



CITY OF TWIN FALLS, IDAHO MEETING NOTICE

OF THE TWIN FALLS CITY COUNCIL

The Twin Falls City Council will meet on Monday, March 31, 2014, at 3:00 P.M., at the Twin Falls Council Chambers located at 305 Third Avenue East for the purpose of touring City Hall, Police Station, and Hansen Building.

The regular meeting of the City Council will begin at 5:00 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

COUNCIL MEMBERS:

Suzanne Hawkins Vice Mayor	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall Mayor	Rebecca Mills Sojka
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**AGENDA**

Meeting of the Twin Falls City Council

Monday, March 31, 2014

City Council Chambers

305 3rd Avenue East -Twin Falls, Idaho**3:00 P.M. - TOUR OF CITY HALL, POLICE STATION, HANSEN BUILDING****5:00 P.M.****PLEDGE OF ALLEGIANCE TO THE FLAG****CONFIRMATION OF QUORUM****CONSIDERATION OF THE AMENDMENTS TO THE AGENDA****PROCLAMATIONS:** None**GENERAL PUBLIC INPUT**

AGENDA ITEMS		Purpose	STAFF REPORT:
I. <u>CONSENT CALENDAR:</u>			
1. Consideration of a request to approve Accounts Payable for March 17–31, 2014, total: \$3,629,764.93, Prepays for March 20, 2014, Regular Payroll and Month End, total: \$174,019.11.	Action	Sharon Bryan	
2. Consideration of a request to approve a Liquor and Beer License Transfer of ownership to Hometown Sports Bar & Grill LLC., located at 213 and 223 5th Avenue South.	Action	Sharon Bryan	
3. Consideration of a request to grant additional time for the use of amplified noise for the Lighthouse Church on Easter Sunday, April 20, 2014.	Action	Dennis Pullin	
4. Consideration of a request to approve an unbudgeted \$2,300 expenditure from the Shop Fund to construct a doorway between the Shop office and work space.	Action	Jon Caton/ Norm Hatke	
5. Consideration of a request to approve an unbudgeted \$8,950.00 expenditure from the General Fund reserves to demolish a condemned Street Department building containing asbestos.	Action	Jon Caton	
6. Consideration of a request to approve the final plat of the Riverhawk Commercial Subdivision-A PUD, located at the southwest corner of Washington Street North and Cheney Drive West.	Action	Mitch Humble	
7. Consideration of a request to approve the Riverhawk Commercial C-1 PUD Agreement between the City of Twin Falls and the Twin Falls School District No. 411.	Action	Mitch Humble	
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. Swearing in ceremony for the Twin Falls Police Department's newest Police Officer, Matt Ferronato and Mayor Hall to administer the Oath of Office.	Presentation Action	Brian Pike Don Hall	
Presentation of a POST Advanced Certification to Officer Justin Hendrickson.		Anthony Barnhart	
2. Consideration of a request to recommend to the County Commissioners that Ryan Higley be appointed as an Area of Impact member of the Planning & Zoning Commission.	Action	Don Hall	
3. Consideration of a request to award a bid to install curb, gutter, sidewalk and construction of a parking lot for Baxter's Park to Idaho Sand.	Action	Dennis Bowyer	
4. Consideration of a request to award a contract to Golden Harvest Inc., of Burlington, WA., in the amount of \$345,821.00 for Procurement Package D of the WWTP Upgrades.	Action	Troy Vitek	
5. Consideration of a request to award a contract to Performance Systems Inc., in the amount of \$2,093,189.00, for Construction Package 1 of the WWTP Upgrades.	Action	Troy Vitek	
6. Consideration of a request to reserve \$1,000,000 of the Waste Water Treatment Plant bond proceeds for reconstruction of Canyon Springs Grade due to impacts from the WWTP expansion project.	Action	Troy Vitek	
7. Presentation by the Long Term Planning Committee (LTP) on personnel, capital needs and maintenance and operation (M&O) needed to accomplish identified goals and objectives of the City of Twin Falls' Community Strategic Plan 2030.	Presentation	Long Term Planning Committee	
8. Public input and/or items from the City Manager and City Council.			

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS		
IV. PUBLIC HEARINGS: 6:00 P.M.		
1. Request to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive for Castle Twin Falls, LLC.	Action	Gerald Martens/ EHM Engineers, Inc.
2. Request for a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West for ProWest Engineering.	Action	Dan Thiel / Mtn. Sun Construction, LLC.
3. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South.	Action	Judith Rayborn
V. ADJOURNMENT:		
Executive Session 67-2345(1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.	Action	

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

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.



Date: March 31, 2014, City Council Meeting

To: Honorable Mayor and City Council

From: Sharon Bryan, Deputy City Clerk

Request:

Approval of a Liquor and Beer License Transfer of ownership to Hometown Sports Bar & Grill LLC at 213, 223 5th Avenue South.

Time: Consent Calendar

Background: Approval of Alcohol License Transfer.

Budget Impact: N/A

Regulatory Impact: City and State Code Compliance

Conclusion: Staff recommends approval of the application.

Attachments: Alcohol License Application



ALCOHOL LICENSE APPLICATION

BUSINESS NAME Hometown Sports Bar & Grill LLC. STATE LICENSE # _____
(Please attach a copy of your state license)
DOING BUSINESS AS Bar + Event
BUSINESS ADDRESS 213 5th Ave South
LEGAL DESCRIPTION OF PLACE OF BUSINESS Club
Lot _____ Block _____ Subdivision _____
MAILING ADDRESS 213 5th Ave South
CONTACT PERSON Aaron PHONE # 208-731-9408

			(Check)
BEER:	Bottled for consumption off the premises only	(\$ 50.00)	_____
	Bottled for consumption on premise	(\$ 150.00)	_____
	Bottled & Draught for consumption on premises	(\$200.00)	☒
WINE:	Retail Sales for consumption off premises only	(\$200.00)	_____
	Wine by the Drink for consumption on premises only	(\$200.00)	_____
LIQUOR:	Liquor license & fees cover wine license & fees	(\$562.50)	☒

As provided by the laws of the City of Twin Falls, Idaho for the term ending **June 30, 2010** tendered herewith is the license fee of \$ 762.50 (Ordinance #2708)

APPLICANT IS AN INDIVIDUAL () PARTNERSHIP (X) CORPORATION ()

IF A PARTNERSHIP, NAME ALL PARTNERS: (PLEASE PRINT)

NAME: Jonathan P Aslett RESIDENCE: 410 Filzer Ave W. Twin Falls ID.
NAME: AARON Gallegos RESIDENCE: 653 ROSE ST. N APT 41
NAME: _____ RESIDENCE: _____

IF A CORPORATION OR ASSOCIATION, NAME ALL OFFICERS:

NAME: _____ ADDRESS: _____
TITLE: _____
NAME: _____ ADDRESS: _____
TITLE: _____

TITLE: _____

NAME: _____ ADDRESS: _____

TITLE: _____

DATE OF INCORPORATION OR ORGANIZATION 12-3-13

PLACE OF INCORPORATION OR ORGANIZATION 213+223 5th Ave S Twin Falls

PRINCIPAL PLACE OF BUSINESS IN IDAHO 213+223 5th Ave S Twin Falls

OWNER OF PREMISES (Please Print) Dave Woodhead

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:

(Please Print) Aaron Gallegos

(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT [Signature]

NAME (Please Print) Jonathan P. Aslett BIRTHDATE: 08-23-1976

RESIDENCE OF APPLICANT 410 Filer Ave. W Twin Falls ID. 83301

LENGTH OF RESIDENCE IN IDAHO 9 yrs

SIGNATURE OF APPLICANT [Signature]

NAME (Please Print) Aaron Gallegos BIRTHDATE: 3/23/78

RESIDENCE OF APPLICANT IDAHO

LENGTH OF RESIDENCE IN IDAHO 36

SIGNATURE OF APPLICANT _____

NAME (Please Print) _____ BIRTHDATE: _____

RESIDENCE OF APPLICANT _____

LENGTH OF RESIDENCE IN IDAHO _____

SIGNATURE OF APPLICANT _____

NAME (Please Print) _____ BIRTHDATE: _____

RESIDENCE OF APPLICANT _____

LENGTH OF RESIDENCE IN IDAHO _____

Subscribed and sworn to before me this 14th day of March, 20 14.

CHARLES F REIGH
NOTARY PUBLIC
STATE OF IDAHO

[Signature]
Notary Public for Idaho

Residing at: Twin Falls

Notary Expiration Date: 01/09/2018

CITY STAFF USE ONLY:

APPROVALS:

PLANNING AND ZONING: Yes ☒ No ☐ DATE: 3-19-14

COMMENTS: _____

POLICE DEPT: Yes ☒ No ☐ DATE: 03/19/14

COMMENTS: _____

CITY CLERK: Yes ☒ No ☐ DATE: 3-19-14

COMMENTS: _____

State of Idaho

Idaho State Police

 Cycle Tracking Number 71828
 ISLD ID: 7067

Premise Number: 2T-11102

Retail Alcohol Beverage License

License Year: 2014

Incorporated City

License Number: 11102

This is to certify, that

Hometown Sports Bar & Grill LLC

doing business as:

Hometown

is licensed to sell alcoholic beverages as stated below at:

213 223 5th Ave South, Twin Falls, Twin Falls County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

County and city licenses are also required in order to operate.

Liquor	Yes	\$375.00
Beer	Yes	\$20.00
On-premise consumption	Yes	\$0.00
Kege to go	No	
Restaurant	No	
Wine by the bottle	Yes	\$0.00
Wine by the glass	Yes	\$0.00
Multipurpose arena	No	

TOTAL FEE: \$395.00

Signature of Licensee, Corporate Officer, LLC Member or Partner

HOMETOWN SPORTS BAR & GRILL LLC
 HOMETOWN
 653 ROSE STREET NORTH
 APT 41
 TWIN FALLS, ID 83301

Mailing Address

License Valid: 03/10/2014 - 06/30/2014

Expires: 06/30/2014

Director of Idaho State Police



Sharon Bryan

From: Renee Carraway
Sent: Wednesday, March 19, 2014 4:15 PM
To: Sharon Bryan; Jonathan Spendlove
Subject: RE: Hometown Sports Bar & Grill at 213 & 223 5th Ave South

Hi Sharon; P&Z is good with the use at this location. Been a bar as far back as I can remember. Rene'e

From: Sharon Bryan
Sent: Wednesday, March 19, 2014 3:12 PM
To: Renee Carraway; Jonathan Spendlove
Subject: Hometown Sports Bar & Grill at 213 & 223 5th Ave South

Attached is the application for an ownership transfer. I plan to take this to City Council on March 31, 2014 unless you have any concerns. Thanks,

Sharon Bryan
Deputy City Clerk
City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303

sbryan@tfid.org
(208)735-7245



Date: Monday, March 31, 2014, Council Meeting

To: Honorable Mayor and City Council

From: Staff Sergeant Dennis Pullin, Twin Falls Police Department

Request:

Consideration of a request to grant additional time for the use of amplified noise for the Lighthouse Church service to be held outdoors on their football field on Easter Sunday, April 20, 2014. The current P.U.D. states they can have amplified noise beginning at 10:00 a.m. The one-time request is to begin with amplified noise at 9:00 a.m. on Sunday, April 20, 2014.

Time Estimate:

Where this is a request to modify the P.U.D. for Lighthouse Church, this item has been placed under Items for Consideration. Five minutes will suffice for the presentation, in addition to any time needed to answer questions the City Council may have.

Background:

Ron Heath, on behalf of the Lighthouse Church, located at 960 Eastland Drive, Twin Falls, Idaho, plans to hold an Easter Service on their football field on Sunday, April 20, 2014. The service will begin at 9:00 a.m. and conclude at 12:00 p.m. (noon). A copy of the P.U.D. Modification dated September 19, 2008, was provided, stating the Lighthouse Church can use a P.A. system for home football games and field events between the hours of 10:00 a.m. to 10:00 p.m.

Mr. Heath is requesting to start the service at 9:00 a.m., one hour prior to their allotted time of 10:00 a.m. It should be noted this event is not for a P.A. system, but rather for music and a live band. Mr. Heath advises in his request that this one (1) hour time period will be for a sound check for the band and for soft music to be played.

Approval Process:

Consent of the Council

Budget Impact:

N/A

Regulatory Impact:

The Modified P.U.D. states the time frame is from 10:00 a.m. to 10:00 p.m. Approval of this request would be a change in the P.U.D. Modification. The P.U.D. Modification also states, "During outside events, noise level of the public address system is not to exceed 78 decibels at any point outside property lines."

Agenda Item for March 31, 2014
From Staff Sergeant Dennis Pullin
Page Two

Conclusion:

The Twin Falls Police Department Staff and several relevant City Staff members have met and approved this Special Events Application. Based on this request and the information provided, Staff recommends that this event be approved.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified noise. If there are continued noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall terminate the event.

Attachments:

1. Special Events Application
2. Copy of the P.U.D. Modification for Lighthouse Church

DP:aed



**CITY OF TWIN FALLS
SPECIAL EVENTS APPLICATION**

DATE OF EVENT: Sunday, April 20, 2014

TIME OF EVENT: Start: 9:00am End: Noon

LOCATION OF EVENT (Include business name, if applicable):
Lighthouse, 960 Eastland Drive, Twin Falls, Idaho (Athletic Complex)

NUMBER OF PEOPLE IN ATTENDANCE: 1,200

WILL EVENT OCCUPY A PUBLIC STREET: Yes: No: X
(If yes, please provide diagram of proposal.)

WILL ALCOHOL BE SERVED: Yes: No: X

HAS CATERING PERMIT BEEN SECURED Yes: No: N/A
(If yes, attach copy of permit to application.)

***For the safety of event participants and law enforcement personnel, it is required that paper or plastic containers be used for alcoholic beverages.**

NAME OF APPLICANT LIGHTHOUSE

ADDRESS 960 Eastland Drive, Twin Falls, ID 83301

HOME TELEPHONE (mobile) T 208.961.1620

BUSINESS PHONE 208.737.4667

**NAME OF RESPONSIBLE
PARTY/CONTACT PERSON** RON HEATH

ADDRESS 960 Eastland Drive, Twin Falls, ID 83301

HOME PHONE (mobile) 208.961.1620

BUSINESS PHONE 208.737.4667

DESCRIPTION OF EVENT:

We will be holding our Easter serve on our athletic field beginning at 10:30 am and ending at noon. Our PUD modification dated 7/7/08 allows for our public address system to begin by 10:00am. We are requesting a one-time approval to do sound checks and soft music beginning at 9am on 4/20/2014. Parking is provided by Lighthouse at our facility. All insurances are provided through Hub International, Scott Standley, agent.

I, Ronald Heath, APPLICANT FOR THE ABOVE EVENT, AUTHORIZE Ronald Heath TO APPLY FOR THE PERMIT ON MY BEHALF.

Ronald Heath
APPLICANT'S SIGNATURE

DATE

**** EVENT APPLICATIONS MUST BE SUBMITTED NO LATER THAN 45 DAYS PRIOR TO THE EVENT OR THE PERMIT MAY BE DENIED.**

REVIEWED BY:

Pullin
Twin Falls Police Department

Approved ☒ Denied ☐

RWC
Twin Falls Fire Department

Approved ☒ Denied ☐

McCuniff
Parks & Recreation Department

Approved ☒ Denied ☐

Urban Renewal

Approved ☐ Denied ☐

Rene V. Conway
Building Department

Approved ☐ Denied ☐

Rene V. Conway
Planning & Zoning

Approved ☒ Denied ☐

As You
Information Service

Approved ☒ Denied ☐

Dennis Pullin

From: Lighthouse Office <lcfoffice@lighthousecf.org>
Sent: Wednesday, March 12, 2014 11:33 AM
To: Dennis Pullin
Subject: Lighthouse Church PUD Agreement
Attachments: Lighthouse PUD.pdf



CITY OF TWIN FALLS
Planning and Zoning Department
PO Box 1907
324 Hansen Street East
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

September 19, 2008

Lighthouse Christian Fellowship
c/o Kevin Newbry
259 Main Avenue East
Twin Falls, ID 83301

RE: PUD Modification

Dear Applicant;

At its July 7, 2008 regularly scheduled public meeting the Twin Falls City Council approved a PUD Modification to allow a PA system to be used for home football games and field events and to allow outside lighting to be used to illuminate night games, parking lots and storage areas on property located at 960 Eastland Drive 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. During outside events, noise level of the public address system is not to exceed 78 decibels at any point outside property lines.
3. Use of the public address system shall not commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week with the exception of athletic events extended due to overtime play or injury delays.
4. Field lighting to be turned off no later than 10 P.M. with the exception of athletic events extended due to overtime play or injury delays, and all outside lighting to be positioned so that it minimizes glare to adjacent properties.

Enclosed is a copy of the Findings of Fact, Conclusion of Law and Decisions. This statement establishes the legal basis for the Twin Falls City Council's decision to approve your request.

If you have any questions about the findings, please do not hesitate to contact the office of Planning and Zoning at 735-7267.

Sincerely,

Renee' V. Carraway
Zoning & Development Manager

RVC/lj
Attachments (2)



BEFORE THE CITY COUNCIL
OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>PUD Modification, Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Lighthouse Christian Fellowship</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s)</u>	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on May 12, 2008 for public hearing pursuant to public notice as required by law for a PUD Agreement Modification for the purpose of allowing a PA system to be used for all outside home football games and outside events and to allow for outside lighting to be utilized for night games for property located at 960 Eastland Drive, and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a PUD Agreement Modification to allow allowing a PA system to be used for all outside home football games and outside events and to allow for outside lighting to be utilized for night games for property located at 960 Eastland Drive
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: March 20, 2008 & March 29, 2008
3. The property in question is zoned C-1 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial/Retail in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Commercial/K-mart; to the south, 9th Avenue East/Residential/Care Center; to the east, Residential; to the west, Eastland Drive/Residential.

5. The proposed PA system and outdoor lighting will unreasonably interfere with the surrounding residential uses.

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

CONCLUSIONS OF LAW

1. The application for a PUD Agreement Modification to allow allowing a PA system to be used for all outside home football games and outside events and to allow for outside lighting to be utilized for night games for property located at 960 Eastland Drive is detrimental to existing residential uses in the surrounding area.

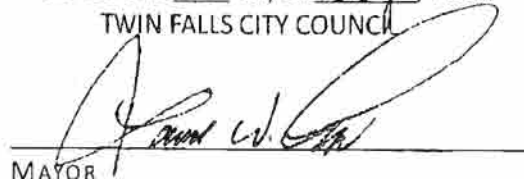
2. The application for a PUD Agreement Modification to allow allowing a PA system to be used for all outside home football games and outside events and to allow for outside lighting to be utilized for night games for property located at 960 Eastland Drive should be denied.

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

DECISION

1. The application for a PUD Agreement Modification to allow allowing a PA system to be used for all outside home football games and outside events and to allow for outside lighting to be utilized for night games for property located at 960 Eastland Drive is hereby denied.

Dated this 15th day of July, 2008
TWIN FALLS CITY COUNCIL


MAYOR

APPLICATION #2212



Date: March 31, 2014 City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, P.E., Public Works Director & Norm Hatke

Request: To consider an unbudgeted \$2,300 expenditure from the Shop Fund to construct a doorway between the Shop office and a work space.

Time Estimate: Consent Calendar.

Background: In the past year, the Shop budgeted for an additional employee and intended to live with the existing cramped bay space. Since the construction of the Public Works Building on S. Park Ave. W., the Waste Water Collection Department moved out of the shared Shop building and the Shop moved into the much needed bay space. This added work space has increased Shop production. Employee safety is now a concern. Shop Supervisor Norm Hatke has an employee that is working in and under vehicles in a bay space that is not in the main shop area and if an injury were to occur the employee could not be heard or seen. The addition of a door from Norm Hatke's office directly connecting the work space would alleviate safety concerns.

Approval Process: Council approval required.

Budget Impact: This is an unbudgeted request and the \$2,300 could be funded out of Shop Reserves.

Regulatory Impact: NA

Conclusion: Staff recommends the approval of an unbudgeted \$2,300 expenditure from the Shop Fund to construct a doorway between the shop office and a work space.

Attachments: None



Date: March 31, 2014 City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, P.E., Public Works Director

Request: Consider an unbudgeted \$8,950.00 expenditure from General fund reserves to demolish a condemned Street Department building containing asbestos.

Time Estimate: Consent Calendar

Background: In November 2009, the City of Twin Falls requested EHM to conduct a structural analysis on a fire damaged building located at the corner of 6th Ave. and Gooding. EHM's report confirmed safety concerns and stated, "...the city should not consider the fire damaged portions of this building to be safe for occupancy or storage of anything of value whenever there is snow on the roof."; furthermore, "...a few of the worst case trusses being questionable for the existing dead load."

The City of Twin Falls then asked EHM for a repair versus replacement analysis. EHM's letter dated November 17, 2009 demonstrated that the existing foundation was not in sufficient condition to repair and the least cost approach would be to demolish the building and replace it.

The Street Department intended to demolish the building with city forces this year to minimize cost. However, a required inspection conducted in 2013 for a demolition permit revealed that the roof had asbestos. The report did not indicate that a trained asbestos handler would need to conduct the removal and we simply did not understand that the state requires a 40 hour introductory course with an annual 8 hour training and medical physical for asbestos handling. The Public Works department is not properly trained or equipped to remove asbestos and cannot demolish the building.

EHM's estimate of demolition was \$11,000 in 2009 with an added cost of \$1.50 per sf for asbestos abatement. Intermountain Construction & Abatement submitted a bid to demolish, properly dispose of the asbestos and remove the building for \$8,950.00.

Approval Process: Council approval required.

Budget Impact: This is an UNBUDGETED request and the \$2,300 could be funded out of General Fund Reserves.

Regulatory Impact: NA

Conclusion: Staff recommends that the city awards the contract to Intermountain Construction & Abatement of Meridian, Idaho for \$8,950.00.

