Agreement between the City of Twin Falls and Tom and Cheryl Arledge.	Action		Gregg Olson
3. Consideration of a request to award the 2013 Slurry Seal Project to Intermountain Slurry Seal, Inc. in the amount of \$297,597.58	Action		Mitch Humble
4. Consideration of a request to award the 2013 Chip Seal Project to Emery, Inc. in the amount of \$391,708.96.	Action		Jacqueline Fields
5. Consideration of a request to adopt Resolution 1906, authorizing the reimbursement of engineering and other related expenses associated with the City's wastewater treatment projects with proceeds from the sale of Revenue Bonds.	Action		Jacqueline Fields
6. Public input and/or items from the City Manager and City Council.	Action		Lorie Race
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None			
V. <u>ADJOURNMENT:</u>			

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

PRESENT: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington
ABSENT: None
STAFF PRESENT: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race, City Engineer Jacqueline Fields, Community Development Director Mitch Humble, Budget Coordinator Pat Lehmann, Assistant to the City Manager Mike Williams, Recording Secretary/Deputy City Clerk Leila A. Sanchez

Mayor Lanting called the meeting to order at 4:00 P.M.

4:00 P.M. Presentations from eligible Municipal Powers Outsource Grants (MPOG) applicants.

Budget Coordinator Lehmann explained that on May 15, 2013, the announcement was made that the City was accepting applications for this year's installment of the MPOG grant process. Applications were due to be received by the City before Friday, May 24th at 4:00 PM. The applications were reviewed by City Attorney Fritz Wonderlich to determine eligibility for the Municipal Powers Outsource Grants. A total of 13 applications were received, with 10 meeting the eligibility review. Those 10 applicants will be making their 5 minute presentations tonight.

Chief Finance Officer Race read the Time News article that reported on the distribution of the MPOG for FYE 2012.

1 Boys & Girls Club

Sam Fowler, Executive Director, explained his request. The request is for the amount of \$23,500. The purpose of the request is to help aid the Club's efforts to operate a facility that is open 15 hours a day, over 300 days a year.

2 CASA Court Appointed Advocates

Tahna Cooper, Executive Director, explained the request. The request is for the amount of \$6,094. The purpose of the request is to recruit, train and support community volunteers to advocate for abused and neglected children who are involved in child protection cases within the eight counties of South Central Idaho.

3 Crisis Center of Magic Valley

Deborah Gabardi explained the request. The request is for the amount of \$15,000. The purpose of the request is to support expenses to maintain the shelter, utilities, client supplies, food, shelter upkeep, along with consulting and other client needs.

4 Interfaith Care Givers

Edie Unland, Executive Director, explained the request. The request is for the amount of \$10,000. The purpose of the request is to reimburse volunteers for mileage driven while providing rides for clients to health related appointments and essential errands in Twin Falls.

5 Jubilee House, Inc.

Kathy Bausman, Executive Director, explained the request. The request is for the amount of \$5,000. The purpose of the request is to supplement the cost of the Full Life Recovery Program.

6 Lighthouse Christian Schools

Dave Hamilton, Facility Manager, and Kevin Newbry, School Board Member, explained the request. The request is for the amount of \$7,000. The purpose of the request is to help provide video surveillance and electronic operation of the facility's main gate.

7 Magic Valley Arts Council, Inc.

Carolyn White, Executive Director, explained the request. The request is for the amount of \$10,000. The purpose of the request is to offer free and reduced fee programs and arts education in Twin Falls and the Magic Valley.

8 Salvation Army

Nicki Kroese, Business Manager, explained the request. The request is for the amount of \$10,000. The purpose of the request is to help with transportation costs associated with picking up children at 8 TFSD schools and the costs of transportation associated with summer field trips.

9 Trans IV

Lynn Baird, Director, explained the request. The request is in the amount of \$40,000. The purpose of the request is to provide low cost transportation to the citizens of Twin Falls.

Jeanette Roe, Site/Financial Director, explained the request. The request is in the amount of \$6,430. The purpose of the request is for an electrical service circuit to the media room and the installation of two new electrical service circuits.

Mayor Lanting stated that discussion would continue after Chief Finance Officer Race and Budget Coordinator Lehmann have averaged out the MATRIX score sheets.

Recess at 5:30 p.m.
Reconvened at 5:40 p.m.

Mayor Lanting invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following amendments to the agenda:

I.2.d. Consent Calendar: Consideration of a request to approve the May 20, 2013, AMENDED MINUTES.

Consideration of a request to adjourn to Executive Session 67-2345(1) (e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOTION:

Vice Mayor Hall made the motion to amend the agenda as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved to 7 to 0.

PROCLAMATIONS: None

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for May 21, 2013 – June 3, 2013, total: \$626,504.16
May 30, 2013, Fire Payroll \$49,843.96
May 24, 2013, Payroll: \$115,957.98
2. Consideration of a request to approve the following City Council Minutes:
 - a. April 29, 2013
 - b. May 6, 2013
 - c. May 13, 2013
 - d. May 20, 2013

MOTION:

Councilperson Hawkins made a motion to approve the Consent Calendar as amended:

- Consideration of a request to approve the May 20, 2013, AMENDED MINUTES.

The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to reconsider conditions placed on an amendment to the Muni Storage C-1 PUD Agreement, approved May 20, 2013.

Community Development Director Humble reviewed the request.

On May 20, 2013, the City Council held a public hearing to consider a request for an amendment to the Muni Storage C-1 PUD Agreement to allow U-Haul truck rentals on the property and to defer Code required paving on the currently undeveloped portion of the property.

The applicant submitted a letter to the City Council to reconsider their May 20, 2013, decision.

Gregg Olsen explained the request. At the May 20, 2013, Council Meeting, there may have been some confusion or ambiguity on the motions. He stated that he would like to explain the request for a three year deferral.

Council discussion followed.

Councilperson Mills Sojka asked the City Attorney for the legal criteria on the request for reconsideration.

City Attorney Wonderlich stated that the procedure is not in City Code.

On July 1, 2013, there will be an amendment in the Local Land Use Planning Act, requiring an applicant to have a reconsideration hearing before they can appeal to the district court.

Council discussion followed.

MOTION:

Vice Mayor Hall made a motion to reconsider the conditions placed on the amendment to the Muni Storage C-1 PUD Agreement, approved May 20, 2013, and to set a public hearing. The motion was seconded by Councilperson Munn.

Council discussion followed.

Roll call vote showed that Councilpersons Barigar, Hall, Lanting, Munn and Talkington voted in favor of the motion. Councilpersons Hawkins and Mills Sojka voted against the motion. Approved 5 to 2.

Councilperson Barigar requested that an Engineering Department representative be present at the public hearing regarding the purposes and consequences of not having hard surfacing.

2. Consideration of the R-2 NCO Tomeryl, LLC Planned Unit Development (PUD) Agreement between the City of Twin Falls and Tom and Cheryl Arledge.

Community Development Director Humble reviewed the request.

Staff believes the R-2 NCO TOMERYL, LLC PUD Agreement correctly reflects the rezone/PUD as it was approved and recommends Council approval of the agreement.

MOTION:

Councilperson Hawkins made the motion to approve the PUD Agreement between the City of Twin Falls and Tomeryl, LLC as presented. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to award the 2013 Slurry Seal Project to Intermountain Slurry Seal, Inc. in the amount of \$297,597.58.

City Engineer Fields explained the request.

On May 16, 2013 bids were opened for the 2013 Slurry Seal Project. Three bids were received and the low bidder was Intermountain Slurry Seal, Inc. of Salt Lake City, UT, in the amount of \$297,597.58. The total budget is \$860,000.00

The City will also contract a Chip Seal project this year at a cost of \$391,708.96. The remaining \$170,693.46 will be used for crack sealing, fog sealing, purchasing tabs to preserve locations of the existing pavement markings, purchasing new thermoplastic pavement markings and towing costs during these projects.

Staff recommends that the City Council authorize the Mayor to sign the contract for 2013 Slurry Seal Project with Intermountain Slurry Seal, Inc. in the amount of \$297,597.58

Council discussion followed.

-Previous work by Intermountain Slurry Seal

- Proper notification to property owners and proper signage

MOTION:

Vice Mayor Hall made the motion to award the 2013 Slurry Seal Project to Intermountain Slurry Seal, Inc. in the amount of \$297,597.58. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to award the 2013 Chip Seal Project to Emery, Inc. in the amount of \$391,708.96.

City Engineer Fields explained the request.

On May 16, 2013 bids were opened for the 2013 Chip Seal Project. Three bids were received and the low bidder was Emery, Inc. of Filer, ID, in the amount of \$391,708.96. The bid is \$391,708.96 and the budget is \$860,000.00. Staff recommends that the City Council authorize the Mayor to sign the contract for 2013 Chip Seal Project with Emery, Inc. in the amount of \$391,708.96.

On overhead projection she showed and explained the City of Twin Falls Zone 1 Map 2013.

MOTION:

Councilperson Talkington made the motion to approve the 2013 Chip Seal Project and awarding the bid to Emery, Inc. in the amount of \$391,708.96. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Council discussion followed.

- Pavement markings on roadways
- Painting of state and federal highways in the City.

City Engineer Fields stated that the painting is regularly occurring around schools, etc., and on an as-needed basis. Painting follows sealcoat and slurry seal.

The state paints state roads and the City of Twin Falls is responsible for special pavement markings.

5. Consideration of a request to adopt Resolution 1906, authorizing the reimbursement of engineering and other related expenses associated with the City's wastewater treatment projects with proceeds from the sale of Revenue Bonds.

City Manager Rothweiler explained the request.

With passage of this Resolution, all expenses associated with the City's wastewater treatment projects will be eligible for reimbursement and capitalized in the water bond.

MOTION:

Councilperson Talkington made the motion to move passage of Resolution 1906. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Public input and/or items from the City Manager and City Council.

Councilperson Talkington commented that Financial News Network reported that 102-year-old Dorothy Custer from Twin Falls, Idaho, was featured and interviewed for base jumping. He recommended that Dorothy Custer be commemorated for her accomplishments.

Mayor Lanting will work with staff to contact Dorothy Custer.

City Manager Rothweiler stated that at the June 10, 2013, City Council Meeting, discussion will be made on the FY2014 budget. The public is invited to attend and comment; and the Cheney Drive Project alignment will also be discussed and the public is invited to attend and comment.

Councilperson Mills Sojka reported on her participation in the ESGR Boss Appreciation Day on June 1, 2013.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Barigar reported that at 12:00 p.m. today, the Mayor and Councilmembers attended the celebration of SkyWest's 30th Anniversary and the launching of an additional flight out of the Twin Falls Airport.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

Recess at 6:21 p.m.

Reconvened at 6:30 p.m.

Continuation of the presentations from eligible Municipal Powers Outsource Grants (MPOG) applicants.

Chief Finance Officer Race showed on overhead projection the scoring results of the City Council's MATRIX score sheets.

Council discussion followed on the Twin Falls Senior Center.

MOTION:

Councilperson Talkington made the motion to award the Twin Falls Senior Center of \$6,430. The motion was seconded by Councilperson Mills Sojka.

Councilperson Barigar asked if Council would be voting on the organizations individually.

Mayor Lanting explained that a vote will be taken on the majority consensus of the Council.

City Manager Rothweiler stated that part of the request of the Twin Falls Senior Center is to assist in making some improvements to some electrical outlets and supplies. The Center is a City building and the city has electricians on staff that can assist in offsetting costs for the labor portion of the electrical work.

Council discussion followed.

MOTION:

Councilperson Munn made the motion to approve the Municipal Powers Outsource Grants (MPOG) as listed. (Overhead projection.)

Twin Falls Senior Center	\$ 3,000
Crisis Center of Magic Valley	\$15,000
Trans IV	\$25,000
CASA - Court Appointed Advocates	\$ 6,000
Salvation Army	\$ 5,000
Magic Valley Arts Council, Inc.	\$ 6,150
Boys & Girls Club	\$11,150
Jubilee House, Inc.	\$ 2,500
Interfaith Care Givers	\$ 5,000
Lighthouse Christian Schools	\$ -0-

The motion was seconded by Vice Mayor Hall.

Council discussion followed:

Councilperson Hawkins recommended that City staff contact the City Band to explain that the MPOG process is being regrouped and suggested the band find other sources of funding before the MPOG progress next year.

City Manager Rothweiler stated that he does not believe that any of the entities that receive funding should bank on receiving funding next year. Economic circumstances and processes change. The council will be going through a budgetary process in the next few months, and he envisions MPOG as a topic of conversation. Staff will share a word of caution to all entities listed that there may be or may not be a funding source next year and he will encourage the organizations to be self-supporting and self-sustaining without City assistance.

Council discussion followed on the MPOG process, availability of funds, and best use of taxpayers' money.

Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. ADJOURNMENT:

Consideration of a request to adjourn to Executive Session 67-2345(1) (e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOTION:

Councilperson Talkington made the motion to adjourn to Executive Session 67-2345(1)(e), as presented. The motion was seconded by Vice Mayor Hall and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

Adjourned at 7:34 p.m.

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

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 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
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 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
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- * 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.



Date: Monday, June 10, 2013, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Ryan Howe, Twin Falls Police Department

Request:

Consideration of a request from the "Magic Valley Citizens' 4th of July" to approve the annual fireworks display held at the College of Southern Idaho on Thursday, July 4, 2013. This activity will begin at 2:00 p.m. and will conclude at approximately 12:00 a.m.

Time Estimate:

Staff requests that this item be placed on the Consent Calendar.

Background:

The Fourth of July fireworks celebration has been held for the last several years at the College of Southern Idaho. The Twin Falls City Band will play from 8:00 p.m. to 9:30 p.m. on the CSI Campus. The fireworks display will begin at approximately 10:00 p.m. and is expected to conclude by 11:00 p.m. As in the past, the area around the CSI Campus will be closed to traffic at 9:00 p.m.

Our evaluation of this event considered the following factors:

1. History –Fireworks Event

- The Fourth of July fireworks event has been an annual event for the past several years.
- The calls for service experienced during the 2012 event were minimal.

2. Expected Crowd Size

- Attendance at past fireworks events has been estimated to be in excess of 2,000 people. The Twin Falls Police Department will provide a minimum of two (2) Police Officers to patrol the interior of the campus during the event.
- This event will require a total of fifteen (15) Twin Falls Police Officers, four (4) non-sworn employees, and several volunteers. Officers from other local law enforcement agencies will assist with traffic control. The entire event requires 35 people to provide traffic control and to ensure the safety of citizens.

3. Traffic Concerns

- Falls Avenue will be closed at 9:00 p.m. between Blue Lakes Boulevard North and Washington Street North. North College Road will also be closed between Blue Lakes Boulevard North and Washington Street North. The road closures will be controlled by traffic cones, barricades, and Police Officers and non-sworn personnel of the Twin Falls Police Department.
- The City of Twin Falls will provide barricades and traffic cones.

4. Live Music

- The Twin Falls City Band will be providing entertainment on the CSI Campus from 8:00 p.m. to 9:30 p.m. The Twin Falls City Band has performed for this event for the last several years.

5. Interest to City of Twin Falls

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

Approval Process:

Consent of the City Council.

Budget Impact:

The special event overtime cost for the Twin Falls Police Department will be \$3,344.00. The cost of this special event is included in the Patrol Division's 2012-2013 overtime budget.

Regulatory Impact:

This event will require fifteen (15) Twin Falls Police Officers and four (4) non-sworn employees.

The Twin Falls Fire Department has approved and signed the Special Events Application.

The Twin Falls City Street Department will provide traffic cones and barricades. The Street Department will pick up the traffic cones and barricades the next day during normal working hours.

Conclusion:

Several relevant City Staff Members have met and approved this application.

Staff recommends that the City Council approve the Special Events Application submitted for the "Magic Valley Citizens' 4th of July" event.

Attachments:

None

RH:aed



Date: Monday, June 10, 2013, Council Meeting

To: Honorable Mayor and City Council

From: Staff Sergeant Dennis Pullin, Twin Falls Police Department

Request:

Consideration of a request by Robert Forbes, representing a non-profit Christian Radio Station, to approve the Third Annual Parktacular Event to be held at the Twin Falls City Park on Sunday, June 30, 2013.

Time Estimate:

In that this is an annual event that typically requires little to no additional Police response, I am submitting this application for consideration on the Consent Calendar.

Background:

On June 4, 2013, Robert Forbes submitted a Special Events Application for the Third Annual Parktacular Event to be held on Sunday, June 30, 2013, in the Twin Falls City Park. The event will begin at 12:15 p.m. and will conclude at 6:00 p.m. This event is a family-friendly summer event. Alcoholic beverages will not be served. There will be live Christian music played from the band shell. Local food vendors will be on hand, as well as local business booths, bouncy houses for children, train rides and face painting.

The event organizers will be responsible for a clean-up plan within the park and other areas affected by the event. Should electrical issues arise within the City Park, the event organizers will be responsible for any billing resulting from call outs for electrical service.

While it is possible that the live band may become a noise disturbance issue for the residential neighborhood near the City Park, we have had very few complaints in past years. Should the amplified sound become an issue, the Patrol Supervisor will be advised to contact Robert Forbes. The Staff recommends that the on-duty Supervisor be given authority to order event organizers to mitigate the sound of amplified music. If the noise complaints become habitual, the Patrol Supervisor shall be granted the authority to order the music to be terminated.

There were no calls for service during the 2012 Parktacular Event.

The Twin Falls Police Staff and other relevant City Staff Members have reviewed the application and recommend its approval.

Approval Process:

Consent of the Council

Agenda Item for June 10, 2013
From Staff Sergeant Dennis Pullin
Page Two

Budget Impact:

Since no alcohol will be served at this event and there have been no calls for Police service at past events, Twin Falls Police Staff Members do not feel there is a need for the Twins Falls Police Department to provide security.

Regulatory Impact:

N/A

Conclusion:

Staff recommends that the City Council approve the Special Events Application submitted for the Third Annual Parktacular event based on the information provided.

Attachments:

None

DP:aed



Date: Monday, June 10, 2013
To: Honorable Mayor and City Council
From: Troy Vitek, PE Assistant City Engineer

Request:

Consider a request to allow HomeTowne Holdings LLC to place:

Lots 1 through 24 Block 1;
Lots 1 through 10 Block 2;
Lots 15 through 35 Block 4;
Lots 1 through 10 Block 5;
Lots 1 through 14 Block 6; and
Lots 1 through 14 Block 7 of Hometowne Subdivision Into Trust.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

City Code Section 10-12-4-3 states "...the council may permit the subdivider to execute a trust and escrow agreement and record a notice prohibiting the sale of an undeveloped lot without a recorded developer's agreement between the subdivider and the city relating to that lot..."

The lots mentioned above have been in trust since the recordation of the plat. The owner of the subdivision has since sold his interest in the subdivision in its entirety to Hometown Holdings LLC. This trust agreement updates the "Trustor" and places the same lots back in trust with the City of Twin Falls as the Beneficiary.

Approval Process:

Approval of this will allow Hometowne Holdings LLC to be listed as the Trustor on the deeds. A majority vote of the Council is needed to allow the Mayor to Sign the Agreement listing the City of Twin Falls as the beneficiary.

Budget Impact:

No Budget Impact

Conclusion:

Staff recommends that City Council allow the mayor to Sign the Trust Agreement and Phase Control Development Notice.

Attachments:

1. Subdivision Map
2. Trust Agreement
3. Phase Control Development Notice

LOCATED IN A PORTION OF 2500
THE NW1/4 NW1/4, SECTION 32 2400
TOWNSHIP 9 SOUTH, RANGE 17 EAST,
BOISE MERIDIAN, TWIN FALLS COUNTY
IDAHO 2008 TWIN FALLS COUNTY

RECORDED FOR:
EHY ENGINEERS
N:35:31 nm 08-19-2008
2008-018549
R. PAGE () FEE: \$33.
ORIGINAL CLASSICAL
COUNTRY CLUB
PROPERTY: CHANCE
UNPLATTED

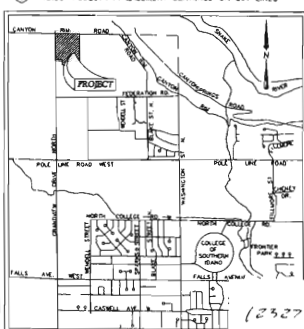


0 50 100 200

Scale in Feet

Boundary Line _____
Center Line of Street _____
Lot Line _____
Easement Line (See Table) _____
Set 5/8"x30" Rebar and Cap (LS 1000) ●
1/2"x24" Rebar and Cap (LS 1000) To Be Set ●
5/8"x30" Rebar and Cap (LS 1000) To Be Set ●

(A)	15.00' DRAINAGE AND IRRIGATION EASEMENT
(B)	15.00' UTILITY EASEMENT
(C)	15.00' UTILITY EASEMENT CENTERED ON LOT LINES
(D)	15.00' DRAINAGE EASEMENT CENTERED ON LOT LINES
(E)	20.00' UTILITY EASEMENT CENTERED ON LOT LINES
(F)	20.00' UTILITY EASEMENT CENTERED BETWEEN RETENT
(G)	15.00' PEDESTRIAN EASEMENT CENTERED ON LOT LINE



Vicinity Map - nts

Health Certificate

Sanitary restrictions as required by Idaho Code satisfied based on the State of Idaho, Department approval of the design plans and specification the developer for continued satisfaction of the captioned that at the time of this approval, facilities were constructed. Building constructed building permits if drinking water or sewer facilities have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities or meet the other conditions of DED, then developer shall be reimposed the requirements with Section 50-1276, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

Date: July 14, 2008 9/11/08
South Central Public Health District, RCHS

[Signature]
North Central Public Health District, REHS

Notes:

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

TRACT A SHALL BE DEEDED TO AND MAINTAINED BY THE HOMETOWN HOMEOWNERS ASSOCIATION AND RESERVED FOR DRAINAGE RETENTION, UTILITIES, & IRRIGATION.

UNPLATTED

Monument Certification

THE INTERIOR MONUMENTS ON THIS PLAT SHOWN AS "TO BE SET" WILL BE SET IN ACCORDANCE WITH SECTION 50-1333, IDAHO CODE ON OR BEFORE APRIL 30, 2009 OR AS DETERMINED BY THE CITY OF TWIN FALLS.

EHA Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

Curve Table _____ 5 _____

CART	TIME	LENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH
C1	08:04:00	21.35	20.00	18.84	28.74	47.5
C2	08:04:00	21.35	20.00	18.84	28.74	47.5
C3	11:53:00	18.53	20.00	9.30	36.0	50.0
C4	11:53:00	18.53	20.00	9.30	36.0	50.0
C5	08:04:00	21.35	20.00	18.84	28.74	47.5
C6	08:04:00	21.35	20.00	18.84	28.74	47.5
C7	08:04:00	21.35	20.00	18.84	28.74	47.5
C8	08:04:00	21.35	20.00	18.84	28.74	47.5
C9	08:04:00	21.35	20.00	18.84	28.74	47.5
C10	08:04:00	21.35	20.00	18.84	28.74	47.5
C11	08:04:00	21.35	20.00	18.84	28.74	47.5
C12	08:04:00	21.35	20.00	18.84	28.74	47.5
C13	08:04:00	21.35	20.00	18.84	28.74	47.5
C14	08:04:00	21.35	20.00	18.84	28.74	47.5
C15	08:04:00	21.35	20.00	18.84	28.74	47.5
C16	08:04:00	21.35	20.00	18.84	28.74	47.5
C17	08:04:00	21.35	20.00	18.84	28.74	47.5
C18	08:04:00	21.35	20.00	18.84	28.74	47.5
C19	08:04:00	21.35	20.00	18.84	28.74	47.5
C20	08:04:00	21.35	20.00	18.84	28.74	47.5
C21	08:04:00	21.35	20.00	18.84	28.74	47.5
C22	08:04:00	21.35	20.00	18.84	28.74	47.5
C23	08:04:00	21.35	20.00	18.84	28.74	47.5
C24	08:04:00	21.35	20.00	18.84	28.74	47.5
C25	08:04:00	21.35	20.00	18.84	28.74	47.5
C26	08:04:00	21.35	20.00	18.84	28.74	47.5
C27	08:04:00	21.35	20.00	18.84	28.74	47.5
C28	08:04:00	21.35	20.00	18.84	28.74	47.5
C29	08:04:00	21.35	20.00	18.84	28.74	47.5
C30	08:04:00	21.35	20.00	18.84	28.74	47.5
C31	08:04:00	21.35	20.00	18.84	28.74	47.5
C32	08:04:00	21.35	20.00	18.84	28.74	47.5
C33	08:04:00	21.35	20.00	18.84	28.74	47.5
C34	08:04:00	21.35	20.00	18.84	28.74	47.5
C35	08:04:00	21.35	20.00	18.84	28.74	47.5
C36	08:04:00	21.35	20.00	18.84	28.74	47.5
C37	08:04:00	21.35	20.00	18.84	28.74	47.5
C38	08:04:00	21.35	20.00	18.84	28.74	47.5
C39	08:04:00	21.35	20.00	18.84	28.74	47.5
C40	08:04:00	21.35	20.00	18.84	28.74	47.5
C41	08:04:00	21.35	20.00	18.84	28.74	47.5
C42	08:04:00	21.35	20.00	18.84	28.74	47.5
C43	08:04:00	21.35	20.00	18.84	28.74	47.5
C44	08:04:00	21.35	20.00	18.84	28.74	47.5
C45	08:04:00	21.35	20.00	18.84	28.74	47.5
C46	08:04:00	21.35	20.00	18.84	28.74	47.5
C47	08:04:00	21.35	20.00	18.84	28.74	47.5
C48	08:04:00	21.35	20.00	18.84	28.74	47.5
C49	08:04:00	21.35	20.00	18.84	28.74	47.5
C50	08:04:00	21.35	20.00	18.84	28.74	47.5

WATER	SEWER	ADDRESS	INDUSTRY	BLDG	LOTS	BLOG
1974	1972	277	Industrious	41	12	4
1974	1972	277	Industrious	41	13	4
1974	1972	277	Industrious	41	14	4
1974	1972	277	Industrious	41	15	4
1974	1972	277	Industrious	41	16	4
1974	1972	277	Industrious	41	17	4
1974	1972	277	Industrious	41	18	4
1974	1972	277	Industrious	41	19	4
1974	1972	277	Industrious	41	20	4
1974	1972	277	Industrious	41	21	4
1974	1972	277	Industrious	41	22	4
1974	1972	277	Industrious	41	23	4
1974	1972	277	Industrious	41	24	4
1974	1972	277	Industrious	41	25	4
1974	1972	277	Industrious	41	26	4
1974	1972	277	Industrious	41	27	4
1974	1972	277	Industrious	41	28	4
1974	1972	277	Industrious	41	29	4
1974	1972	277	Industrious	41	30	4
1974	1972	277	Industrious	41	31	4
1974	1972	277	Industrious	41	32	4
1974	1972	277	Industrious	41	33	4
1974	1972	277	Industrious	41	34	4
1974	1972	277	Industrious	41	35	4
1974	1972	277	Industrious	41	36	4
1974	1972	277	Industrious	41	37	4
1974	1972	277	Industrious	41	38	4
1974	1972	277	Industrious	41	39	4
1974	1972	277	Industrious	41	40	4
1974	1972	277	Industrious	41	41	4
1974	1972	277	Industrious	41	42	4
1974	1972	277	Industrious	41	43	4
1974	1972	277	Industrious	41	44	4
1974	1972	277	Industrious	41	45	4
1974	1972	277	Industrious	41	46	4
1974	1972	277	Industrious	41	47	4
1974	1972	277	Industrious	41	48	4
1974	1972	277	Industrious	41	49	4
1974	1972	277	Industrious	41	50	4
1974	1972	277	Industrious	41	51	4
1974	1972	277	Industrious	41	52	4
1974	1972	277	Industrious	41	53	4
1974	1972	277	Industrious	41	54	4
1974	1972	277	Industrious	41	55	4
1974	1972	277	Industrious	41	56	4
1974	1972	277	Industrious	41	57	4
1974	1972	277	Industrious	41	58	4
1974	1972	277	Industrious	41	59	4
1974	1972	277	Industrious	41	60	4
1974	1972	277	Industrious	41	61	4
1974	1972	277	Industrious	41	62	4
1974	1972	277	Industrious	41	63	4
1974	1972	277	Industrious	41	64	4
1974	1972	277	Industrious	41	65	4
1974	1972	277	Industrious	41	66	4
1974	1972	277	Industrious	41	67	4
1974	1972	277	Industrious	41	68	4
1974	1972	277	Industrious	41	69	4
1974	1972	277	Industrious	41	70	4
1974	1972	277	Industrious	41	71	4
1974	1972	277	Industrious	41	72	4
1974	1972	277	Industrious	41	73	4
1974	1972	277	Industrious	41	74	4
1974	1972	277	Industrious	41	75	4
1974	1972	277	Industrious	41	76	4
1974	1972	277	Industrious	41	77	4
1974	1972	277	Industrious	41	78	4
1974	1972	277	Industrious	41	79	4
1974	1972	277	Industrious	41	80	4
1974	1972	277	Industrious	41	81	4
1974	1972	277	Industrious	41	82	4
1974	1972	277	Industrious	41	83	4
1974	1972	277	Industrious	41	84	4
1974	1972	277	Industrious	41	85	4
1974	1972	277	Industrious	41	86	4
1974	1972	277	Industrious	41	87	4
1974	1972	277	Industrious	41	88	4
1974	1972	277	Industrious	41	89	4
1974	1972	277	Industrious	41	90	4
1974	1972	277	Industrious	41	91	4
1974	1972	277	Industrious	41	92	4
1974	1972	277	Industrious	41	93	4
1974	1972	277	Industrious	41	94	4
1974	1972	277	Industrious	41	95	4
1974	1972	277	Industrious	41	96	4
1974	1972	277	Industrious	41	97	4
1974	1972	277	Industrious	41	98	4
1974	1972	277	Industrious	41	99	4
1974	1972	277	Industrious	41	100	4

7923	1726	2327	INDEPENDENCE	EST	15	4
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385-04/P
SHEET 1 OF 3

TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this 2nd day of May, 2013, by and between **HOMETOWNE HOLDINGS, LLC, an Idaho Limited Liability Company**, (hereinafter "Trustor"); **TITLEFACT, INC.**, (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

WITNESSETH:

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

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

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

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

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

Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, Block 4; AND
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 5; AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 6; AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 7;

all in **HOMETOWNE SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 22 of Plats, page 34, records of Twin Falls County, Idaho.

2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, and conditions of the Phase Control Development Notice for lots in **HOMETOWNE SUBDIVISION**, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.
3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any

other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.

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

Date: 5/3/13

TRUSTOR:

HOMETOWNE HOLDINGS, LLC

BY: [Signature]
GARY M. WOLVERTON, JR., Member

BY: [Signature]
JAMES V. RAY, Member

Date: 5/3/13

TRUSTEE:

TITLEFACT, INC.

BY: [Signature]
Richard B. Stivers, President

Date: _____

BENEFICIARY:

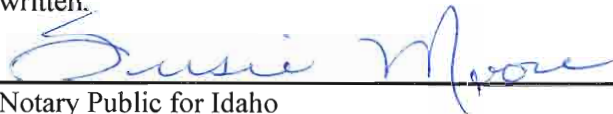
CITY OF TWIN FALLS, IDAHO

BY: _____
Greg Lanting, Mayor

STATE OF IDAHO
County of Twin Falls

On this 3rd day of May, 2013, before me, a Notary Public in and for said State, personally appeared Gary M. Wolverton, Jr. and James V. Ray, known or identified to me to be members of the limited liability company of **HOMETOWNE HOLDINGS, LLC**, and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that they executed the same in said limited liability company name.

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



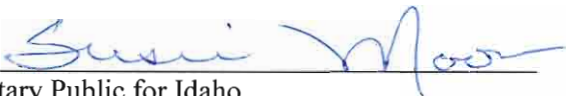
Notary Public for Idaho
Residing in Twin Falls
Commission expires 11-28-2014



STATE OF IDAHO
County of Twin Falls

On this 3rd day of May, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **RICHARD B. STIVERS**, known or identified to me to be the President of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Notary Public for Idaho
Residing at:
My Commission expires:



STATE OF IDAHO
County of Twin Falls

On this _____ day of May, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **GREG LANTING**, known or identified to me to be the Mayor for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same on behalf of the City of Twin Falls, Idaho.

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

Notary Public for Idaho
Residing at:
My Commission expires:

"EXHIBIT A"

PHASE CONTROL DEVELOPMENT NOTICE

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

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

The real property subject to this notice is

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

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 2; AND

Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, Block 4; AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 5; AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 6; AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 7;

all in **HOMETOWNE SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 22 of Plats, page 34, records of Twin Falls County, Idaho.

Dated this 3rd day of May, 2013.

Developers

BY: _____

GARY M. WOLVERTON, JR.,

BY: _____

JAMES V. RAY

TITLEFACT, INC.

BY: _____

Richard B. Stivers, President



Date: Monday, June 10, 2013
To: Honorable Mayor and City Council
From: Troy Vitek, PE Assistant City Engineer

Request:

Consider a request to allow The Group, LLC to place:

Tract A and Lots 1 through 8, Block 1
Tract B and Lots 1 through 20, Block 2
Lots 1 through 14, Block 3 in Trust.

Time Estimate:

The staff presentation will take approximately 3 minutes.

Background:

City Code Section 10-12-4-3 states "...the council may permit the subdivider to execute a trust and escrow agreement and record a notice prohibiting the sale of an undeveloped lot without a recorded developer's agreement between the subdivider and the city relating to that lot,..."

The Developer wishes to record the final plat and place all subdivision lots in trust.

Approval Process:

Approval of this will allow the Developer to Record the final plat and place all subdivision lots in a trust to be improved at a later date. A majority vote of the Council is needed to allow the Mayor to Sign the Agreement.

Budget Impact:

No Budget Impact

Conclusion:

Staff recommends that City Council allow the mayor to Sign the Trust Agreement and Phase Control Development Notice.

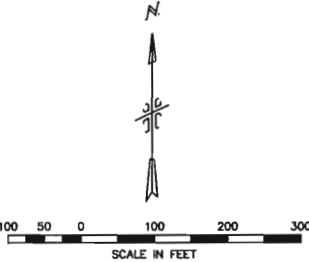
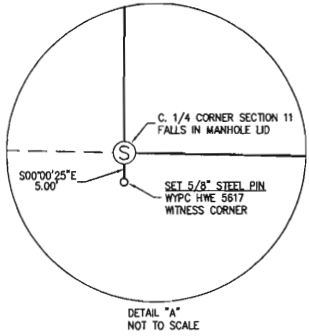
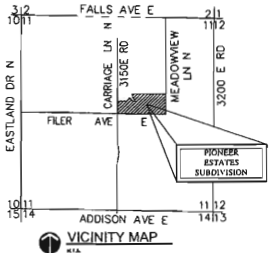
Attachments:

1. Subdivision Map
 2. Trust Agreement
 3. Phase Control Development Notice
-

Plat Showing
PIONEER ESTATES SUBDIVISION
Being Lot 17, Block 3 OF MORNING SUN SUBDIVISION NUMBER 3, and a Portion of the
SW 1/4 of the NE 1/4 of Section 11 Township 10 South, Range 17 East, B.M.,
City of Twin Falls, Twin Falls County, Idaho
2009

Health Certificate

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



- Legend**
- △ CALCULATED POINT
 - FOUND BRASS CAP
 - ⊙ FOUND 1/2" STEEL PIN
 - FOUND 5/8" STEEL PIN AS NOTED
 - SET 5/8" X 30" STEEL PIN WYPC MARKED "HWE 5617"
 - SET 1/2" X 24" STEEL PIN WYPC MARKED "HWE 5617"
 - ① LOT NUMBER
 - BLOCK 1 BLOCK NUMBER
 - WYPC WITH YELLOW PLASTIC CAP
 - SUBDIVISION BOUNDARY
 - ADJACENT SUBDIVISION BOUNDARY
 - SECTION LINE
 - CENTERLINE OF STREET
 - INTERIOR LOT LINE
 - DEDICATED RIGHT-OF-WAY LINE
 - UTILITY DRAINAGE AND IRRIGATION EASEMENT LINE
 - TWIN FALLS CANAL COMPANY EASEMENT LINE
 - MATCH LINE

- Easement Legend**
- A 15' UTILITY, DRAINAGE AND IRRIGATION EASEMENT
 - B 20' UTILITY, DRAINAGE AND IRRIGATION EASEMENT



DEVELOPER/OWNER:
THE GROUP, LLC
3232 MEADOW RIDGE LANE
TWIN FALLS, IDAHO 83301
PHONE: (208)734-5163
CONTACT: DOUG STRAND

Sheet Index

SHEET 1	SUBDIVISION BOUNDARY AND COVER SHEET
SHEET 2	WESTERN PORTION OF SUBDIVISION
SHEET 3	EASTERN PORTION OF SUBDIVISION
SHEET 4	CURVE AND LINE TABLES
SHEET 5	OWNER'S CERTIFICATE AND NOTES
	SIGNATURE SHEET

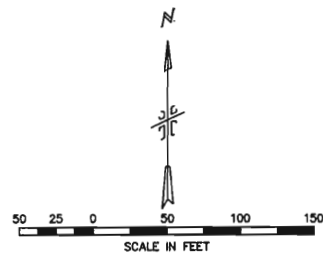
References

- CORPORATE WARRANTY DEED INST. #2007-014811, RECORDS OF TWIN FALLS COUNTY, IDAHO.
- PLAT OF MORNING SUN SUBDIVISION NUMBER 3, RECORDS OF TWIN FALLS COUNTY, IDAHO.
- PLAT OF MORNING SUN SUBDIVISION NUMBER 4, RECORDS OF TWIN FALLS COUNTY, IDAHO.

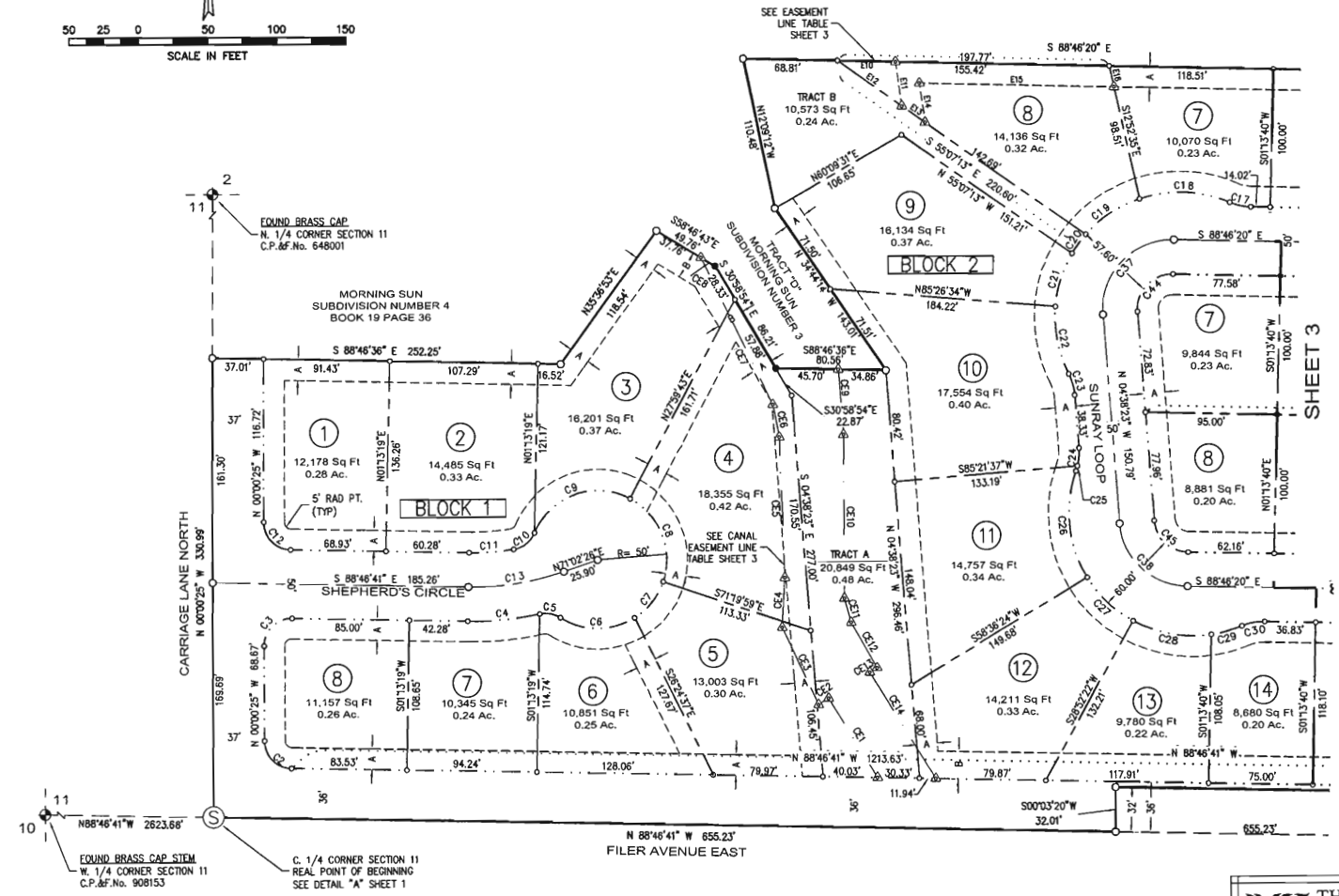
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Plat Showing
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Being Lot 17, Block 3 OF MORNING SUN SUBDIVISION NUMBER 3, and a Portion of the
SW 1/4 of the NE 1/4 of Section 11 Township 10 South, Range 17 East, B.M.,
City of Twin Falls, Twin Falls County, Idaho
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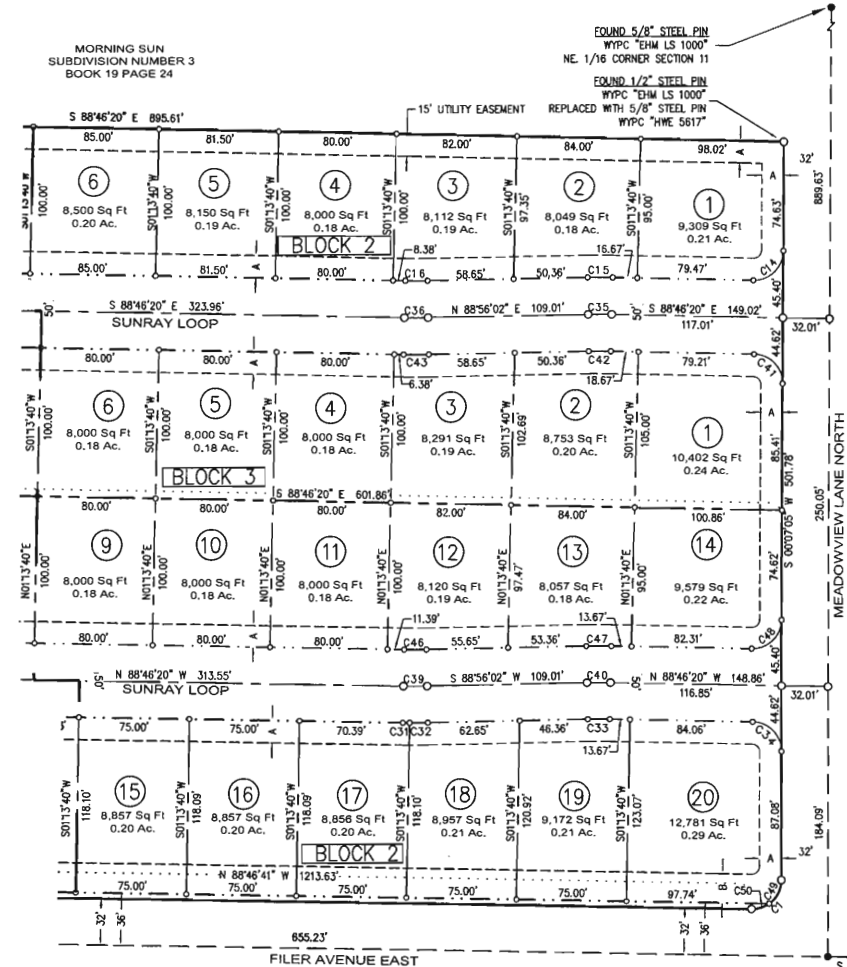
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2009

MORNING SUN
SUBDIVISION NUMBER 3
BOOK 19 PAGE 24

SHEET 2



SCALE IN FEET
50 25 0 50 100 150



FOUND 5/8" STEEL PIN
WYPC "EHM LS 1000"
E. 1/4 CORNER SECTION 11
C.P. & F.No. 1997007138

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CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST.
C1	31.80	20.00	91°06'14"	N45°40'12"E	28.55
C2	30.99	20.00	88°46'16"	N44°23'33"E	27.98
C3	31.84	20.00	91°13'44"	S45°36'27"W	28.59
C4	52.43	225.00	13°21'08"	N84°32'45"E	52.32
C5	15.71	20.00	44°59'56"	N79°37'51"W	15.31
C6	56.74	50.00	65°01'05"	S89°38'26"E	53.74
C7	34.19	50.00	39°11'01"	N38°15'31"E	33.53
C8	70.40	50.00	80°40'18"	N21°40'08"W	64.73
C9	82.53	50.00	94°35'35"	S70°41'55"W	73.49
C10	19.98	20.00	3°13'28"	N85°03'01"E	19.16
C11	32.35	175.00	10°13'25"	N85°55'37"E	32.30
C12	30.99	20.00	88°46'16"	S44°23'33"E	27.98
C13	70.45	200.00	20°10'54"	N81°07'52"E	70.08
C14	31.80	20.00	91°06'35"	N45°40'23"E	28.56
C15	17.02	425.00	21°7'38"	N89°55'09"E	17.02
C16	15.01	375.00	21°7'38"	S89°55'09"E	15.01
C17	15.70	40.00	22°29'01"	S77°31'50"E	15.60
C18	66.72	90.00	42°28'24"	N87°31'31"W	65.20
C19	47.10	90.00	29°59'07"	S56°14'44"W	46.56
C20	17.03	90.00	10°50'24"	S35°49'58"W	17.00
C21	40.61	90.00	25°51'20"	S17°29'06"W	40.27
C22	50.35	90.00	32°03'16"	S11°28'12"E	49.70
C23	15.96	40.00	22°51'27"	N18°04'07"W	15.85
C24	13.06	40.00	18°42'23"	N04°42'48"E	13.00
C25	3.73	40.00	5°20'26"	N16°44'13"E	3.73
C26	79.80	90.00	50°48'02"	S05°59'35"E	77.21
C27	46.71	90.00	29°44'02"	S46°15'37"E	46.18
C28	58.30	90.00	37°06'49"	S79°41'02"E	57.28
C29	22.90	90.00	14°34'42"	N74°28'12"E	22.84
C30	16.79	40.00	24°02'49"	S79°12'16"W	16.65
C31	4.61	425.00	0°37'18"	S89°04'59"E	4.61
C32	12.40	425.00	1°40'20"	N89°46'12"E	12.40
C33	15.01	375.00	21°7'38"	N89°55'09"E	15.01
C34	31.03	20.00	88°53'25"	N44°19'37"W	28.01
C35	16.02	400.00	21°7'38"	N89°55'09"E	16.01
C36	16.02	400.00	21°7'38"	S89°55'09"E	16.01
C37	83.66	50.00	95°52'03"	S43°17'38"W	74.24
C38	73.42	50.00	84°07'57"	S46°42'22"E	67.00
C39	16.02	400.00	21°7'38"	S89°55'09"E	16.01
C40	16.02	400.00	21°7'38"	N89°55'09"E	16.01
C41	31.03	20.00	88°53'25"	N44°19'37"W	28.01
C42	15.01	375.00	21°7'38"	N89°55'09"E	15.01
C43	17.02	425.00	21°7'38"	S89°55'09"E	17.01
C44	41.83	25.00	95°52'03"	S43°17'38"W	37.12
C45	36.71	25.00	84°07'57"	S46°42'22"E	33.50
C46	15.01	375.00	21°7'38"	S89°55'09"E	15.01
C47	17.02	425.00	21°7'38"	N89°55'09"E	17.02
C48	31.80	20.00	91°06'35"	N45°40'23"E	28.56
C49	18.94	20.00	54°15'10"	N27°14'40"E	18.24
C50	12.86	20.00	36°51'04"	N72°47'47"E	12.64

CANAL EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
CE1	67.74	N31°44'28"W
CE2	8.62	S58°06'34"W
CE3	62.12	N25°07'58"E
CE4	36.42	N02°18'14"W
CE5	101.45	N02°18'14"W
CE6	23.90	N11°21'51"W
CE7	118.54	N26°21'03"W
CE8	12.00	S58°46'43"E
CE9	46.94	S04°45'25"E
CE10	118.23	S00°17'59"E
CE11	18.44	S15°48'50"E
CE12	38.12	S29°37'05"E
CE13	6.32	S58°06'34"W
CE14	90.83	S31°43'32"E



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Certificate of Owner

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED ARE THE OWNERS OF THE REAL PROPERTY HEREFTER DESCRIBED.