Attachments: EHM Structural Analysis, November 3, 2009
EHM Repair vs. Replacement Analysis, November 17, 2009
Asbestos Inspection Report, "Columbia Technical Service" August 2013
Bid Proposal, Intermountain Construction & Abatement March 4, 2014

November 17, 2009

City of Twin Falls
Attn: Lee Glaesemann, P.E.
PO Box 1907
Twin Falls, ID 83303

RE: City Storage Building

Dear Mr. Glaesemann,

At your request I have compiled this additional review of the city storage building located at the North corner of 6th and Gooding. The purpose of this report is to determine the feasibility of repairing the existing building verses replacement with a new structure. My November 3, 2009 letter (see attached) made recommendations regarding the old fire damaged wood roof trusses and the existing safe roof snow load capacity ranging from about 0 to 9 psf.

The existing building is approximately 50' x 100' with a centerline post and beam system supporting the roof trusses. Analysis of the roof beam reveals a safe roof snow load capacity of about 6 psf which is substantially below the current code requirement of 25 psf.

The existing building concrete foundation wall and interior concrete pedestals supporting the wood columns are in very poor condition. The concrete has lost up to 2 inches of section due to sulfate attack. Simply touching the surface with your fingers will dislodge aggregate from the crumbling concrete mix. Any attempt to cut a core sample of this concrete for compressive strength testing would likely result in the core sample just breaking into gravel and sands during the core sawing process. See photos.

This level of concrete deterioration would greatly limit the capacity of foundation anchor bolts to effectively resist shear or uplift caused by wind loading on the building.

The area of the bays of fire damaged roof trusses totals about 1,770 s.f. The area of the wood wall studs in need of replacement due to fire damage is about 500 s.f. The estimated cost to replace these fire damaged portions of the building and a new roof covering over the entire building is about \$30,000.00 - \$35,000.00. The negative aspects of this repair expenditure is that there would still be 65% of the roof that has substandard roof snow load capacity and all of the building is bearing on a foundation with very limited remaining life.

The replacement of this building with equal square footage of a new, current code capacity building of wood construction will cost about \$35/s.f. or \$175,000 for a 50' x 100' building, plus site costs, demolition and engineering costs.

The existing building functions as a poor utilization of the total area due to the odd arrangements of the 4 small overhead doors and misc rooms within the structure which are not being used. A better functioning building with a more efficient use of the space could possibly be built with about 50% the square footage and serve the need of storing 4 to 5 vehicles plus material storage.

A good example of a more efficient building which was recently bid at \$76,000 (\$37/s.f.) plus demo, site work, and engineering consisted of:

1. 26' wide x 80' long x 16' eve with 6 overhead doors for vehicle and 2 walkdoors.
2. 16' wood 2x6 studs @ 16" o.c., wood gable end clear span roof trusses @ 24" o.c., OSB on all walls and roof with 26ga metal siding on exterior.
3. New concrete foundation, 6" floor slab and 12' wide x 80' concrete apron in front of the doors.
4. No heating or insulation.

If these building dimensions were expanded to 32' x 80' for additional storage, the estimated cost would be about \$95,000 plus demo of the existing building at \$11,000 (plus any asbestos abatement @ \$1.50/s.f.) plus engineering at \$5,000.00 plus site construction costs.

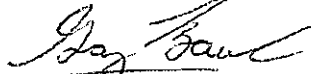
Whenever an owner weighs the options of repairs verses replacement, first cost in an annual budget environment is a big factor. However, cost over the lifetime of the asset also should be considered.

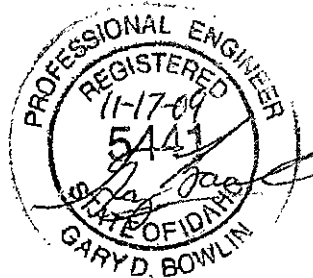
The remaining life of the existing building is unknown since we do not know when a significant snow or wind event will occur and take down the structure. If we assume a remaining life of 10 years after the indicated repairs are made, then the cost per year is about \$3,000.00 per year.

The new building costs to provide the same storage function over about 75 years of life is $\$120,000 / 75 = \$1,600$ per year or about $\frac{1}{2}$ the annual cost of the repaired building.

If you have any questions or if I can be of any additional assistance please call.

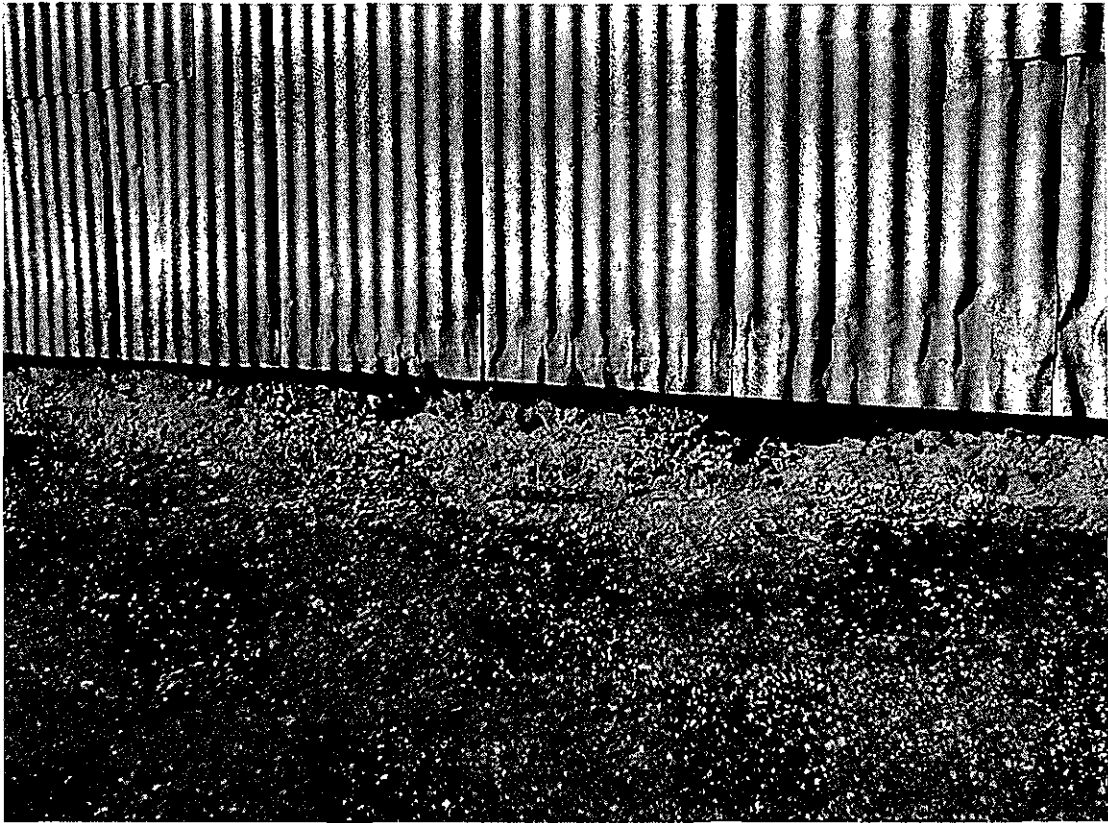
EHM Engineers, Inc.


Gary Bowlin, P.E.





Subject Building



Conc. Foundation Deterioration S. Corner



Conc. Foundation Deterioration @ W. Corner

Green Building



Engineers, Inc.

ENGINEERS / SURVEYORS / PLANNERS

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT.

November 3, 2009

City of Twin Falls
Attn: Lee Glaesemann, P.E.
PO Box 1907
Twin Falls, ID 83303

RE: City Storage Building Roof

Dear Mr. Glaesemann,

At your request on 11-2-09 I conducted a visual inspection of the fire damaged roof trusses of the city owned storage building located on the North corner of 6th and Gooding. This building previously had fire damage estimated to have occurred 30 or more years ago.

Many of the site built wood trusses had significant charring with estimated section loss approaching 50% in the worst cases. Several diagonal web members had been replaced after the fire. One diagonal tension web member had broken since the fire and had not been replaced. The trusses located in the most severely charred area had noticeable existing dead load sag of several inches. Some of the truss nailed shear joints had slipped since the fire as seen by the non-charred wood line now exposed.

The nailing of new wood members to the side of deeply charred wood is not a recommended practice since the nail is in shear through the soft charred material which greatly reduces the shear value of the nail joint. Also the nails which were in place during the fire were very hot and likely caused charring of the wood around the shank also reducing these nails safe shear capacity.

A quick analysis of the shallowest depth roof trusses indicated a safe total load capacity of about 17 psf when the trusses were in good condition. Many of the burnt trusses likely have a 50% reduced load capacity. The existing dead load of the roof and trusses is estimated a 8 psf. This results in a safe snow load capacity of 0 to 9 psf for the building with a few of the worst case trusses being questionable for the existing dead load.

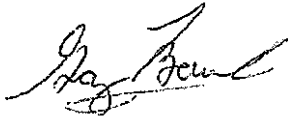
As you know the City of Twin Falls current code roof snow load requirement is 25 psf which is significantly greater than the safe capacity of this roof.

Since these trusses have shown distress, joint movement and member breaking since the fire, I would caution readers of this report about thinking the building is safe just because it has stood along time since the fire. My recommendation is that the city should not consider the fire damaged portions of this building to be safe for occupancy or storage of anything of value whenever there is snow on the roof. No people, equipment or materials

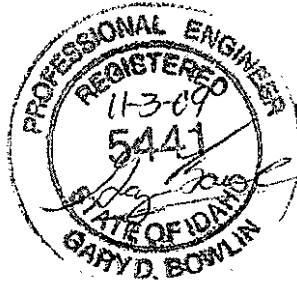
should be placed on the fire damaged area of the roof with or without snow on the roof. Inspection of the trusses (by city building inspector) for additional distress should occur after any significant snow fall prior to any use of the building.

If you have any questions please call.

EHM Engineers, Inc.



Gary Bowlin, P.E.



COLUMBIA TECHNICAL SERVICE

PO Box 146 • BUHL, ID 83316 • (208) 490-1284

AUGUST 15, 2013

- ASBESTOS INSPECTION -

BUILDING AT
202 6th Avenue West
Twin Falls, Idaho 83301

For

Mr. Robert Bohling
CITY OF TWIN FALLS
P.O. Box 1907
Twin Falls, Idaho 83303-1907

Columbia Technical Service arrived on the site August 13, 2013 to take bulk asbestos samples of suspect material in the building.

This building is scheduled for demolition.

ASSUMED ASBESTOS CONTAINING MATERIAL (ACM):

Roofing material
Transite pipe

Columbia Technical Service took three (3) bulk samples as follows:

Sample TFC-01	Drywall	South ceiling (west)	No asbestos detected
Sample TFC-02	Drywall	South ceiling (east)	No asbestos detected
Sample TFC-03	Drywall	2 nd room (west)	No asbestos detected

ASBESTOS CONTAINING MATERIAL (ACM) FOUND BY THIS INSPECTION:

Roofing material	Assumed to contain asbestos	Unknown amount
Transite pipe	Assumed to contain asbestos	Approx. 10 LF

The above roof material will not have to be removed prior to demolition. The material will have to be kept very wet during demolition.

The above transite pipe will have to be disposed of at an approved landfill.

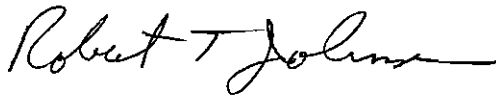
A notification will have to be sent to the EPA at least 10 working days prior to demolition.

It will be OK to demolish the building 10 working days after sending the notification.

The following enclosures are included with this report:

Copy of Laboratory report from MSE.

Accreditation from Robert Johnson for Asbestos Inspector.

A handwritten signature in black ink, appearing to read "Robert T. Johnson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert T. Johnson - Owner
Columbia Technical Service



**McCall and Spero
Environmental, Inc.**

Specialists in Microanalysis

1831 Williamson Court • Suite 100 • Louisville, KY 40223
Phone (502) 244-7135 • (800) 841-0180 • FAX (502) 244-7138

E-mail: customerservice@mselabs.com • Website: www.mselabs.com

Date: August 14, 2013

Attention: Robert Johnson
Columbia Technical Service

Subject: Analysis of bulk samples for asbestos mineral fibers by Polarized Light
Microscopy (PLM) with Dispersion Staining (EPA/600/R-93/116)

RE: MSE-P8143CTS
Twin Falls City - 202 6th Ave West Project

Dear Mr. Johnson :

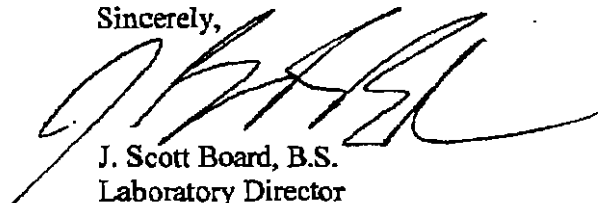
McCall & Spero Environmental, Inc. has completed the analyses of the bulk samples we received from your offices on August 14, 2013. These samples represent the bulk samples from the Twin Falls City - 202 6th Ave West Project .

The PLM bulk analysis was performed according to the "Method of the Determination of Asbestos in Bulk Building Materials", R. L. Perkins and B. W. Harvey (EPA/600/R-93/116).

The results for the three (3) samples are summarized in the following report. Please note that for samples consisting of two or more distinct components, each component is analyzed and reported individually (EPA 40 CFR Part 61 [FRL-4821-71]).

Thank you for consulting McCall & Spero Environmental, Inc. Should you have any questions concerning these results, please contact our office.

Sincerely,



J. Scott Board, B.S.
Laboratory Director

SUMMARY OF PLM BULK ANALYSIS RESULTS

Page 1

Project Name: Twin Falls City - 202 6th Ave West Project
McCall & Spero Environmental Project No. MSE-P8143CTS

MSE # P8143CTS -	SAMPLE # DESCRIPTION	ASBESTOS TYPE & %	OTHER FIBROUS MATERIAL & %	% NON-FIBROUS MATERIAL	COLOR
001	TFC-01 Drywall	ND	Cellulose / 5%	95%	White
002	TFC-02 Drywall	ND	Cellulose / 5%	95%	White
003	TFC-03 Drywall	ND	Cellulose / 5%	95%	White

NOTES:

ND = None Detected

CH = Chrysotile

A = Amosite

AC = Actinolite

CR = Crocidolite

AN = Anthophyllite

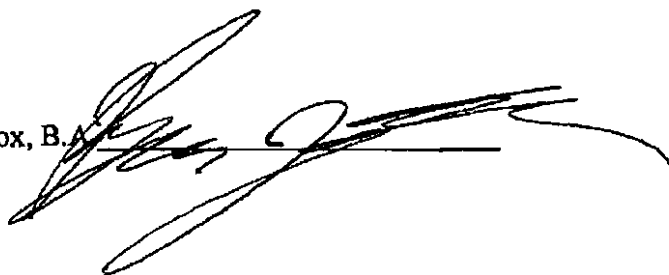
TR = Tremolite

For samples consisting of separate components, each component is analyzed and reported separately.

Results apply only to items tested. Quantification is accurate to within $\pm 10\%$. Results from this report must not be reproduced, except in full, with the approval of McCall & Spero Environmental, Inc. This report must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government.

** EPA recommends that bulk materials found negative for asbestos or less than one percent asbestos by polarized light microscopy that fall into one of five dominantly nonfriable categories be reanalyzed by an additional method, such as transmission electron microscopy. (EPA Notice of Advisory, FR Vol. 59, No. 146 & Test Method EPA 600/ R-93/ 116).

Analyst: Ryan J. Cox, B.A.



McCall & Spero Environmental, Inc.

Leaf and Stem

[Illegible handwritten text]

Specialists in Microanalysis

1831 Williamson Court - Suite 100 - Louisville, KY 40223

Phone (302) 244-7135 • (800) 641-0180 • FAX (302) 244-7136

E-mail: customerservice@meekins.com • **Website:** www.meekins.com

BULK SAMPLE CHAIN OF CUSTODY FORM

Company: Columbia Technical Service Telephone # (208) 490-1284 Fax #: e-mail
Contact: Robert Johnson Client Project Number: _____
Relinquished by: Robert Johnson Date: 8/13/13 Time: _____
Written Report To: Columbia Technical Service, PO Box 146, Buhl, Idaho 83316
Project Name: THIRD FACES CITY - 202 6TH AVE WILSON
Turn-Around (Circle One): Same Day 24 Hour 2-3 Day 4-5 Day Weekend Rush After Hour Rush
Analysis Requested (Circle One): PLM Bulk Analysis TEM Qualitative Analysis TEM Quantitative Analysis (4-5 Day)

For Laboratory Use Only

MSE Project # PR147CTE Method: EPA/600/R-93/116
 Samples Received by: [Signature] Date: 8-14-94 Time: 10:00 AM

[illegible]

THE ASBESTOS INSTITUTE

Certifies that

Robert T Johnson

has attended the EPA approved course

**AHERA Refresher
Building Inspector
April 5, 2013**

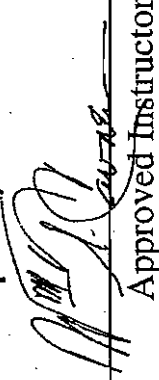
and successfully passed the competency exam.

Date of Examination: **April 5, 2013**

Date of Expiration: **April 5, 2014**



William T. Cavness
Director



Approved Instructor

THE ASBESTOS INSTITUTE

20033 N. 19th Avenue

Building #6

Phoenix, AZ 85027

602-864-6564

Intermountain
Construction &
Abatement

Phone: 208-288-2505
mob: 208-573-4416
Fax: 208-288-2580

March 4, 2014

Dean Littler
City of Twin Falls
159 Wall St
Twin Falls, Idaho 83303

RE: Vacant Building
202 6th Avenue West
Twin Falls, Idaho

Dear Mr. Littler:

Intermountain Construction & Abatement, proposes to provide services necessary to demo the vacant building (leaving the foundation/ slab) from the above referenced site for the sum of **Eight Thousand Nine Hundred Fifty Five Dollars (\$8,950.00)**.

This bid includes labor, materials, transportation and disposal of waste to a landfill. This bid also includes temporary fence and water control for dust.

City of Twin Falls will disconnect power, water, gas and cap sewer.

Removal will take place in a workman-like manner and in accordance with all applicable EPA, NESHAP, Federal, State and local regulations.

This bid further includes \$1,000,000 Asbestos Liability Insurance/Commercial General Liability/Auto Liability, State of Idaho Workers Compensation and a Public Works License. # 014171-C-4

If you have any questions regarding this proposal, please feel free to give me a call at 208-288-2505.

Sincerely,

Michael Ross

Michael Ross



Date: **MONDAY MARCH 31, 2014**

To: Honorable Mayor Hall and City Council

From: Mitch Humble, Community Development Department

ITEM I-

Request: Consideration of approval of the final plat of the Riverhawk Commercial Subdivision-A PUD, consisting of 4.2 (+/-) acres and five (5) commercial lots located at the southwest corner of Washington Street North and Cheney Drive West c/o Wiley Dobbs on behalf of Twin Falls School District #411.

Time Estimate:

There will be no staff presentation unless the Council has questions and pulls this item off the Consent Calendar.

Background:

Applicant:	Status: Owner	Size: 4.2(+/-) acres
Twin Falls School District #411 c/o Dr. Wiley Dobbs 201 Main Ave West Twin Falls, Idaho 83301	Current Zoning: C-1 PUD	Requested Zoning: approval of a final plat
	Comprehensive Plan: Medium Density Residential	Lot Count: 5 lots
	Existing Land Use: Undeveloped property	Proposed Land Use: commercial subdivision
Representative:	Zoning Designations & Surrounding Land Use(s)	
The Land Group, Inc. c/o Tamara Thompson tamara@thelandgroupinc.com 208-939-4041	North: C-1 PUD; Wal-Mart/Cheney Drive West	East: C-1 PUD & CSI PUD; Washington Street North/undeveloped commercial PUD & CSI/residential apartments
	South: R-4; North College Road West/residential subdivision	West: R-2 PUD/R-2; Park View Drive/ residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-6-1 thru 4, 10-7-6, 10-10-1 thru 4, 10-11-1 thru 9, 10-12-2.4, Riverhawk Commercial C-1 PUD Agreement	

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 may approve, conditionally approve, deny or table for additional information when acting on the final plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Council.

Budget Impact:

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

Regulatory Impact:

Upon approval of a final plat by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

History:

On January 8, 2007 the City Council approved the annexation of an 80 (+/-) acre site from R-2 to R-2 & C-1 PUD with conditions. The Planning & Zoning Commission approved the preliminary plat for the River Hawk PUD Subdivision at their April 24, 2007 meeting and the City Council approved the final plat on May 14, 2007. The River Hawk PUD Subdivision was recorded on January 14, 2008. A building permit was issued on September 26, 2007, and on January 11, 2010 a final certificate of occupancy was issued.

A PUD Amendment was proposed and approved on August 10, 2009, by the City Council to modify the signage section of the PUD Agreement to allow for sponsor signs.

A preliminary presentation on a 2nd proposed PUD Amendment was made to the Planning and Zoning Commission on September 22, 2009, and the Commission passed on a favorable recommendation to the City Council on October 13, 2009. The City Council approved the request for a PUD Amendment to establish this 4.2 acre lot as the Riverhawk Commercial PUD on November 9, 2009, with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to cross use agreements for storm water, detached sidewalk, outside lighting, landscaping and parking prior to plat recordation and/or development.
3. Subject to an approved PUD agreement.

On January 12, 2010 the Commission approved the preliminary plat of the Riverhawk Commercial Subdivision-a 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 built or rebuilt to current City standards upon development or change of use for the property.
3. Subject to a cross-use agreement for parking, drainage, ingress, egress, pedestrian access, emergency vehicle access and public utility easements being recorded prior to development.
4. Development to comply with an approved and recorded PUD Agreement.