A TRACT OF LAND BEING LOT 17, BLOCK 2 OF MORNING SUN SUBDIVISION NUMBER 3 (A RECORDED SUBDIVISION ON FILE IN BOOK 19 OF PLATS AT PAGE 24, RECORDS OF TWIN FALLS COUNTY, IDAHO) AND A PORTION OF THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF A SANITARY SEWER MANHOLE LID MONUMENTING THE CENTER ONE QUARTER OF SAID SECTION 11 ON THE CENTERLINE OF CARRIAGE LANE NORTH, SAID POINT BEING WITNESSED BY A SET 5/8" STEEL PIN THAT BEARS S 00°00'25" EAST A DISTANCE OF 5.00 FEET, FROM WHICH A FOUND 5/8-INCH STEEL PIN MONUMENTING THE EAST ONE QUARTER OF SAID SECTION 11 BEARS SOUTH 88°46'41" EAST A DISTANCE OF 2,620.93 FEET;

THENCE FOLLOWING THE WESTERLY LINE OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SAID SECTION 11 AND THE CENTERLINE OF SAID CARRIAGE LANE NORTH, NORTH 00°00'25" WEST A DISTANCE OF 330.99 FEET TO A SET 5/8" STEEL PIN MONUMENTING THE NORTHWEST CORNER OF THE SOUTH ONE HALF OF THE SOUTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SAID SECTION 11;
THENCE LEAVING SAID WESTERLY LINE AND FOLLOWING THE NORTHERLY LINE OF SAID SOUTH ONE HALF OF THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER, ALSO BEING THE SOUTHERLY LINE OF MORNING SUN SUBDIVISION NUMBER 4 (A RECORDED SUBDIVISION ON FILE IN BOOK 19 OF PLATS AT PAGE 36, RECORDS OF TWIN FALLS COUNTY, IDAHO) SOUTH 88°46'36" EAST A DISTANCE OF 252.25 FEET TO A SET 5/8" STEEL PIN;
THENCE LEAVING SAID NORTHERLY LINE AND CONTINUING ALONG THE SOUTHERLY LINE OF SAID MORNING SUN SUBDIVISION NUMBER 4, NORTH 35°36'53" EAST A DISTANCE OF 118.54 FEET TO A SET 5/8" STEEL PIN ON THE WESTERLY LINE OF TRACT "D" OF SAID MORNING SUN SUBDIVISION NUMBER 4;
THENCE LEAVING SAID SOUTHERLY LINE AND FOLLOWING THE WESTERLY LINE OF SAID TRACT "D", SOUTH 58°46'43" EAST A DISTANCE OF 49.76 FEET TO A FOUND 5/8" STEEL PIN; THENCE FOLLOWING SAID WESTERLY LINE, SOUTH 30°58'54" EAST A DISTANCE OF 86.21 FEET TO A FOUND 5/8" STEEL PIN MONUMENTING THE SOUTHWEST CORNER OF SAID TRACT "D";
THENCE LEAVING SAID WESTERLY LINE AND FOLLOWING THE SOUTHERLY LINE OF SAID TRACT "D", SOUTH 88°46'36" EAST A DISTANCE OF 80.56 FEET TO A SET 5/8" STEEL PIN MONUMENTING THE SOUTHEAST CORNER OF SAID TRACT "D", ALSO BEING AN ANGLE POINT IN SAID LOT 17, BLOCK 2 OF MORNING SUN SUBDIVISION NUMBER 3;
THENCE LEAVING SAID SOUTHERLY LINE AND FOLLOWING THE COMMON LINE BETWEEN SAID TRACT "D" AND SAID LOT 17, NORTH 34°44'14" WEST A DISTANCE OF 143.01 FEET TO A SET 5/8" STEEL PIN;
THENCE FOLLOWING SAID COMMON LINE, NORTH 12°09'12" WEST A DISTANCE OF 110.48 FEET TO A SET 5/8" STEEL PIN MONUMENTING THE NORTHWEST CORNER OF SAID LOT 17;
THENCE LEAVING SAID COMMON LINE AND FOLLOWING THE NORTHERLY LINE OF SAID LOT 17, SOUTH 88°46'20" EAST A DISTANCE OF 895.61 FEET TO A SET 5/8" STEEL PIN MONUMENTING THE NORTHEAST CORNER OF SAID LOT 17 ON THE WESTERLY RIGHT-OF-WAY LINE OF MEADOWVIEW DRIVE NORTH;
THENCE LEAVING SAID NORTHERLY LINE AND FOLLOWING THE EASTERLY LINE OF SAID LOT 17 AND THE WESTERLY RIGHT-OF-WAY LINE OF SAID MEADOWVIEW LANE NORTH, SOUTH 00°07'02" WEST A DISTANCE OF 501.78 FEET TO A SET 5/8" STEEL PIN;
THENCE LEAVING SAID EASTERLY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE, SOUTHWESTERLY 31.80 FEET FOLLOWING THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 91°06'14", A CHORD BEARING OF SOUTH 45°40'12" WEST AND A CHORD DISTANCE OF 28.56 FEET TO A SET 5/8" STEEL PIN ON THE SOUTHERLY LINE OF SAID LOT 17 AND THE NORTHERLY RIGHT-OF-WAY LINE OF FILER AVENUE EAST;
THENCE FOLLOWING THE SOUTHERLY LINE OF SAID LOT 17 AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FILER AVENUE EAST, NORTH 88°46'41" WEST A DISTANCE OF 602.87 FEET TO A SET 5/8" STEEL PIN MONUMENTING THE SOUTHWEST CORNER OF SAID LOT 17;
THENCE LEAVING SAID SOUTHERLY LINE AND SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 00°03'20" WEST A DISTANCE OF 32.01 FEET TO A SET 5/8" STEEL PIN ON THE CENTERLINE OF SAID FILER AVENUE EAST;
THENCE FOLLOWING THE CENTERLINE OF SAID FILER AVENUE EAST, NORTH 88°46'41" WEST A DISTANCE OF 655.23 FEET TO THE REAL POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 13.84 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE UNDERSIGNED, BY THESE PRESENTS, DEDICATES TO THE PUBLIC USE FOREVER ALL PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS SHOWN ON THIS PLAT. NO STRUCTURES OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID EASEMENTS UNLESS NOTED OTHERWISE ON THIS PLAT.

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

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

BY: DOUGLAS STRAND, INCORPORATOR
STRAND, INC, MEMBER
THE GROUP, LLC

Acknowledgment

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DOUGLAS STRAND, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF GROUP, LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF THE COMPANY AND ACKNOWLEDGED TO ME THAT THE GROUP, LLC, EXECUTED THE SAME.

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

NOTARY PUBLIC FOR STATE OF _____

RESIDING AT _____
MY COMMISSION EXPIRES _____

Notes

1. RESIDENTIAL LOTS WITH FRONTAGES TO A COLLECTOR AND A LOCAL RESIDENTIAL STREET SHALL BE LIMITED TO ACCESS FROM THE RESIDENTIAL STREET. ACCESS TO A COLLECTOR STREET WILL NOT BE ALLOWED IF AN ALTERNATE IS AVAILABLE.
2. THIS SUBDIVISION SHALL COMPLY WITH THE CITY OF TWIN FALLS SUBDIVISION RULES AND REGULATIONS.
3. TRACT A & B SHALL BE UTILIZED FOR PUBLIC OPEN SPACE, UTILITIES, STORM WATER DETENTION, AND PUBLIC WALKING TRAIL. UPON WALKING TRAIL IMPROVEMENTS AND RECORDING OF FINAL PLAT, SUBJECT TRACTS SHALL BE DEEDED TO THE CITY. MAINTENANCE OF ALL AREAS, LOCATED WITHIN THE TRACTS CONVEYED TO THE CITY, SHALL BE COMPLETED BY THE CITY AT THE CITY'S EXPENSE.
4. ALL LOT LINES COMMON TO CARRIAGE LANE NORTH, MEADOWVIEW LANE NORTH, SHEPHERD'S CIRCLE, AND SUNRAY LOOP PUBLIC RIGHT-OF-WAY WITHIN PIONEER ESTATES SUBDIVISION AS SHOWN HEREON SHALL HAVE A 15 FOOT WIDE UTILITY EASEMENT, UNLESS OTHERWISE DIMENSIONED. HOWEVER, THIS SHALL NOT PRECLUDE THE CONSTRUCTION OF THE PROPER HARD SURFACED DRIVEWAYS FROM ACCESS OF EACH INDIVIDUAL LOT.



DEVELOPER/OWNER:
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2009

Certificate of Surveyor

I, HUGH W. EDWARDS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR,
LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE
"CERTIFICATE OF OWNERS" HAS BEEN DRAWN FROM AN ACTUAL SURVEY MADE ON THE
GROUND UNDER MY SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS PLATTED
THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS,
SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601
THROUGH 55-1612.

HUGH W. EDWARDS



DATE

Certificate of Twin Falls County Surveyor

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

DATE

RICHARD H. CARLSON
TWIN FALLS COUNTY SURVEYOR

Acknowledgment

STATE OF _____)
COUNTY OF _____) ss

ON THIS _____ DAY OF _____, 200____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND
FOR SAID STATE, PERSONALLY APPEARED RICHARD H. CARLSON, KNOWN OR IDENTIFIED TO ME TO BE THE TWIN
FALLS COUNTY SURVEYOR AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

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

RESIDING AT _____

NOTARY PUBLIC FOR STATE OF _____ MY COMMISSION EXPIRES _____

Certificate of City Engineer

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

CITY ENGINEER

ATTEST:

DATE

Approval of City Council

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS,
IDAHO AT THEIR REGULAR MEETING ON THE _____ DAY OF _____, 2008.

MAYOR

CITY CLERK

Certificate of the County Treasurer

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

DATE

TWIN FALLS COUNTY TREASURER

Certificate of Twin Falls County Recorder

STATE OF IDAHO)

COUNTY OF TWIN FALLS) ss

INSTRUMENT NUMBER _____

I HEREBY CERTIFY THAT THIS PLAT WAS FILED AT THE REQUEST OF _____ AT
_____ MINUTES PAST _____ O'CLOCK _____ M THIS _____ DAY OF _____ A.D.
200____ IN MY OFFICE AND WAS DULY RECORDED IN BOOK _____ OF PLATS AT PAGES _____
AND _____

DEPUTY

FEE:

EX-OFFICIO RECORDER

DEVELOPER/OWNER:
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TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this 16 day of April, 2013, by and between **THE GROUP, LLC.**, an Idaho Limited Liability Company, (hereinafter "Trustor"); **TITLEFACT, INC.**, (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

WITNESSETH:

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

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

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

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

Tract A

Lots 1, 2, 3, 4, 5, 6, 7 and 8 Block 1

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

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 3

All in **PIONEER ESTATES SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book _____ of Plats, page _____, records of Twin Falls County, Idaho.

2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, and conditions of the Phase Control Development Notice for lots in **PIONEER ESTATES SUBDIVISION**, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.
3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.
4. The Trustor may, as it desires from time to time, sell all or any portion of the Property in its sole and complete discretion. The Trustee agrees that, when it is so instructed in writing by Trustor, Trustee shall execute and deliver to the person or persons designated by Trustor, a fiduciary deed conveying good and marketable title to the Property or any part thereof as designated, and at said time the Trustor agrees to pay to Trustee any reasonable costs and expenses incurred by the Trustee hereunder and to pay the normal and customary fee for the cost of an owner's title insurance policy to be issued by **TITLEFACT, INC.**
5. It is agreed that Trustee shall not be liable or responsible for the condition of title to the Property, except as may be provided in any title insurance policy issued by the Trustee, and Trustee shall have no liability concerning possession or survey or any taxes, costs or expenses in connection with the Property, other than as herein provided.
6. It is agreed that the term of this Agreement shall expire when all of the above described Lots have been conveyed by the Trustee pursuant to Trustor's written instructions.

7. It is agreed that this Trust Agreement may not be revoked or amended without the prior written approval of the Beneficiary. If Trustee is presented with written notice of Termination by both Trustor and Beneficiary, and Trustee receives Trustor's payment of all reasonable out-of-pocket costs and expenses incurred by Trustee in connection with this Agreement, if any, the Trustee shall immediately reconvey to Trustor the remaining part of the Property; and thereafter no party hereto shall have any further liability to the others in connection with the Property or under the terms of this Agreement.
8. Trustor agrees to indemnify and save harmless Trustee from any claims, demands, judgments, costs and expenses including reasonable attorney's fees and any other obligation or liability of any kind or nature that the Trustee may for any reason suffer, incur or expend by reason of this Trust Agreement or in the administration thereof, other than for or as a result of Trustee's misconduct, breach of this Agreement, or willful neglect.
9. This Agreement shall bind the parties hereto, their heirs, representatives, successors and assigns.

Date: 4-16-13

TRUSTOR:
THE GROUP, LLC.
By: Strand Incorporated, Member


By: Douglas Strand, President

Date: 4-16-13

TRUSTEE:
TITLEFACT, INC.

BY: 
Richard B. Stivers, President

Date: _____

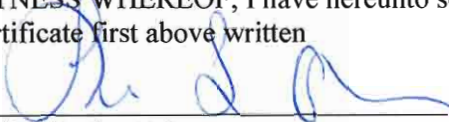
BENEFICIARY:
CITY OF TWIN FALLS, IDAHO

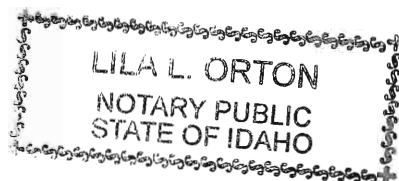
BY: _____

STATE OF IDAHO
County of Twin Falls

On this 16 day of April, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared Douglas Strand known or identified to me to be the President of the corporation that executed this instrument, as a member of The Group, LLC, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same as a Member of The Group, LLC.

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

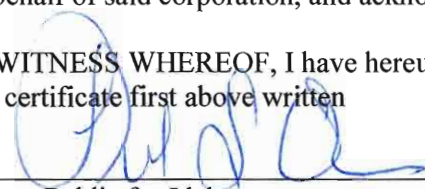

Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 10/26/18



STATE OF IDAHO
County of Twin Falls

On this 16 day of April, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **RICHARD B. STIVERS**, known or identified to me to be the President of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Notary Public for Idaho

Residing at:

My Commission expires:

Twin Falls
10/26/18



STATE OF IDAHO
County of Twin Falls

On this _____ day of _____, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared _____, known or identified to me to be the Mayor for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

Notary Public for Idaho

Residing at:

My Commission expires:



"EXHIBIT A"

PHASE CONTROL DEVELOPMENT NOTICE

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

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

The real property subject to this notice is

Tract A

Lots 1, 2, 3, 4, 5, 6, 7 and 8 Block 1

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

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 3

All in **PIONEER ESTATES SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book _____ of Plats, page _____, records of Twin Falls County, Idaho.

Dated this 16 day of April, 2013.

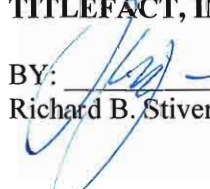
THE GROUP, LLC.

By: Strand Incorporated, Member



By: Douglas Strand, President

TITLEFACT, INC.

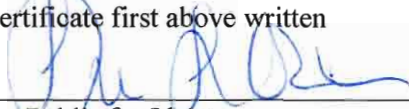
BY: 

Richard B. Stivers, President

STATE OF IDAHO
County of Twin Falls

On this 16 day of April, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **RICHARD B. STIVERS**, known or identified to me to be the President of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

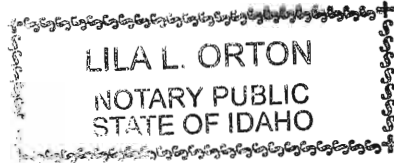
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written



Notary Public for Idaho

Residing at: Twin Falls

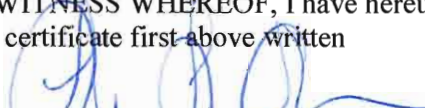
My Commission expires: 01/26/18



STATE OF IDAHO
County of Twin Falls

On this 16 day of April, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared Douglas Strand known or identified to me to be the President of the corporation that executed this instrument, as a member of The Group, LLC, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same as a Member of The Group, LLC.

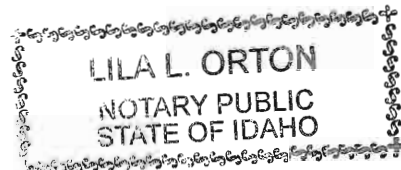
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written



Notary Public for Idaho

Residing at: Twin Falls

My Commission expires: 01/26/18



Case No. 10

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED THE GROUP, LLC., an Idaho Limited Liability Company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto TitleFact, Inc., an Idaho corporation, as Trustee, hereinafter called Grantee, whose address is: % Doug Strand 3232 Meadow Ridge Lane, Twin Falls, Idaho 83301, the following described premises in Twin Falls County, Idaho; to-wit:

Tract A

Lots 1, 2, 3, 4, 5, 6, 7 and 8 Block 1

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

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 3

All in **PIONEER ESTATES SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book _____ of Plats, page _____, records of Twin Falls County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 16, 2013

THE GROUP, LLC.

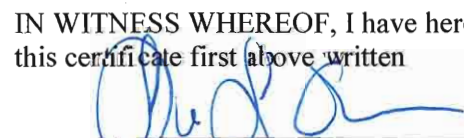
By: Strand Incorporated. Member

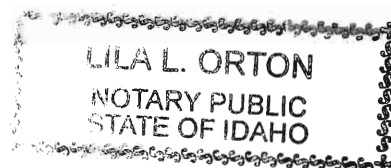

By: Douglas Strand, President

STATE OF IDAHO
County of Twin Falls

On this 16 day of April, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared Douglas Strand known or identified to me to be the President of the corporation that executed this instrument, as a member of The Group, LLC, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same as a Member of The Group, LLC.

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


Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 10/24/18





Public Meeting: **MONDAY JUNE 10, 2013**
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development

Request: Request for the Council's consideration of the Final Plat of Westpark Commercial Subdivision #7 – A `PUD, 2.53 (+/-) acres consisting of one lot on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC.

Time Estimate:

As this is a consent item there shall be no presentation unless the Council has questions.

Background:

Applicant:	Status: Property Owner	Size: 2.53(+/-) acres
Westpark Partners, LLC c/o Gerald Martens 621 N. College Rd, Ste 100 Twin Falls, Idaho 83301 208-734-4888 208-420-2461cell gmartens@ehminc.com	Current Zoning: C-1 PUD	Requested Zoning: Approval of a final plat
	Comprehensive Plan: Commercial – Retail	Lot Count: 1 lot
	Existing Land Use: undeveloped	Proposed Land Use: commercial
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 PUD; Bach Storage, mini storage units	East: C-1 PUD; undeveloped
	South: C-1 PUD; Walgreen's	West: R-2; Residential, Los Lagos
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6-1, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-12-2.3	

Approval Process:

As per Twin Falls City Code 10-12-2.4 Action on Final Plat:

After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof, to be surveyed, and a final plat prepared in accordance with the approved preliminary plat.

The council, at its next meeting following receipt of the administrator's report, shall consider the commission's findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove or table the final plat for additional information.

Budget Impact:

As the request is for a Final Plat, approval of this request will have negligible impact on the City budget.

Regulatory Impact:

After a public meeting, approval by the City Council will allow the request to proceed with the planned development.

History:

In 1993 this area was part of a request for a Comprehensive Plan Map change from residential to commercial and open space and a rezone from R-1-4300 to C-1 PUD and OS, which was reviewed by the Planning and Zoning Commission on February 9, 1993. The Commission recommended approval of the request, as presented, as a C-1 & R-4 PRO PUD zoning. The request was approved by the City Council on April 19, 1993, with the Commission's recommendations, subject to the following:

1. Lot 6 (consisting of 4.5 acres +/-) at the intersection of Pole Line Road and Washington St N be rezoned R-4 PRO PUD.
2. Accesses to the lots on Pole Line Road to be limited to minimum 660 foot spacing and limited to shared accesses between the lots.
3. Relocate the access between lots 6 & 7 further from Washington St N and access lots 7 through an internal access easement through lot 6.
4. Provide a 44 foot wide public access road along the east side of Lot 1 to serve future development to the north. This is at the 1/2 mile (Harrison St) alignment. Make provisions to delete the approach aligned with the existing Lazy J access upon full development of the Harrison St intersection.
5. Provide a 44 foot wide public north-south access road off Pole Line Road through the C-1 PUD area to the future residential development to the north.
6. Dedicate a 40 foot 1/2 right-of-way on Washington St N and build to a 32 foot wide half arterial section.
7. A landscaped berm required on the west side of Lot 5.
8. Public parking required on Lots 1 & 2 for public access to the Perrine Coulee green belt.

As per condition #1 The PUD rezoned a 4.5 acre parcel, referenced as "Lot 6" on the Master Development Plan, located at the northeast corner of Washington St N and Pole Line Road as R-4 PRO.

Westpark Commercial Subdivision, No. 3 was recorded in May 2006. The plat consists of 24 (+/-) acres with 3 commercial lots. Lot 6, Block 2 is 2.98 acres, zoned R-4 PRO PUD and is located at the northeast corner of Pole Line Road and Washington Street North. The owner wanted to develop a Walgreens and requested a PUD Modification/rezone of this lot from R-4 PRO PUD to C-1 PUD.

The City Council approved an amendment to the Northbridge PUD on September 24, 2007 rezoning Lot 6, Block 2 Westpark Commercial Subdivision #3-a PUD from R-4 PRO to C-1 PUD. At the time the applicants only owned the 3 acre platted lot, leaving the remaining 1.5 acre parcel to the north zoned R-4 PRO. They purchased the remaining 1.5 acre parcel of Lot 6, Block 2 of West Park Commercial Subdivision #3-a PUD and on July 14, 2008 the City Council approved a PUD Modification of the Northbridge PUD rezoning the remaining 1.5 R-4 PRO zoned parcel to C-1 PUD.

On January 8, 2008 the Commission approved a Special Use Permit to operate a retail business outside the permitted hours of operation of 7:00 am to 10:00 pm, to operate a drive-through facility, and to operate a 32 sf message center sign. The sign code has since been modified, allowing a message center sign without a special use permit.

A Certificate of Occupancy was issued for the new Walgreen's store located on the proposed Lot 1, Block 1 of the Magic Valley Marketplace Subdivision on October 1, 2009.

May 16th, 1994 Council approved the Northbridge #2 PUD Agreement. August 22nd, 2005 the Council approved a PUD Amendment to the Northbridge #2 PUD to allow a storage unit facility. In May 2007 the Sto-n-Go Park Subdivision, 1 lot consisting of 3 acres, was recorded.

Analysis:

This is a request for approval of the Final Plat for the Westpark Commercial Subdivision #7 – a PUD which is a one lot - 2.53 (+/-) acre subdivision. This site is also on the City Council Agenda this evening as a public hearing item requesting to be rezoned to C-1 PUD Westpark Commercial #7 from C-1 PUD Northbridge PUD and Northbridge #2 PUD to allow the development of a hotel and accessory uses on a single lot. The site is located at 1810 Washington Street North. The property is currently vacant. It is located in Lot 4; Block 2 of the Westpark Commercial Subdivision #3. Part of the lot is covered under the Northbridge PUD and the remainder under the Northbridge #2 PUD. This lot is proposed to be platted and have a separate PUD that is to be consistent with the most restrictive of the Northbridge PUD's. The property to the north is zoned C-1 PUD and developed as Bach Storage. To the east is vacant property that is zoned C-1 PUD. The property to the south is zoned C-1 PUD and is developed as Walgreens. To the west is Washington Street North and property zoned R-4 and R-2 within the area of impact and is mostly developed as the Los Lagos residential subdivision.

The intended use for the Westpark Commercial Subdivision #7 – a PUD is to allow the commercial development of a hotel and its accessory uses. There is not a minimum lot square footage requirement in the C-1 zone for commercial uses; the lot is required to be of "sufficient size to provide for the building, the required setbacks, off street parking and landscaping". A full review of required improvements will be made by the Building, Planning, Fire and Engineering Departments for full compliance with minimum development standards and the PUD conditions prior to issuance of any building permits.

On May 14, 2013 the Commission held a public meeting where by unanimous vote approved the preliminary plat of the Westpark Commercial Subdivision #7 – A PUD, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

If the City Council grants the final plat of the Westpark Commercial Subdivision #7 – A PUD, as presented, staff recommends the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a “recorded” PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Attachments:

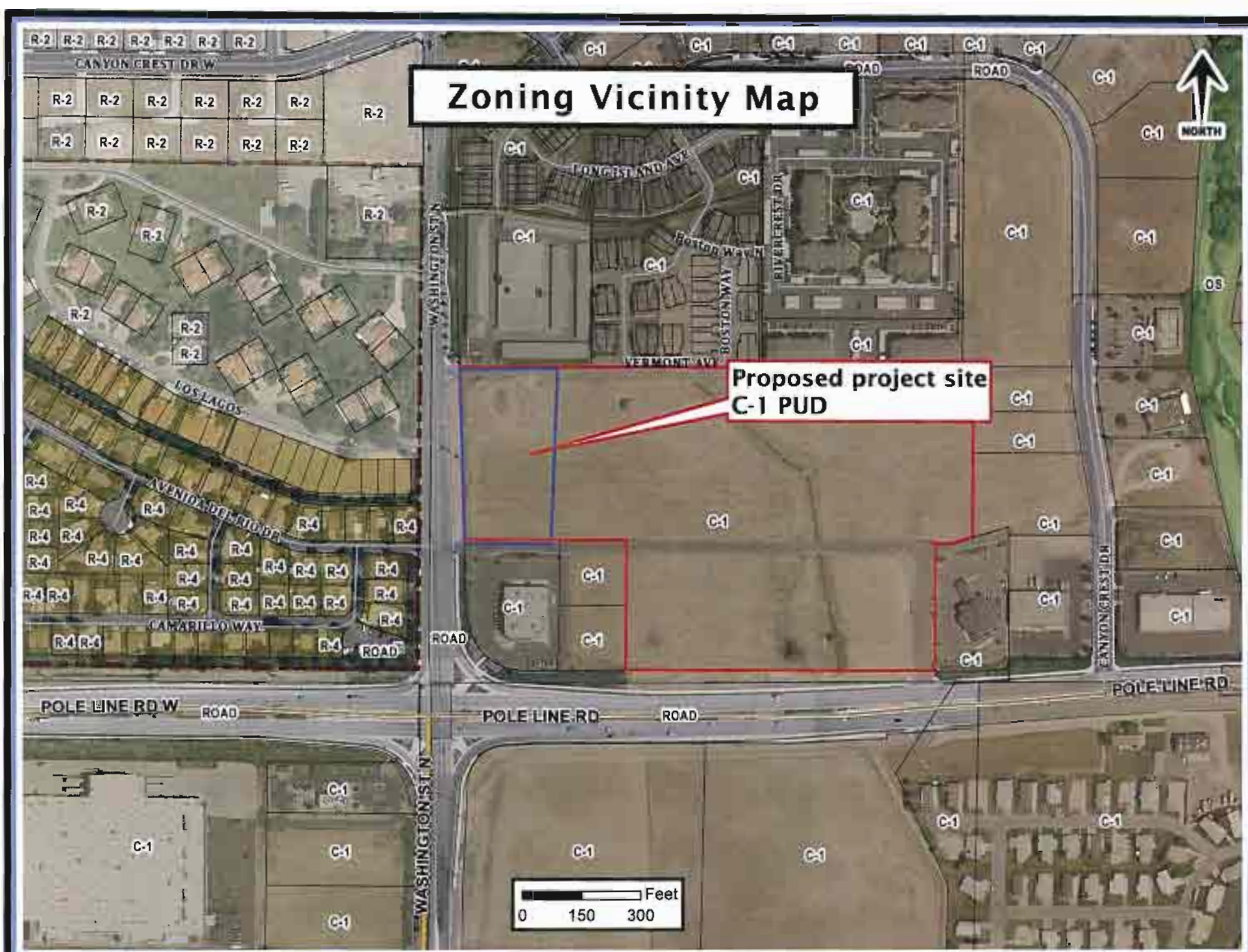
1. Zoning Vicinity Map
2. Site Map
3. Current Westpark Commercial Subdivision No. 3
4. Westpark Commercial Subdivision No. 7 PUD- Preliminary Plat, approved 05-14-13
5. Westpark Commercial Subdivision No. 7 PUD – Final Plat (3)

Zoning Vicinity Map

Proposed project site
C-1 PUD

NORTH

Feet
0 150 300



Site Map

Proposed project site



WASHINGTON ST N

SHINE WAY

VERMONT AVE

LOS LAPAS

AVENIDA DEL RIO DR

CANYON CREST DR

POLE LINE RD W

POLE LINE RD

WASHINGTON ST N

Preliminary Plat
For
Westpark Commercial Subdivision No. 7 PUD

Located In
A Portion of
Lot 4, Block 2
WESTPARK COMMERCIAL
Subdivision NO. 3
In
SW ⁴ SW ⁴, Section 33
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2013

Legend

- _____ BOUNDARY LINE
 _____ COY LINE
 _____ BUILDING BOUNDARY LINE
 _____ CLOSET LINE
 _____ LINE OF ADJACENT
 5711- EXISTING BOUNDARY CONTROL
 4 SIDE
 20 NEW WALKWAY

Vicinity Map



Key Notes

- | | | | |
|---|-------------------------------------|----|--------------------------------------|
| 1 | Frequent Peeping Suspect This | 6 | Exhibiting 20' Wide Approach - Is It |
| 2 | Infant Crib and Sitter | 7 | Exhibiting 20' Wide Approach - Is It |
| 3 | Public Seat Occupied on Stairs | 8 | Exhibiting Elderly Motor |
| 4 | Overhead 5' Wide Stairway Walkway | 9 | Exhibiting Stair Walk |
| 5 | Asphalt Parking / Drive Area | 10 | Frequent Stair and Two Section Stair |
| 6 | Stair Riser Indicator Stair / Riser | 11 | Frequent Stair Section |
| 7 | Landings - Plan per U.S. Architect | | |

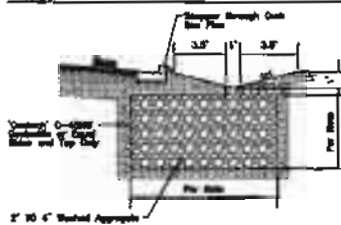
Design Data

Owner/Developer:	West of Calhoun, LLC 601 N. Calhoun St., Suite 100 Yuba City, TX 76909 Phone 734-4000 Email: WestofCalhoun, Project Administrator	Engineer:	ES&K Engineers, Inc. 601 N. Calhoun St., Suite 100 Yuba City, TX 76909 Phone: 734-4000 Email: WestofCalhoun, Project Manager
Development Area:	2.65 Acres (174,848 SF)	Valuation:	Indefinite land owned by City of Yuba Parks and Rec 494-4-2202 & 494-4-1241
Zone:	O-1 PMS		
Existing Use:	Vacant	Owner & Value:	City Owner and Value
Proposed Use:	Commercial (Office)	FEHST:	Underground Power, Gas, 74, and Telephony
Yachman:	None Impaired		
Recreation:	None	Comments:	See above

Design Calculations

[illegible]

Drywell Detail



1. 凡在本行开立存款账户的存款人，均可向本行申请开立支票。
 2. 支票的出票人必须是在本行开立存款账户的存款人。
 3. 支票的金额必须与存款账户的余额相符。
 4. 支票的有效期为自签发之日起10日内。
 5. 支票的收款人必须为本行开户的存款人。
 6. 支票的用途必须符合国家有关规定。
 7. 支票的签发必须使用本行规定的支票格式。
 8. 支票的签发必须加盖本行规定的印章。
 9. 支票的签发必须使用本行规定的墨水。
 10. 支票的签发必须使用本行规定的语言。

Notes:

The addition is a part of the 700 Addition that was designed prior to the Planning Institute building being donated to the City of New York. However, as it does not contain any provision for the proper disposal of the building's contents, it is not a part of the building's contents.

Curve Data

[illegible]

2nd Ed - 1978
 3rd Ed - 1980
 4th Ed - 1982
 5th Ed - 1984
 6th Ed - 1986
 7th Ed - 1988
 8th Ed - 1990
 9th Ed - 1992
 10th Ed - 1994
 11th Ed - 1996
 12th Ed - 1998
 13th Ed - 2000
 14th Ed - 2002
 15th Ed - 2004
 16th Ed - 2006
 17th Ed - 2008
 18th Ed - 2010
 19th Ed - 2012
 20th Ed - 2014
 21st Ed - 2016
 22nd Ed - 2018
 23rd Ed - 2020
 24th Ed - 2022
 25th Ed - 2024

EHM Engineers Inc.
Engineers / Surveyors / Planners
1025 W College Rd., Suite 100 Pelee Falls, Jo A3301 - (208)754-4848

Preliminary Plan
For
Westport Commercial Subdivision No. 7 PUD
Teton Mills, Idaho

TO BUY YOUR FLAVOR

3-1-81 10:00 PM

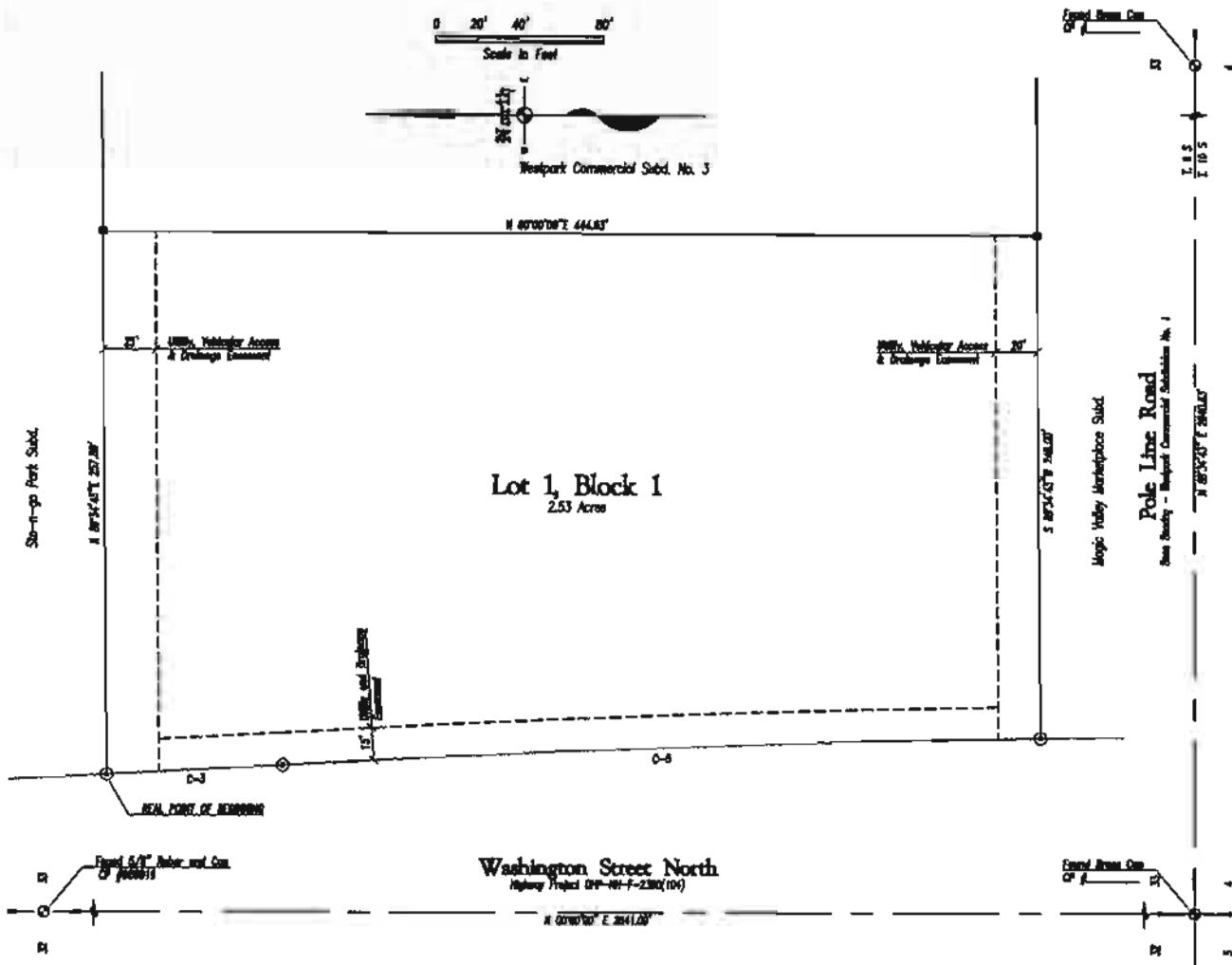
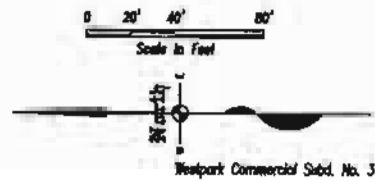
© 2006 The Authors

1000 & 1001

1	2
---	---

1	2
3	4

FORM NO. 6-72 (REV. 12-13-72)



Westpark Commercial Subdivision Number 7 Planned Unit Development

Located In
A Portion of
Lot 4, Block 2
WESTPARK COMMERCIAL
Subdivision NO. 3
In
SW 4 SW 4, Section 33
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2013

Legend

- SUBDIVISION BOUNDARY LINE
- PLATTED LOT LINE
- - - EASEMENT LINE
- SECTION LINE
- ⊙ FOUND 1/2" REBAR - SET 5/8"x24" REBAR AND CAP
- SET 5/8"x24" REBAR AND CAP

Vicinity Map



Curve Data

0-5	0-6
D=67.2571'	D=127.2676'
A=61.46.51'	A=62.57.88'
Δ=63.08'	Δ=61.54'
Δ=63.08'	Δ=61.51'
Δ=61.51'	Δ=61.51'
Δ=61.51'	Δ=61.51'
Δ=61.51'	Δ=61.51'

Health Certificate

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13 are in force. No owner shall construct any building, dwelling, or shelter which necessitates the supply of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Date: _____ South Central District Health Dept., ID



CERTIFICATE OF OWNERS

This is to certify that the undersigned are the owners, or representatives of the owners, in fee simple of the following described property located in a portion of Lot 4, Block 2 Westpark Commercial Subdivision No. 3 in SW 1/4 SW 1/4, Section 33, Township 9 South, Range 17 East, Boise Meridian, Teton County, Idaho. Said property being more specifically described as follows:

Commencing at the Northwest Corner of said Lot 4 being the REAL POINT OF BEGINNING.

Thence North 89°34'43" East 257.89 feet along the North boundary of said Lot 4.

Thence North 00°00'00" East 444.93 feet.

Thence South 89°34'43" West 240.00 feet along the South boundary of said Lot 4.

Thence along a curve CS:

D=02°30'26"

R=8257.68 feet

A=361.34 feet

C=361.31 feet

T=180.70 feet

CB=North 02°07'20" West

Thence along a curve C3:

D=00°35'23"

R=8146.31 feet

A=83.85 feet

C=83.85 feet

T=41.93 feet

CB=North 03°04'51" West, to the REAL POINT OF BEGINNING.

The gross area contained in this plotted land as described is 2.53 acres.

It is the intention of the undersigned to and they do hereby include said land in this plot. The easements shown on this plot are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and such other uses designated on this plot. No structures other than for such utility and other designated public uses are to be erected within the lines of said easements.

Pursuant to Idaho Code 50-1334, We the undersigned, as Owners, do hereby state that the lots on this plot are eligible to receive water service from the City of Teton Falls Municipal Water System.

Pursuant to Idaho Code 31-3805, We the undersigned as Owners, do hereby state that the irrigation water rights appurtenant and the assessment obligation of the lands in this plot have not been transferred from said lands and that a satisfactory irrigation water delivery system is provided for and has been approved by the Teton Falls City Council. Lots within the subdivision will be entitled to water rights and will be obligated for assessments from the Irrigation District or Canal Company.

Westpark Partners, L.L.C.

David Shotwell - Manager

ACKNOWLEDGMENT

STATE OF)
COUNTY OF) ss

On this _____ day of _____, 2013, before me, a Notary Public, in and for said County and State, personally appeared David Shotwell, known or identified to me to be the Manager of Westpark Partners, L.L.C., a Idaho limited liability company and acknowledged to me that he executed the above Certificate of Owners on behalf of said limited liability company.

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

Notary Public for Idaho

Residing At:

My Commission Expires:



EHM Engineers, Inc.

BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

CERTIFICATE OF SURVEYOR

This is to certify that I, Roger A. Kruger, a Professional Land Surveyor in the State of Idaho, made the survey of land described in the Certificate of Owners and that this plat is a true and accurate representation of said survey as made and stated under my supervision and direction.

COUNTY SURVEYOR'S CERTIFICATE

This is to certify that the undersigned has checked the foregoing plat and computations for making the same and has determined that they comply with the laws of the State of Idaho, and the County of Twin Falls Related thereto.

Richard H. Carlson - Acting County Surveyor

ACKNOWLEDGMENT

STATE OF }
COUNTY OF }

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard H. Carlson, known or identified to me to be the person whose name is subscribed to the foregoing certificate and acknowledged to me that he executed the same.

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

Notary Public for Idaho

Residing At:

My commission expires:

APPROVAL OF CITY ENGINEER

I have reviewed the accompanying plat and hereby certify that it conforms with the applicable ordinances of the City of Twin Falls, Idaho.

City Engineer

Attest Clerk

APPROVAL OF CITY COUNCIL

Accepted by the City Council of Twin Falls, Idaho at their meeting on the _____ day of _____, 20____.

Mayor

City Clerk

COUNTY TREASURER'S CERTIFICATE

I, _____, County Treasurer in and for the County of Twin Falls, Idaho, per the requirements of Idaho Code 50-1306, do hereby certify that all County property taxes due for the property included in this plat have been paid in full. This certification is valid for the next thirty days only.

County Treasurer

Date

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NUMBER _____
STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss

On this _____ day of _____, 20____, the foregoing plat was filed for record in the office of the Recorder of Twin Falls County, Idaho, and duly recorded in plat book _____, on page _____.

County Recorder

Date



Date: Monday, June 10, 2013, Council Meeting

To: Honorable Mayor and City Council

From: Staff Sergeant Dennis Pullin, Twin Falls Police Department

Request:

Consideration of a request for approval of the Grand Opening Event for the Glanbia Corporate Office and Cheese Innovation Center to be held on Wednesday, August 7, 2013, from 8:00 a.m. until 1:00 p.m.

Time Estimate:

Because this is a first-time event, we would ask that this item be placed on the Items of Consideration. A brief description of the event will take approximately five minutes and any additional time necessary for questions and/or comments from the Council.

Background:

On May 7, 2013, I received a Special Events Application from Melinda Anderson, on behalf of Glanbia Foods, Inc., requesting to hold a Grand Opening Event for their new office complex located at Shoshone Street South and 4th Avenue South. The event will be held on Wednesday, August 7, 2013, from 8:00 a.m. through 1:00 p.m. Glanbia staff, customers, and key business partners will join city and state officials and the community in the celebration of the official opening of their new buildings. A range of activities will take place in the paved area between the buildings and along the 100 Block of 4th Avenue South. These activities will include presentations by a number of speakers, audio/visual materials, facility tours, and delectable delights featuring cheeses from around the globe.

This event will require the closure of the 100 Block of 4th Avenue South from Shoshone Street South to Hansen Street South. Glanbia will be responsible for providing street barricades for the street closure.

Approval Process:

Approval by the Council

Budget Impact:

There will be no budget impact to the City of Twin Falls.

Regulatory Impact:

N/A

Conclusion:

Several relevant City Staff Members, as well as the Twin Falls Police Department Staff, have met and approved this Special Events Application.

Attachments:

None

DP:aed



June 10, 2013 City Council Meeting

To: Honorable Mayor and City Council

From: Bill Carberry, Airport Manager

Request: Consideration of bid award for FAA AIP-34, 2013 Pavement Slurry Seal Project.

Time Estimate: The staff presentation will take approximately 5-10 minutes with some time for questions and answers following.

Background: This year the airport's FAA Airport Improvement Program (AIP) construction project calls for the slurry seal rehabilitation of the airport's main runway and transient aircraft parking ramp. The pavement rehabilitation project has been identified in the airport's capital improvement plan with the Federal Aviation Administration. The runway was re-surfaced in 1999 and the upcoming seal coat will help extend the pavements useful life. The project will be completed during September and will require a 48 hour closure of the airport to accommodate the round-the-clock construction process.

On May 16th bids were opened for the project and the bid summary is as follows:

FY2013 Pavement Maintenance Project	
Contractor	Total Bid
Straight Stripe Painting, Inc. (St. George, UT)	\$378,690.00
Hi-Lite Markings, Inc. (New York)	\$537,666.00
Maxwell Asphalt, Inc. (Salt Lake City, UT)	\$594,510.22
Engineer's Estimate	\$539,550.00

Budget Impact: The cost of the project will be financed with an FAA grant at 93.75% federal participation and a local 6.25% City/County match. The Airport has matching funds for the FAA grants in this year's budget.

Regulatory Impact: The project will be subject to the standard terms and conditions of FAA grant projects. Also, I've reviewed Idaho Code with the City Attorney and federal FAA projects are exempt from any residency requirements for contractors.

Conclusion: After review of the low bid, it has been determined by our Airport Engineer, Riedesel, that the bid is responsive. The contractor is qualified to complete the work and there is no obvious imbalance within the bid.

Staff recommends the City Council award the bid to Straight Stripe Painting Inc. for the bid amount of \$378,690.00, contingent on funding from the Federal Aviation Administration, and authorize the Mayor to sign the pending contract with Straight Stripe Painting Inc.

Attachments: Riedesel Engineering's Recommendation of Award; Bid Summary; Project Description

Project Description:

Runway 7/25 and Reeder Ramp Area Seal Coat

Work to be performed in this project includes paint removal, application of a pavement sealer (fog seal), application of new runway and taxiway surface markings including renumbering the runway designation to 8/26, and replacement of sign panels affected by the change to the new runway designation. The project will be carefully coordinated with the airlines, city staff, the FAA, and airport users to minimize disruption of operations.



May 22, 2013



Bill Carberry, Airport Manager
Joslin Field, Magic Valley Regional Airport
City of Twin Falls
PO Box 1907
Twin Falls, ID 83303-1907

RE: Magic Valley Regional Airport
FY2013 Runway 7/25 and Apron Rehabilitation Project
Bid Results and Recommendation of Award

Dear Mr. Carberry,

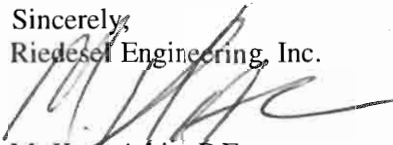
Bids were opened for the FY2013 Runway 7/25 and Apron Rehabilitation Project on May 16, 2013. Nine contractors, including both prime and subcontractors, obtained plan sets and three bids were received. The following is a recap of the bids along with the Engineers' Estimate.

FY2013 Pavement Maintenance Project	
Contractor	Total Bid
Straight Stripe Painting, Inc.	\$378,690.00
Hi-Lite Markings, Inc.	\$537,666.00
Maxwell Asphalt, Inc.	\$594,510.22
Engineer's Estimate	\$539,550.00

We have further reviewed the apparent low bid submitted by Straight Stripe Painting, Inc. and found it to be complete and responsive. Therefore, we recommend that the City and County of Twin Falls accept the bid of Straight Stripe Painting, Inc. in the amount of \$378,690.00, contingent upon the available funding and concurrence of the Federal Aviation Administration.

Please do not hesitate to contact us with any questions you have regarding the enclosed information or our recommendation of award of the contract to Straight Stripe Painting, Inc.

Sincerely,
Riedesel Engineering, Inc.


M. Kent Atkin, P.E.
Project Manager

Enc: Project Bid Tabulation, Straight Stripe, Inc. Bid

Cc: Jackie Fields, Engineering Department
Andrew Edstrom, FAA

202 Falls Avenue
Twin Falls, ID 83301
208/733-2446
Fax 208/734-2748

850 E. Franklin, Suite 403
Meridian, ID 83642
208/898-9165
Fax 208/734-2748

77 Southway, Suite C
Lewiston, ID 83501
208/743-3818
Fax 208/743-3819

1845 Terminal Drive, Suite 150
Richland, WA 99352
509/946-3559
Fax 509/946-3554

Bid Opening May 16, 2013 @ 2:00 p.m.