On January 25, 2011 the Commission approved a one year extension of the preliminary plat subject to the original four (4) conditions.

On December 13, 2011 the Commission approved a final two-year extension (January 12, 2014) of the preliminary plat subject to the original four (4) conditions.

The Riverhawk Commercial C-1 PUD Agreement is on tonight's City Council Agenda for approval. .

Analysis:

The Preliminary Plat for the Riverhawk Commercial PUD Subdivision was approved to develop this 4.2 acre +/- site with 5 commercial lots. The applicants have not made any changes to the original plat since the preliminary plat was approved on January 12, 2010.

This Final Plat for the Riverhawk Commercial Subdivision, A PUD includes 4.2 (+/-) acres and consists of five (5) commercial lots. The proposed subdivision is zoned C-1 PUD. The site is located at the southwest corner of Washington St North and Cheney Drive West. The property is currently undeveloped. This proposed subdivision will conform to the uses and development standards stated in the Riverhawk Commercial C-1 PUD Agreement that is on this agenda this evening for your consideration.

The intended use for the Riverhawk Commercial Subdivision – a PUD is to allow a commercial development in conformance of the approved Master Development Plan; Exhibit A and Exhibits B thru E included with the PUD Agreement. 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 prior to issuance of any building permits.

A preliminary plat is presented to the Planning and Zoning Commission. The Commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. Only after a final plat has been approved by the City Council and construction plans approved, may the plat be recorded and lots sold for development.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed.

Conclusion:

Should the Council approve the final plat of the Riverhawk Commercial Subdivision – A PUD, as presented, staff recommends approval be subject to the following original four (4) 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 rebuilt or built to current City standards upon development of the property.
3. Subject to a cross use agreement for parking, drainage, ingress/egress, pedestrian access, emergency vehicle access, and public utility easements being recorded.
4. Development to comply with an approved and recorded PUD agreement.

Attachments:

1. Vicinity Map
2. Area Zoning Map
3. Aerial of the Project Site
4. Approved Preliminary Plat/Master Development Plan
5. Final Plat

PARKING REQUIREMENTS

[illegible]

PRELIMINARY PLAT NOTES

THEY ARE THE ONLY TWO IN THE WORLD WHO HAVE BEEN AWARDED THE PULITZER PRIZE FOR BOTH FICTION AND NON-FICTION.

PARKING REQUIREMENTS

WELL	CHARGE	WELL NO. IN ALLOY
1ST	4	4,500
2ND	4	4,750
3RD	4	5,000
4TH	4	5,250
5TH	4	5,500
6TH	4	5,750
7TH	4	6,000
8TH	4	6,250
9TH	4	6,500
10TH	4	6,750
11TH	4	7,000
12TH	4	7,250
13TH	4	7,500
14TH	4	7,750
15TH	4	8,000
16TH	4	8,250
17TH	4	8,500
18TH	4	8,750
19TH	4	9,000
20TH	4	9,250
21TH	4	9,500
22TH	4	9,750
23TH	4	10,000
24TH	4	10,250
25TH	4	10,500
26TH	4	10,750
27TH	4	11,000
28TH	4	11,250
29TH	4	11,500
30TH	4	11,750
31TH	4	12,000
32TH	4	12,250
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34TH	4	12,750
35TH	4	13,000
36TH	4	13,250
37TH	4	13,500
38TH	4	13,750
39TH	4	14,000
40TH	4	14,250
41TH	4	14,500
42TH	4	14,750
43TH	4	15,000
44TH	4	15,250
45TH	4	15,500
46TH	4	15,750
47TH	4	16,000
48TH	4	16,250
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92TH	4	27,250
93TH	4	27,500
94TH	4	27,750
95TH	4	28,000
96TH	4	28,250
97TH	4	28,500
98TH	4	28,750
99TH	4	29,000
100TH	4	29,250

1017.

PRELIMINARY PLAT
FOR
RIVERHAWK COMMERCE
PUD

Lot 1, Block 1 of Riverbend Subdivision
Sited in a Portion of South 1/2 of the NE 1/4, of Section 6,
Township 10 South, Range 17 East, B.M.
City of Twin Falls, Twin Falls County, Idaho
2009

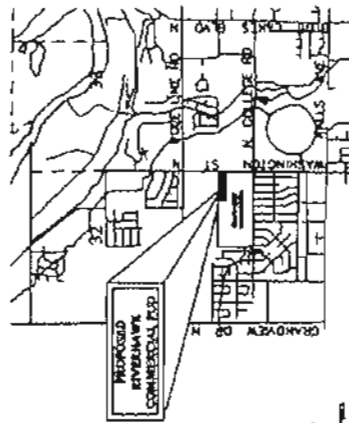
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LEGEND

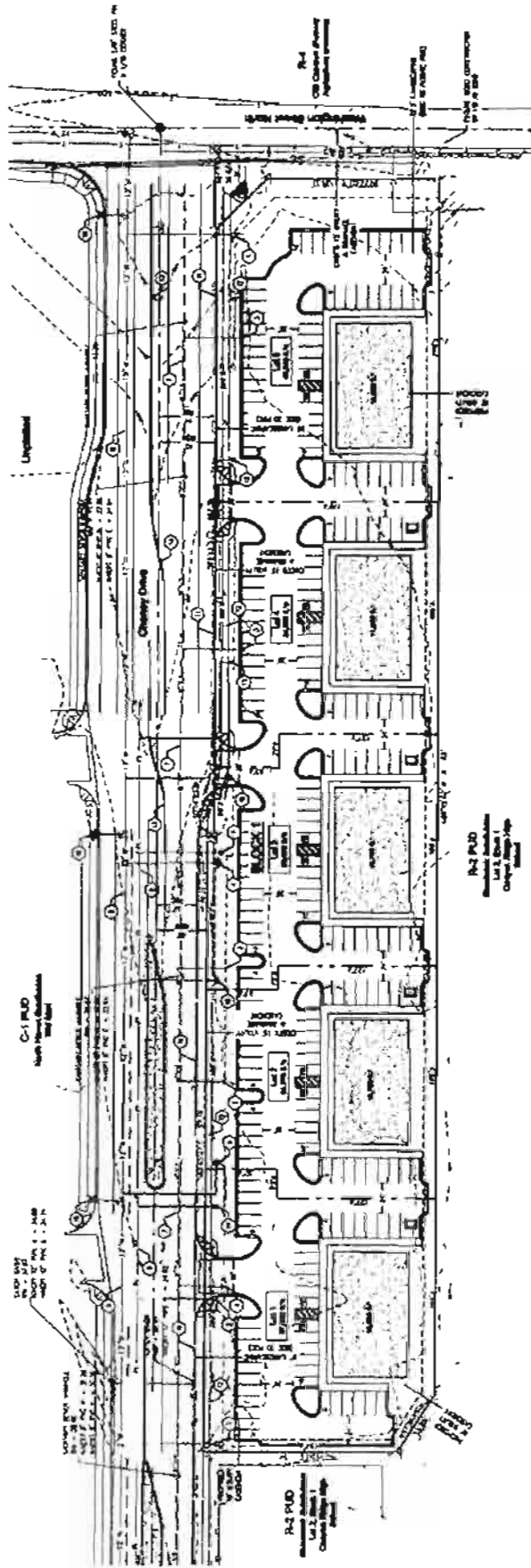
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VICINITY MAP



Riverhawk Commercial
 PUD

Preliminary Plat

 Lot Configuration

MEMBER

2,91.00

Final Plat for

A Re-subdivision of Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D.,
Situated in a portion of the South 1/2 of the Northeast 1/4 of Section 5,
Township 10 South, Range 17 East, B.M.
Twin Falls County, Idaho
2014

[illegible]

LOT 1, BLOCK 1 OF RIVERDALE SUBDIVISION, A TOWN (A RECORDED SUBDIVISION ON FILE AT PAGES 10-15, BOOK 27 OF PLAT, RECORDS OF THIN FALLS COUNTY, IOWA) LOCATED IN THE SOUTH ONE HALF OF THE NORTHEAST ONE QUARTER OF SECTION 30, TOWNSHIP 30 SOUTH, RANGE 12 EAST, 105TH MERIDIAN, THIN FALLS COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH ONE HALF OF THE NORTHEAST ONE QUARTER OF SAO SECTION TWENTY-ONE, THENCE SOUTHWEST A DISTANCE OF 1.34 IN FEET FROM THE NORTHEAST CORNER OF SAO SECTION TWENTY-ONE, THENCE FOLLOWING THE EASTERY LINE OF SAO SECTION TWENTY-ONE, A COURSE OF 66.17 FEET TO AN IRON PEG, LAST A DISTANCE OF 40.07 TO A POINT ON THE WESTERN RIGHT-OF-WAY OF WASHINGTON STREET MOORE, AND BEING THE POINT OF BEGINNING.

[illegible]

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS AND AGRES, MORE OR LESS, SUBJECT TO ALL EXISTING EASEMENTS and RIGHTS-OF-WAY.

IT IS THE INTENTION OF THE UNDERSIGNED TO ACQUIRE DESCRIBED PROPERTY IN THIS PLAN, BE CAUSE THE SAME ARE SHOWN ON THIS PLAN ARE WELL LOCATED TO THE PUBLIC, HOWEVER, THE RIGHT TO USE SAID PROPERTIES AS NEEDED PERMANENTLY REQUIRED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DETERMINED UNDER THIS PLAN AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

[illegible]

0679

_____ DAY OF _____, 19____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF _____, PERSONALLY APPEARED _____, known to me to be the owner of the above described premises, and acknowledged that he executed the foregoing instrument and acknowledged the same.

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

NOTARY PUBLIC IN AND FOR THE STATE OF _____

COUNTY OF _____

NOTARY PUBLIC FOR DAVID
PETERSON JR.

Certificate of Surveyor

1. I, MONICA M. HAYES, hereby certify that I am a professional land surveyor licensed in the State of Maryland and that I am duly qualified to competently and accurately measure the points plotted on the attached plat and that the same was obtained from my own observations and measurements as a professional land surveyor and that the same are true and correct to the best of my knowledge and belief.



2/20/2014

MICHAEL H. CULLEN



THE LAND GROUP

482 Paul Shore Drive, Suite 100
Engle, Idaho 83616
PA 208.839.6041 Fax 208.939.6445

Final Plat for

Riverhawk Commercial Subdivision, a P.U.D.

A Re-subdivision of Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D.

Situated in a portion of the South 1/2 of the Northeast 1/4 of Section 5,

Township 10 South, Range 17 East, S.M.

Twin Falls County, Idaho

2014

Certificate of County Surveyor

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

COUNTY SURVEYOR

Acknowledgment

STATE OF IDAHO } S.S.
COUNTY OF TWIN FALLS }
ON THIS _____ DAY OF _____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, DOING OR IDENTIFIED TO ME TO BE THE TWIN FALLS COUNTY SURVEYOR AND ACKNOWLEDGED TO ME THAT HE DESIGNED 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.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC FOR IDAHO
RESIDING IN _____

Certificate 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

ADOPTED BY THE COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THE _____ DAY OF _____

Mayor

City Clerk

Certificate of the County Treasurer

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, STATE OF IDAHO, HEREBY CERTIFY THAT I HAVE RECEIVED FROM THE REQUESTOR OF THIS PLAT THE SUM OF _____ DOLLARS, WHICH IS THE AMOUNT OF THE TAXES DUE ON THE PROPERTY DESCRIBED IN THIS PLAT, AND THAT THE SAME HAS BEEN PAID TO THE COUNTY OF TWIN FALLS, IDAHO, IN FULL.

DATE

TWIN FALLS COUNTY TREASURER

County Recorder's Certificate

STATE OF IDAHO } S.S.
COUNTY OF TWIN FALLS }
METEOROLGY NO. _____
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS THE REQUEST OF THE LAND GROUP, INC., AT _____ MINUTES PAST _____ O'CLOCK _____ M., OF THIS _____ DAY OF _____, IN BOOK _____ OF PLATS AT PAGES _____ THROUGH _____.

DEPUTY

EXCEPTION RECORD

FILE

CITY ENGINEER

ATTEST: CLERK



THE LAND GROUP
INCORPORATED

465 East Shoshone Street, Suite 100
Twin Falls, Idaho 83401
PH: 208.338.4821 FAX: 208.338.4445
www.landgroupinc.com





DATE: *MONDAY MARCH 31, 2014*

To: *Honorable Mayor Hall and City Council*

From: *Mitch Humble, Community Development Department*

ITEM I-

Request:

Consideration of the Riverhawk Commercial C-1 PUD Agreement between the City of Twin Falls and the Twin Falls School District No. 411.

Time Estimate:

There will be no staff presentation unless the Council has questions and pulls this item off the Consent Calendar.

Budget Impact:

Approval of this request will impact the City budget as developed Commercial uses on the property shall be assessed at a higher value than undeveloped property.

Regulatory Impact:

Approval will allow the project to be developed as approved.

History:

On January 8, 2007 the City Council approved the annexation and rezone of an 80 acre site, as presented, subject to the following conditions:

1. Subject to arterials and collector streets adjacent to and on the property being built or rebuilt to current City Standards upon development of the property.
2. Subject to amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and standards, including technical review of traffic studies.
3. Subject to Council approval of the annexation and zoning designation as presented of Northpointe Business Park PUD and St. Luke's/Magic Valley Regional Medical Center Business Park PUD.
4. Subject to right-of-way dedication from North Haven PUD Subdivision for Park View Drive, North of Cheney Drive West.
5. Subject to allowing a covered bus facility/pick-up shelter as a permitted use for the High School property.
6. Development other than permitted residential development for the 7 acres (+/-) located at the north west corner of Park View Drive and North College Road will require a PUD Amendment.

This project, known as the Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement #247, was recorded on January 16, 2007. The Riverhawk Subdivision, a PUD was platted in 2008 with 3 lots. Lot 1, Block 1 consisting of 4.2 +/- acres is located at the NW corner of Washington & Cheney and was zoned C-1 PUD. Under the Canyon Ridge High School PUD Agreement development of the 4.2 acre C-1 zoned parcel required to be zoned as its own PUD. This is the site that is being considered for development this evening.

On November 9, 2009 the City Council approved an amendment to the Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement #247 to allow for commercial development of 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision as presented with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to cross use agreements for storm water, detached sidewalk, outside lighting, landscaping and parking prior to plat recordation and/or development.
3. Subject to an approved PUD Agreement.

The PUD Agreement under consideration is to allow the development of the 4.2 acre commercial lot as approved.

A request for consideration of approval of the Riverhawk Commercial Subdivision, A PUD final plat is on the City Council Agenda tonight as well. This plat subdivides the 4.2 acre lot into 5 commercial lots.

Analysis:

Staff has worked with the developer to assure that the PUD Agreement correctly reflects Council's approval. Attached is a copy of the final draft of the PUD Agreement w/exhibits.

Conclusion:

Staff feels that the attached Riverhawk Commercial C-1 PUD Agreement correctly reflects the rezone to C-1 PUD as it was approved and recommends Council approval of the agreement.

Attachments:

- 1- Final Draft of the Riverhawk Commercial C-1 PUD Agreement – Exhibits A - E

RIVER HAWK COMMERCIAL PUD
C-1 PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 2014 by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City"), and the TWIN FALLS SCHOOL DISTRICT NO. 411. (hereinafter called "Developer"), whose address is 201 Main Avenue West, Twin Falls, Idaho, 83301.

RECITALS

WHEREAS, Developer is the owner of the certain tract of land in the City of Twin Falls, State of Idaho, more particularly described in **Exhibit "A"**, attached hereto, (the "Property") which Property is located at the southwest quadrant of the Cheney Drive West and Washington Street North intersection and contains approximately 4.2 (+/-) acres.

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

WHEREAS, Developer has made request of the City to develop a commercial subdivision (the "Project") on the Property and has submitted to the City a Master Development Plan, **"Exhibit "B"**, thereof which has been approved for development as a "C-1 PUD" by the City Council, as presented, on January 08, 2007 and later amended on November 09, 2009, and as per **Ord #2893**; more particularly described in **Exhibit "A"**, attached hereto.

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

COVENANTS

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

- I. NATURE OF THE AGREEMENT.** This Agreement shall become part of the "C-1 PUD" zone with respect to the Project upon its full execution and recording. Developer and its assigns or successors in interest, as well as City and its assigns or successors (if any), shall be bound by the terms and conditions contained herein.
- II. NATURE OF THE DEVELOPMENT.** It is agreed by the parties hereto that certain language and requirements pertaining to the "Project" zone shall be interpreted as follows:

A. Uses.

1. Contained within the Canyon Ridge High School PUD #247 is a tract of land that has been annexed into the City with a C-1 PUD zone designation. This lot is bound by Cheney Drive West on the north, Washington Street North on the east, and Canyon Ridge High School campus on the west and south. The C-1 PUD lot is included within the Canyon Ridge High School PUD #247 and will be a platted lot that will be offered for sale by the Developer. The uses within the C-1 PUD lot shall be limited to those allowed in the C-1 zone (Code Section 10-4-8) as amended and attached hereto as **Exhibit "C"**.

B. Building Size. There is no limitation to building size provided buildings conform to the IBC and to Twin Falls City Code.

C. Hours of Operation. There is no restriction to hours of operation for non-retail uses.

D. Phasing of Development.

1. Developer shall be permitted to develop the property in phases, so long as those phases are in compliance with the Master Development Plan and this PUD Agreement, and an approved final plat, attached hereto as **Exhibit "D"**, as per Twin Falls City Code. Approval for each phase may be obtained by submission to the City Engineer of technically correct designs and improvement plans for necessary construction. The designation and location of specific uses on the Master Development Plan, **Exhibit "B"**, are conceptual and changes therefrom shall not provide basis for disapproval of any phase, upon review and approval

by the City. There shall be no minimum or maximum limit between the occurrences of phases.

III. STREET, SEWER, WATER AND DRAINAGE IMPROVEMENTS.

Developer shall be responsible for the design and construction of street, sewer, water and drainage systems on the Property and adjacent right-of-ways (hereinafter "Improvements") as described herein in accordance with City Standards.

- A. Improvement Plans. Developer shall, as to each phase of its development, file or cause to be filed with the City a complete set of plans for that development phase, showing all improvements contemplated within that phase of development (hereinafter "Improvement Plans"). The Improvement Plans and all improvements shall thereon meet the approval of the City, which approval shall be given if such plans conform to established City requirements, the Master Development Plan and this PUD Agreement.
- B. Improvement Design and Construction. Developer, at its expense, shall cause all Improvements shown on the Improvement Plan to be designed, constructed and installed consistent with the approved Improvement Plans except as otherwise provided herein. Notwithstanding the foregoing, nothing in this Agreement shall prohibit City, State or Federal participation in the cost or financing of Improvements on the Property if mutually agreed by the parties hereto.
- C. Phased Construction. Developer may install the Improvements at one time, or in phases, as the Developer shall determine in its sole discretion. Developer shall provide the City with written notification of the timing and scope of the phase, or phases, of said Improvement it intends to complete at that time. Developer agrees to make modifications to construct any temporary facilities necessitated by such phased construction work as shall be reasonably required and approved by the City.
- D. Non-Compliance. In the event any of the Improvements are not consistent with the Improvement Plans, the City shall give written notice to Developer of said non-compliance. Developer shall cure said non-compliance within thirty days of its receipt of notice, or in the case of non-compliance that will require in excess of thirty days to cure, Developer shall commence to cure within thirty days of receipt of notice and diligently pursue the same to completion. In the event Developer fails to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to

withhold the issuance of any future building permits and certificates of occupancy within only that phase of such "PUD" until such time as requirements specified in this Section 3 have been complied with; PROVIDED, HOWEVER, Developer shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy shall have been withheld for reasons set forth in this paragraph and shall have the right to be heard as to why such building permits and certificates should be issued. The City Council shall then, in good faith and in an objective manner, decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the right of the parties are preserved at law and equity.

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

IV. PLATS.

- A. The existing site has been subdivided in conformance to all applicable City zoning and subdivision rules and regulations, attached hereto to as **Exhibit "D"**. Uses on subject parcel shall conform to the applicable City zoning regulations and uses as amended and attached hereto to as **Exhibit "C"**.

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

- A. Approval and Construction. All Improvements shall be constructed in accordance with engineered drawings and specifications, describing in reasonable detail the work to be performed, with drawings and specifications to first be approved by City, which approval shall not be unreasonably withheld.
- B. Landscaping and Planting. Landscaping buffer along bordering and interior streets shall be required to be installed on each parcel of the Property and in the public

right-of-way adjacent thereto at the time site and building improvements are completed thereon. Such landscaped buffer shall be installed from the back of the curb or future curb and in the public right-of-way or right-of-way line and shall be extended to the dimensions set forth below and attached hereto to as **Exhibit "E"**:

1. A minimum twenty (20') foot wide landscape buffer including detached sidewalk, measured from the back of curb or future curb, will be constructed along Cheney Drive West in areas designated as C-1 PUD.
2. A minimum 35 foot wide landscape buffer including detached sidewalk, measured from the back of curb or future curb, will be constructed along Washington Street North.
3. The Developer will maintain all landscaping and common parking areas (if any) in a uniform manner. The Property landscaping will utilize a pressure irrigation system constructed in compliance with applicable standards.

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

1. Fifty percent (50%) of the lineal footage of landscaping shall have berms with a ridge elevation of at least eighteen inches (18") in height with at least fifty percent (50%) of the berming having a minimum ridge elevation of thirty inches (30") in height. The landscape buffer shall be planted with a minimum of one tree per five-hundred (500) square feet of landscaped area. At least twenty percent (20%) of all trees shall be evergreen. At least fifty percent (50%) of all trees and shrubs shall be from groups last approved by the Tree Commission through its Tree Selection Guide. Trees and shrubs may be grouped, but there shall be no space greater than seventy-five feet (75') between tree and shrub groupings. All trees shall have a height of at least four feet (4') when planted.
2. The use of planters and landscaped islands within parking lots will be used to reduce visual impact of large paved areas and these shall be planted with shade trees and shrubbery. The area adjacent to residential areas shall be landscaped with coniferous and deciduous trees with shrubs, and berms to create a dense buffer in a relatively short period of time.
3. In all cases, landscaping will meet or exceed the minimum requirements of the City of Twin Falls Zoning and Subdivision Regulations.

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

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

1. Architectural Standards.

a) Building(s) shall be constructed of architectural masonry, metal panels, dryvit or architectural steel. Building faces shall include windows, setbacks, awnings, parapet variations, material variations, color variations and other architectural treatments to break up large uniform surfaces. Where building parapets cannot effectively screen roof top equipment the equipment shall be screened with equipment obscuring screens of material of a color and texture to minimize observation.

b) Height Limitations. Building height(s) shall be a maximum of 35' as measured per 10-2-1 of City Code except as provided by Section 10-7-3 of City Code.

c) Building Siting. Building(s) will be located in a manner that optimizes the appearance of the building to adjacent streets and other public areas. Building(s) shall also be located in a manner that preserves, to the extent possible, the aesthetics and appearance of existing buildings.

d) Building Lighting. All building lighting shall be located in soffit areas or shielded to preclude the light source from being seen from adjacent properties and shall meet or exceed City Code requirements.

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

2. Outside Storage / Service Areas. Outside storage, trash containers and service areas shall be visibly screened from roadways, residential areas and adjacent properties to the extent possible. Screening may consist of landscaping, masonry walls, buildings or fencing and shall meet or exceed City Code requirements.

3. Utilities. All on-site utility service lines located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with screening material such as landscaping or other approved material.
4. Sign Plan. All signage shall conform to City of Twin Falls Sign Regulations, as amended, and subject to the following:
 - a) Building Signs. Building signage shall be limited to wall mounted signs as per the sign code or monument type signs as per the sign code with a maximum height of ten feet (10') measured above the adjacent curb.
 - b) Internal Directional Signs. The maximum height of site way finding signs shall be 6 foot above the adjacent curb and the maximum area shall not exceed twelve (12) square feet.
 - c) Animated or flashing signs are not allowed.
 - d) Illuminated Signs. Signs may be internally illuminated, or lighted with exterior fixtures and provided with shielding to preclude the light source from being visible from adjacent properties.
5. Pedestrian/Bicycle Facilities. Development plans for the project shall include facilities that will accommodate pedestrian and bicycle access to the collector street (Cheney Drive West) and the adjacent arterial street (Washington Street North).
6. Vehicular Lot Access. Access to the lots shall be provided exclusively from Cheney Drive West. The number of access approaches shall be limited to three (3) total, or as approved by the city. The location of the approaches are restricted to the locations depicted on the Master Development Plan, **"Exhibit B"**.

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

VII. GENERAL PROVISIONS.

- A. Cooperation. The parties hereto agree to cooperate each with the other. Developer shall submit to the City all plans, specifications and working drawings required by the City.
- B. Entire Agreement. This Agreement constitutes the entire agreement between the parties concerning the Property and improvements described herein, and no amendment or modification to this Agreement shall be valid or effective unless reduced to writing and signed by the parties.
- C. Applicable Law. This Agreement shall be construed in accordance with the laws of the State of Idaho.
- D. Notices. If notices from one party to the other are desired or required hereunder such notices shall be delivered or mailed to the party to receive such at its address last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "return receipt requested". On the date of this agreement, the addresses of the parties are as follows:

Twin Falls School District:

Twin Falls School District, #411

c/o Wiley Dobbs
201 Main Avenue West
Twin Falls, Idaho 83301

City of Twin Falls:

City of Twin Falls

P.O. Box 1907
321 Second Avenue East
Twin Falls, Idaho 83303-1907

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

- F. Severability. In the event any portion of this Agreement is declared by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, such portion shall be deemed severed from this Agreement, and the remaining portions thereof shall not be affected.
- G. Signatories. Each of the persons executing this Agreement hereby warrants that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing, and that this Agreement is binding on, and enforceable against, such entity.
- H. Effective Date. This Agreement shall become valid and binding upon its approval by the City, through its City Council, and upon its execution by the Mayor and the Developer.
- I. Attorney Fees. In the event that either party should be required to retain an attorney to institute litigation because of the default or breach of the other, or to pursue any remedy provided by law, the party which prevails shall be entitled to a reasonable attorney's fee.
- J. Construction. Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a contract is to be construed more strictly against the person who himself, or through his agents, prepared the same, it being acknowledged that both parties have participated in the preparation hereof.
- K. Attachment. All attachments to this Agreement and recitals are incorporated herein and made a part thereof as if set forth in full.
- L. Captions. The captions, sections and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and shall in no way affect interpretation of this Agreement.

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

CITY OF TWIN FALLS

ATTEST: _____ BY: _____
Mayor

DEVELOPER

ATTEST: _____ BY: _____
Chairman of the Board
Twin Falls School District 411

ACKNOWLEDGEMENTS

STATE OF _____)

COUNTY OF _____) ss

On this _____ day of _____, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known or identified to me to be the Chairman of the Board for the Twin Falls School District 411, and acknowledged to me that such School District 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 _____

ACKNOWLEDGEMENTS

STATE OF _____)

COUNTY OF _____) ss

On this _____ day of _____, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known or identified to me to be the Chairman of the Board for the Twin Falls School District 411, and acknowledged to me that such School District executed the same.

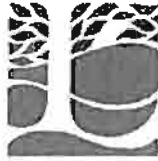
In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Residing at _____

Notary Public for State of _____

My Commission Expires _____

EXHIBIT "A" – LEGAL DESCRIPTION (ORD #2893)



THE LAND GROUP, INC.

March 4, 2014
Project No. 209034
Boundary Description
Riverhawk Commercial Subdivision
4.20 Acres

Exhibit "A"

Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D. (a recorded subdivision on file at pages 10-15, Book 22 of Plats, records of Twin Falls County, Idaho) located in the South One Half of the Northeast One Quarter of Section 5, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, described as follows:

COMMENCING at the Northeast Corner of the South One Half of the Northeast One Quarter of said Section 5, which bears South 00°22'00" West a distance of 1,249.58 feet the Northeast Corner of said Section 5, thence following the easterly line of said Section 5, South 00°22'00" West a distance of 85.17 feet; Thence leaving said easterly line, South 89°38'00" East a distance of 40.00' to a point on the westerly right-of-line of Washington Street North, and being the POINT OF BEGINNING.

Thence following said westerly right-of-way line, South 00°22'00" West a distance of 138.51 feet to a point on the southerly line of said Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D.;

Thence leaving said westerly right-of-way line and following said southerly line, North 89°45'07" West a distance of 972.66 feet;

Thence following said southerly line, North 57°26'15" West a distance of 55.09 feet to a point on the westerly line of said Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D.;

Thence leaving said southerly line and following said westerly line, North 00°14'53" East a distance of 154.14 feet to a point on the southerly right-of-way line of Cheney Drive;

Thence leaving said westerly line and following said southerly right-of-way line South 89°45'07" East a distance of 492.16 feet;

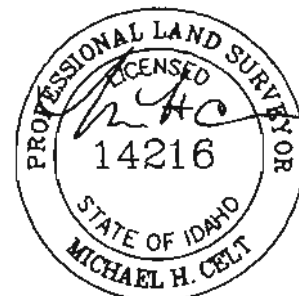
Thence following said southerly right-of-way line South 00°14'53" West a distance of 5.00 feet;

Thence following said southerly right-of-way line South 89°45'07" East a distance of 487.35 feet;

Thence following said southerly right-of-way line South 44°41'34" East a distance of 56.63 feet to the POINT OF BEGINNING.

The above-described tract of land contains 4.20 acres, more or less.

Prepared By: THE LAND GROUP, INC.



3.4.2014

ORDINANCE NO.2893

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

WHEREAS, Twin Falls School District 411 has made application for annexation of property located northwest of North College Road and Washington Street North; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 12th day of December, 2006, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 16th day of January, 2007, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

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

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

SEE ATTACHMENT "A"

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

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

SECTION 3. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

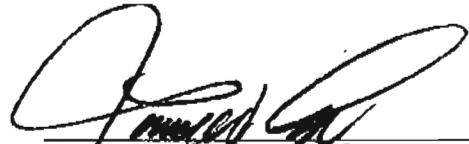
SECTION 4. That the City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

PASSED BY THE CITY COUNCIL

January 16, 2007

SIGNED BY THE MAYOR

January 17, 2007



Mayor Lance W. Clow

ATTEST:



Deputy City Clerk

PUBLISH: Thursday, February 1, 2007

ATTACHMENT "A"

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.
A parcel of land located in S ½ NE ¼, Section 5, more particularly described as follows:

Commencing at the East Quarter corner of Section 5, also being the REAL POINT OF BEGINNING;

THENCE South 89°34'43" East 25 feet to the east ROW of Washington Street
North;
THENCE North 00°43'00" East 447 feet;
THENCE North 00°42'17" East 831 feet;
THENCE North 89°45'07" West 2657 feet;
THENCE South 00°06'15" East 1263.73 feet;
THENCE South 89°27'00" East 902.84 feet;
THENCE South 89°27'32" East 1686.05 feet;
THENCE South 89°34'43" East 25 feet to the REAL POINT OF BEGINNING;

Containing 77.258 Acres

EXHIBIT "B" – MASTER DEVELOPMENT PLAN

EXHIBIT "C" – C-1 LAND USES

10-4-8: C1, COMMERCIAL HIGHWAY DISTRICT:

10-4-8.1: PURPOSE:

This district is intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodations. This district is designed for application on major streets or portions thereof. (Ord. 2526, 5-20-1996)

10-4-8.2: USE REGULATIONS:

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

1. Communications and Utilities:
 - a. Radio and television stations without transmission and receiving towers.
 - b. Telegraph centers and telegraph stations.
 - c. Telephone exchange stations.
 - d. Underground and aboveground transmission lines.
 - e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Governmental office buildings.
4. Medical Facilities:
 - a. Acupuncture facilities approved by the South Central District Health Department of other state regulatory agency.
 - b. Doctors' offices.
 - c. Rehabilitation services.

5. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
6. Public Assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools – private, single purpose.
 - d. Schools – private, vocational and/or academic.
 - e. Schools – public.
 - f. Theaters – indoor.
 - g. Wedding chapels and/or reception halls.
7. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Bed and breakfast facilities.
 - c. Dwellings – multiple household (5 units or more).
 - d. Home occupations.
 - e. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
 - f. Household units in upper floor of commercial or professional buildings.
8. Retail Trade:
 - a. Apparel and accessories.
 - b. Automobile parts store.
 - c. Bakery.
 - d. Bookstore.
 - e. Commercial greenhouses.
 - f. Craft shop, in conjunction with retail business.
 - g. Eating places.
 - h. Florist shop.
 - i. Food, drugs, etc.
 - j. General merchandise.

- k. Hardware store.
- l. Hobby and toy store.
- m. Home furnishings and equipment.
- n. Ice cream store.
- o. Import store.
- p. Music store.
- q. Sporting goods store.

* Adult bookstores and businesses as described in Section 10-7-11 City Code of Twin Falls, Idaho are prohibited.

9. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Copy center – self-service.
- j. Daycare services.
- k. Duplicating and stenographic offices.
- l. Employment agency.
- m. Finance and investment offices.
- n. Horticultural services.
- o. Insurance and related business.
- p. Labor unions and organizations.
- q. Photography studios.
- r. Professional organizations.
- s. Professional services.
- t. Real estate and related business.
- u. Tourist information center.
- v. Welfare and charitable facilities.

10. Sports Facilities:

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

11. Transportation:

- a. Bus facilities, including pickup shelters-
- b. Ticket and arrangement facilities.

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

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

1. Communications and Utilities:

- a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Medical Facilities:

- a. Prosthetics – sales, service and/or construction.

3. Miscellaneous:

- a. Any facility with drive-through service.

4. Residential:

- a. Detached accessory buildings (more than 1,000 square feet), i.e., garages and other accessory buildings.

5. Retail Trade:

- a. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.

6. Services:

- a. Appliance repair.
- b. Furniture repair/upholstery.
- c. Publishing and printing business.

7. Sports Facilities:

- a. Indoor recreation facility.

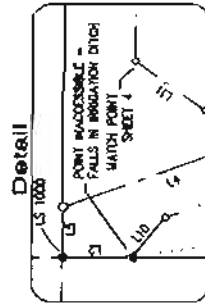
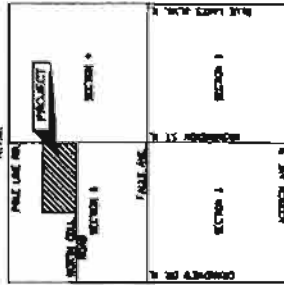
(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

EXHIBIT "D" (2)

1-RIVERHAWK SUBDIVISION, a PUD (recorded 2008)

2-RIVER HAWK COMMERCIAL PUD SUBDIVISION PLAT, A PUD (on 03-31-2014 - CC Agenda)

VICINITY MAP

1. RECORD OF SURVEY INST. 122
 1220

1. RECORDS OF SURVEY POST, 2000H-03210H, RECORDS OF THE DAKOTA.
2. PLAT OF NORTHSTAR SUBDIVISION, RECORDS OF THE DAKOTA.
3. WARRANTY DEED NO. 17100H-01010H, RECORDS OF THE DAKOTA.
4. WARRANTY DEED NO. 17100H-01020H, RECORDS OF THE DAKOTA.
5. PLAT OF NORTH STAR SUBDIVISION, RECORDS OF THE DAKOTA.
6. PLAT OF NORTH PARK NO. 1 SUBDIVISION, RECORDS OF THE DAKOTA.
7. PLAT OF NORTH PARK NO. 2 SUBDIVISION, RECORDS OF THE DAKOTA.
8. PLAT OF NORTH POINTE RANCH SUBDIVISION, RECORDS OF THE DAKOTA.
9. PLAT OF NORTH POINTE RANCH SUBDIVISION NO. 2, RECORDS OF THE DAKOTA.
10. PLAT OF NORTH POINTE RANCH SUBDIVISION NO. 3, RECORDS OF THE DAKOTA.
11. PLAT OF NORTH POINTE RANCH SUBDIVISION NO. 4, RECORDS OF THE DAKOTA.

1

- FOUND ALUMINUM CAP
FOUND BRASS CAP
FOUND 3/8" WPC STAMPED "COC BOB OR M."
FOUND 1/2" x 1/2" WPC STAMPED "COC BOB OR M."
SET 3/8" STEEL NUT AND WASHER
SET 2 1/2" SET SCREW
POINT OF READING

100-443887-100

- UTILITY, IRRIGATION, STORM DRAINAGE & SEWER
UTILITY & DRAINAGE
UTILITY, STRUCTURE & LANDSCAPE
UTILITY, IRRIGATION & STORM

Owner/Developer:
Falls School Dis
201 Main Avenue West
Twin Falls, Idaho 83301



THE LAND



140 Street View
Tues 8 am, Thurs
Phone (206) 733-0411
www.4thandmcdougall.com

LINE TABLE		
LINE	LENGTH	BEARING
11	97.36	N1°E 4507.7°
12	38.74	N1°E 4507.7°
13	64.49	N1°E 4507.7°
14	130.00	N1°E 4507.7°
15	76.57	S89°E 4507.7°
16	55.09	S87°E 4513.7°
17	51.37	S90°E 4513.7°
18	42.48	S90°E 4513.7°
19	138.48	S44°E 2720.6°
20	49.15	S44°E 2720.6°
21	64.63	S44°E 2720.6°

CURVE	LENGTH	RADIUS	DELTA	WAVELENGTH	DELTA BRG	DELTA DIST
C1	43.45	30.00	89°27'13"	30.33°	145°37'20"E	52.84
C2	44.80	30.00	89°27'17"	70.82°	144°37'39"E	42.80
C3	45.44	235.00	78°53'58"	71.38°	151°30'52"E	41.82
C4	272.92	235.00	92°20'31"	151.42°	143°16'59"E	228.97
C5	244.82	235.00	92°20'31"	138.11°	143°16'59"E	228.97
C6	155.78	235.00	42°17'27"	90.04°	144°17'10"E	153.70
C7	167.65	235.00	42°17'30"	81.84°	144°17'05"E	153.81
C8	184.38	235.00	42°17'29"	97.72°	144°17'06"E	182.01
C9	184.37	235.00	42°17'28"	107.44°	144°17'05"E	202.01

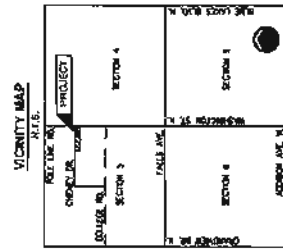
Approval of South Central District Health Department

[illegible]

Walter L. D. D.
DISTRICT HEALTH DEPARTMENT, BEMS
12-30-07
DATE

Final Plat - 3-31-2014 CE Agenda for approval

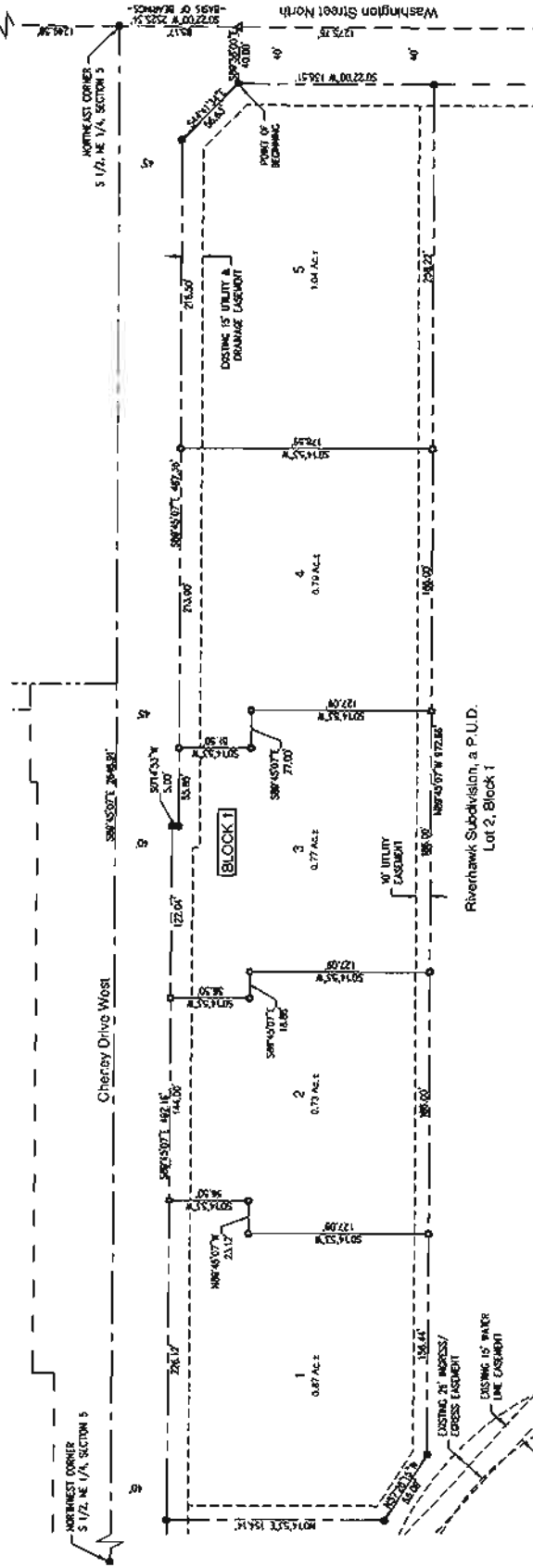
Final Plat for **Riverhawk Commercial Subdivision, a P.U.D.** A Re-subdivision of Lot 1, Block 1 of Riverhawk Subdivision, a P.U.D. Situated in a portion of the South 1/2 of the Northeast 1/4 of Section 5, Township 10 South, Range 17 East, 8.M. Twin Falls County, Idaho 2014



North Haven Subdivision

Cherry Drive West

Unplatted



Riverhawk Subdivision, a P.U.D.
 Lot 2, Block 1

Notes

1. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
2. ANY RECONSTRUCTION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RECONSTRUCTION.
3. THE RIVERHAWK SUBDIVISION PRESSURE IRRIGATION STATION SHALL PROVIDE PRESSURE REGULATION TO ALL SUBDIVIDED LOTS.

Approval of South Central District Health Department

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 24, CHAPTER 13 HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTRAILED SANITATION OF THE SANITARY RESTRICTIONS. BUTLER IS CERTIFIED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROVAL OF BUILDING PERMITS. DRINKING WATER OR SEWER/SEPTIC FACILITIES HAVE SINCE BEEN CONSTRUCTED BY THE DEVELOPER. THE DEVELOPER SHALL COMPLY WITH ALL SANITARY RESTRICTIONS IMPOSED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND THE DEPARTMENT OF HEALTH. ANY SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 24-1304, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DECOMPLETION AND NO CONSTRUCTION OF ANY BUILDING OR SHEDS REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

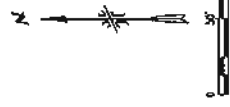
DISTRICT HEALTH DEPARTMENT, RECORDS

DATE

Legend:

- SET 1/2" 24" STEEL PIN WITH PLASTIC CAP, PLS 14216
- FOUND 5/8" STEEL PIN
- FOUND 1/2" STEEL PIN
- ▲ CALCULATED POINT

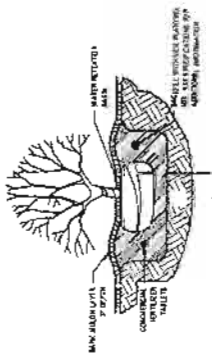
15	LOT NUMBER
BLOCK 1	BLOCK NUMBER
---	SUBDIVISION BOUNDARY LINE
---	INTERIOR LOT LINE
---	SECTION LINE
---	ROAD CENTERLINE
---	RIGHT-OF-WAY LINE
---	EASEMENT LINE



THE LAND GROUP
 INCORPORATED

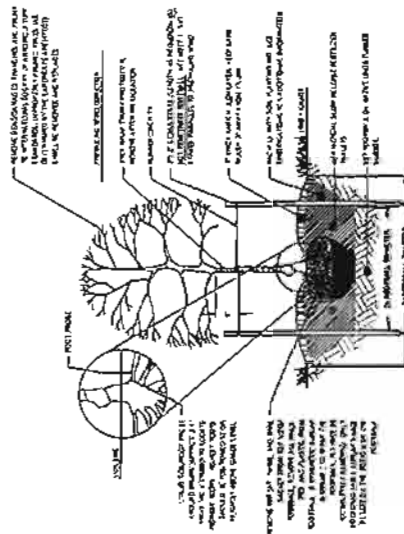
482 East Shore Drive, Suite 100
 Twin Falls, Idaho 83409
 P: 208.338.2017 F: 208.338.4445
 www.thelandgroupinc.com

EXHIBIT "E"- LANDSCAPING AND PLANTING PLAN.