BID				Engineer's Estimate		Straight Stripe		Hi-Life Markings		Maxwell Asphalt	
Item	Description of Item	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
P-605-1	Joint Sealing Filler	Ton	8	\$ 4,500.00	\$ 36,000.00	\$ 3,400.00	\$ 27,200.00	\$ 9,000.00	\$ 72,000.00	\$ 1,500.00	\$ 12,000.00
P-609-1	Emulsified Pavement Sealer	SY	195000	\$ 0.85	\$ 165,750.00	\$ 0.85	\$ 165,750.00	\$ 1.12	\$ 218,400.00	\$ 0.92	\$ 179,400.00
P-620-1	Temporary Painting	SF	120000	\$ 0.85	\$ 102,000.00	\$ 0.30	\$ 36,000.00	\$ 0.44	\$ 52,800.00	\$ 0.65	\$ 78,000.00
P-620-2	Permanent Pavement Markings	SF	120000	\$ 0.75	\$ 90,000.00	\$ 0.35	\$ 42,000.00	\$ 0.54	\$ 64,800.00	\$ 0.20	\$ 24,000.00
P-620-3	Pavement Markings Removal	SF	60000	\$ 1.30	\$ 78,000.00	\$ 0.90	\$ 54,000.00	\$ 1.10	\$ 66,000.00	\$ 0.65	\$ 39,000.00
P-620-4	Rubber Removal	SY	20000	\$ 1.30	\$ 26,000.00	\$ 1.20	\$ 24,000.00	\$ 0.81	\$ 16,200.00	\$ 9.22	\$ 184,400.00
SP-100-1	Mobilization	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 12,995.00	\$ 12,995.00	\$ 24,510.00	\$ 24,510.00	\$ 50,010.22	\$ 50,010.22
SP-101-1	Project Quality Control	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 5,800.00	\$ 5,800.00	\$ 14,706.00	\$ 14,706.00	\$ 20,000.00	\$ 20,000.00
SP-113-1	Sign Panels	EA	11	\$ 800.00	\$ 8,800.00	\$ 995.00	\$ 10,945.00	\$ 750.00	\$ 8,250.00	\$ 700.00	\$ 7,700.00
Bid Total				\$	539,550.00		\$ 378,690.00		537,666.00		594,510.22

Accuracy of Bid

Acknowledged Addendums	n/a	Y	Y	Y
Bid Signed and Complete	n/a	Y	Y	Y
Non-collusion Affidavit	n/a	Y	Y	Y
Statement on Previous EEO Clause	n/a	Y	Y	Y
Non-Segregated Facilities	n/a	Y	Y	Y
Buy American	n/a	Y	Y	Y
Restrictions on Public Works Contracts	n/a	Y	Y	Y
Bid Schedule Complete and Filled Out Properly	n/a	Y	Y	Y
Subcontractor List	n/a	Y	Y	Y
Certification Regarding Debarment, Suspension, and other Responsible Matters	n/a	Y	Y	Y
Bid Bond	n/a	Y	Y	Y



Date: Monday, June 10, 2013
To: Mayor and City Council
From: Travis Rothweiler, City Manager

Request

A presentation by the City Manager followed by citizen input and possible general discussion about the FY 2014 budget priorities and philosophies.

Time Estimate

The estimated amount of time this item will take is 30 minutes.

Background

The purpose of this agenda item is to have a general discussion about the City Council's 2014 fiscal year budget. This is the last of three sessions that will occur before the City's Manager's recommended budget for the 2014 budget is presented to the members of the City Council for its review and debate in early July.

A budget is more than numbers appearing in a chart of accounts or a spreadsheet. Budgeting is the "life-blood" of government. The City creates a budget that is balanced, fiscally prudent and sustainable & fiscally-sound; protects and keep our citizens safe; enhances the community's quality of life; increases opportunities in the areas of economic development, and; maintains and develop City facilities and infrastructure.

The process of budgeting is Preparation of any budget is the allocation of scarce resources. There will always be more needs than available funds. The challenge is to ensure that available resources are dedicated to the community's and City Council's highest priorities. However, there are many approaches that can be used to allocate funding and resources.

Through the budgeting process, funds received from tax collections, user-fees, and other revenues are transformed into tangible goods and services. The City Council sets the goals and the priorities for the upcoming year, while being mindful of the future advantages or consequences. Those goals and objectives are contained in the City of Twin Falls 2030 Community Strategic Plan.

Over the course of the past two years, the preliminary conversations assisted in guiding the previous budget concepts and strategies. From several internal conversations, public informational listening sessions and planning meetings, the City Council developed the budgeting process.

Developed key budget drivers used to create the sideboards for the 2014 Fiscal Year Budget are:

- *Create Funding Strategy to implement objectives contained in the City's 2030 Strategic Plan*
- *Limit Tax Increases to the statutory three-percent and growth formula, and recognize sensitivity of rate adjustment for water, waste water and sanitation. Leave foregone balance intact.*
- *Fund Phase II of the City of Twin Falls' compensation strategy, continue to make sure that we are right-sized, staffed, and organized appropriately.*
- *Continue to develop funding solutions to maintain and make improvements to the City's infrastructure systems, including water, sewer, transportation, parks and facilities.*
- *Explore options and opportunities to ensure water system reliability and redundancy*
- *Continue to pursue innovative strategies and find more efficient outcomes*

The purpose of this session and the other preliminary sessions is to receive input and suggestions from our citizens and other shareholders.

Approval

There is no approval process.

Budget Impact:

There are no budgetary or financial impacts from the conversation.

Regulatory Impact:

There is no regulatory impact.

Attachments

1. No Attachments



Public Hearing: MONDAY JUNE 10, 2013

To: Honorable Mayor and City Council

From: Mitchel Humble, Community Development Department

ITEM IV-1

Request: Request for the Vacation of 15' x 125' alley (1875 sq. ft.), located west of 303 Shoshone Street North. c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 15' x 125' - 1876 sq ft
First Federal Savings Bank P.O. Box 249 Twin Falls, ID 83303 208-736-4427 rgulley@firstfd.com	Current Zoning: Utility and access easement within the C-B Zone	Requested Zoning: vacation of utility and access easement
	Comprehensive Plan: Townsite	Lot Count: 1
	Existing Land Use: Alley Access for parking lot.	Proposed Land Use: Expansion of existing building onto vacated alley.
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 ehm@ehminc.com	North: C-B, First Fed Bank	East: C-B; First Fed Bank
	South: 3 rd Ave N; C-B, Idaho First Bank	West: C-B; Parking lot
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

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

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

The Council will conduct a public hearing and approve, modify or deny the vacation. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Deed for the vacated rights or way.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the applicant to proceed with their request to vacate the 1876 sq ft alley near 3rd Ave as shown on the site plan.

History:

The alley being requested for vacation was established as part of the Twin Falls Original Town Site. Development has occurred around the alley in the century since. This development included a vacation of an alley to the North as well. This previous vacation was due in part to the expansion of the Bank and the overall plan they had for the area.

The alley currently being proposed for vacation has been developed as a one-way drive aisle for the parking lot servicing 1st Federal Savings Bank.

Analysis:

This is a request to vacate an alley located between 3rd Ave N and 4th Ave N. The Original Town Site was set up to maximize frontage along Shoshone Street. This particular alley was used as a delivery/maintenance access for the businesses between 3rd Ave N along Shoshone Street.

Over the years, the alley was converted into an access drive for the parking lot that services 1st Federal Bank. This function was in line with the intent of the original plan for the alley. This request to vacate the alley is part of a plan proposed by 1st Federal Bank to construct a new, larger, building on the corner of 3rd Ave N and Shoshone Street. Part of the new building will be built on the vacated alley.

The requests for alley vacations in this part of town are not uncommon. Multiple locations have been granted alley vacations in the past. We do not anticipate substantial negative affects to occur in relation to this vacation request if it is approved.

We have received all the required letters from the applicable utility companies stating their approval of the vacation of the tract. Some approvals were granted on a condition that currently installed utilities be moved into a new serviceable easement at the cost of the applicant.

The applicant has stated in its narrative that all existing utilities will be moved at their own expense in order to facilitate the vacation.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

On May 14, 2013 the Commission unanimously recommended approval of this request, as presented, subject to the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

Staff concurs with the Commission's recommendation.

Attachments:

1. Vacation request
2. Owner Acknowledgement
3. Vacation Exhibit
4. Zoning Vicinity Map
5. Site Map
6. P&R Permit for Tree Removal
7. Utility Letters (5)
8. Site Photo (1)
9. Portion of May 14, 2013 P&Z minutes

First Federal Savings Bank
Alley Vacation Statement

B.1. The alley adjacent to Lots 27 thru 32, Block 57, "Twin Falls Townsite" more specifically described per the attached land description.

B.4. Property to be vacated will have a building placed over the existing easement. The applicant owns all adjacent properties and would like to remove the existing building on the corner of Shoshone Street and Third Avenue North and construct a new facility that will be large enough to consolidate their staff into a central location. Easements as need will be recorded by separate documents once the final location is determined.

C.4a. The reason for the vacation request is to allow for a building to be placed as noted in the previous statement. The alley location limits the orientation and functional use of the property. This orientation also allows for more onsite parking for the proposed business.

4b. This request will not have any effects on adjoining properties. Necessary utility easements will be replaced in a new location and utilities and other amenities planned for the development will be placed accordingly as needed in the new location.

5a. The applicant is the owner of both adjacent lots. Authorization from owner is attached.



C. Alan Horner
President

March 27, 2013

Renee' Carraway
Planning and Zoning Manager
City of Twin Falls
324 Hansen Street East
PO Box 1907
Twin Falls, ID 83303

Dear Renee',

On behalf of First Federal Savings Bank of Twin Falls, Idaho, the owner of Lots 27 through 32, Block 57, Twin Falls Townsite, I hereby request and agree that we will vacate the alley, which currently exists adjacent to First Federal's property.

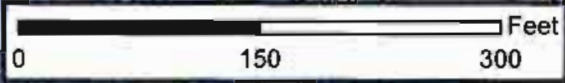
Sincerely,

A handwritten signature in black ink, appearing to read 'C. Alan Horner'.

C. ALAN HORNER
Chairman, President and CEO

C.MH/crs

Zoning Vicinity Map



Site Map





CITY OF TWIN FALLS
PARKS & RECREATION

PO BOX 1907 / 136 MAXWELL AVE
TWIN FALLS ID 83303-1907
208-736-2265



Permit for Tree Removal

Date March 29, 2013

I, First Federal Savings Bank, hereby make an application to the Twin Falls Tree Commission for permission to remove a tree(s):

On Public Right-of-Way Public Property

Address of work to be done: 383 Shoshone Street North

All work, which includes the planting of the replacement tree(s) must be completed 30 days from:

Species	Location of Tree(s)
1) 3 Maple trees	Third Avenue
2) 2 ¹ Flowering plum	Third Avenue
3) 1 Maple tree	Fourth Avenue
4)	

Reasons for Work: Tree locations are in conflict with street expansion
and parking lot approaches planned to serve a new facility

I agree to abide by the conditions set herein:

Contractor/Owner/Agent

Date: 4-3-13

This permit is hereby approved, said work to be done under the direction of the T.F. Tree Commission.

Approved by:

[Signature]
Twin Falls Parks & Recreation Director

Date: 4-23-13

Completed work inspected by: _____ Date: _____

Replacement Tree Planted? Yes No

Comments: _____ 7-6 04



Watch us make you smile.

261 EASTLAND DRIVE
P.O. Box 1946
TWIN FALLS, IDAHO 83301
PH: 208-733-6230
FX: 208-733-6296

March 28, 2013

RE: Vacation of Alley and Easements in Block 57 of Twin Falls Townsite.

TO:

EHM Engineers, Inc.
Mr. Tim Yawser
621 N. College Road, Ste. 100
Twin Falls, Idaho 83301

Dear Sir,

We agree to abandon the Alley and associated Easements in The Twin Falls Townsite, Block 57 As shown on the Attached Copy of the Platte, Providing that there are new utility easements written and any costs incurred in relocation of our lines be paid by First Federal Savings Bank in advance of any relocations we are requested to do.

Thank you,



Ron Burns
Cable One Construction
261 Eastland Dr.
P.O. Box 1946
Twin Falls, Idaho 83301
208-733-6877 Ext. 7150
208-539-9886

RECEIVED

APR 04 2013

CITY OF TWIN FALLS
BUILDING DEPT.



April 3, 2013

EHM Engineers, Inc
621 North College Road, Suite 100
Twin Falls, Idaho 83301

Re: Vacation of the alleyway located northeast of 3rd Avenue, between lots 27 and 28-32,
Block 117, of the City of Twin Falls Original Townsite.

Parcel of land situated in the Southwest of the Northeast Quarter of Section 16, Township
10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho.

Dear Mr. Vawser:

Idaho Power has received your request from EHM Engineers, Inc regarding the possible vacation and abandonment of public utility easements located within the alleyway that is adjacent to 3rd Avenue. This letter responds to that request as it pertains to Idaho Power's use of the right-of-way.

Idaho Power's records indicate that the Company does maintain electrical facilities within the Right-of-Way, and must retain all existing rights related thereto. Accordingly, Idaho Power requires that any vacation of the Right-of-Way by the City of Twin Falls reserve to Idaho Power the continued right to operate, maintain, repair, replace, or otherwise modify or add to Idaho Power's facilities within the Right-of-Way, including the right to ingress and egress thereto.

Upon the relocation of the facilities at the cost of the applicant, this determination may be reconsidered.

In the event that the City of Twin Falls approves the vacation and abandonment of the Right-of-Way, please mail to my attention a copy of the recorded resolution and any other instrument pertaining to the conveyance of the Right-of-Way.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for vacation.

Sincerely,

Rachael Butterworth
Associate Real Estate Specialist
Corporate Real Estate
(208) 388-2699
rbutterworth@idahopower.com

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707



687 Blue Lakes Blvd North • PO Box 68 • Twin Falls, ID 83303-0068
Office: (208) 737-6300 • Fax: (208) 737-6342 • In-State: 1-800-548-8771 • www.intgas.com

March 22, 2013

EHM Engineers, Inc.
621 N College Rd Suite 100
Twin Falls, ID 83301

Attn: Tim Vawser and the City of Twin Falls

Dear Mr. Vawser,

Intermountain Gas Company releases the rights of the vacation of an easement, Block 57 of the Twin Falls Townsite.

Sincerely,

Greg Watkins
District Operations Manager
687 Blue Lakes Blvd N
PO Box 68
Twin Falls, ID 83303-0068
208 737-6313



TWIN FALLS CANAL COMPANY

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



April 12, 2013

Tim Vawser
EHM Engineers, Inc.
621 North College Rd., Suite 100
Twin Falls, ID 83301

RE: First Federal Savings and Loan Association

Dear Jeff,

I have reviewed the Site Plan for the First Federal Savings and Loan Association on property located on the intersection of Shoshone Street and 3rd Avenue North in Twin Falls. The Site Plan shows the easement for an alley that the landowner wishes to vacate. This Letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the proposed vacation of the easement.

If you have any questions, please contact me at 733-6731.

Sincerely,

Jay Barlogi
Twin Falls Canal Company

CenturyLink

CenturyLink
Brad McNew
Engineer
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 736-8760

Facsimile (208) 736-8755

RECEIVED

APR 11 2013

CITY OF TWIN FALLS
BUILDING DEPT.



April 11, 2013

Gerald Martens
621 North College Rd.
Twin Falls, Id. 83301

RE: First Federal Savings Bank, Twin Falls, Id.
Vacation of easement

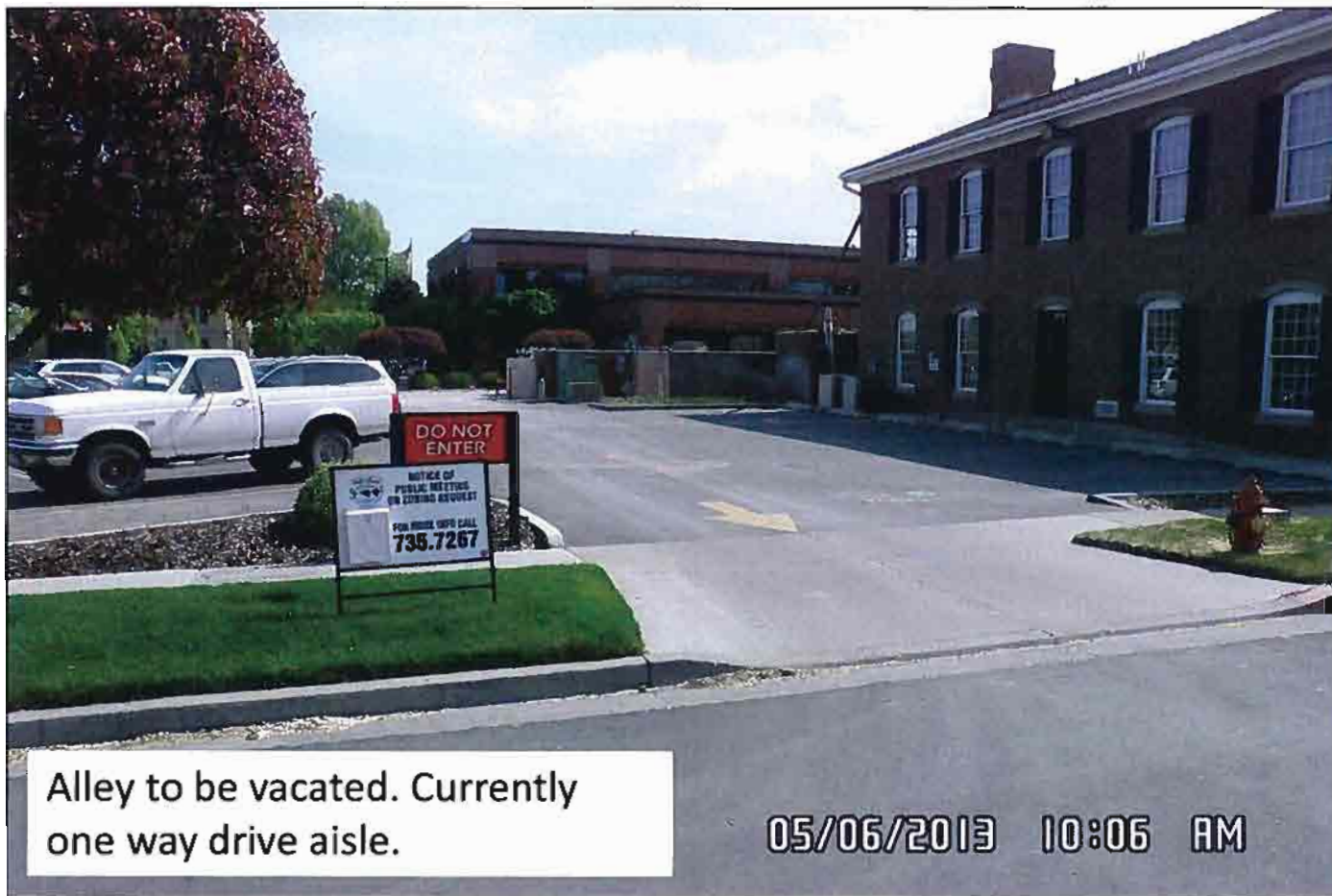
To whom it may concern:

Reference is made to your request for CenturyLink to vacate the existing Right-of-Way Easement which is located in the Northwesterly 5' of Lot 28, Block 57 and the Northwesterly 5' of the Northeasterly 9' of Lot 29, Block 57 of Twin Falls Townsite, located in the City of Twin Falls, County of Twin Falls, State of Idaho. CenturyLink has existing facilities along said easment and will require a new 5'x15' easement for the relocation of the existing facilities. Centurylink will vacate easement when consruction charges are paid for to relocate into new easement.

Please call me if you have any questions.

Sincerely,

Brad McNew



Alley to be vacated. Currently
one way drive aisle.

05/06/2013 10:06 AM



Alley to be vacated.

05/06/2013 10:06 AM



MINUTES
Twin Falls City Planning & Zoning
Commission
May 14, 2013-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo Munoz Chuck Sharp
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Suzanne Hawkins Rebecca Mills Sojka

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Derricott
Frank
Grey
Munoz
Sharp

ABSENT:

Boyd

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins, Mills-Sojka

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7-A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

IV. PUBLIC HEARING ITEMS

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)
2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)
3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

Chairman Frank announced that Commissioner Ihler has resigned from the Commission.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):

Public Hearing Minutes: **April 9, 2013 & April 23, 2013**

Work Session Minutes: **January 3, 2013, February 6, 2013, March 7, 2013, April 3, 2013 & April 23, 2013**

2. Approval of Findings of Fact and Conclusions of Law:

- Hertz Local Edition (SUP 04-09-13)
- Krengels/Wildland, LLC (SUP 04-09-13)
- Sabia (SUP 04-09-13)

MOTION:

Commissioner DeVore made a motion to approve the consent calendar as presented. Commissioner Sharp seconded the motion.

UNANIMOUSLY APPROVED

Chairman Frank announced that Items III-1 and IV-1 will be presented by the applicant together. Staff will then provide a presentation for each item. A separate motion will be made on each item.

Commissioner Grey stepped down for the next two items.

III. ITEMS OF CONSIDERATION:

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7- A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

APPLICANT PRESENTATION FOR ITEMS III-1 & IV-1:

- Gerald Martens, EHM Engineering, Inc., is representing the applicants Westpark Partners, LLC. He introduced Jarrod Smith who represents Penbridge Capital, the group that wants to build the hotel. He then explained that this property requires two zoning actions in order for the project to move forward. The first step of the project requires that the lot be platted. Tonight the first request is for the Commission to approve the preliminary plat to create a subdivision consisting of 1 lot that is approximately 2.5 (+/-) acres.

The plan is for this property to be its own lot and have its own PUD Agreement restricting to construction a hotel. A special use permit is required for a Hotel to be constructed which is part of the second request to be heard. He reviewed exhibits on the overhead showing the site plan, landscaping, hotel layout and explained accessibility to the site. In summary the first action required will be for the approval of the preliminary plat, and the second action will be for a recommendation of approval for the zoning change.

- Jarrod Smith, introduced himself. He stated he is the owner of Penbridge Capital a franchise with Marriott. They are a local firm with three hotels, with intentions of building another hotel in Twin Falls. This will be long term project, Penbridge Capital will be the owners and operators of the hotel. A neighborhood meeting was held May 1, 2013 without any opposition to the project. They are excited about being a part of Twin Falls.

STAFF PRESENTATION ITEM III-1:

Planner I Spendlove explained that he was going to combine the history for both requests and review some exhibits on the overhead. In February 1993 there were some changes to the zoning, and platting of subdivision. He explained the portion that will be platted is part to the Westpark Commercial Subdivision however the lot that will become its own subdivision has a portion of the property in two separate PUD Agreements half being in Northbridge PUD and the other half being part of Northbridge PUD#2. In 2008 Walgreens platted its own subdivision, created its own PUD Agreement and had the same process approved.

The plat request includes 2.53 (+/-) acres and requires Commission approval to move forward with final plat approval. During the preliminary plat review staff determined it meets the requirements that are needed to proceed with the development.

Planner I Spendlove state upon conclusion staff recommends the Commission approve the preliminary plat of the Westpark Commercial Subdivision #7- a PUD, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Presentation continued by Planner I Spendlove

IV. PUBLIC HEARING ITEMS

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)

STAFF PRESENTATION ITEM IV-1:

Planner I Spendlove state this portion of the presentation is in regards to the the Zoning District Change and Zoning Map Amendment again he reviewed the exhibits on the overhead and stated the construction of the building will be in conformance with City Code. The development is consistent with the area. Staff has requested that the landscaping will be seamless along the Washington Street North arterial between the Walgreens site and the Bach Storage Facility site to the north. A Master Development plan has been submitted with the PUD Agreement and the site will be constructed to comply with the Master Development Plan. At the preliminary PUD presentation the public and the Commission were informed that the signage for the Hotel would be a maximum of 100 sq. ft. monument sign. It was stated that the signage will be in compliance with the Northbridge PUD Agreement, currently signage has not been shown on the site plan, it will however have to comply with the PUD and City Code.