Shrub Plants

2.9 073

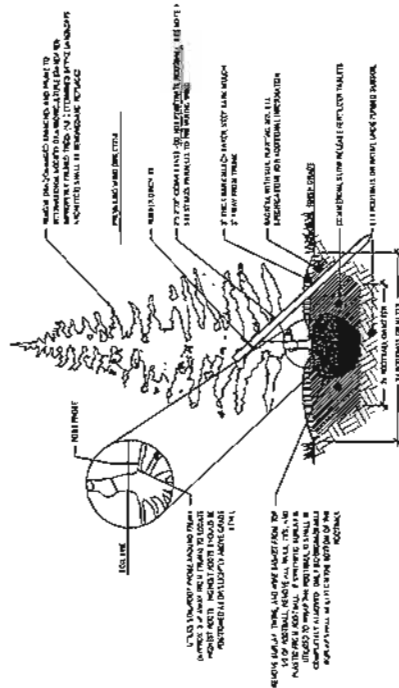


0724

1. *Is the proposed research likely to be of value to the community?*

Deciduous Tree Planting

43



5275

- [illegible]

Coniferous Tree Planting

E

Landscaping Notes:

- [illegible]

Landscape Details

Riverhawk Commercial
PUD Subdivision
Cheney Drive Improvements

54

[illegible]

L1.50



Date: Monday, March 31, 2014, Council Meeting

To: Honorable Mayor and City Council

From: Chief Brian Pike and Captain Anthony Barnhart,
Twin Falls Police Department

Request:

Swearing in ceremony for the Twin Falls Police Department's newest Police Officer, **Matt Ferronato**. It is requested that Mayor Don Hall administer the Oath of Office.

Captain Anthony Barnhart will be presenting **Officer Justin Hendrickson** with his POST Advanced Certification.

Time Estimate:

The presentation will take approximately ten minutes.

Background on New Police Officer:

Officer Matt Ferronato was hired by the Twin Falls Police Department on March 24, 2014. Matt was born in San Bernardino, California. He and his family moved to Boise, Idaho, when he was five years old. Matt graduated from Eagle High School in 2009 and then moved to Twin Falls to further his education at the College of Southern Idaho. Matt graduated from the CSI Law Enforcement Program in May 2011.

While attending CSI, he worked as a security officer for the college. Matt participated in the Twin Falls Police Department's Explorer Program from January 2010 to April 2011.

After graduating from CSI, he obtained employment with the Blaine County Sheriff's Office as a Detention Deputy. After six months, he went to work for the Hailey Police Department.

Matt was awarded his POST Basic Certification in May 2012.

Background on POST Certification:

On February 24, 2014, **Officer Justin Hendrickson** was awarded his Advanced Certification by POST Academy. To receive this certification, Officer Hendrickson has received his POST Intermediate Certificate, has served over six years as a Police Officer in the State of Idaho, and has met the training requirements combined with obtaining college credits.

His personal commitment to better himself through training has helped the Twin Falls Police Department in achieving its goal of being the best Police Department in the State of Idaho.

Approval Process:

N/A

Budget Impact:

This will not impact the budget.

Agenda Item for March 31, 2014
From Chief Brian Pike and Captain Anthony Barnhart
Page Two

Regulatory Impact:

N/A

Conclusion:

Chief Pike would like to have Officer Matt Ferronato sworn in before the City Council, with Mayor Don Hall administering the Oath of Office on March 31, 2014.

Captain Barnhart would like to recognize Officer Justin Hendrickson before the City Council for his accomplishment in obtaining his POST Advanced Certification.

Attachments:

1. Copy of POST Advanced Certificate – Officer Justin Hendrickson

aed

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Advanced Certificate

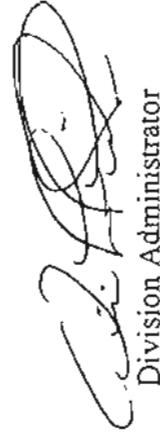
to

Justin R. Hendrickson

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 24th day of February, 2014.*


Chairman


Division Administrator



Monday March 31, 2014 City Council Meeting

To: City Council

From: Mayor Don Hall

Request: To recommend to the County Commissioners that Ryan Higley be appointed as an Area of Impact member of the Planning & Zoning Commission.

Time Estimate:

The presentation will take approximately 3 minutes. Following the presentation, additional time may be necessary for questions.

Background:

Lee DeVore recently completed two full terms on the Planning & Zoning Commission. Lee was a great commissioner and will be missed. Lee was one of the two Commissioners who live in the Area of Impact. The P&Z by-laws require seven members from within the City limits and two from the Area of Impact. Therefore, Lee's replacement needs to be living in the Area of Impact. The by-laws also state that the County Commissioners will appoint the Area of Impact Commissioners.

City staff posted a vacancy notice for this position. One application was received from an Area of Impact resident, Ryan Higley. I have interviewed Ryan, and I would like to recommend that the County Commissioners appoint Ryan to the Planning & Zoning Commission to replace the Area of Impact position vacated by Lee DeVore. This appointment would be for a three year term beginning in March 2014 and ending in February 2017.

Approval Process:

City Code 10-8-4 says that the County Commissioners will appoint the Area of Impact members of the Commission with the concurrence of the City Council.

Budget Impact:

None

Regulatory Impact:

Approval of this request will maintain full membership on the Planning & Zoning Commission.

Conclusion:

I request that the Council recommend to the County Commissioners that Ryan Higley be appointed to a 3-year term as an Area of Impact member of the Planning & Zoning Commission.

Attachment:

Resume/Qualifications

RESUME/QUALIFICATIONS

PERSONAL DATA

Name:	Ryan M. Higley, CRA	Office Number:	(208) 733-0866
Address:	P.O. Box 5651	Cell Number:	(208) 948-0652
	Twin Falls, ID 83303	Fax Number:	(208) 733-5099
E-mail:	rhigley@higleyandassociates.com	Certifications:	State Licensed Residential Appraiser (LRA-345)
Website:	www.higleyandassociates.com		State Certified Residential Appraiser (CRA-719)
Company	Higley & Associates, Inc.		

PROFESSIONAL MEMBERSHIPS & AFFILIATIONS

Appraisal Institute Residential Associate, #434278	National Association of Real Estate Appraisers, CREA
National Association of Master Appraisers, #10645	Twin Falls Board of Realtors Member
Mini-Cassia Board of Realtors Member	Intermountain MLS Member
Sun Valley Board of Realtors Member	Northside Board of Realtors Member

EDUCATION

Name of Institution (HS, College, University)	Dates Attended/Year Graduated	Type of Degree or Certificate
Jerome High School	Graduated 1991	High School Diploma
College of Southern Idaho	Graduated 2009	AA General Business
Idaho State University	2010-Current	
Professional/Technical Courses (Real Estate Related)	Date Completed	Name of Institution or Sponsoring Organization
101-Fundamental Appraisal	08/1997	O'Brien Schools
102-Appraising Residences	02/1998	O'Brien Schools
103-USPAP	09/1997	O'Brien Schools
104-Methods of Appraisal	07/1999	O'Brien Schools
663-Principles of Appraisal Review	12/2002	Lincoln Graduate Center
637-Farm & Land Appraisal	06/2004	Lincoln Graduate Center
669-Manufactured Housing Appraisal	11/2004	Lincoln Graduate Center
CE Seminars, Conferences, Clinics (Prior 5 years)	Date Completed	Sponsoring Organization
Understanding the Foreclosure Process	02/2008	Alliance Title & Escrow Corp.
National USPAP Update (2008-2009)	07/2008	McKissock Professional Ed.
Relocation Appraisal is Different	01/2009	McKissock Professional Ed.
Fannie Mae Today, #116	08/2009	The Columbia Institute
National USPAP Update (2010-2011)	02/2010	McKissock Professional Ed.
RE Finance Statistics & Valuation Modeling	01/2011	Southern ID Chapter, Appraisal Institute
Fannie Mae & Freddie Mac: UAD	08/2011	Southern ID Chapter, Appraisal Institute
USPAP Update 2012-2013	01/2012	Southern ID Chapter, Appraisal Institute
Business Practice & Ethics	03/2012	Appraisal Institute
Stats & Graphs I	06/2013	Valuometrics, Inc.
Dirty Dozen (USPAP)	06/2013	McKissock Profession Ed.
Residential Market Analysis and Highest & Best Use	10/2013	Appraisal Institute
Fundamentals of Relocation Appraising – ID109	12/2013	Dwellworks

RESUME/QUALIFICATIONS (continued)

EMPLOYMENT HISTORY		
Employer's Name & Address	Business Title	Dates of Employment
Higley & Associates, Inc. Twin Falls, ID	Owner/State Certified Appraiser	2004-Current
Elite Appraisal, Inc. dba Roberts, Burnham & Higley, Twin Falls, ID	Partner/State Licensed Appraiser	1999-2004
Elite Appraisal, Inc., Twin Falls, ID	Staff Appraiser/Trainee	1996-1999
Cornerstone Appraisal Services, Burley, ID	Appraiser Trainee	1996

EXPERIENCE SUMMARY	
Single Family Residential, Residential Acreage Properties, Condominium Properties, Relocation Appraisal, Divorce & Estate Settlement, Residential Bare land Properties, Multi-Family (2-4 Units) Income Properties, Governmental Loan Programs – FHA, RD, VA appraisals, and Manufactured Homes.	

APPRAISAL COVERAGE AREAS (COUNTIES)	MARKET DATA SOURCES
Twin Falls, Jerome, Gooding, Blaine, Minidoka, and Cassia Counties	Intermountain MLS, Mini-Cassia MLS, Marshall & Swift Residential Cost Handbook and other professional affiliations.

REFERENCES			
CONTACT	TITLE	COMPANY	PHONE
Aaron Miller	V.P. Production Manager	Banner Bank	(208) 424-2363
Brenda Hughes	Senior V.P. Retail Lending	First Federal Bank	(208) 733-9122
Ben Weston	Mortgage Loan Officer A.V.P.	Magic Valley Bank	(208) 736-5077
Daren Almond	Mortgage Regional Sales Manager	Idaho Central Credit Union	(208) 239-3057
Richie Evans	A.V.P. Mortgage Lending Manager	D.L. Evans Bank	(208) 735-8295



Date: Monday, March 31, 2014 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request: To award a bid to install curb, gutter, sidewalk and construction of a parking lot for Baxter's Park to Idaho Sand.

Time Estimate:

The staff presentation will take approximately 5 minutes. Following the presentations, we expect some time for questions and answers.

Background:

Baxter's Park, the City's first permanent dog park, has been in the making for many years. The Magic Valley K9 Social Club has been raising funds for the past couple of years. They have raised over \$65,000 to date. This past fall/winter, City staff installed the irrigation system and volunteers, mainly County Commissioner Leon Mills, Lane Taylor with Taylor Made Fencing and others donated their services to install the fencing. The fencing is completed.

The City hired EHM Engineers to design the curb, gutter, sidewalk and the parking lot and to manage the bidding procedure. The construction of the curb, gutter, sidewalk, and the parking lot is along Shoup Avenue West. Curb, gutter, and sidewalk construction along Blake Street will be done later as a separate project.

This project was estimated to cost \$80,000. Staff requested for EHM Engineers to do an alternative bid for paving of the parking lot. Staff did not know if there would not be enough funds available between the Magic Valley K9 Social Club and City funds to do the whole project. The bids were advertised in the paper and EHM Engineering contacted five contractors inviting them to bid on this project. The bids were due on Tuesday March 18th. Four contractors submitted bids on time. EHM Engineers reviewed the bids and determined that Idaho Sand has submitted the low satisfactory bid in the amount of \$55,169.00. This bid amount includes the parking lot alternative.

Attached is the bid recommendation from EHM Engineers Inc. and the bid tabulation summary.

Budget Impact:

The City has approximately \$105,000 in the budget this year for the dog park; \$40,000 is budgeted for a small restroom, \$7,000 for PI irrigation system, \$3,000 for utilities costs, and \$21,000 for engineering services. This leaves approximately \$34,000 in City funds. The Magic Valley K9 Social Club has approximately \$35,000 in the Twin Falls Community Foundation. Between the two sources, there are enough funds (\$69,000) to pay for the project, including the parking lot alternative.

Regulatory Impact:

Approval of this request will allow the City to award the bid to Idaho Sand to install curb, gutter, sidewalk and construction of a parking lot for Baxter's Park.

Conclusion:

Staff recommends that the Council award the bid for Baxter's park to Idaho Sand in the amount of \$55,169

Attachments:

1. EHM Engineers Bid Recommendation
2. Bid Tabulation Summary



EHM Engineers, Inc.

BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
WASTEWATER
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT.
GRANT ADMINISTRATION

March 18, 2014

City of Twin Falls Parks and Recreation Department
P.O. Box 1907
Twin Falls, Idaho 83303

Attn.: Dennis J. Bowyer, Director

Re.: 2014 Parks and Recreation Department
Baxter's Park Improvement Project
(Bid Opening and Summary)

Dear Mr. Bowyer,

This transmittal is a summary of the bid opening on March 18, 2014 for the above referenced project. Four bids were received and opened per the requirements. A bid summary has been tabulated for your reference. Results of the bids and the tabulation are summarized briefly below. Please refer to the attachment for a detailed summary.

<u>Contractor:</u>	<u>Base Bid</u>	<u>Deductive Alternative</u>	<u>Grand Total</u>
Idaho Sand	\$40,178.00	\$14,991.00	\$55,169.00
S. Erwin Excavation	\$39,198.76	\$17,948.00	\$57,146.76
Lytle Excavation	\$33,685.00	\$26,410.00	\$60,095.00
PMF, Inc.	\$40,216.00	\$20,520.00	\$60,736.00

All bid packages appear to be complete and Idaho Sand is the apparent low bidder with the base bid and deductive alternative combined total of \$55,169.00. Public works licenses for Idaho Sand and all listed subcontractors were verified to be in place with the State of Idaho and active.

Our recommendation is to award the contract to Idaho Sand for the grand total amount of **\$55,169.00 (Fifty Five Thousand One Hundred and Sixty Nine Dollars)**. Please feel free to contact me at 734-4888 if you have any questions or need further information regarding the project.

Sincerely,
Tim Vawser

EHM Engineers, Inc.

Attachments: Bid Summary

BAXTER'S PARK IMPROVEMENT PROJECT BID SUMMARY

EHM Engineers, Inc.
621 No. College Rd., Ste. 100, Twin Falls, Idaho

PROJECT: CITY OF TWIN FALLS PARKS & REC. DEPT.
BAXTER'S PARK IMPROVEMENT PROJECT
Bid Opening: March 16, 2014

No.	Item Description	Qty.	Unit	ENGINEERS' ESTIMATE			IDAHO SAND Jerome, Idaho			S. ERWIN EXCAVATION Bellevue, Idaho			LYTLE EXCAVATION Gerritson, Idaho			PNF Turin Falls, Idaho		
				Unit Price	Item Total		Unit Price	Item Total		Unit Price	Item Total		Unit Price	Item Total		Unit Price	Item Total	
BASE BID																		
1	Excavation and Grading (Streets & Concrete)	509	SY	\$20.00	\$ 10,180.00		\$7.00	\$ 3,563.00	\$ 15.44	\$ 7,858.96		\$14.00	\$ 7,128.00		\$4.00	\$ 2,036.00		
2	Type 1 - 3/4 Inch Aggregate (Streets)	18	CY	\$45.00	\$ 810.00		\$62.00	\$ 1,116.00	\$40.00	\$ 720.00		\$35.00	\$ 630.00		\$60.00	\$ 1,080.00		
3	Type 1 - 1 1/2 Inch Aggregate (Streets)	7	CY	\$50.00	\$ 350.00		\$85.00	\$ 595.00	\$40.00	\$ 280.00		\$35.00	\$ 245.00		\$60.00	\$ 420.00		
4	3/4" Portland Cement (Streets)	100	SY	\$30.00	\$ 3,000.00		\$23.00	\$ 2,300.00	\$48.73	\$ 4,873.00		\$17.00	\$ 1,700.00		\$30.00	\$ 3,000.00		
5	Valley Gutter and Approach Aprons	48	SY	\$70.00	\$ 3,360.00		\$48.00	\$ 2,304.00	\$84.00	\$ 4,032.00		\$58.00	\$ 2,784.00		\$50.00	\$ 2,400.00		
6	Std. Curb & Outer w/ Base	510	LF	\$30.00	\$ 15,300.00		\$22.60	\$ 11,526.00	\$19.20	\$ 9,792.00		\$18.00	\$ 9,180.00		\$30.00	\$ 15,300.00		
7	Sidewalk and Pad, Ramps Inc. Tr. Domes	221	SY	\$50.00	\$ 11,050.00		\$53.00	\$ 11,713.00	\$43.20	\$ 9,547.20		\$38.00	\$ 8,398.00		\$50.00	\$ 11,050.00		
8	Thickened Sidewalk (Driveway Approach)	16	SY	\$70.00	\$ 1,120.00		\$72.50	\$ 1,160.00	\$21.60	\$ 345.60		\$56.00	\$ 896.00		\$60.00	\$ 960.00		
9	Pedestrian Access Backing Curb	22	LF	\$20.00	\$ 440.00		\$8.50	\$ 187.00	\$30.00	\$ 660.00		\$8.00	\$ 176.00		\$35.00	\$ 770.00		
10	12" Sidewalk Scupper	1	EA	\$1,200.00	\$ 1,200.00		\$1,988.00	\$ 1,988.00	\$342.00	\$ 840.00		\$1,800.00	\$ 1,800.00		\$2,000.00	\$ 2,000.00		
11	Traffic Control	1	LS	\$2,500.00	\$ 2,500.00		\$1,806.00	\$ 1,806.00	\$250.00	\$ 250.00		\$750.00	\$ 750.00		\$1,200.00	\$ 1,200.00		
BASE BID TOTAL					\$ 49,369.00			\$ 40,178.00		\$ 39,198.76			\$ 33,695.00			\$ 40,216.00		
DEDUCTIVE ALTERNATIVE																		
12	Excavation and Grading (Parking Lot)	780	SY	\$20.00	\$ 15,600.00		\$3.25	\$ 2,535.00	\$1.22	\$ 951.60		\$13.00	\$ 10,140.00		\$3.00	\$ 2,340.00		
13	Type 1 - 3/4 Inch Aggregate (Parking Lot)	89	CY	\$45.00	\$ 3,975.00		\$36.00	\$ 3,096.00	\$40.00	\$ 3,480.00		\$35.00	\$ 3,075.00		\$30.00	\$ 2,670.00		
14	3/4 Inch Portland Cement (Parking Lot)	780	SY	\$15.00	\$ 11,700.00		\$12.00	\$ 9,360.00	\$17.38	\$ 13,556.40		\$17.00	\$ 13,260.00		\$20.00	\$ 15,600.00		
DEDUCTIVE ALTERNATIVE TOTAL					\$ 31,170.00			\$ 14,991.00		\$ 17,948.00			\$ 26,410.00			\$ 20,620.00		
GRAND TOTAL					\$ 80,530.00			\$ 55,169.00		\$ 57,146.76			\$ 60,095.00			\$ 69,736.00		



Date: Monday, March 31, 2014
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to award a Contract to Golden Harvest Inc of Burlington, WA. in the amount of \$345,821.00 for Procurement Package D of the WWTP upgrades

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The City of Twin Falls received two bids for the Procurement Package D of the WWTP expansion. Rodney Hunt-Fontaine provided the lowest bid and is a technically competent and qualified company however, they have provided two conditions in their bid form that related to price and time. Paragraph 16.1 of the Instruction to Bidders states that the "Buyer reserves its right to reject any and all Bids, including...conditional bids." By providing two conditions that makes their bid a conditional bid and does not meet state statues therefore Staff recommends awarding to Golden Harvest Inc.

Approval Process:

City Council authorizes the Mayor to sign the contract.

Budget Impact:

Work package D of the WWTP expansion would impact the bond in the amount of \$345,821.00.

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Bid Tabulation

BID TABULATION

OWNER: City of Twin Falls PROJECT: WWTP Phase 2 Expansion Procurement Package D - Gates BID OPENING: March 11, 2014 ENGINEER: CH2M HILL			Bidder No.1	Bidder No.2
			Golden Harvest Burlington, WA	Rodney Hunt -Fontaine Orange, MA
ITEM	DESCRIPTION			
1	Bid Signed		X	X
2	Addenda Acknowledged		X	X
3	Bid Bond		X	X
4	Manufacturer Listed in Specs		X	X
5	Lump Sum Bid Price		\$345,821.00	\$306,497.00

NOTES OR COMMENTS:

SIGNATURE: _____ DATE: _____



Date: Monday, March 31, 2014
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to award a Contract to Performance Systems Inc. in the amount of \$2,093,189.00 for Construction Package 1 of the WWTP upgrades

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The City of Twin Falls received two bids for the Construction Package 1 of the WWTP expansion. Performance Systems Inc and Knife River Corporation – Northwest. Both Companies met all the requirements of the bid form and Staff recommends awarding the contract to the lowest bidder in the amount of \$2,093,189.00.

Approval Process:

City Council authorizes the Mayor to sign the contract.

Budget Impact:

Construction Package 1 is part of the WWTP expansion project and came in at \$125,404 less than the Engineers Estimate.

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Bid Tabulation

OWNER: City of Twin Falls
 PROJECT: Phase 2 Expansion - Pkg 1
 BID OPENING: March 18, 2014, 3:00 pm
 ENGINEER: CH2M HILL

		Engineer's Estimate		Bidder		Bidder	
DESCRIPTION		CH2M HILL		Knife River Corporation - Northwest		Performance Systems Inc.	
1	Bid Signed			☒		☒	
2	Addenda Acknowledged			☒		☒	
3	Bid Bond			☒		☒	
4	Evidence of Authority to do Business in Idaho			☒		☒	
5	Contractor's License No.			☒		☒	
6	Naming of Subcontractors			☒		☒	
7	Affidavit of Payment or Securement of All Taxes			☒		☒	
		Unit Price	Line Total	Unit Price	Line Total	Unit Price	Line Total
	5.2 Lump Sum Bid Price		\$ 2,064,593.00		\$ 2,276,000.00		\$ 1,812,075.00
	5.3.1 Unit Price Item No. 1	\$ 27.00	\$ 5,400.00	50	\$ 10,000.00	105.56	\$ 21,112.00
	5.3.2 Unit Price Item No. 2	\$ 27.00	\$ 48,600.00	50	\$ 90,000.00	88.89	\$ 160,002.00
	5.4 Contingency Allowance		\$ 100,000.00		\$ 100,000.00		\$ 100,000.00
	5.5.4 Base Bid Total		\$2,218,593.00		\$2,476,000.00		\$2,093,189.00



Date: Monday, March 31, 2014
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to reserve \$1,000,000 of the Waste Water Treatment Plant bond proceeds for reconstruction of Canyon Springs Grade due to impacts from the WWTP expansion project.

Time Estimate:

The staff presentation will take approximately 15 minutes.

Background:

Previously I came before the Council to provide an update on the WWTP expansion project and the impact of construction traffic to the grade of Canyon Springs Road. Previously the City of Twin Falls hired Strata to provide remedial improvements as part of a much longer series of projects. With direction from the Council to provide more information as to the cost of Improving pedestrian access and safety, providing rock fall protection, and improving the roadway horizontal alignment and structural section to accommodate the anticipated traffic impacts, Staff rehired Strata to revisit those recommendations in light of the newer consideration of providing improved pedestrian access. Staff would like to present Strata's findings and the order of magnitude costs associated with them.

Strata report included 3 alternatives.

Alternative 1. Blast back the upper portion of the canyon wall to provide enough width for a 24' wide roadway, pedestrian walkway, and traffic barrier. These improvements would result in more than 20 feet of rock excavation width at nearly 100 feet in height along a significant section of upper roadway which would impact the upper canyon rim trail, adjacent homes and access during construction into the canyon. As a result of these concerns, this option was deemed not feasible.

Alternative 2. Install paved separated pedestrian improvements in conjunction with rockfall hazard reduction. This alternative involves constructing a 12 foot wide grade separated pathway for pedestrian use. The bench would include an 8 foot wide paved walking surface installed at a maximum 10% running grade to generally match the adjacent roadway slope. The bench would be installed in a new cut section adjacent to the upper roadway section between the existing canyon rim parking lot and the first switch back curve and would be located up to 15' vertically below the adjacent roadway surface. Pedestrians would then cross the roadway approximately 100 feet downhill of the first switchback curve to a new fill section pathway on the downhill side of the roadway which would extend to the 2nd switchback location. (Typical section attached). The primary advantage of this alternative is that the top down construction could be used for the upper pathway section to potentially reduce traffic control impacts to the adjacent roadway. This alternative also does not require filling on top of the existing steep and potentially unstable slope. The roadway would be improved with this construction with new drainage ditch adjacent to the roadway constructed. Rock fall protection would be achieved by rock bolting in conjunction with rockfall mesh or shotcrete facing. The rockfall mesh is preferred relative to shotcrete facing due to overall lower cost. Bicycles would still be required to share the road due to width and horizontal geometry of the proposed pathway. The estimated construction cost for completing this alternative is \$5,327,955.

Alternative 3. This alternative is similar to Alternative 2 and involves constructing a 12' wide grade separated bench for pedestrian use. The bench would include an 8' wide Natural or gravel walking surface with a grade that more closely matched the existing topography instead of attempting to match the maximum 10% grade of the adjacent roadway. The trail would have an overall "average" slope from top to bottom of 10% however there would be several sections within the trail with grades of approximately 20%. This design approach is consistent with Federal Highways Administration recommendations for rural recreational trails in mountainous areas. The advantage of this alternative is it would significantly reduce excavation and rock removal quantities and costs for the pathway construction, particularly on the section between the canyon rim and first switchback curve. As a result of the reduced rock removal, excavation, and paving of the path the estimated construction cost for Alternative 3 is \$4,827,803.

Budget:

After reviewing the Draft estimates of construction costs, it appears that approximately 1,037,400 is associated with reconstructing the road, Approximately \$705,500 is associated with placing a rock fall mesh to address safety considerations and approximately \$3,585,055 is associated with placing a paved bench for pedestrians. The Complete project is not eligible for funding by the wastewater bond however damages to the existing roadway can be corrected utilizing bond funds. Since damages to the roadway cannot be fully assessed yet, Staff would like to reserve \$1,000,000 at this time from the bond proceeds to address the roadway.

The safety improvement on the rock wall can be funded from reserves in the capital improvement fund or from delay of major projects and equipment in the Streets fund.

The separated pathway or a fixed time signal cannot be funded without extreme hardship on the Streets budget by extended delay of reconstruction projects and deferral of equipment replacement.

Approval Process:

It is policy that unbudgeted capital items are presented to Council for approval prior to commencing the work.

Conclusion:

Staff recommends that the roadway traffic areas affected by construction traffic from the WWTP expansion be rebuilt following completion of the WWTP project using wastewater bond funds and that the rock fall mitigation work is constructed using capital improvement fund reserves.

Attachments:

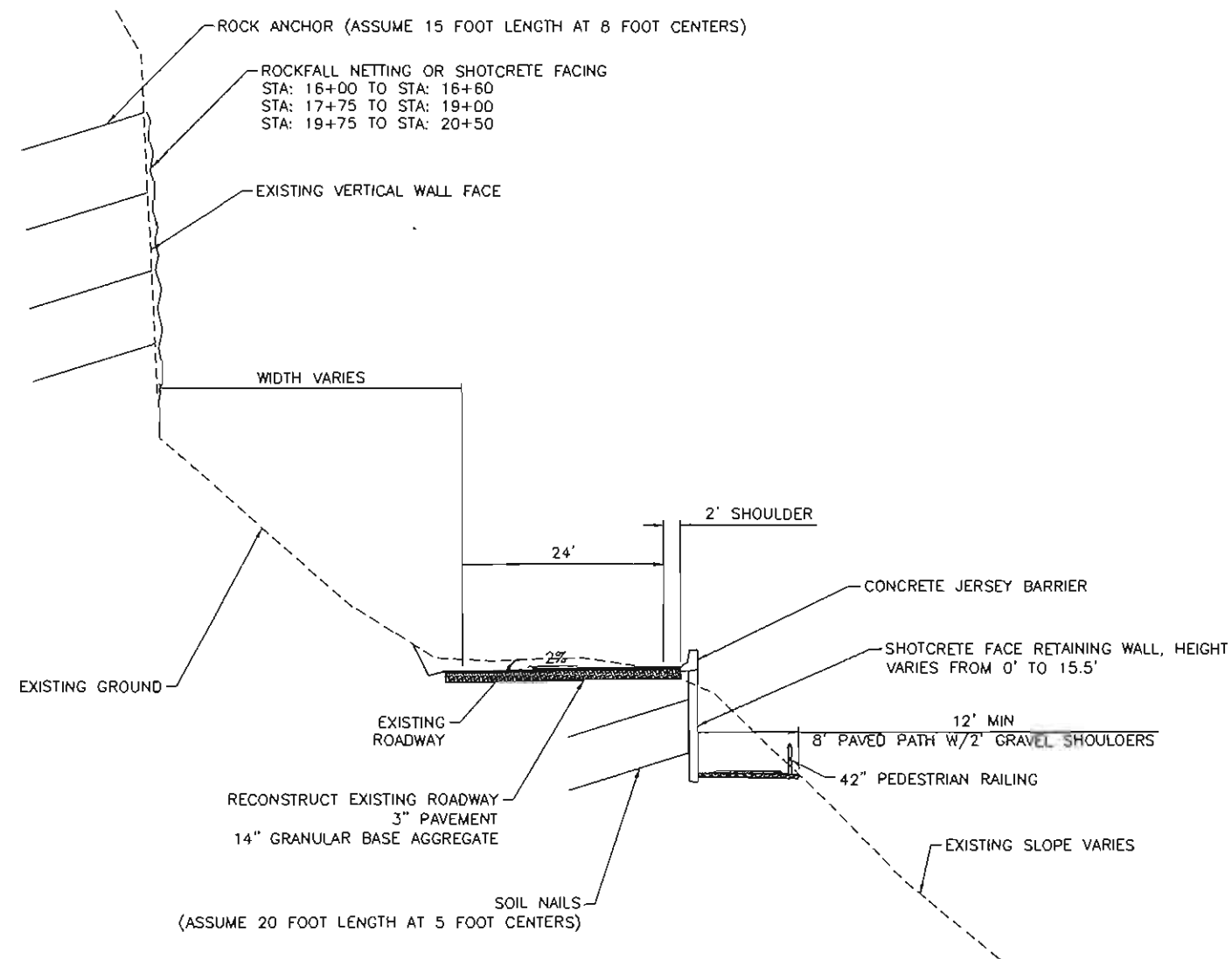
1. Alternate No. 2 & 3 estimated construction costs
2. Typical Section of Pathway
3. Plan View

City of Twin Falls - Canyon Springs Roadway Conceptual Improvements
Alternate No. 2 - Grade Separated Paved Pathway (maximum 10% grade)
"DRAFT" Estimated Construction Costs

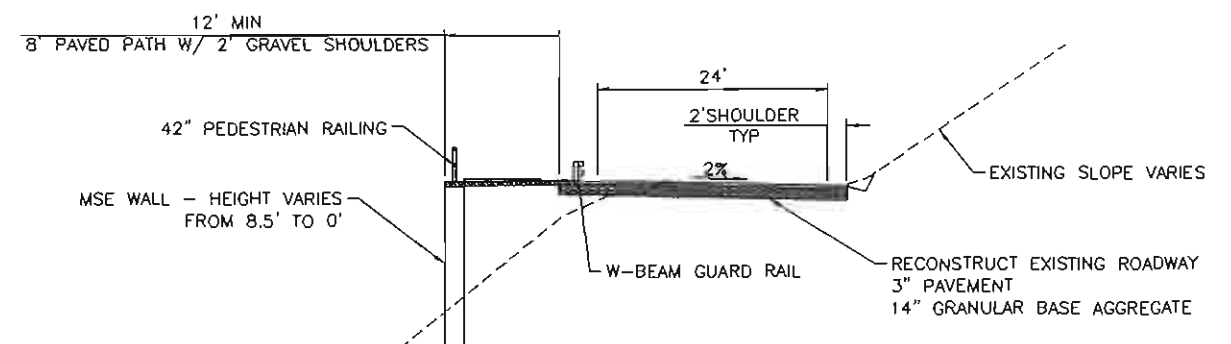
Item No.	Description	Quantity	Unit	Unit Cost	Total Cost
	Removal of Existing Concrete Railing	2,200	LF	\$4.00	\$8,800.00
	Rockfall Mesh Installation	18,500	SF	\$25.00	\$462,500.00
	Excavation	18,260	CY	\$11.00	\$200,860.00
	Granular Borrow Backfill	785	CY	\$21.00	\$16,485.00
	Blasting / Drill Holes	10,310	LF	\$6.00	\$61,860.00
	3/4" minus base aggregate	5,110	CY	\$26.00	\$132,860.00
	Plant Mix Pavement	2,230	TON	\$85.00	\$189,550.00
	18" Dia Culvert Pipe	500	LF	\$40.00	\$20,000.00
	Concrete Catch Basins	6	EA	\$1,750.00	\$10,500.00
	Adjust Manhole	4	EA	\$800.00	\$3,200.00
	PVC Conduit (Lighting)	3,400	LF	\$5.00	\$17,000.00
	Bike / Pedestrian Railing	3,200	LF	\$85.00	\$272,000.00
	MSE Retaining Wall	5,225	SF	\$45.00	\$235,125.00
	Shotcrete Wall Facing (Soil Nail Section)	14,200	SF	\$70.00	\$994,000.00
	Shotcrete Wall Facing (Rock Section)	14,030	SF	\$35.00	\$491,050.00
	Erosion and Sediment Control	1	LS	\$90,000.00	\$90,000.00
	Signage	1	LS	\$3,000.00	\$3,000.00
	Construction Traffic Control	1	LS	\$95,000.00	\$95,000.00
	W-Beam Guardrail	850	LF	\$30.00	\$25,500.00
	Concrete Traffic Railing	2,500	LF	\$130.00	\$325,000.00
	Mobilization 8%	1	LS	\$292,343.20	\$292,343.20
				Sub-Total:	\$3,946,633.20
				15% Engineering:	\$591,994.98
				20% Contingency:	\$789,326.64
				Estimated Construction Total:	\$5,327,954.82

City of Twin Falls - Canyon Springs Roadway Conceptual Improvements
Alternate No. 3 - Grade Separated Natural Trail (maximum 20% grade)
"DRAFT" Estimated Construction Costs

Item No.	Description	Quantity	Unit	Unit Cost	Total Cost
	Removal of Existing Concrete Railing	2,200	LF	\$4.00	\$8,800.00
	Rockfall Mesh Installation	18,500	SF	\$25.00	\$462,500.00
	Excavation	13,550	CY	\$11.00	\$149,050.00
	Granular Borrow Backfill	785	CY	\$21.00	\$16,485.00
	Blasting / Drill Holes	7,930	LF	\$6.00	\$47,580.00
	3/4" minus base aggregate	5,110	CY	\$26.00	\$132,860.00
	Plant Mix Pavement	1,850	TON	\$85.00	\$157,250.00
	18" Dia Culvert Pipe	500	LF	\$40.00	\$20,000.00
	Concrete Catch Basins	6	EA	\$1,750.00	\$10,500.00
	Adjust Manhole	4	EA	\$800.00	\$3,200.00
	PVC Conduit (Lighting)	3,400	LF	\$5.00	\$17,000.00
	Bike / Pedestrian Railing	3,200	LF	\$85.00	\$272,000.00
	MSE Retaining Wall	5,225	SF	\$45.00	\$235,125.00
	Shotcrete Wall Facing (Soil Nail Section)	13,000	SF	\$70.00	\$910,000.00
	Shotcrete Wall Facing (Rock Section)	9,440	SF	\$35.00	\$330,400.00
	Erosion and Sediment Control	1	LS	\$90,000.00	\$90,000.00
	Signage	1	LS	\$3,000.00	\$3,000.00
	Construction Traffic Control	1	LS	\$95,000.00	\$95,000.00
	W-Beam Guardrail	850	LF	\$30.00	\$25,500.00
	Concrete Traffic Railing	2,500	LF	\$130.00	\$325,000.00
	Mobilization 8%	1	LS	\$264,900.00	\$264,900.00
				Sub-Total:	\$3,576,150.00
				15% Engineering:	\$536,422.50
				20% Contingency:	\$715,230.00
				Estimated Construction Total:	\$4,827,802.50

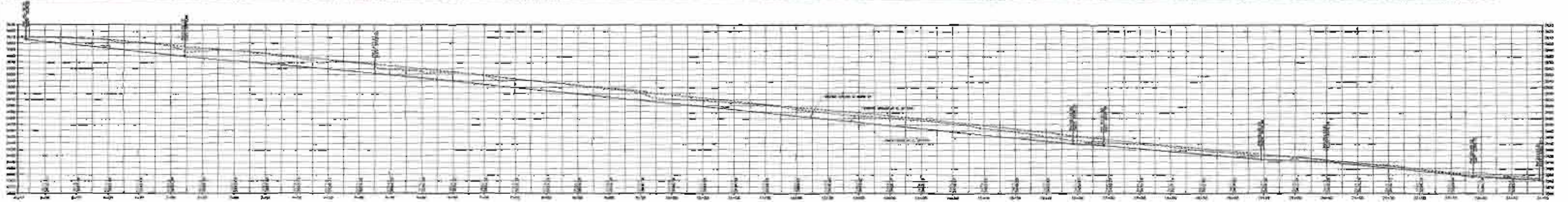


TYPICAL SECTION - STA: 0+00 TO STA: 24+00



TYPICAL SECTION - STA: 24+00 TO STA: 32+66

Plot Date: 3/25/2014 2:15 PM, Plotted By: Brian Dulin
 Last Updated: 3/25/2014
 Plot Date: 3/25/2014
 File: SECTIONS



JUB

CITY OF TWIN FALLS
CANYON SPRINGS ROAD
IMPROVEMENTS - ALT 2
GRADE SEPARATED PAVED PATHWAY



Date: March 31, 2014 City Council Meeting

To: Honorable Mayor and City Council

From: Long Term Planning Committee

Request: Presentation by the Long Term Planning Committee (LTP) on personnel, capital needs and maintenance and operation (M&O) needed to accomplish identified goals and objectives of the City of Twin Falls' Community Strategic Plan 2030.

Time Estimate: 1 hour for presentation and questions.

Background: Beginning in 2005 a group of young leaders within the organization was tasked with creating a long term plan which would identify growth related trends, service delivery challenges and preparing a priority capital and personnel request list. The formation of the LTP provided young leaders within the organization the opportunity to broaden their view of community needs and city services and develop cross-departmental working relationships that would be of significant benefit to them over their career in city government.

The LTP Committee was reconvened in 2010 and again in 2014, both times with a mix of new and old members. The 2014 committee will be presenting a plan which has focused on the resources needed to meet the Strategic Plan 2030 objectives listed as ongoing or with a time frame of 5 years. The long term plan is not a budget document but a planning tool that illustrates the challenges ahead and encourages prioritization of department requests to meet organizational goals with available resources.

Approval Process: None

Budget Impact: None

Regulatory Impact: None

Conclusion: There is no action required by the City Council.

Attachments:

The attached spreadsheet was created to visually align prioritized personnel and capital requests with the eight specific focus areas of the Strategic Plan over the next five years.

As an example two police officers are requested under Focus Area 1 - Healthy Community. Two of the listed initiatives in this focus area are improve response to drug and alcohol related incidents and begin an effort to address mental health issues in partnership with other agencies. These initiatives are within the 5 year time frame of the planning window, identify Police as the lead and have staffing as a resource required for accomplishing them.