Planner I Spendlove stated upon conclusion should the Commission recommend the C-1 PUD zoning to the City Council as presented, staff recommends the following conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.
4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D) 2.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Munoz asked if there will be any restaurants with beer and wine sold on-site.
- Mr. Martens stated there will be a continental breakfast provided for guest but not a restaurant for the public and nothing that will require a beer or wine license.
- Commissioner Munoz asked if there will be an event center provided on-site.
- Mr. Smith explained that this is a small facility. They will have three large rooms available but it will not be an event center.
- Commissioner Woods asked why the lot is not square.
- Mr. Martens explained that the lot is not square because of right-of-way that was used for the road. He also explained that the signs are monuments signs and will meet the requirements per City Code.
- Commissioner Woods asked what the area designated along the east side of the building is and if the north access is secondary.
- Mr. Smith stated the space identified on the east was going to be an outside patio area for guests to eat breakfast outdoors.
- Mr. Martens explained the access to the north will be a shared approach and will meet design criteria for an access.
- Commissioner Woods asked about signage and light impacting adjacent properties to the west from the signs.
- Mr. Smith stated that the signs that will face the residential area on the west will be channel letter so it will not be a cartouche sign. The signs along the east and facing Pole Line will be a cartouche type sign and will be brighter.
- Mr. Martens also explained that the face of the building is approximately 100' from the street and would be approximately 200' from the residential area to the west. The light will be bright enough to read but it doesn't shine like a something use to light an area.

PUBLIC HEARING: OPENED

- Kevin Grey 601 Sparks Street representing the Los Lagos Home Owners Association. He thanked the applicant for holding the neighborhood meeting. They would ask that the parking lot be posted with signage that does not allow large trucks to park in the lot overnight due to noise and disturbance from the trucks running all night. The other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

PUBLIC HEARING: CLOSED

CLOSING STATEMENT:

- Mr. Martens stated the landscaping along an arterial such as Washington Street North requires a certain type of landscaping, tree, shrubbery and a 30" high berm. The uniformity that is being required by staff will happen and it should address the concerns of the neighbor.
- Mr. Smith stated he is not sure that Marriot will allow for signs to be posted; regarding no truck parking, the other hotels that are currently operating do not have this type of clientele. They will not turn down clientele however if there is an issue, it will be addressed so that it doesn't disturb the neighbors or the other guests in the hotel.

DELIBERATIONS FOLLOWED ITEM III-1: WITHOUT CONCERNS

MOTION III-1:

Commissioner Derricott made a motion to approve the Westpark Commercial Subdivision #7 Preliminary Plat request, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH STAFF RECOMMENDATIONS

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

DELIBERATIONS FOLLOWED ITEM IV-1: WITHOUT CONCERNS

MOTION IV-1:

Commissioner Sharp made a motion to recommend approval of the Westpark Partners, LLC Zoning District Change and Zoning Map Amendment request, as presented to the City Council. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.
4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D)2.

PUBLIC HEARING SCHEDULED BEFORE THE CITY COUNCIL JUNE 03, 2013

Commissioner Grey returned to his seat.

2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)

APPLICANT PRESENTATION:

Todd Meyers, the applicant, stated that the property in question is located at the southwest corner of Blue Lakes Boulevard North and Falls Avenue. The property is zoned C-1; Commercial Highway District. In the C-1 zone a C-Store is an outright permitted use however a gasoline station and to operate 24 hours a day requires a Special Use Permit. The property is surrounded by mixed uses consisting of banks, another gas station, a restaurant and offices. The current site has been the Masonic Temple for many years on this property. There is a large landscaping area along Blue Lakes Boulevard North. This property was developed prior to the current arterial landscaping requirements so the property will be brought up to current code standards upon development. There is a private drive that goes along the south and west property line; that is where the street access to the site is located. These are shared accesses. The property line along Blue Lakes Boulevard North is brought back far enough for future widening. The old building is where the canopy would be installed with drive isles and landscaping. The storage tanks will be located between the right of way along Blue Lakes Boulevard North and the canopy structure because it provides safer access and is least congested. He reviewed exhibits on the overhead showing an outdoor picnic area and bike rack area for customers with renderings for the building and site plan. He also provided a traffic plan

for the fuel truck deliveries and explained how they would be routed into and out of the property. As for the staff recommendations they have reviewed them and are willing to comply with the requirements as written. They have had a meeting with the Engineering, Planning & Idaho Department of Transportation with regards to having a right turn lane constructed along Blue Lakes Boulevard North and access. They are still working through the process.

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and stated the City of Twin Falls building files only date back to 1982 for this lot. At that time it was the Masonic Lodge, as it is today. The location has been zoned C-1 at least as far back as the 1970's. There is no further zoning history for this location. In recent years, a local farmer has been selling his produce while in season in the northeast corner of the property, closest to the intersection. The property is located at 883 Blue Lakes Blvd North. The site is zoned C-1; Commercial Highway the C-1 zone is intended to allow for large or small commercial businesses to take place along major corridors.. The applicant has submitted a site plan showing the proposed use of the property. The existing building would be removed and a new 4800 +/- sq. ft. building would be built in its place, along with 10 gasoline pumps (20 vehicles), these features would be facing Blue Lakes Boulevard North. The reason for this request is because a Special Use Permit is required to operate a gasoline service station and a 24 hour convenience store. As per 10-4-8.3; Required Improvements: Site improvements shall meet or exceed the C-1 development requirements. Per City Code 10-7-12: Gate Way Arterial Landscaping is required along the frontage of Blue Lakes Boulevard. The submitted site plan shows the applicant fulfilling the gateway arterial landscaping requirement of a minimum 35 foot wide bermed landscaped area behind the curb/future curb along Blue Lakes Blvd N. A full landscape plan to include trees/bushes/berming will be reviewed at the time of building permit application to ensure compliance with all landscape requirements. All improvements required by City Codes 10-11-1 thru 8 shall be reviewed during the time of building permit; these improvements include total landscaping, screening, parking areas, refuse area and drainage/storm-water management. The outside trash container is shown on the submitted site plan as enclosed and out of public view.

He reviewed the Engineering Comments: The City of Twin Falls Engineering Department has reviewed the application along with the Traffic Impact Study (TIS) prepared for and submitted by Maverik. Blue Lakes Blvd North is owned by the State and managed by the Idaho Transportation Department. Twin Falls City Engineering used the numbers provided by Maverik and in conjunction with ITD's Traffic Manual section 451.03 has determined that ITD shall require a right turn lane as warranted. Engineering feels this right turn lane is a benefit to the community and will help to offset the increased traffic impact Maverik will generate on the corner. However, since the staff report was generated there has been a meeting with all necessary parties and the City Engineering Department has accepted the traffic study as submitted and will not require the right turn lane because it is not warranted at this time. The Commission can strike condition #2 if they feel it is necessary.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

COMMISSIONER QUESTIONS/COMMENTS:

- Chairman Frank asked Assistant City Engineer Vitek to address condition #2 and provide further clarification.
- Assistant City Engineer Vitek read directly from the traffic study the verbiage explaining why the right turn lane is not warranted at this time. At this time the City Engineer has accepted this traffic study.
- Commissioner Sharp asked if the right turn lane is required will that impact the gateway arterial landscaping.
- Assistant City Engineer Vitek stated yes it will impact the landscaping, if at some point the right turn lane is required the lane will be installed and the property owner will not be required to bring the landscaping back into compliance.
- Commissioner Woods asked to review the exhibit for the fuel trucks entering and exiting the property and stated his concern is that if the trucks are going to enter the property from Blue Lakes Boulevard North will it require a wide right turn into the property. If this is the case would it be possible to limit deliveries to off hours. If the truck enters the property from Falls Avenue it will have to cross two lanes of traffic which is not optimal either.
- Planner I Spendlove stated that the City has not in the past addressed delivery times but the applicant may be able to address the routing of the fuel trucks.
- Mr. Meyers stated that there could be some restrictions for delivery to reduce congestion issues and reduce the liability issue for Maverik.
- Zoning & Development Manager Carraway stated this would be hard to enforce without a condition listed on the Special Use Permit by the Commission. The applicant will do what it takes to protect their interest.
- Commissioner Sharp stated that truck drivers are typically aware of the situation and he doesn't see this becoming an issue and by adding this type of condition to the permit would be a detriment. The truckers are going to plan their route.
- Zoning & Development Manager Carraway stated there are also traffic rules that will need to be followed.
- Commissioner Grey asked if this issue was taken into consideration with the curb cut that is shown.
- Assistant City Engineer Vitek stated the curb cut is existing and if they modify the curb cut they have to approach the state and the state will require the right turn lane.

- Mr. Meyer clarified that in their discussions with the Idaho Department of Transportation as long as they don't make any changes to the approach they will not have to go through them for permits. Any alterations would require the right turn lane.
- Commissioner Frank asked if there is an agreement with the adjacent property owners with regards to the approaches and maintenance of them.
- Mr. Meyer stated they would own to the center and they would have to work with the adjoining property owners on maintenance of the internal road. The tight turning circles and heat may make it where the roads have to be replaced with concrete to support the heavy trucks.
- Commissioner Grey asked about the existing trees and if they would remain on site.
- Mr. Meyer stated they intend to keep as many as possible.

PUBLIC HEARING: OPENED

- Fran Florence, 4129 Hidden Lakes Drive, stated he has worked with the Masonic Lodge during the process for selling the property and now through the special use permit process for the Maverik. The accesses are good for the property because they are further away from the intersection which makes it safer. He would request that this be approved.
- Mike Perry, 805 and 835 Blue Lakes Boulevard North, stated adjacent to his property the trees will probably not survive. He feels the turn lane off of Blue Lakes Boulevard North will not allow truck to make this turn because it is very tight and he feels the right lane will be necessary. He welcomes the project, but he is concerned about the room for turning into the site and the structural integrity of the access for handling the weight of the trucks.

PUBLIC HEARING: CLOSED

CLOSING STATEMENTS:

- Mr. Meyers stated the accesses along the private drive into the fuel station area will be widened for the trucks and customers to get into the fuel area easily. The approaches along the arterials will not be altered. They are aware of the requirements related to asbestos testing and will follow those guidelines prior to removing the existing building.
- Assistant City Engineer Vitek stated as long as the approaches are not altered along the arterials, the state will not have any comments for the project.
- Commissioner Woods asked if the truck drivers are Maverik employees or private driver.
- Mr. Meyers stated that 98% of the drivers are employed by Maverik.

DELIBERATIONS FOLLOWED:

- Commissioner Woods stated he is convinced that Maverik will address any issues that may create traffic issues related to fuel delivery.
- Commissioner Munoz stated that this is a Special Use Permit which can be brought forward for revocation if necessary. As for the second condition regarding the right turn lane is vague enough that he doesn't see a need to strike the condition.
- Commissioner Grey asked who would make the decision when it's time to install the right turn lane, and who would enforce that decision.
- Assistant City Engineer Vitek stated the City Engineer has determined the right turn lane is not needed at this time.
- Commissioner Grey asked if there is a provision for a right turn lane in front of Fred Meyers.
- Assistant City Engineer Vitek stated that the State would have to have a major construction project for the right turn lane to be installed.

MOTION:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

Commissioner Derricott stepped down for this item.

3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

APPLICANT PRESENTATION:

Tim Vawser EHM Engineering, Inc, representing the applicant, stated he is here to request a vacation of an alley. The property along the alley in question is owned by First Federal Savings Bank. The applicant has worked with the utility companies regarding the vacation request and has received their approval, with an agreement that any existing utilities will be moved at the expense of the applicant. The applicant has agreed to pay those costs and will be moving the utilities and dedicating an easement at the new location. The vacation is being requested so that a new building can be constructed to house their staff. He requested that the Commission recommend approval.

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and stated the alley being requested for vacation was established as part of the Twin Falls Original Town Site. Development has occurred around the alley in the century since. This development included a vacation of an alley to the North as well. This previous vacation was due in part to the expansion of the Bank and the overall plan they had for the area.

The alley currently being proposed for vacation has been developed as a one-way drive aisle for the parking lot servicing 1st Federal Savings Bank. Over the years, the alley was converted into an access drive for the parking lot that services 1st Federal Bank. This function was in line with the intent of the original plan for the alley. This request to vacate the alley is part of a plan proposed by 1st Federal Bank to construct a new, larger, building on the corner of 3rd Ave N and Shoshone Street. Part of the new building will be built on the vacated alley. The requests for alley vacations in this part of town are not uncommon. Multiple locations have been granted alley vacations in the past. We do not anticipate substantial negative affects to occur in relation to this vacation request if it is approved. We have received all the required letters from the applicable utility companies stating their approval of the vacation of the tract. Some approvals were granted on a condition that currently installed utilities be moved into a new serviceable easement at the cost of the applicant. The applicant has stated in its narrative that all existing utilities will be moved at their own expense in order to facilitate the vacation. The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the request to the City Council as presented, staff recommends the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

COMMISSIONER QUESTIONS/COMMENTS:

Commissioner Sharp asked if where on the exhibits the utilities are being moved. Mr. Vawser displayed the exhibits on the overhead and showed on the site plan where the utilities will be relocated. He explained there will be 7 feet on each side for the trench for the easement.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

Commissioner Sharp made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

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

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

**PUBLIC HEARING SCHEDULED BEFORE THE
CITY COUNCIL JUNE 10, 2013**

Commissioner Derricott returned to his seat.

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Zoning & Development Manager Carraway made the following announcements:

- Westpark Commercial PUD recommendation will be heard by the City Council on Monday June 10, 2013
- First Federal Savings Bank Vacation request will be heard by the City Council on June 10, 2013.
- Auger Falls will be closed for improvements after May 31, 2013
- The next Planning & Zoning Commission meeting will be on Wednesday, May 29, 2013 and there are 6 items scheduled.
- On Monday, June 17, 2013 the Twin Falls County will be hosting training for Commissioners provided by Jerry Mason from 1pm to 4pm. If anyone would like to attend please let her know so that the registration can be submitted.
- On June 8, 2013 from 7pm -10pm a Black Tie Affair sponsored by the Optimist Club will be held at the Canyon Springs Inn for Childhood Cancer.

VI. UPCOMING MEETINGS:

Next Planning & Zoning Commission public meetings:

Wednesday, May 29, 2013 Public Hearing Planning & Zoning Commission

Wednesday, June 5, 2013 Public Meeting Planning & Zoning Work Session

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:45 pm.

Lisa A Strickland

Lisa A Strickland
Administrative Assistant
Community Development Department



Public Hearing: **MONDAY JUNE 10, 2013**
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development

ITEM IV-2

Request: Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD - Westpark Commercial #7 PUD, for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)

Time Estimate:

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

Background:

Applicant: Westpark Partners, LLC c/o Gerald Martens 621 N. College Rd, Ste 100 Twin Falls, Idaho 83301 208-734-4888 208-420-2461cell gmartens@ehminc.com	Status: Property Owner Current Zoning: C-1 PUD Northbridge and Northbridge #2 Comprehensive Plan: Commercial – Retail Existing Land Use: Platted undeveloped commercial property	Size: 2.53(+/-) acres Requested Zoning: C-1 PUD Westpark Commercial #7 Lot Count: 1 lot Proposed Land Use: commercial development consisting of a hotel and accessory uses
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: C-1 PUD; Bach Storage, mini storage units	East: C-1 PUD; undeveloped
	South: C-1 PUD; Walgreen's	West: R-2; Washington Street North/ Residential, Los Lagos
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6-1, 10-7-6, 10-10-1 through 3, 10-11-1 through 9	

Approval Process:

As per Twin Falls City Code 10-6-1.4(E) Approval of a PUD Sub-District:

The applicant is required to do a presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request. This is followed by a public hearing before the City Council who is asked to consider the Commission's recommendations and for a decision on the request.

Budget Impact:

Approval of this request may have a financial impact on the City budget as commercial development could bring in more revenue.

Regulatory Impact:

Approval of the development will allow the hotel and site improvements to be constructed.

History:

This area was part of a request for a Comprehensive Plan Map change from residential to commercial and open space and a rezone from R-1-4300 to C-1 PUD and OS, which was reviewed by the Planning and Zoning Commission on February 9, 1993. The Commission recommended approval of the request as a C-1 & R-4 PRO PUD zoning. The request was approved by the City Council on April 19, 1993, with the Commission's recommendations, including the following:

1. Lot 6 at the intersection of Pole Line Road and Washington St N be rezoned R-4 PRO PUD.
2. Accesses to the lots on Pole Line Road to be limited to minimum 660 foot spacing and limited to shared accesses between the lots.
3. Relocate the access between lots 6 & 7 further from Washington St N and access lots 7 through an internal access easement through lot 6.
4. Provide a 44 foot wide public access road along the east side of Lot 1 to serve future development to the north. This is at the 1/2 mile (Harrison St) alignment. Make provisions to delete the approach aligned with the existing Lazy J access upon full development of the Harrison St intersection.
5. Provide a 44 foot wide public north-south access road off Pole Line Road through the C-1 PUD area to the future residential development to the north.
6. Dedicate a 40 foot 1/2 right-of-way on Washington St N and build to a 32 foot wide half arterial section.
7. A landscaped berm required on the west side of Lot 5.
8. Public parking required on Lots 1 & 2 for public access to the Perrine Coulee green belt.

As per condition #1 The PUD rezoned a 4.5 acre parcel, referenced as "Lot 6", located at the northeast corner of Washington St N and Pole Line Road as R-4 PRO.

Westpark Commercial Subdivision, No. 3 was recorded in May 2006. The plat consists of 24 (+/-) acres with 3 commercial lots. Lot 6, Block 2 is 2.98 acres and is located at the northeast corner of Pole Line Road and Washington Street North. Lot 6, Block 2, 2.98 acre lot (+/-), was zoned R-4 PRO PUD. The owner wanted to develop a Walgreens and requested a PUD Modification/rezone of this lot from R-4 PRO PUD to C-1 PUD.

The City Council approved an amendment to the Northbridge PUD on September 24, 2007 rezoning Lot 6, Block 2 Westpark Commercial Subdivision #3-a PUD from R-4 PRO to C-1 PUD. At the time the applicants only owned the 3 acre platted lot, leaving the remaining 1.5 acre parcel to the north zoned R-4 PRO. They purchased the remaining 1.5 acre parcel of Lot 6, Block 2 of West Park Commercial Subdivision #3-a PUD and on July 14, 2008 the City Council approved a PUD Modification of the Northbridge PUD rezoning the remaining 1.5 R-4 PRO zoned parcel to C-1 PUD.

On January 8, 2008 the Commission approved a Special Use Permit to operate a retail business outside the permitted hours of operation of 7:00 am to 10:00 pm, to operate a drive-through facility, and to operate a 32 sq ft message center sign. The sign code has since been modified, allowing a message center sign without a special use permit.

A Certificate of Occupancy was issued for the new Walgreen's store located on the proposed Lot 1, Block 1 of the Magic Valley Marketplace Subdivision on October 1, 2009.

May 16th, 1994 Council approved the Northbridge #2 PUD Agreement. August 22nd, 2005 the Council approved a PUD modification to the Northbridge #2 PUD to allow a storage unit facility.

On April 23, 2012 there was a Preliminary PUD Presentation on this request made to the Commission at a public meeting followed by a public hearing on May 14, 2013. A representative from the Los Lagos HOA discussed the project in a positive manner. The HOA would like to ask that the parking lot be posted with signage that would not allow large trucks to park in the parking lot overnight due to noise and disturbance from the trucks running all night. The other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North.

To the north is Bach Storage on property within the Northbridge No 2 C-1 PUD. There is vacant property to the east that is located within the Northbridge C-1 PUD. Walgreens is located on the southern boundary of the property and is also located within the Northbridge C-1 PUD. To the west is Washington Street North and residential developments aka Los Lagos Subdivision.

This property is currently a portion of Lot 4, Block 2, Westpark Commercial Subdivision #3. Part of the property is zoned as Northbridge PUD and the rest is zoned Northbridge #2 PUD. Both PUD's are zoned C-1, however, there are conflicting land uses in the existing PUDs. The proposed use of a commercial Hotel and accessory buildings is an allowed use in one and only allowed by special use in the other. To be able to develop the property as a Hotel with accessory buildings, the property has to be subdivided and rezoned with its own PUD. The Northbridge and Northbridge #2 PUD Agreements are available for review upon request at the City of Twin Falls Planning and Zoning Department, 324 Hansen Street East, Twin Falls, ID 83301.

The building on this proposed development shall to be constructed with minimum setbacks as allowed by City Code. Building height shall conform to City Code 10-4-8.3(C). Perimeter landscaping shall be required to be installed on the lot, as well as in the public right-of-way adjacent to the lot and consistent with the existing developments along Washington St N (Bach Storage & Walgreens). Landscaping shall meet or exceed the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater. Lighting shall be shielded and downward facing. The signage, as presented, shall be a monument design with a maximum size of 100 sq ft, which is consistent with the requirements within the Northbridge & Northbridge No. 2 PUD's

At the Preliminary PUD presentation and the May 14th P&Z public hearing, the public and Commission were told the signage for the proposed hotel would be maximum 100 sq ft monument type sign and would comply with the existing Northbridge and Northbridge #2 PUD Agreements. This verbiage shall be included in the PUD Agreement.

The proposed Master Development Plan complies with the Comprehensive Plan which designates this area as appropriate as commercial/retail uses.

On April 23, 2012 there was a Preliminary PUD Presentation on this request made to the Commission at a public meeting followed by a public hearing on May 14, 2013. A representative from the Los Lagos HOA discussed the project in a positive manner. The HOA would like to ask that the parking lot be posted with

signage that would not allow large trucks to park in the parking lot overnight due to noise and disturbance from the trucks running all night. The other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

On May 14, 2013 the Commission unanimously recommended approval of the Westpark Commercial #7 C-1 PUD, as presented, subject to the following conditions:

- 1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With All Applicable City Code Requirements And Standards.**
- 2. Subject To Arterial And Collector Streets Adjacent And Within The Property Being Dedicated To The City Of Twin Falls And To Be Rebuilt Or Built To Current City Standards Upon Development Or Change Of Use Of The Property.**
- 3. Subject To Landscaping Being Consistent And Meeting Or Exceeding The Presented Master Development Plan, As Well As City Codes 10-4-8.3(F) And 10-7-12, Whichever Is Greater.**
- 4. Should The Monument Sign Need To Be Placed In A Utility Easement, The Property Owner Shall Demonstrate That There Is No Other Viable Location For A Sign, Provide Written Approval From The Utility Company Or Companies And Provide A Recorded Document Releasing The City Of Any Liability For Repair Or Replacement Of A Sign Damaged By Work Occurring Within The Utility Easement, As Per 10-9-5(D)2.**

Staff concurs with the Commission's recommendation.

Attachments:

1. Applicant Narrative
2. Zoning Vicinity Map
3. Aerial Site Map
4. Subdivision – PUD Boundary Map
5. Comprehensive Plan Map of Project Site
6. Draft of the Final/Master Development Plan
7. Proposed Building Elevations (2)
8. Current Site Photos (3)
9. Portion of the May 14, 2013 P&Z draft minutes

Item C.4

RE: Westpark Partners, LLC – Reason for Rezone Request

- a. Westpark Partners, LLC is requesting a rezone of the property located at 1810 Washington Street North as shown and described on attached exhibits for the purpose of amending the existing zoning C1 and PUD documents to a new zoning designation of C1 PUD.
- b. The proposed request is in compliance with the Comprehensive Plan “Twin Falls Vision 2030”. The proposed use of a hotel is compatible with the surrounding area which has several existing hotels in the vicinity. Surrounding properties are commercial with the exception of properties to the West which consist of existing residential subdivisions. The homes in this subdivision will be approximately 250’ plus from the proposed building and be buffered by Washington Street North, a required 35’ minimum landscape strip adjacent to Washington Street North and additional landscaping and parking improvements provided by the development.

Zoning Vicinity Map

Proposed project site
C-1 PUD

0 150 300 Feet

NORTH



Site Map

Proposed project site



WASHINGTON ST N

LOS LAGOS

VERMONT AVE

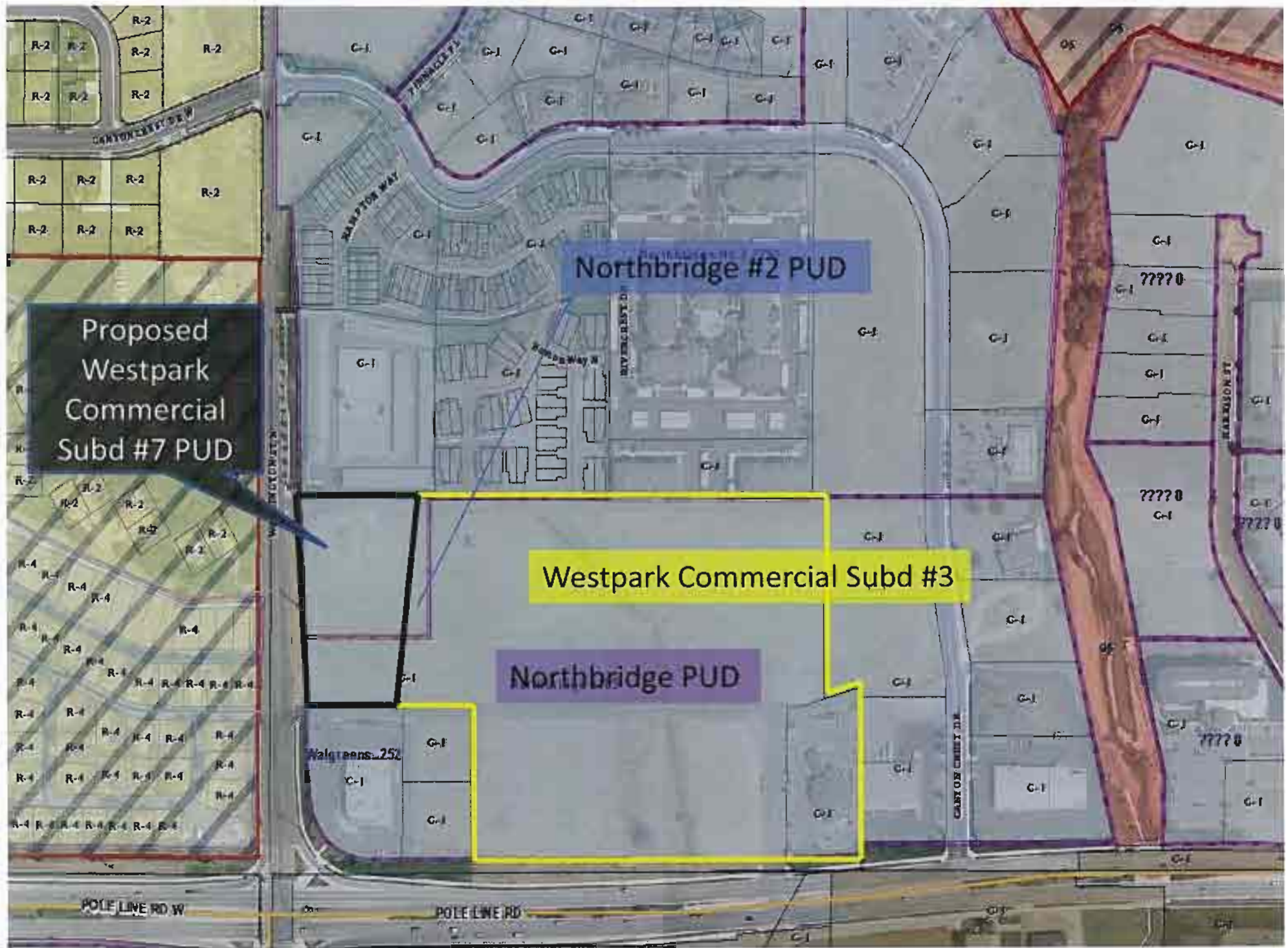
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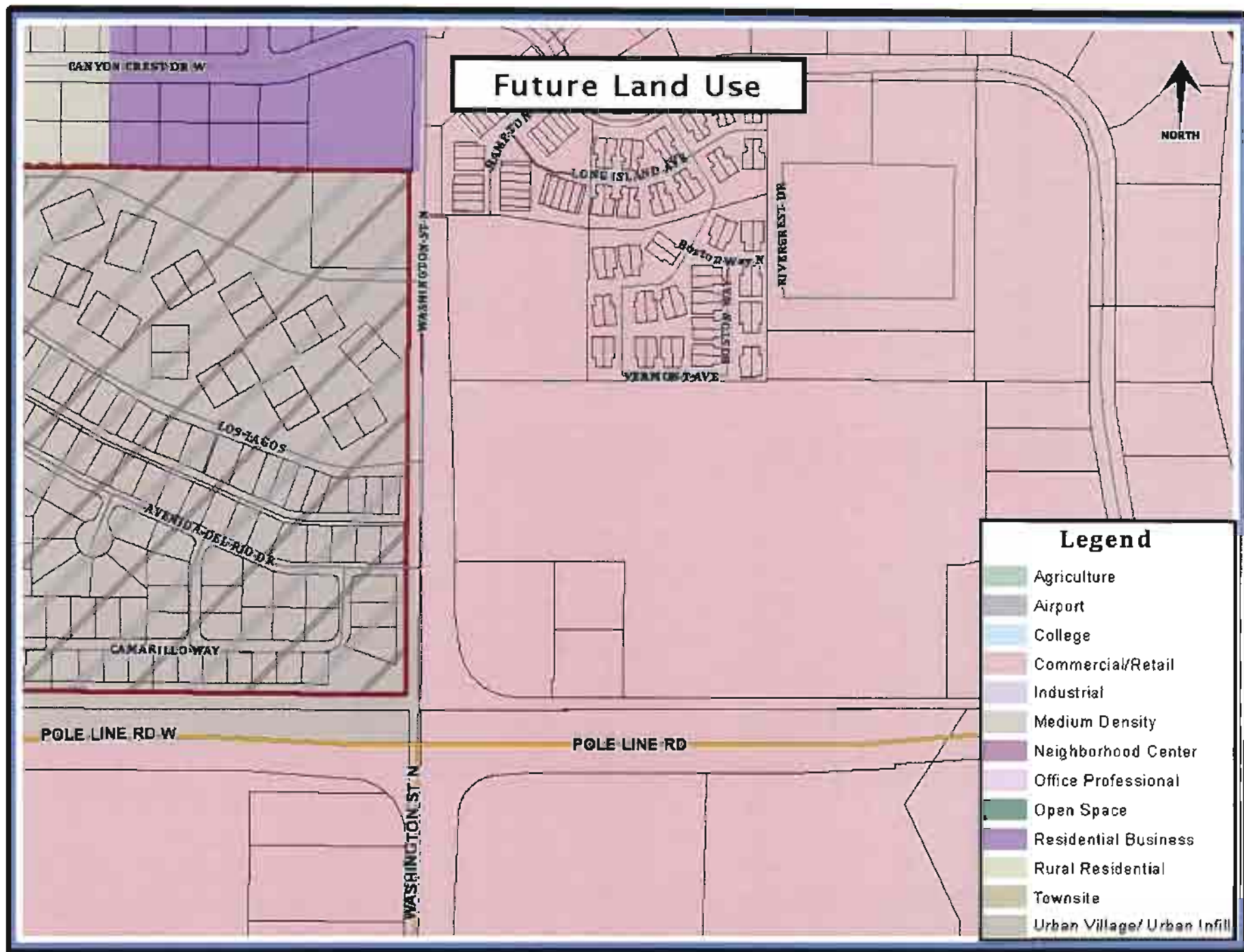
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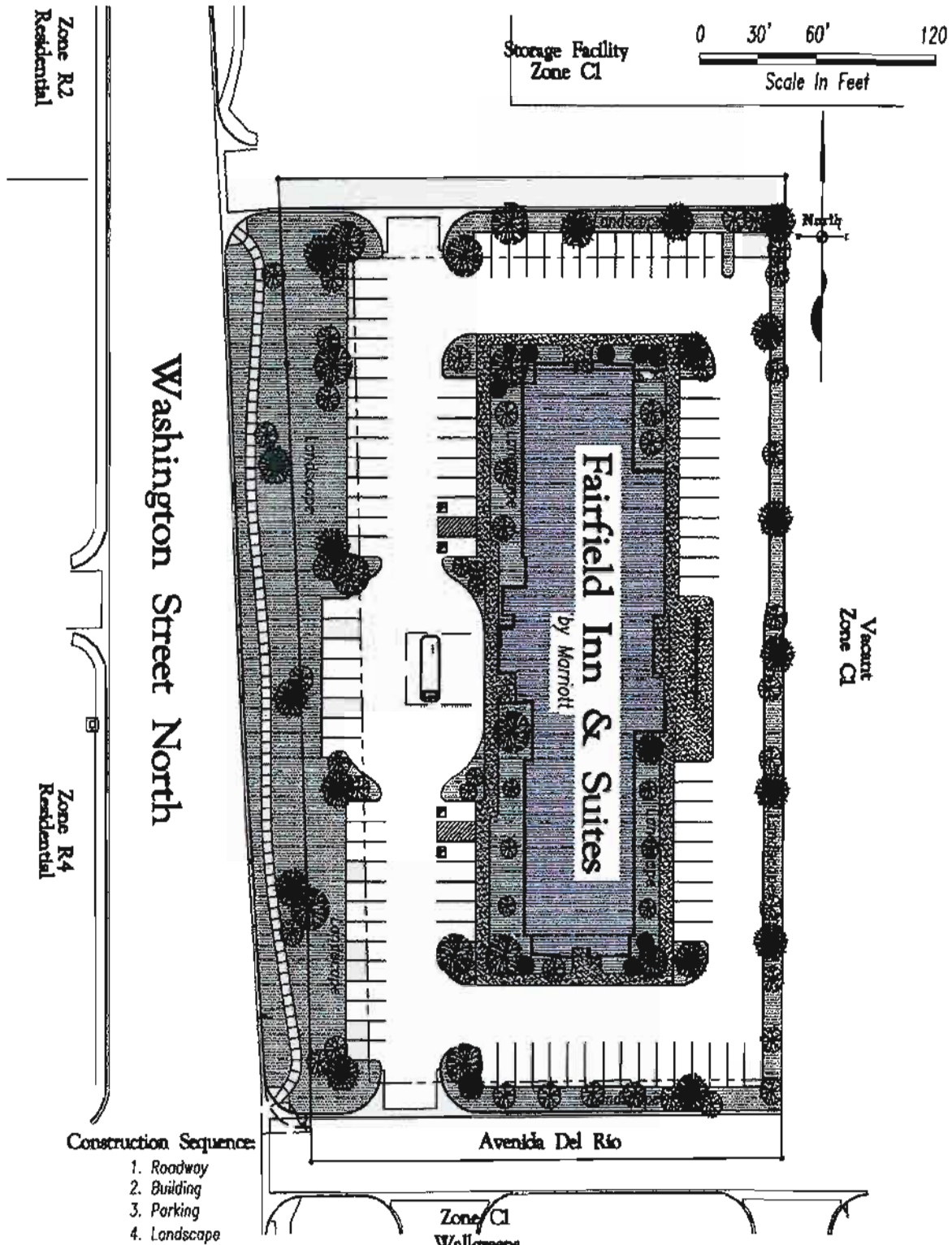
POLE LINE RD W

POLE LINE RD

WASHINGTON ST N







Master Development & Landscape Plan

Items D1 & D2

041-ESPUD-MDP

RECEIVED

APR 10 2013

CITY OF TWIN FALLS
BUILDING DEPT.

SYMBOL	DESCRIPTION
[Symbol]	PLUMBING WATER/SEWER
[Symbol]	MECHANICAL
[Symbol]	ELECTRICAL
[Symbol]	TELEPHONE
[Symbol]	TELEVISION
[Symbol]	DATA
[Symbol]	LOW VOLTAGE
[Symbol]	HIGH VOLTAGE
[Symbol]	STRUCTURAL
[Symbol]	LANDSCAPE
[Symbol]	ENVIRONMENTAL
[Symbol]	OTHER

REFERENCE NOTES

1. SEE SHEET 101 FOR GENERAL NOTES.
2. SEE SHEET 102 FOR GENERAL NOTES.
3. SEE SHEET 103 FOR GENERAL NOTES.
4. SEE SHEET 104 FOR GENERAL NOTES.
5. SEE SHEET 105 FOR GENERAL NOTES.
6. SEE SHEET 106 FOR GENERAL NOTES.
7. SEE SHEET 107 FOR GENERAL NOTES.
8. SEE SHEET 108 FOR GENERAL NOTES.
9. SEE SHEET 109 FOR GENERAL NOTES.
10. SEE SHEET 110 FOR GENERAL NOTES.

CRITERIA NOTES

1. SEE SHEET 101 FOR GENERAL NOTES.
2. SEE SHEET 102 FOR GENERAL NOTES.
3. SEE SHEET 103 FOR GENERAL NOTES.
4. SEE SHEET 104 FOR GENERAL NOTES.
5. SEE SHEET 105 FOR GENERAL NOTES.
6. SEE SHEET 106 FOR GENERAL NOTES.
7. SEE SHEET 107 FOR GENERAL NOTES.
8. SEE SHEET 108 FOR GENERAL NOTES.
9. SEE SHEET 109 FOR GENERAL NOTES.
10. SEE SHEET 110 FOR GENERAL NOTES.



1 FRONT ELEVATION



2 REAR ELEVATION

FAIRFIELD INN AND SUITES
by MARRIOTT

WILSON/CHEN ARCHITECTS
TWIN FALLS, ID

201

FINISH SCHEDULE	
[Symbol]	PAVING: ASPHALT
[Symbol]	PAVING: CONCRETE
[Symbol]	PAVING: GRASS
[Symbol]	PAVING: GRAVEL
[Symbol]	PAVING: SAND
[Symbol]	PAVING: STONE
[Symbol]	PAVING: TILE
[Symbol]	PAVING: WOOD
[Symbol]	PAVING: ZEBRA
[Symbol]	PAVING: OTHER

REFERENCE NOTES

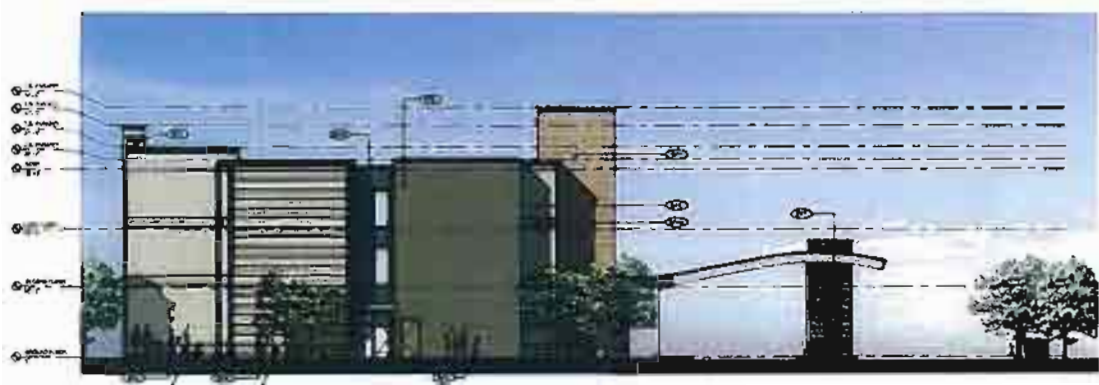
1. SEE PLAN FOR LOCATION OF FINISH SCHEDULE.
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GENERAL NOTES

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1 SOUTH ELEVATION
1/10/17



2 NORTH ELEVATION
1/10/17



05/06/2013 11:13 AM

Looking South toward Pole Line Rd W from Washington St N



05/06/2013 11:13 AM

Looking North toward Snake River Canyon from Washington St N



05/06/2013 11:13 AM

Looking West toward residential property from eastern boundary across Washington St N



05/06/2013 11:13 AM

Looking northwest toward residential property from eastern boundary across Washington St N



MINUTES
Twin Falls City Planning & Zoning
Commission
May 14, 2013-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo Munoz Chuck Sharp
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods

CITY COUNCIL LIAISON

Suzanne Hawkins Rebecca Mills Sojka

Vice-Chairman

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Derricott
Frank
Grey
Munoz
Sharp

ABSENT:

Boyd

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins, Mills-Sojka

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7-A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

IV. PUBLIC HEARING ITEMS

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)
2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)
3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

Chairman Frank announced that Commissioner Ihler has resigned from the Commission.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):

Public Hearing Minutes: **April 9, 2013 & April 23, 2013**

Work Session Minutes: **January 3, 2013, February 6, 2013, March 7, 2013, April 3, 2013 & April 23, 2013**

2. Approval of Findings of Fact and Conclusions of Law:

- Hertz Local Edition (SUP 04-09-13)
- Kregels/Wildland, LLC (SUP 04-09-13)
- Sabia (SUP 04-09-13)

MOTION:

Commissioner DeVore made a motion to approve the consent calendar as presented. Commissioner Sharp seconded the motion.

UNANIMOUSLY APPROVED

Chairman Frank announced that Items III-1 and IV-1 will be presented by the applicant together. Staff will then provide a presentation for each item. A separate motion will be made on each item.

Commissioner Grey stepped down for the next two items.

III. ITEMS OF CONSIDERATION:

1. Request for approval of the Preliminary Plat of the Westpark Commercial Subdivision #7-A PUD, consisting of 1 commercial lot on 2.5 (+/-) acres on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC

APPLICANT PRESENTATION FOR ITEMS III-1 & IV-1:

- Gerald Martens, EHM Engineering, Inc., is representing the applicants Westpark Partners, LLC. He introduced Jarrod Smith who represents Penbridge Capital, the group that wants to build the hotel. He then explained that this property requires two zoning actions in order for the project to move forward. The first step of the project requires that the lot be platted. Tonight the first request is for the Commission to approve the preliminary plat to create a subdivision consisting of 1 lot that is approximately 2.5 (+/-) acres.

The plan is for this property to be its own lot and have its own PUD Agreement restricting to construction a hotel. A special use permit is required for a Hotel to be constructed which is part of the second request to be heard. He reviewed exhibits on the overhead showing the site plan, landscaping, hotel layout and explained accessibility to the site. In summary the first action required will be for the approval of the preliminary plat, and the second action will be for a recommendation of approval for the zoning change.

- Jarrod Smith, introduced himself. He stated he is the owner of Penbridge Capital a franchise with Marriott. They are a local firm with three hotels, with intentions of building another hotel in Twin Falls. This will be long term project, Penbridge Capital will be the owners and operators of the hotel. A neighborhood meeting was held May 1, 2013 without any opposition to the project. They are excited about being a part of Twin Falls.

STAFF PRESENTATION ITEM III-1:

Planner I Spendlove explained that he was going to combine the history for both requests and review some exhibits on the overhead. In February 1993 there were some changes to the zoning, and platting of subdivision. He explained the portion that will be platted is part to the Westpark Commercial Subdivision however the lot that will become its own subdivision has a portion of the property in two separate PUD Agreements half being in Northbridge PUD and the other half being part of Northbridge PUD#2. In 2008 Walgreens platted its own subdivision, created its own PUD Agreement and had the same process approved.

The plat request includes 2.53 (+/-) acres and requires Commission approval to move forward with final plat approval. During the preliminary plat review staff determined it meets the requirements that are needed to proceed with the development.

Planner I Spendlove state upon conclusion staff recommends the Commission approve the preliminary plat of the Westpark Commercial Subdivision #7- a PUD, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Presentation continued by Planner I Spendlove

IV. PUBLIC HEARING ITEMS

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 PUD (Northbridge PUD and Northbridge #2 PUD) to C-1 PUD (Westpark Commercial #7 PUD) for 2.53 (+/-) acres to allow a commercial development consisting of a hotel and accessory uses on property located at 1810 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2565)

STAFF PRESENTATION ITEM IV-1:

Planner I Spendlove state this portion of the presentation is in regards to the the Zoning District Change and Zoning Map Amendment again he reviewed the exhibits on the overhead and stated the construction of the building will be in conformance with City Code. The development is consistent with the area. Staff has requested that the landscaping will be seamless along the Washington Street North arterial between the Walgreens site and the Bach Storage Facility site to the north. A Master Development plan has been submitted with the PUD Agreement and the site will be constructed to comply with the Master Development Plan. At the preliminary PUD presentation the public and the Commission were informed that the signage for the Hotel would be a maximum of 100 sq. ft. monument sign. It was stated that the signage will be in compliance with the Northbridge PUD Agreement, currently signage has not been shown on the site plan, it will however have to comply with the PUD and City Code.

Planner I Spendlove stated upon conclusion should the Commission recommend the C-1 PUD zoning to the City Council as presented, staff recommends the following conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.

4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D) 2.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Munoz asked if there will be any restaurants with beer and wine sold on-site.
- Mr. Martens stated there will be a continental breakfast provided for guest but not a restaurant for the public and nothing that will require a beer or wine license.
- Commissioner Munoz asked if there will be an event center provided on-site.
- Mr. Smith explained that this is a small facility. They will have three large rooms available but it will not be an event center.
- Commissioner Woods asked why the lot is not square.
- Mr. Martens explained that the lot is not square because of right-of-way that was used for the road. He also explained that the signs are monuments signs and will meet the requirements per City Code.
- Commissioner Woods asked what the area designated along the east side of the building is and if the north access is secondary.
- Mr. Smith stated the space identified on the east was going to be an outside patio area for guests to eat breakfast outdoors.
- Mr. Martens explained the access to the north will be a shared approach and will meet design criteria for an access.
- Commissioner Woods asked about signage and light impacting adjacent properties to the west from the signs.
- Mr. Smith stated that the signs that will face the residential area on the west will be channel letter so it will not be a cartouche sign. The signs along the east and facing Pole Line will be a cartouche type sign and will be brighter.
- Mr. Martens also explained that the face of the building is approximately 100' from the street and would be approximately 200' from the residential area to the west. The light will be bright enough to read but it doesn't shine like a something use to light an area.

PUBLIC HEARING: OPENED

- Kevin Grey 601 Sparks Street representing the Los Lagos Home Owners Association. He thanked the applicant for holding the neighborhood meeting. They would ask that the parking lot be posted with signage that does not allow large trucks to park in the lot overnight due to noise and disturbance from the trucks running all night. The

other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

PUBLIC HEARING: CLOSED

CLOSING STATEMENT:

- Mr. Martens stated the landscaping along an arterial such as Washington Street North requires a certain type of landscaping, tree, shrubbery and a 30" high berm. The uniformity that is being required by staff will happen and it should address the concerns of the neighbor.
- Mr. Smith stated he is not sure that Marriot will allow for signs to be posted; regarding no truck parking, the other hotels that are currently operating do not have this type of clientele. They will not turn down clientele however if there is an issue, it will be addressed so that it doesn't disturb the neighbors or the other guests in the hotel.

DELIBERATIONS FOLLOWED ITEM III-1: WITHOUT CONCERNS

MOTION III-1:

Commissioner Derricott made a motion to approve the Westpark Commercial Subdivision #7 Preliminary Plat request, as presented, with staff recommendations. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH STAFF RECOMMENDATIONS

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

DELIBERATIONS FOLLOWED ITEM IV-1: WITHOUT CONCERNS

MOTION IV-1:

Commissioner Sharp made a motion to recommend approval of the Westpark Partners, LLC Zoning District Change and Zoning Map Amendment request, as presented to the City Council. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to landscaping being consistent and meeting or exceeding the Master Development Plan, as well as City Codes 10-4-8.3(F) and 10-7-12, whichever is greater.
4. Should the monument sign need to be placed in a utility easement, the property owner shall demonstrate that there is no other viable location for a sign, provide written approval from the utility company or companies and provide a recorded document releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement, as per 10-9-5(D)2.

PUBLIC HEARING SCHEDULED BEFORE THE CITY COUNCIL JUNE 03, 2013

Commissioner Grey returned to his seat.

2. Request for a Special Use Permit to operate a gas station and retail store operating 24 hours a day on property located at 883 Blue Lakes Boulevard North c/o Todd Meyers on behalf of Maverik, Inc (app. 2566)

APPLICANT PRESENTATION:

Todd Meyers, the applicant, stated that the property in question is located at the southwest corner of Blue Lakes Boulevard North and Falls Avenue. The property is zoned C-1; Commercial Highway District. In the C-1 zone a C-Store is an outright permitted use however a gasoline station and to operate 24 hours a day requires a Special Use Permit.

The property is surrounded by mixed uses consisting of banks, another gas station, a restaurant and offices. The current site has been the Masonic Temple for many years on this property. There is a large landscaping area along Blue Lakes Boulevard North. This property was developed prior to the current arterial landscaping requirements so the property will be brought up to current code standards upon development. There is a private drive that goes along the south and west property line; that is where the street access to the site is located. These are shared accesses. The property line along Blue Lakes Boulevard North is brought back far enough for future widening. The old building is where the canopy would be installed with drive isles and landscaping. The storage tanks will be located between the right of way along Blue Lakes Boulevard North and the canopy structure because it provides safer access and is least congested. He reviewed exhibits on the overhead showing an outdoor picnic area and bike rack area for customers with renderings for the building and site plan. He also provided a traffic plan for the fuel truck deliveries and explained how they would be routed into and out of the property. As for the staff recommendations they have reviewed them and are willing to comply with the requirements as written. They have had a meeting with the Engineering, Planning & Idaho Department of Transportation with regards to having a right turn lane constructed along Blue Lakes Boulevard North and access. They are still working through the process.