FY 2015 Personnel and Capital

LTP Recommendations

Focus Area 1 - Healthy Community

Police

HC.1	<u>2 - Patrol Officers</u>	\$	<u>117,828</u>
HC.1	<u>1 - Sergeant (Upgrade Lt.)</u>	\$	<u>13,546</u>
HC.1	<u>1 - Dispatcher</u>	\$	<u>49,679</u>

Parks

HC.1	<u>Baxter's Park - C/G/S Phase II - Blake St.</u>	\$	<u>45,000</u>
HC.1	<u>Baxter's Park - tables and drinking fountain</u>	\$	<u>20,000</u>
HC.1	<u>Canyon Rim Trails - fencing</u>	\$	<u>16,250</u>
HC.1	<u>Canyon Rim Trails - slurry W. Perrine section</u>	\$	<u>4,000</u>
HC.1	<u>Oregon Trail Youth Complex - slurry trail and under bleachers</u>	\$	<u>1,500</u>
HC.1	<u>Pierce Tennis Courts - patch concrete</u>	\$	<u>5,000</u>

Pool

HC.1	<u>Upgrade to LED light bulbs</u>	\$	<u>16,000</u>
HC.1	<u>Remove Baby Pool</u>	\$	<u>5,000</u>

Streets

HC.2	<u>1 - 4x4 On-Call Truck (1/2 ton X-Cab)</u>	\$	<u>25,000</u>
HC.1	<u>1 - Used Sander Truck</u>	\$	<u>30,000</u>
HC.1	<u>Sealcoat Zone 3</u>	\$	<u>800,000</u>
HC.1	<u>Overlay Zone 3</u>	\$	<u>150,000</u>

Focus Area 3 - Secure Community

IS

SC.1	<u>1 - Tech II</u>	\$	<u>71,314</u>
SC.1	<u>2 - Journeyman Electricians</u>	\$	<u>121,812</u>
SC.1	<u>Furniture and Equipment for new personnel</u>	\$	<u>11,940</u>

Police

SC.4	<u>3 - Patrol Cars for new officers and yearly replacement rotation</u>	\$	<u>133,085</u>
SC.4	<u>Cell phone data extraction equipment and software</u>	\$	<u>15,000</u>

Fire

SC.1	<u>Breathing Apparatus Replacement</u>	\$	<u>242,570</u>
SC.1	<u>1 - Tower truck</u>	\$	<u>1,127,000</u>

Building Inspections

SC.3	<u>Computer monitors for electronic plan submittals and review</u>	\$	<u>4,000</u>
SC.3	<u>Software for electronic plan submittal and review</u>	\$	<u>1,540</u>
SC.3	<u>E-books package updates</u>	\$	<u>4,130</u>

Streets

SC.2	<u>Absorb current WWC position into Streets Department</u>	\$	<u>78,888</u>
SC.4	<u>ADA Compliance at intersections</u>	\$	<u>75,000</u>

Airport

SC.2	<u>ARFF truck tires</u>	\$	<u>20,000</u>
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FY 2015 Personnel and Capital LTP Recommendations

Focus Area 4 - Accessible Community

Engineering

AC.1	<u>1 - Staff Engineer</u>	<u>\$</u>	<u>83,987</u>
AC.1	<u>1 - Staff Engineer</u>	<u>\$</u>	<u>83,987</u>
AC.1	<u>Furniture and Equipmemt for new personnel</u>	<u>\$</u>	<u>7,800</u>
AC.1	<u>Autocadd for Staff Engineers</u>	<u>\$</u>	<u>14,000</u>
AC.1	<u>MS Project and Adobe Pro</u>	<u>\$</u>	<u>10,200</u>

Streets

AC.1	<u>1 - Used Patch Truck with new bed</u>	<u>\$</u>	<u>90,000</u>
AC.1	<u>1 - 10-cylinder 10-Wheel Dump Truck</u>	<u>\$</u>	<u>140,000</u>
AC.1	<u>Eastland South II</u>	<u>\$</u>	<u>900,000</u>
AC.1	<u>Construction Project Problems</u>	<u>\$</u>	<u>650,000</u>
AC.1	<u>Signal Upgrade</u>	<u>\$</u>	<u>100,000</u>

Airport

AC.3	<u>Idaho Power Terminal lighting upgrade</u>	<u>\$</u>	<u>26,000</u>
AC.3	<u>HVAC System Controller upgrade</u>	<u>\$</u>	<u>30,000</u>
AC.3	<u>1 - Used Forklift</u>	<u>\$</u>	<u>15,000</u>
AC.3	<u>Asbestos removal and demolition of old office</u>	<u>\$</u>	<u>5,500</u>

Focus Area 5 - Environmental Community

Parks

EC.1	<u>Tree Enhancement Program</u>	<u>\$</u>	<u>5,000</u>
EC.2	<u>Auger Falls - Interpretive Signs</u>	<u>\$</u>	<u>30,000</u>

Streets

EC.2	<u>Insulate and heat other side of equipment building</u>	<u>\$</u>	<u>20,000</u>
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**FY 2015 Personnel and Capital
LTP Recommendations**

Focus Area 6 - Prosperous Community

Parks

PC.3	<u>Canyon Rim Trail - 10 sections</u>	<u>\$</u>	<u>72,750</u>
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Focus Area 8 - Internal Organization

IS

IO.1	<u>Computer Replacement</u>	<u>\$</u>	<u>350,000</u>
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IO.1	<u>Server Plan</u>	<u>\$</u>	<u>29,000</u>
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IO.1	<u>Firewall</u>	<u>\$</u>	<u>27,000</u>
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IO.1	<u>Network Switches (2 per year)</u>	<u>\$</u>	<u>9,200</u>
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IO.1	<u>Fiber - Phase 3</u>	<u>\$</u>	<u>138,000</u>
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IO.1	<u>GPS Units (Trimble and Mesa)</u>	<u>\$</u>	<u>28,320</u>
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FY 2015 Maintenance & Operations
LTP Recommendations

Maintenance & Operations

Police

1 - Unmarked Detective Car	\$ 25,000
1 - CSO Truck with equipment	\$ 17,000
1 - SWAT Vehicle	\$ 100,000
Tasers	\$ 53,820
Police Equipment and Unanticipated Patrol expenses	\$ 10,000

City Attorney

1 - Assistant City Attorney	\$ 83,271
Furniture and Equipment for new personnel	\$ 4,900

Engineering

Space Needs at Hansen Building	\$ 15,000
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Parks

Equipment Storage Building and Lot Expansion	\$ 140,000
Parks Shop parking lot asphalt repair	\$ 5,000
1 - New 1/2 Ton Pickup for seasonal employees	\$ 21,000
Bed tarp system	\$ 1,300
Band Shell improvements (lighting upgrade, plaster and floor repair)	\$ 20,000
Mult-year upgrade of Christmas lights to LED bulbs	\$ 6,500

Recreation

CSI Tennis Courts - Rebuild	\$ 60,000
Frontier Field Tennis Courts - Resurface	\$ 24,000
Harmon Park - New backstop at Legion Field	\$ 15,000
Harmon Park - Replace scorebooth at old Legion Field	\$ 2,500
Replacement of Fall Material (Year 1 of 5)	\$ 14,000
3 - Daktronics Scoreboards	\$ 25,000
New hoses for baseball fields	\$ 4,000

Facility

Re-Roof City Hall	\$ 25,000
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FY 2015 Personnel and Capital Requested But Ranked As a Lower Priority

Focus Area 1 - Healthy Community

Police

HC.1	<u>1 - Patrol Officer</u>	<u>\$</u>	<u>58,914</u>
HC.1	<u>1 - Dispatcher</u>	<u>\$</u>	<u>49,679</u>

Parks

HC.2	<u>Auger Falls - vault toilet</u>	<u>\$</u>	<u>40,000</u>
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Focus Area 3 - Secure Community

Police

SC.1	<u>1 - Patrol Car for new personnel</u>	<u>\$</u>	<u>47,205</u>
SC.1	<u>Bomb Suit</u>	<u>\$</u>	<u>25,000</u>

Building Inspections

SC.3	<u>1 - Building Inspector/Plan Reviewer</u>	<u>\$</u>	<u>60,906</u>
SC.3	<u>Furniture and Equipment for new personnel</u>	<u>\$</u>	<u>5,050</u>

Engineering

SC.1	<u>1 - GIS Technician</u>	<u>\$</u>	<u>52,726</u>
SC.1	<u>Furniture and Equipment for new personnel</u>	<u>\$</u>	<u>2,300</u>

Focus Area 4 - Accessible Community

Engineering

AC.1	<u>Viscosity Tester</u>	<u>\$</u>	<u>8,000</u>
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Parks

AC.1	<u>1 - Parks Operator</u>	<u>\$</u>	<u>48,316</u>
AC.1	<u>1 - New 1/2 Ton Pickup for new personnel</u>	<u>\$</u>	<u>21,000</u>
AC.1	<u>Auger Falls - Trail System</u>	<u>\$</u>	<u>50,000</u>

Focus Area 6 - Prosperous Community

Parks

PC.3	<u>Evel Knievel Site Fencing</u>	<u>\$</u>	<u>65,000</u>
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Focus Area 8 - Internal Organization

Human Resources

IO.1	<u>Update equipment in fitness room</u>	<u>\$</u>	<u>5,000</u>
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Maintenance & Operations

Parks

	<u>Ascension Park - Sign</u>	<u>\$</u>	<u>2,500</u>
	<u>Cascade Park - Sign</u>	<u>\$</u>	<u>2,500</u>
	<u>City Park - Sign</u>	<u>\$</u>	<u>3,000</u>

Focus Area 5 - Environmental Community

Streets

EC.2	<u>Elgin Pelican Sweeper (or equivalent)</u>	<u>\$</u>	<u>180,000</u>
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Cost of Non-Recommended Requests: \$ 727,096



Public Hearing: MONDAY March 31, 2014

To: Honorable Mayor Hall and City Council

From: Mitch Humble, Community Development Department

ITEM IV-

Request: Request to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive Castle Twin Falls, LLC c/o Gerald Martens/EHM Engineers, Inc. (app. 2620)

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: 6' x 186.62' – 1119.72 sq ft
Castle Twin Falls, LLC P.O. Box 98 Carey, ID 83320	Current Zoning: Utility, drainage, access and irrigation easement within a C-1 PUD Zone	Requested Zoning: vacation of a portion of a utility, drainage, access and irrigation easement
	Comprehensive Plan: Commercial/retail	Lot Count: 1
	Existing Land Use: Utility, drainage, access and irrigation easement.	Proposed Land Use: Installation of fuel storage tank within a vacated portion of a utility, drainage, access and irrigation easement.
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 ehm@ehminc.com	North: C-1 PUD; Pole Line Rd W., undeveloped	East: C-1 PUD; undeveloped
	South: C-1 PUD; undeveloped	West: C-1 PUD; Park View Dr., undeveloped
	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 development of the building and placement of underground tanks

History:

Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. The new zoning designations were assigned at that time, or when areas were annexed. The site zoned as North Haven Business Park C-1 PUD was annexed on June 14, 2004. A Preliminary Plat was approved on July 13, 2004, for a ten (10) lot subdivision. The Final Plat was approved on November 1, 2004. On January 24, 2005, the North Haven Business Park C-1 PUD Agreement was approved and recorded.

The Plat was amended to include more lots and so it was resubmitted and the amended Preliminary Plat was approved by the Planning and Zoning Commission on April 25, 2006. The amended Final Plat was approved September 11, 2006. On March 27, 2007 the Planning and Zoning Commission approved a PUD Modification to allow for a tire and lube shop with closed doors, a drive-through facility for a pharmacy, a drive-through facility for a garden center, 24-hour retail operations and signage modifications subject to the Wal-Mart site/building only. The Council approved the PUD modification on April 23, 2007. The Final Plat for the North Haven Business Park Subdivision, A PUD- Phase 2 was recorded on December 17, 2009.

Special Use Permit #1309 was approved by the Commission on December 10, 2013 for the construction and operation of a convenience store/gas station that would be open twenty-four (24) hours a day, seven (7) days a week.

Analysis:

This is a request to vacate 6' of a 23' x 187' platted utility, drainage, access and irrigation easement located along Pole Line Road West.

Title 10; Chapter 2 defines an easement as follows:

EASEMENT: *A right of use for a stated purpose, falling short of ownership, granted by a property owner to the public or to another person and restricting the property owner's use of the property by prohibiting the construction of any permanent building or structure over the easement and by prohibiting any other stated restriction of use.*

On October 14, 2013 the developer submitted a building permit to construct a new C-store and gas station on this lot. Upon review of the building permit it was discovered the underground storage tanks were encroaching into the 23' x 186.62' platted utility, drainage, access and irrigation easement, as shown on exhibit #2. As per the definition of easement in Title 10 no permanent building or structure may be over the easement.

EHM Engineers met with the city's engineering staff and determined only a portion of the tanks were encroaching within the easement. As a result of that meeting the developer is requesting vacation of 6' of the 23' easement.

The existing easement is 22.97 +/- feet in width. The request is to vacate 6' which will leave an easement width of 16.97', which exceeds the standard 15' easement normally placed on commercial subdivision boundaries. Approval of this request will allow for the installation of fuel storage tanks in the designated area as planned.

The applicant has stated in their narrative that all utilities for the North Haven Subdivision are in place. City of Twin Falls has a sanitary sewer line located in the easement east of the proposed vacation.

Vacation of a platted easement requires approval by each of the applicable utility companies. As of today, the city has not received any of the required letters from the applicable utility companies stating their approval of the vacation of the easement. Staff recommends a condition be placed on this proposed vacation prior to adoption of an ordinance letters of approval and any requirements as determined to be necessary from the applicable utility companies shall be submitted to the city.

On February 25, 2014 the Commission unanimously recommended approval to vacate a portion of the utility, drainage, access and irrigation easement, as presented and 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 any requirements recommended by applicable utility companies.**

Staff concurs with the Commission's recommendation and adding a condition that a letter from each of the applicable utility companies authorizing the vacation, as presented, be submitted prior to adoption of the ordinance.

Attachments:

- | | |
|-------------------------------|--------------------------------|
| 1. Vacation request | 4. Site Photo |
| 2. Vacation Exhibit | 5. Feb 25, 2014 P&Z PH minutes |
| 3. Zoning Vicinity/Aerial Map | |



EHM Engineers, Inc.

BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

IN THE FIELDS OF
PLANNING
SURVEYING
HIGHWAYS
WATER
WASTEWATER
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT
GRANT ADMINISTRATION

Date: January 24, 2014
To: City of Twin Falls
Attn: Jackie Fields
From: Gerald L. Martens 
Via: Hand Deliver
Regarding: Vacation of Partial Easement

Please find attached an application for vacation of a small portion of an existing platted easement as shown on the attached exhibit and as we discussed.

The reason is to allow a fuel storage tank to remain in place without encroaching into an easement. The requested vacation leaves a 16.97 foot wide easement, which should be sufficient for any utility requirements.

Attached are letters sent to all utilities. The response letters will be forwarded upon response.

Thank you for attention to this matter.

027-12

1724 PARK

1724 PARK

1730 PARK

Easement Vacation Exhibit

Reference Only

NORTH

Approximate Location Of
Existing Easements

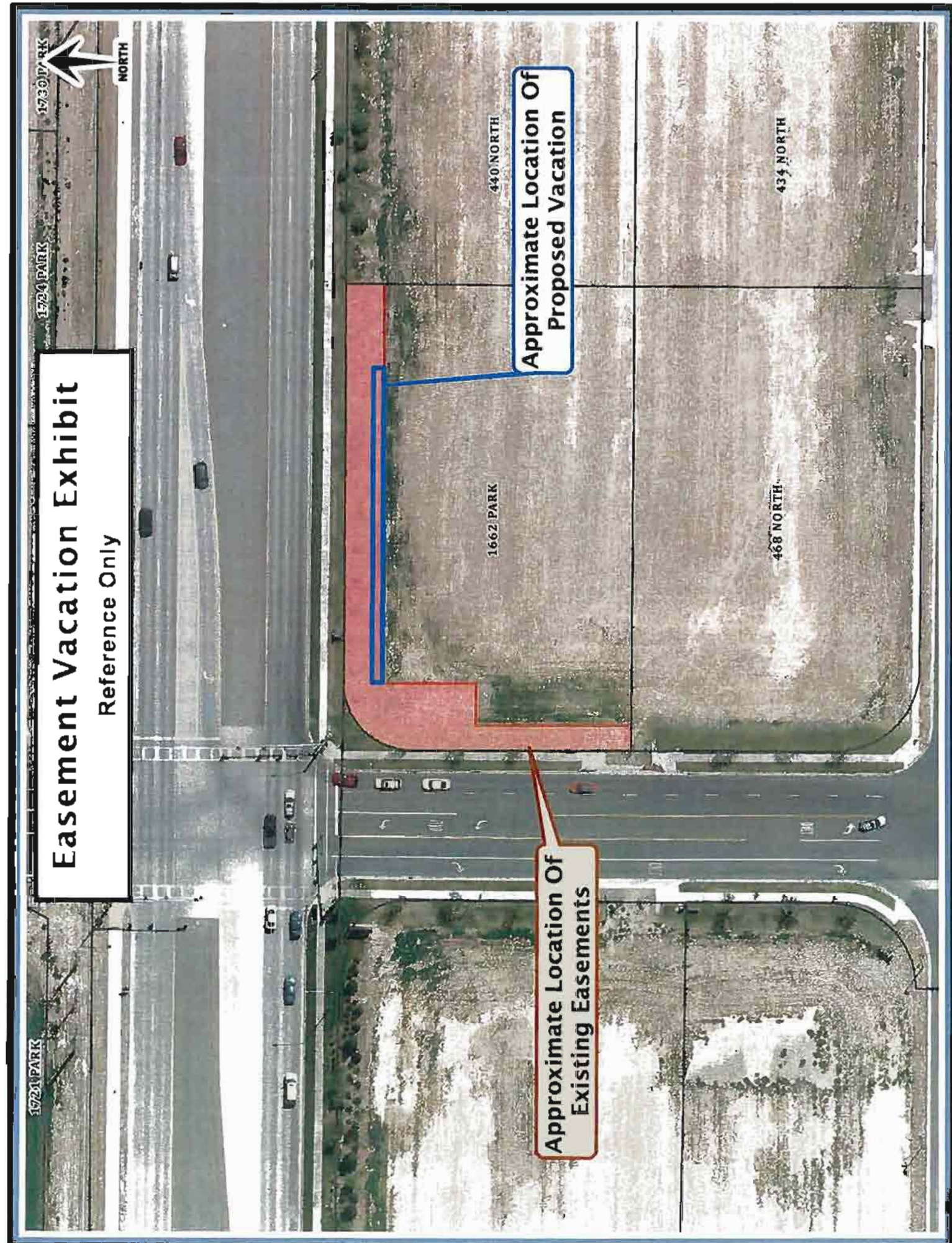
Approximate Location Of
Proposed Vacation

1662 PARK

440 NORTH

468 NORTH

434 NORTH



Zoning Vicinity Map

Reference Only



POLE LINE RD W

NORTH HAVEN DRIVE

NORTH

Aerial Image Map

Reference Only

POLE LINE RD W

PARK VIEW DR

CHENEY DR W

R-2
R-2
R-2

1662 PARK

PARK VIEW DR

440 NORTH

468 NORTH

434 NORTH



Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicants stated the property is located at the southeast corner of Pole Line Road and Washington Street North. The property has a fairly lengthy history it has gone through a PUD process and the undeveloped portion is suitable for development, the mobile home property still has a time restriction before it can move forward. They are platting at this time because of drive factor that involves a federally funded project for extending Cheney Drive. This extension will provide a great east to west connection and they would like to make sure that right-of-way is accounted for as well as access, utilities and easements. The property has a main east to west road through the property and there will be one north to south road through the property. The preliminary plat is conceptual and designed for commercial development. They ask that the Commission approve the request.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He stated the history is lengthy for this property and he will summarize a few of the highlights. In 1973 the Lazy J Mobile Home Park Master Plan was approved. In 1985 City Council approved an ordinance to amend the zoning or portions of the property with other changes from 2004 to 2010 when City Council approved the annexation and zoning change to C-1 Business Park PUD with conditions. The time restriction referred to in the representatives presentation states no development of the area designated on the Master Development Plan as Lazy J Mobile Home Park shall be developed for a period of 5 years following the date of rezoning to C-1, annexation and PUD approval along with other conditions. The most recent approval was on February 14, 2012 Planning & Zoning approved a Special Use Permit #1258 to allow temporary recreational vehicle parking within the existing mobile home park.

The request is for the consideration of a Preliminary Plat for the Sun West Subdivision-A PUD, includes 30.98 (+/-) acres and is zoned C-1 Business Park PUD (Planned Unit Development) zone. The request is to plat twenty (20) lots. The site is located south of Pole Line Road and east of Washington Street North.

The proposed plat will allow for a planned mixed use development consisting of commercial retail and light industrial uses. The minimum lot area for a commercial or industrial use is to be of sufficient size to provide for the building, required setbacks, required landscaping and required off-street parking.

This is the first phase of platting the Sun West Subdivision, A PUD. A revised Master Development Plan and a revised PUD Agreement must be brought before Planning and Zoning and City Council before any development of the area designated as Lazy J Mobile Home Park can be developed as commercial uses.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls

water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system. This request is in conformance with the Comprehensive Plan which designates this area as appropriate for commercial/retail uses.

Planner J Spendlove stated upon conclusion should the Commission approve the request 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 and the Sun West/Lazy J PUD Agreement #259.
2. Subject to changing the name on the preliminary and final plat to Sun West Subdivision-No. 1, A PUD.

Commissioner Questions/Comments:

- Commissioner Munoz asked about the mobile homes located in the northeast corner of the property proposed for subdivision.
- Mr. Martens explained that when development of the road occurs it has been approved to relocate these homes. Prior to any development occurring in this development there will be a screening fence installed to prevent the commercial development from impacting the residential mobile home park.
- Commissioner Frank asked if there is a business park overlay on this property.
- Mr. Martens explained that this does have a business park overlay.
- Commissioner Frank asked what the plans are for the landscaping along the arterials.
- Mr. Martens stated that Pole Line Road is a gateway arterial requiring 35' of landscaping from the back of the curb. Washington Street North will meet the gateway arterial requirement also of 35' of landscaping.

Public Hearing: [Opened](#)

Public Hearing: [Closed](#)

Deliberations Followed: [Without Concerns](#)

Motion:

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

Approved, As Presented, With 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 and the Sun West/Lazy J PUD Agreement #259.
 2. Subject to changing the name on the preliminary and final plat to Sun West Subdivision-No. 1, A PUD.
-
2. Request for approval of the preliminary plat for the Westpark Commercial #8 Subdivision, A PUD consisting of 2.03 (+/-) acres with 2 lots and 1 tract for commercial development on property located west of Pole Line Road & Canyon Crest Road **Westpark Partners, LLC c/o Gerald Martens / EHM Engineers, Inc.**

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicant, stated that this property is located on the north side of Pole line Road and west of Canyon Crest Road. This property is a 2 lot and 1 tract development, it is being handled similar to the one lot plat where the hotel is being constructed to the north of Walgreens. This is basically a re-plat of an existing larger plat. One of the lots will accommodate a restaurant and the other lot will be for a commercial building once a user has been identified. The tract is going to accommodate a private drive and access for the bank and loop around behind Walgreens. This is a C-1 zoned plat the restaurant will go in on the corner and the other lot when developed will be in compliance with the C-1 zoning uses. There are water rights for this property there are agreements with the hotel for a private pressurized irrigation system that will be installed to provide water for the landscaping.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He summarized the history for this property it was approved to be rezoned as C-1 & R-4 PRO PUD in 1993 with conditions. In the conditions lot 6 is referenced that lot eventually became the Walgreens and Culvers Lots. Since that time there were other portions that were separated from the original plat with modifications.

This Preliminary Plat for the Westpark Commercial Subdivision #8 – a PUD includes 2.03 (+/-) acres and consists of two (2) lots. The proposed subdivision is zoned C-1 PUD. The site is located north of Pole Line Road and west of Canyon Crest Drive. The property is currently vacant. It is located in Lot 4; Block 2 of the Westpark Commercial Subdivision #3. The proposed lots are covered under the Northbridge PUD. This proposed subdivision will conform to the uses and development standards stated in the Northbridge PUD.

The intended use for the Westpark Commercial Subdivision #8 – a PUD is to allow the commercial development of a restaurant in one lot and unknown commercial use in the other. 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 prior to issuance of any building permits.

Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system. The plat is consistent with other subdivision development criteria and is in conformance with the Comprehensive Plan which designates this area as appropriate for commercial/retail uses.