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and stated the City of Twin Falls building files only date back to 1982 for this lot. At that time it was the Masonic Lodge, as it is today. The location has been zoned C-1 at least as far back as the 1970's. There is no further zoning history for this location. In recent years, a local farmer has been selling his produce while in season in the northeast corner of the property, closest to the intersection. The property is located at 883 Blue Lakes Blvd North. The site is zoned C-1; Commercial Highway the C-1 zone is intended to allow for large or small commercial businesses to take place along major corridors.. The applicant has submitted a site plan showing the proposed use of the property. The existing building would be removed and a new 4800 +/- sq. ft. building would be built in its place, along with 10 gasoline pumps (20 vehicles), these features would be facing Blue Lakes Boulevard North. The reason for this request is because a Special Use Permit is required to operate a gasoline service station and a 24 hour convenience store. As per 10-4-8.3; Required Improvements: Site improvements shall meet or exceed the C-1 development requirements. Per City Code 10-7-12: Gate Way Arterial Landscaping is required along the frontage of Blue Lakes Boulevard. The submitted site plan shows the applicant fulfilling the gateway arterial landscaping requirement of a minimum 35 foot wide bermed landscaped area behind the curb/future curb along Blue Lakes Blvd N. A full landscape plan to include trees/bushes/berming will be reviewed at the time of building permit application to ensure compliance with all landscape requirements. All improvements required by City Codes 10-11-1 thru 8 shall be reviewed during the time of building permit; these improvements include total landscaping, screening, parking

areas, refuse area and drainage/storm-water management. The outside trash container is shown on the submitted site plan as enclosed and out of public view.

He reviewed the Engineering Comments: The City of Twin Falls Engineering Department has reviewed the application along with the Traffic Impact Study (TIS) prepared for and submitted by Maverik. Blue Lakes Blvd North is owned by the State and managed by the Idaho Transportation Department. Twin Falls City Engineering used the numbers provided by Maverik and in conjunction with ITD's Traffic Manual section 451.03 has determined that ITD shall require a right turn lane as warranted. Engineering feels this right turn lane is a benefit to the community and will help to offset the increased traffic impact Maverik will generate on the corner. However, since the staff report was generated there has been a meeting with all necessary parties and the City Engineering Department has accepted the traffic study as submitted and will not require the right turn lane because it is not warranted at this time. The Commission can strike condition #2 if they feel it is necessary.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

COMMISSIONER QUESTIONS/COMMENTS:

- Chairman Frank asked Assistant City Engineer Vitek to address condition #2 and provide further clarification.
- Assistant City Engineer Vitek read directly from the traffic study the verbiage explaining why the right turn lane is not warranted at this time. At this time the City Engineer has accepted this traffic study.
- Commissioner Sharp asked if the right turn lane is required will that impact the gateway arterial landscaping.
- Assistant City Engineer Vitek stated yes it will impact the landscaping, if at some point the right turn lane is required the lane will be installed and the property owner will not be required to bring the landscaping back into compliance.
- Commissioner Woods asked to review the exhibit for the fuel trucks entering and exiting the property and stated his concern is that if the trucks are going to enter the property from Blue Lakes Boulevard North will it require a wide right turn into the property. If this is the case would it be possible to limit deliveries to off hours. If the truck enters the property from Falls Avenue it will have to cross two lanes of traffic which is not optimal either.
- Planner I Spendlove stated that the City has not in the past addressed delivery times but the applicant may be able to address the routing of the fuel trucks.

- Mr. Meyers stated that there could be some restrictions for delivery to reduce congestion issues and reduce the liability issue for Maverik.
 - Zoning & Development Manager Carraway stated this would be hard to enforce without a condition listed on the Special Use Permit by the Commission. The applicant will do what it takes to protect their interest.
 - Commissioner Sharp stated that truck drivers are typically aware of the situation and he doesn't see this becoming an issue and by adding this type of condition to the permit would be a detriment. The truckers are going to plan their route.
 - Zoning & Development Manager Carraway stated there are also traffic rules that will need to be followed.
 - Commissioner Grey asked if this issue was taken into consideration with the curb cut that is shown.
 - Assistant City Engineer Vitek stated the curb cut is existing and if they modify the curb cut they have to approach the state and the state will require the right turn lane.
-
- Mr. Meyer clarified that in their discussions with the Idaho Department of Transportation as long as they don't make any changes to the approach they will not have to go through them for permits. Any alterations would require the right turn lane.
 - Commissioner Frank asked if there is an agreement with the adjacent property owners with regards to the approaches and maintenance of them.
 - Mr. Meyer stated they would own to the center and they would have to work with the adjoining property owners on maintenance of the internal road. The tight turning circles and heat may make it where the roads have to be replaced with concrete to support the heavy trucks.
 - Commissioner Grey asked about the existing trees and if they would remain on site.
 - Mr. Meyer stated they intend to keep as many as possible.

PUBLIC HEARING: OPENED

- Fran Florence, 4129 Hidden Lakes Drive, stated he has worked with the Masonic Lodge during the process for selling the property and now through the special use permit process for the Maverik. The accesses are good for the property because they are further away from the intersection which makes it safer. He would request that this be approved.
- Mike Perry, 805 and 835 Blue Lakes Boulevard North, stated adjacent to his property the trees will probably not survive. He feels the turn lane off of Blue Lakes Boulevard North will not allow truck to make this turn because it is very tight and he feels the right lane will be necessary. He welcomes the project, but

he is concerned about the room for turning into the site and the structural integrity of the access for handling the weight of the trucks.

PUBLIC HEARING: CLOSED

CLOSING STATEMENTS:

- Mr. Meyers stated the accesses along the private drive into the fuel station area will be widened for the trucks and customers to get into the fuel area easily. The approaches along the arterials will not be altered. They are aware of the requirements related to asbestos testing and will follow those guidelines prior to removing the existing building.
- Assistant City Engineer Vitek stated as long as the approaches are not altered along the arterials, the state will not have any comments for the project.
- Commissioner Woods asked if the truck drivers are Maverik employees or private driver.
- Mr. Meyers stated that 98% of the drivers are employed by Maverik.

DELIBERATIONS FOLLOWED:

- Commissioner Woods stated he is convinced that Maverik will address any issues that may create traffic issues related to fuel delivery.
- Commissioner Munoz stated that this is a Special Use Permit which can be brought forward for revocation if necessary. As for the second condition regarding the right turn lane is vague enough that he doesn't see a need to strike the condition.
- Commissioner Grey asked who would make the decision when it's time to install the right turn lane, and who would enforce that decision.
- Assistant City Engineer Vitek stated the City Engineer has determined the right turn lane is not needed at this time.
- Commissioner Grey asked if there is a provision for a right turn lane in front of Fred Meyers.
- Assistant City Engineer Vitek stated that the State would have to have a major construction project for the right turn lane to be installed.

MOTION:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED, WITH THE FOLLOWING CONDITIONS

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With Applicable City Code Requirements And Standards.
2. Subject To Site Plan Amendments, as required by City Engineer and Idaho Transportation Department in regards to a potential right turn lane.

Commissioner Derricott stepped down for this item.

3. Request for the Vacation of 15' x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North c/o EHM Engineers on behalf of First Federal Savings Bank (app. 2567)

APPLICANT PRESENTATION:

Tim Vawser EHM Engineering, Inc, representing the applicant, stated he is here to request a vacation of an alley. The property along the alley in question is owned by First Federal Savings Bank. The applicant has worked with the utility companies regarding the vacation request and has received their approval, with an agreement that any existing utilities will be moved at the expense of the applicant. The applicant has agreed to pay those costs and will be moving the utilities and dedicating an easement at the new location. The vacation is being requested so that a new building can be constructed to house their staff. He requested that the Commission recommend approval.

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and stated the alley being requested for vacation was established as part of the Twin Falls Original Town Site. Development has occurred around the alley in the century since. This development included a vacation of an alley to the North as well. This previous vacation was due in part to the expansion of the Bank and the overall plan they had for the area.

The alley currently being proposed for vacation has been developed as a one-way drive aisle for the parking lot servicing 1st Federal Savings Bank. Over the years, the alley was converted into an access drive for the parking lot that services 1st Federal Bank. This function was in line with the intent of the original plan for the alley. This request to vacate the alley is part of a plan proposed by 1st Federal Bank to construct a new, larger, building on the corner of 3rd Ave N and Shoshone Street. Part of the new building will be built on the vacated alley. The requests for alley vacations in this part of town are not uncommon. Multiple locations have been granted alley vacations in the past. We do not anticipate substantial negative affects to occur in relation to this vacation request if it is approved. We have received all the required letters from the applicable utility companies stating their approval of the vacation of the tract. Some approvals were granted on a condition that currently installed utilities be moved into a new serviceable easement at the cost of the applicant. The applicant has stated in its narrative that all existing utilities will be moved at their own expense in order to facilitate the vacation. The vacation

process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the request to the City Council as presented, staff recommends the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

COMMISSIONER QUESTIONS/COMMENTS:

Commissioner Sharp asked if where on the exhibits the utilities are being moved. Mr. Vawser displayed the exhibits on the overhead and showed on the site plan where the utilities will be relocated. He explained there will be 7 feet on each side for the trench for the easement.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

Commissioner Sharp made a motion to approve the request, as presented, with staff recommendations. Commissioner Grey seconded the motion. All members present voted in favor of the motion.

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

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to an easement being recorded for the relocated utilities.

**PUBLIC HEARING SCHEDULED BEFORE THE
CITY COUNCIL JUNE 10, 2013**

Commissioner Derricott returned to his seat.

**V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER
AND/OR THE PLANNING & ZONING COMMISSION:**

Zoning & Development Manager Carraway made the following announcements:

- Westpark Commercial PUD recommendation will be heard by the City Council on Monday June 10, 2013
- First Federal Savings Bank Vacation request will be heard by the City Council on June 10, 2013.
- Auger Falls will be closed for improvements after May 31, 2013
- The next Planning & Zoning Commission meeting will be on Wednesday, May 29, 2013 and there are 6 items scheduled.
- On Monday, June 17, 2013 the Twin Falls County will be hosting training for Commissioners provided by Jerry Mason from 1pm to 4pm. If anyone would like to attend please let her know so that the registration can be submitted.
- On June 8, 2013 from 7pm -10pm a Black Tie Affair sponsored by the Optimist Club will be held at the Canyon Springs Inn for Childhood Cancer.

VI. UPCOMING MEETINGS:

Next Planning & Zoning Commission public meetings:

Wednesday, May 29, 2013 Public Hearing Planning & Zoning Commission

Wednesday, June 5, 2013 Public Meeting Planning & Zoning Work Session

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:45 pm.

Lisa A Strickland

Lisa A Strickland
Administrative Assistant
Community Development Department



Date: Monday, June 10, 2013
To: Honorable Mayor and City Council
From: Jacqueline D. Fields, PE, City Engineer

Request:

Consideration of the preliminary design for Key 11495 CSI Safety Initiative III – Cheney Dr.

Time Estimate:

Approximately 20 minutes. Aaron Wert of Riedesel Engineers will make the presentation. Mike Mason, from CSI, will be in attendance.

Background:

This is a federal-aid project that will extend Cheney Drive from Washington St. North to the Perrine Coulee at N. College. Dr. The alignment is a result of discussions between the City and the College of Southern Idaho (CSI). CSI successfully sought federal-aid for safety improvements and the City is the transportation entity that will deliver the work in conjunction with Local Highway Technical Assistance Council (LHTAC) who administers the funds.

A few years ago, the City Council requested that the Engineer make a presentation on the design. The environmental process is done and the alignment has been determined. In addition, the federal aid design process requires a preliminary design hearing prior to initiating final design activities. This presentation will discuss the project and provide the required opportunity for public input on the design.

Budget Impact:

This project was funded as a 100% reimbursable safety project.

Regulatory Impact:

N/A

Conclusion:

N/A

Attachments:

1. PowerPoint of the public hearing presentation

The background image shows a close-up of several hands pointing at and holding large architectural blueprints spread out on a table. A yellow hard hat is visible on the left side of the frame. The scene suggests a collaborative review or planning session in a professional setting.

DRAFT

**CSI Safety III – Cheney Dr.
Project No. A011(495)
Public Hearing**

Public Hearing

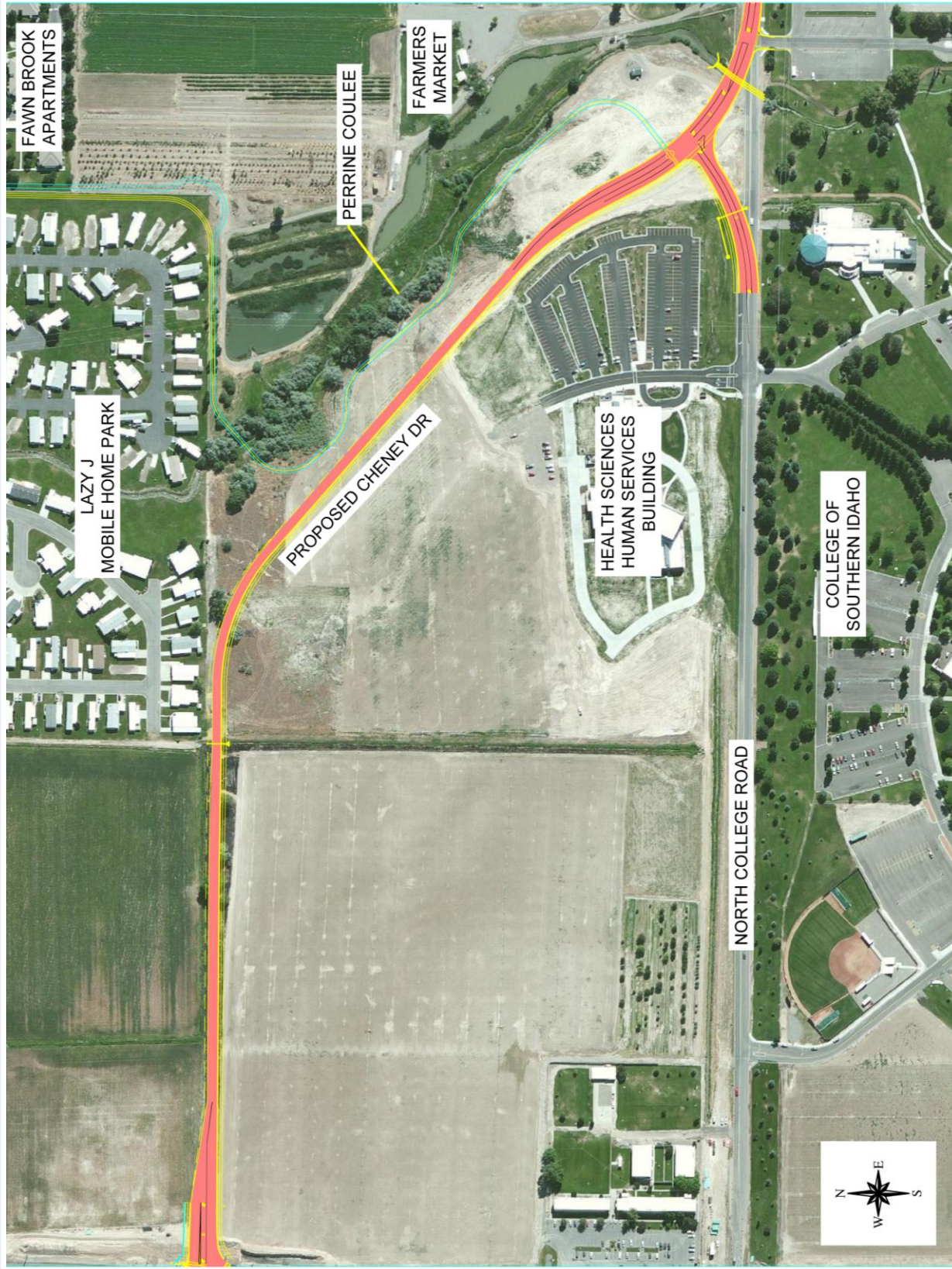
How to comment on this project:

1. Oral testimony to city council
2. Private oral testimony to the Hearing Officer
3. Written comment on comment sheet
 - a) Leave in comment box
 - b) Mail to address shown on form.

Purpose and Need

- Provide a new route (Cheney Drive) around the newly expanded CSI campus which is quicker and more convenient to motorists.
- Increase traffic safety through CSI by reducing the through traffic on North College Road which now runs across the campus.
- Reduce traffic and potential conflicts between pedestrians and vehicles traveling through the CSI campus by routing them around the campus on the new Cheney Drive.

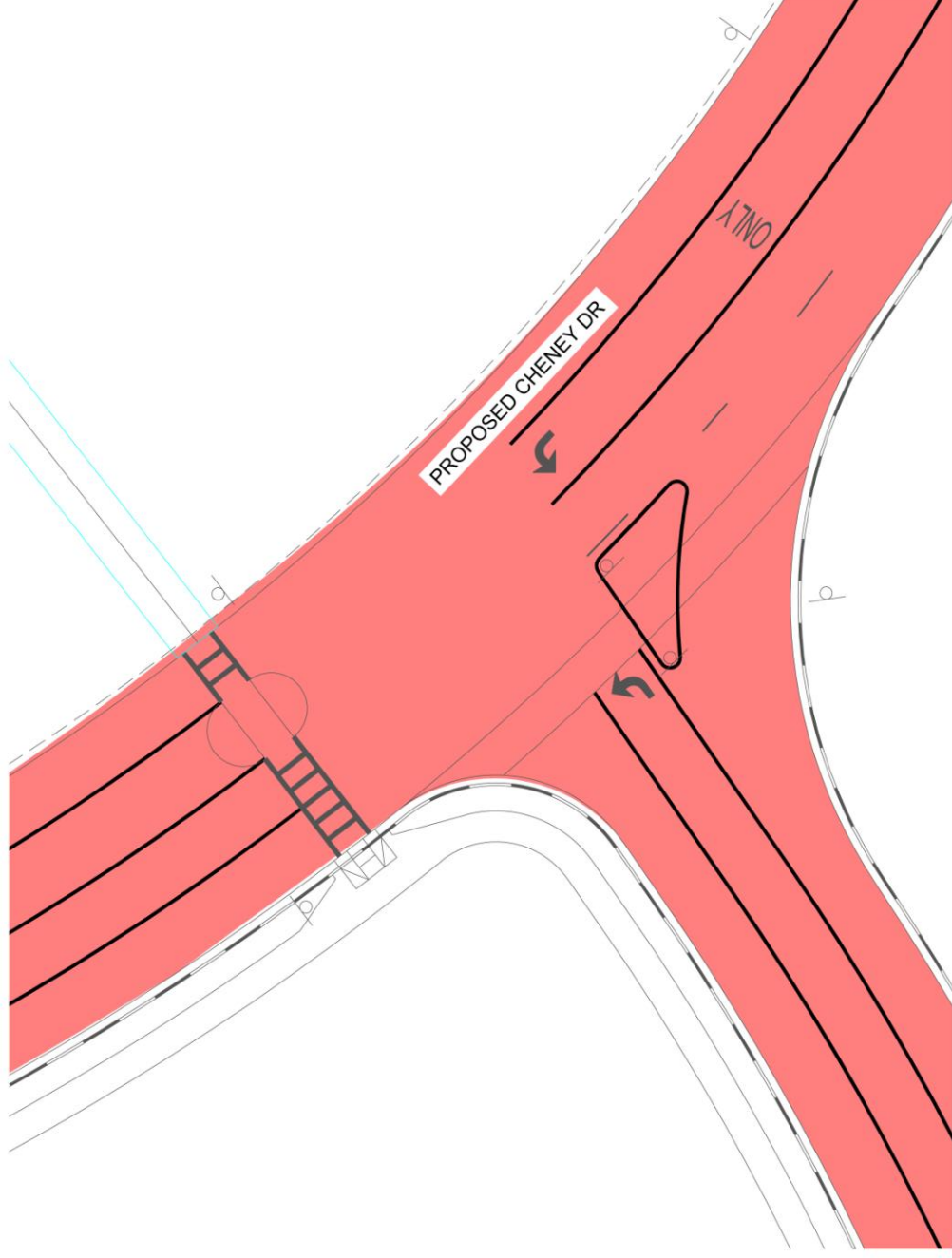
New Cheney Route



Project Description

- Construction of approximately 0.7 mile of new roadway
- The North College roadway and the entrances approaching the newly constructed roadway will be stop-controlled.

Cheney and North College



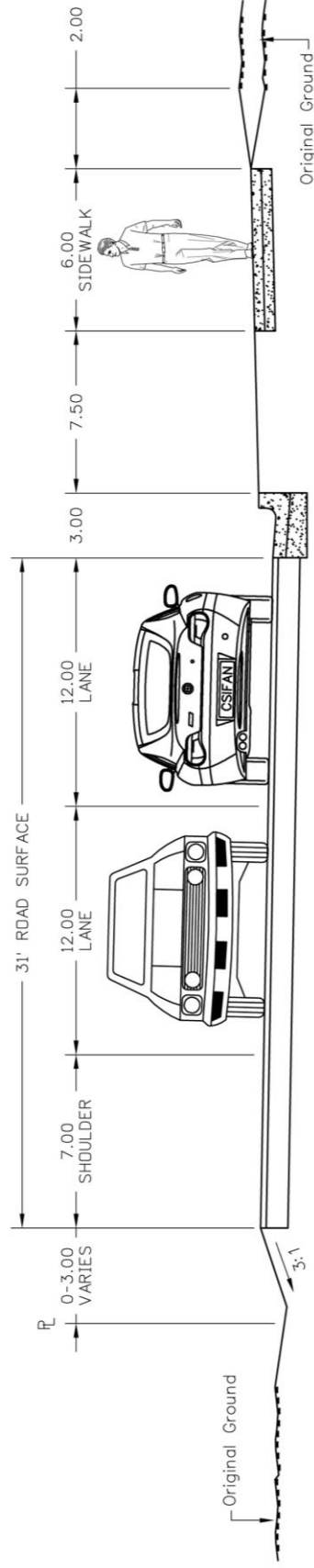
Project Description

- The typical roadway section is curb, gutter and sidewalk on the south side with a shoulder on the north side of the road. The sidewalk will be installed accommodate pedestrians.
- The project also includes the installation of a storm drain system, signs, and pavement markings.

Typical Section

TYPICAL SECTION

N.T.S.
Cheney Dr.



Environmental Highlights

NOISE CRITERIA IMPACTS

A noise screening analysis was conducted to determine if a noise impact would result from the proposed new alignment. The proposed project would raise the noise levels in the area but not enough to require noise mitigation.

CHANGE IN TRAVEL PATTERNS

It is estimated that 25% of the traffic will take the new Cheney Drive and 75% will remain on North College Road when the project is completed.

Environmental Highlights

FLOOD PLAIN ENCROACHMENT

This project is adjacent to the Perrine Coulee floodplain. It will encroach on the floodplain where it crosses the waterway with a stiff-leg structure, replacing two large pipe culverts. The temporary retention pond adjacent to the project will be removed and the storm water that went to the pond will be treated and discharged into the coulee.

WETLANDS

Waters identified were the Perrine Coulee, the 41-A Lateral, an irrigation ditch and a roadside storm-water ditch. Mitigation will not be required from the Corp Of Engineers.

Schedule Moving Forward

- Summarized hearing testimony - July 10, 2013
- Design Approval - July 19, 2013
- Final Design Submittal – September 20, 2013
- Final Design Review - October 18, 2013
- PS&E Submittal - November 22, 2013

Questions



SIGN-IN SHEET

KEY 11495 CSI STUDENT SAFETY INITIATIVE III, CHENEY DRIVE: PUBLIC OPEN HOUSE

June 10, 2013 6 p.m. City Council Chambers, Twin Falls, ID

The City of Twin Falls monitors attendance to ensure equal opportunity. We appreciate your providing this information. This information will only be used to monitor attendance at public meetings and for affirmative action purposes, as specified by law (CFR 42.21.9).

Name (Please print or write clearly)	Title/Representing	Address (City, State, and ZIP)	Phone	Please check the appropriate boxes	
				☐ Male ☐ Disabled	☐ Female ☐ Asian/Pacific Islander ☐ Black ☐ White ☐ American Indian/Alaskan Native ☐ Asian/Pacific Islander ☐ Black ☐ White ☐ Other
				☐ Male ☐ Disabled	☐ Female ☐ Asian/Pacific Islander ☐ Black ☐ White ☐ American Indian/Alaskan Native ☐ Asian/Pacific Islander ☐ Black ☐ White ☐ Other
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