Planner I Spendlove stated upon conclusion should the Commission approve the request, 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 Northbridge PUD.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

Commissioner Questions/Comments:

- Commissioner Woods stated the private drive will remain a private drive and asked how condition #2 applies.
- Planner I Spendlove explained this is a standard note to address any public streets adjacent to the property.
- Mr. Martens stated that is correct and Pole Line Road would be the only arterial adjacent to the property.

Public Hearing: [Opened](#)

Public Hearing: [Closed](#)

Deliberations Followed: Without Concerns

- Commissioner Sharp asked about PI for the remainder of the property since there is nothing in the PUD that requires the Pressurized Irrigation.
- Planner I Spendlove stated that the developer has been working this out with the property owners and the City as development occurs it will be something that will be needed in the future.
- Zoning & Development Manager Carraway stated the PUD was a zoning action that took place in 1993 the verbiage within the document states that development will occur per City Code requirements. In this case any platting that occurs has to meet today's standards.

Motion:

Commissioner Woods made a motion to approve the request, as presented. Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With 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 Northbridge PUD.
4. Subject to the deed being revised in Westpark Commercial Subdivision #3, Lot 4 to exclude this subdivision, if approved.

IV. PUBLIC HEARINGS:

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West ProWest Engineering c/o Dan Thiel / Mtn. Sun Construction, LLC. (app.2619)

Applicant Presentation:

Dan Thiel, Mountain Sun Construction, LLC, representing the applicant, stated that he was here at an early hearing for a Special Use Permit to use of this shop for the ProWest business. This request is to have the entire property that the shop is on rezoned to a commercial zone. The property is currently split into two different zones R-6 PRO and C-1. He asked that the Commission recommend approval.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He summarized the history of the property and stated this property came through in December for a Special Use Permit. In 1986 a Special Use Permit was granted for an Auction House. Later the building changes hands and in May of 2012 the County sold the property to ProWest Engineering. Since the applicant purchased the building they have been operating an Electrical Engineering Firm, they have leased a space to the Vendor Blender and have been using this shop. . In December 2013, ProWest applied for a Special Use Permit to replace an existing non-conforming use with another non-conforming use for their electrical cabinet assembly. This Special Use Permit was approved by the Commission with conditions.

He stated this request is to move the R-6 PRO zoning boundary so that it coincides with the property line to the north making the whole building and parking area C-1; commercially zoned. The property is Lot 6 of the Holohan Addition; and the request is to rezone it from

R-6 PRO (Residential Multi-Household Professional Office Overlay) to C-1 (Highway Commercial). There is an existing building on site that is zoned both C-1 and R-6 PRO. The Official Zoning Districts Map has the boundary line bisecting the building itself into two (2) differing zones.

The use of the property, and the building, will not change with this application. The applicant has expressed that the rezone request stems from wanting to clean up the zoning issues with the property, and remove possible encumbrances on the property if sold or if buildings were possibly expanded.

The Comprehensive Plan and Future Land Use Map designate the particular area wishing to be rezoned as Commercial/Retail. The area immediately to the East, South, and West are currently C-1 and have Commercial and Government uses established. The area to the north is zoned R-6 PRO and is currently a multi-family housing project. This proposed rezone would be compatible with the adjacent land uses in the area and does follow the Future Land Use Map and goals of the Comprehensive plan.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- to evaluate the request to determine the extent and nature of the amendment requested.

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

Planner I Spendlove stated upon conclusion if the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Commissioner Questions/Comments:

Public Hearing: Opened

Public Hearing: Closed

Deliberations Followed: Without Concerns

Motion:

Commissioner Munoz made a motion to recommend approval of the request, as presented.

Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

Recommended For Approval, As Presented

Scheduled For City Council March 31, 2014

2. Request the Commission's recommendation on a request to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive **Castle Twin Falls, LLC c/o Gerald Martens/EHM Engineers, Inc.** (app. 2620)

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc. stated he is representing the applicant and requesting a vacation of an easement. Whenever a project is designed a standard policy is to have easements along the perimeter of the property to allow for utilities. This property is fully developed and the utilities are available to the property. The fuel tank location was designed for unloading without encroaching on the drive isles; when installed they a portion of the tanks encroached into easement. The vacation is to accommodate the tanks and to allow the remaining portion of the easement to remain intact. He has all the letters from the utility companies but has not had any response from the Canal Company for approval of the vacation as soon as he receives the remaining letters they will be provide for the record.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He summarized the history for this property and stated the site was annexed on June 14, 2004. Between 2004 and 2009 there were multiple PUD's, subdivisions, modifications and re-plats that included more lots. The most recent approval was for a Special Use Permit #1309 in December 2003 for the construction and operation of a convenience store/gas station that would be open twenty-four (24) hours a day, seven (7) days a week.

This is a request to vacate a utility, drainage, access and irrigation easement located along Pole Line Road West. This request to vacate a portion of the easement is for the installation of fuel storage tanks. The existing easement is 22.97 +/- feet in width. The 6' vacation will leave an easement width of 16.97', which exceeds the standard 15' easement normally placed on commercial subdivision boundaries.

We have not received all the required letters from the applicable utility companies stating their approval of the vacation of the easement. Staff recommends the Commission place a condition on this proposed vacation subject to requirements recommended by the applicable utility companies.

The applicant has stated in its narrative that all utilities for the North Haven Subdivision are in place. City of Twin Falls has a sanitary sewer line located in the easement east of the proposed 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 states 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 requirements recommended by applicable utility companies.

Commissioner Questions/Comments:

- Commissioner Frank asked what was located on top of the easement.
- Planner I Spendlove stated there will be landscaping in this area.
- Mr. Martens stated some of the vehicle maneuvering area is in the space however 98% of it is landscaping.
- Commissioner Woods asked how far the fuel tanks encroach into the current easement.
- Mr. Martens stated that the actual tank was placed approximately 3' within the easement and the underlayment for the tank extends 5' into the easement. The tank doesn't run the full length it is only a small portion but there is a sewer line in the area that stop short of the easement and there is a service line that goes over to the building which is why the request doesn't include the entire easement. The tanks run parallel to Pole Line Road.

- Commissioner Munoz asked about landscaping in the area and compliance requirements.
- Mr. Martens stated that there is going to be ample landscaping in the area to meet any requirements.

Public Hearing: Opened

Public Hearing: Closed

Deliberations Followed: Without Concerns

Motion:

Commissioner Boyd made a motion to recommend approval of the request, as presented.

Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

Recommended For Approval, 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 requirements recommended by applicable utility companies.

Scheduled For City Council March 31, 2014

3. Request for a Special Use Permit to serve alcohol for consumption on site as an accessory to the operation of a restaurant on property located at 1007 Blue Lakes Boulevard North c/o Kathryn Aitchison dba KIWI's Fish-N-Chips (app.2621)

Applicant Presentation:

Kathy Aitchison, the applicant stated she is the owner of the Kiwi Fish-N-Chips restaurant and is requesting a Special Use Permit to serve alcohol in conjunction with the restaurant. She had a Special Use Permit at her previous location for the same use but it could not be transferred to this location. She would like the business to be family oriented and asked for approval of this request.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He stated in 1981 Twin Falls city instigated a Zoning District and Zoning Map amendment that rezoned various properties throughout the city. It is believed this property was zoned C-1 at that time, or when it was annexed into the City Limits. There is no other known zoning history for this property. Twin Falls building files show various remodels taking place on the premises, but the original building existed prior to our records. It is known that the Oasis Tavern/Lounge was previously located on this property.

The applicants have supplied narrative outlining their request. They have moved their restaurant, "Kiwi's Fish-N-Chips & Meat Pies", from Falls Ave near the Turf Club to 1007 Blue Lakes Blvd for increased space and visibility reasons. They would like to start selling beer and wine by the drink for consumption on site. The hours of operation are 10:00 am to 10:00 pm. They have ten (10) employees currently. The applicants indicate that they don't anticipate any noise, glare, odor, fumes, or vibrations that would make this facility incompatible with the surrounding area.

Per City Code 10-4-8: This site is zoned C-1, Highway Commercial zoning designation. In the C-1 zone, a Special Use Permit is required for alcohol sales if the subject property is less than 300' from residential property. There are residences to the west of this site, across the alley, within the 300' radius and so a Special Use Permit is required for this location.

Per City Code 10-7-6, 10-7-12, 10-11-1 thru 8: Site improvements are required at the time of new development or extensive remodel of existing structures. This special use permit is for the allowance of serving alcohol for onsite consumption. The applicant has not applied for an extensive remodel, or adding square footage to the existing building. If a substantial amount of remodeling or addition of square footage is done on the premises, plans will be reviewed and site improvements will be required per applicable City Codes and Standards.

Per City Code 10-10: As there are no improvements to the site no review of parking standards are required.

As this site is a restaurant, the impacts of serving alcohol are different from that of a bar-type establishment. Special Use Permits are for the property and stay with the property. The Commission may want to place a condition on the permit that it is only for a restaurant and would not be valid for a bar at this location.

The properties immediately adjacent to the north and south are commercial in nature. There are no residential approaches on Falls Ave that immediately face the subject property. The property to the west is residential. There is an alley between the two properties. There are other restaurants, eating establishments and commercial uses nearby. The impact of serving alcohol in this restaurant is not expected to have a significant impact on the surrounding area.

Planner I Spendlove state upon conclusion that conditions 3 & 4 have been met after the staff analysis was completed and prior to the meeting. Should the Commission grant this request as presented; staff recommends approval subject to the following conditions:

1. Subject to the 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 serving alcohol for consumption on site being permitted as an accessory to the operation of a restaurant.
3. ~~Subject to receipt of the property owner's written consent to allow alcohol sales/consumption on site prior to issuance of the Special Use Permit.~~
4. ~~Subject to receipt of a recorded Cross Use Parking Agreement with land owner to the North in order to accommodate parking and access requirements.~~

Commissioner Questions/Comments:

- Commissioner Munoz asked about any complaints from previous location and if it had full liquor license or was it just for beer and wine.
- Planner I Spendlove explained that staff has not had any complaints regarding the applicant's prior establishment and that he is not sure what type of license was in effect at the previous location.

Public Hearing: Opened

Public Hearing: Closed

Deliberations Followed: Without Concerns

- Commissioner Boyd asked if this will make it so that a bar cannot operate at this location.
- Planner I Spendlove explained that this will make it so that if someone wants to establish a bar at this location they will have to come back through for another Special Use Permit.

Motion:

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

Approved, As Presented, With The Following Conditions

1. Subject to the 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 serving alcohol for consumption on site being permitted as an accessory to the operation of a restaurant.
4. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South c/o Judith Rayborn (app.2622)

Applicant Presentation:

Judith Rayborn, the applicant, stated she owns the property in question. The property has been used as a rental since they purchased it in 1994. The lot is very large and with the addition to

Washington and increased traffic it is not very good for a rental. There is access to the property from Osterloh Avenue West which would be able to be used for parking. She thinks it would be great for a professional office and would meet the intent for the area. The property is zoned R-4 now and is across the street from M-2 zoned property to the north. It is located south of the old Jayco building. This change would not disrupt the area if this rezone was to be approved. It would make a great office property and she would like to be able to utilize the property better.

Carolyn Cutler, Gem State Realty, stated she has been asked by the applicant to help her find a use for the property and make it more marketable. The surrounding area has M-1, Manufacturing and a variety of uses. The area is changing and the R-4 PRO zoning would offer an opportunity for the area to change and fit the comprehensive plan goals. The population density has increased tremendously in this area and having a professional overlay type of business would make this property more marketable.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He stated The Farmstead Plat was recorded around 1937, this plat created the lot applying for the rezone. The City of Twin Falls does not have any history on the building that resides on the lot. In 1981 Twin Falls City adopted an amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone a single parcel from R-4; Residential Medium Density to R-4 PRO; Residential Medium Density with a Professional Office Overlay. The parcel, located at 708 Washington Street South, is 15,454 sf/0.35 +/- acres, with a legal description of NE 66.9' X 231' of Lot A, Farmstead Subdivision-A Survey. There is an existing single family residence on the parcel.

The surrounding neighbors are primarily single family residences and agricultural. Along the northern boundary of this property is an undeveloped minor collector street; Osterloh Ave W. North of Osterloh Avenue West the property is zoned M-1; light manufacturing with a small single family residence and agricultural farm land. That residence is in city limits and the farm ground is outside city limits. To the east of 708 Washington St S is a residential subdivision zoned R-2 developed with single family residences. To the south and west of 708 Washington St S the property is zoned R-4 with developed single family residences. Kitty-corner of 708 Washington St S across Washington St S to the north and east is a manufacturing plant zoned M-1; Light Manufacturing. There are established commercial and light manufacturing businesses located in this plant.

The applicant has expressed in her narrative that the rezone request stems from the desire to sell this property and to be able to market it other than just as a residence. With the current zoning of R-4, commercial/professional/service oriented businesses are not allowed. The rezone may allow the applicant to market the property as a possible future professional office subject to

full compliance with city codes and development standards. Within the R-4 PRO zoning code, in order to convert a residence to professional office, a Special Use Permit and a building permit for a change of use would be required.

The 2009 Comprehensive Plan and Future Land Use Map designates this portion of Washington Street South corridor as appropriate for Urban Village/Urban Infill development. The Comprehensive Plan outlines the desired type of uses in the following description: *“Urban Village/ Urban Infill uses are proposed within the existing City Limits on sites that are surrounded by built-up areas and which are generally smaller than land located on the outskirts of the community. Instead of being developed with single-family homes or similar homogenous uses, a mixed-use profile is envisioned; incorporating a range of residential uses and densities, in addition to commercial and community uses which support urban lifestyles. Mixed uses would be both vertical and horizontal, depending on the design qualities of each specific project.”*

Since the adoption of the Comprehensive Plan in 2009 this land use designation of Urban Village/Urban Infill has not been adopted in Title 10 as a zoning district. The intent of the Urban Village/ Urban Infill is to allow for infill development of light commercial/professional uses in established areas specifically along major arterials such as Washington Street South. Under staff review we determined a professional office overlay may accomplish the intent of the Urban Village/ Urban Infill description of utilizing this lot other than as a single family residence. A Home Occupation could still be operated by SUP at this site under the current zone of R-4.

If the request is approved by the City Council, development of the site would require a Special Use Permit and development of site improvements which may include paving, landscaping, storm water retention, curb/gutter/sidewalk, development of Osterloh Avenue Wes, compliance with building codes to change the use from a residence to a professional office and review for compliance of Engineering and Fire codes.

If approved this would be the first zoning amendment to allow a professional office along this section of Washington St S for property currently zoned/developed/used as residential.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- to evaluate the request to determine the extent and nature of the amendment requested.

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

Planner I Spendlove stated upon conclusion if the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Commissioner Questions/Comments:

- Commissioner Grey asked if the egress onto Osterloh Avenue West would be allowed.
- Planner I Spendlove stated that the Engineering Department would have to determine the location for the egress and if it would be feasible. Without a design for the property it would be hard to determine, however it would be reviewed by Engineering at the time of submittal.

Public Hearing: Opened

Public Hearing: Closed

Closing Statement:

Mrs. Rayborn explained because of the traffic in this location the rental status is very short term. It would be nice to have a family rent the home long term but the property is not conducive for a family.

Deliberations Followed:

- Commissioner DeVore asked staff if this request complies with the Comprehensive Plan.
- Planner I Spendlove stated staff did not address this in the staff report and has left this decision up to the Planning & Zoning Commission.
- Commissioner Sharp stated he has lived in this area before and feels the change would meet the goals of the Comprehensive Plan.
- Commissioner Munoz stated he thinks this would be a good transition and this is in line with the Comprehensive Plan.
- Commissioner Frank stated this would be positive, it is unsafe for a residential use and recommending approval would allow them to move forward through the process.
- Commissioner Grey stated this would help get the ball rolling for this type of change in the area.

Motion:

Commissioner Sharp made a motion to recommend approval of the request, as presented.

Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

Recommended For Approval, As Presented

Scheduled For City Council March 31, 2014

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

Chairman Frank stated this was the last meeting Commissioner Devore and Commissioner Sharp. Commissioner DeVore's second term has expired and Commissioner Sharp is unable to serve another term. Chairman Frank thanked Commissioner DeVore and Sharp for their service on the Commission.

Zoning & Development Manager Carraway stated she wanted to remind the Commission that there will be four items from this meeting that will move forward to the City Council.

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber)

1. **Work Session-March 5, 2014 -- 12:00PM-1:00PM**
2. **Public Hearing-March 11, 2014 -- 6:00PM-9:00PM**

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:30 pm.

Lisa A. Strickland
Administrative Assistant
Planning & Zoning Department



Public Hearing: **MONDAY MARCH 31, 2013**

To: Honorable Mayor Hall and City Council

From: Mitch Humble, Community Development Department

ITEM IV-

Request: Request for a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West ProWest Engineering c/o Dan Thiel / Mtn. Sun Construction, LLC. (app.2619)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 1.15 Acres
ProWest Engineering 598 Addison Ave W Twin Falls, ID 83301 208-733-2101 801-884-7090 (cell) joshc@prowesteng.com	Current Zoning: C-1 & R-6 PRO	Requested Zoning: C-1 (Highway Commercial)
	Comprehensive Plan: Commercial/Retail	Lot Count: 1 Lot
	Existing Land Use: Existing Special Use Permit for Legal Non-Conforming Use	Proposed Land Use: No change from existing.
Representative:	Zoning Designations & Surrounding Land Use(s)	
Dan Thiel Mtn. Sun Const. LLC 451 Eastland Ste 7 Twin Falls, ID 83301 208-969-0668 (cell) mtnsun@ymail.com	North: R-6 PRO, Residential Apts	East: C-1, Commercial
	South: C-1, Office Buildings/Addison Avenue West	West: Martin Street; C-1, County Offices
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-6, 10-4-8, 10-4-18, 10-14-1 through 9	

Approval Process:

At the conclusion of a Public Hearing, the Planning & Zoning Commission is asked to make a recommendation on the requested zoning of the property. Their recommendation will be forwarded to the City Council for consideration. A public hearing will be held and the City Council is asked to make a decision on the request. If approved an ordinance is published and codified.

Budget Impact:

Approval of this request will impact the City budget as developed & viable non-residential property may be assessed at a higher value than undeveloped residential property.

Regulatory Impact:

Approval of this request will allow the property to be developed and viable increasing the tax base of the property.

History:

In July 1986 a Special Use Permit was granted to Roger Powell to operate an Auction House. At that time the building had been used as a warehouse. Since that time, it is believed the building changed hands multiple times at one time or another Norco used it for storage, Magic Valley Medical Center also used it for some purpose, and most recently Twin Falls County had been using it as a mechanic shop and storage facility.

ProWest Engineering purchased the property from the County in May 2012. Since that time they have been using it to assemble electrical components into various sizes of cabinets and as a temporary storage facility for the assembled cabinets and larger cabinets/storage trailer/units. In December 2013, ProWest applied for a Special Use Permit to replace an existing non-conforming use with another non-conforming use. This Special Use Permit was approved by the Commission with conditions.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment for approximately 30 feet of property along the northern boundary of Lot 6, Holohan Addition; from R-6 PRO (Residential Multi-Household Professional Office Overlay) to C-1 (Highway Commercial). There is an existing building on site that is zoned both C-1 and R-6 PRO. The Official Zoning Districts Map has the boundary line bisecting the building itself into two (2) differing zones. The use of the property, and the building, will not change with this application. The applicant has expressed that the rezone request stems from wanting to clean up the zoning issues with the property, and remove possible encumbrances on the property if sold or if buildings were possibly expanded.

The Comprehensive Plan and Future Land Use Map designate the particular area wishing to be rezoned as Commercial/Retail. The area immediately to the East, South, and West are currently C-1 and have Commercial and Government uses established. The area to the north is zoned R-6 PRO and is currently a multi-family housing project. This proposed rezone would be compatible with the adjacent land uses in the area and does follow the Future Land Use Map and goals of the Comprehensive plan.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: **1-** to determine whether the request is in conformance with the Comprehensive Plan and **2-** to evaluate the request to determine the extent and nature of the amendment requested.

Conclusion:

On February 25, 2014 the Planning & Zoning Commission evaluated the request as presented and unanimously determined the extent and nature of the amendment being requested was in conformance with the Comprehensive Plan.

The Commission unanimously recommended the City Council grant this request, as presented.

Attachments:

1. Letter of Request (1)
2. Zoning Vicinity and Aerial Map (1)
3. Site Plan and Rezone Exhibit (2)
4. Comprehensive Plan – Future Land Use Map (1)
5. Site Photos(2)
6. Portion of the Feb 25, 2014 P&Z minutes (3)
7. Special Use Permit #1308, 12-10-13 (1)

Sir/Ma'am,

Terry Robinson & Josh Collins, owners of Pro West Engineering, Western Enclosure and of the property at 598, 588 & 580 Addison Ave. W. of Twin Falls Idaho would like to request a zone change at said property from R-6 PRO to C-1.

The reasons for the request are manifold. Currently the property is mostly zoned C-1, but the north approximately 30 feet are under the zone of R-6 PRO. A rezone would clean up the property and remove possible future encumbrances on the property if sold or if buildings were possibility expanded.

The current Western Enclosure building is on the northeast side of the property and is currently operating under a Special Use Permit granted by the Planning & Zoning Commission on December 10, 2013. This building is a non-conforming use building and under the present zoning the north 20 to 30 feet of the building are zoned R-6 PRO. This limits the use of part of the building due to the zoning restrictions on R-6 PRO. A rezone would put the building closer to conforming to the C-1 zone. The building would still be a non-conforming use building, but a rezone would make the building less non-conforming.

To our knowledge a rezone of this strip of land would not affect the Comprehensive Plan established as the standard for the City of Twin Falls.

A rezone would be in compatibility with the surrounding area. The R-6 PRO area north of the property would remain R-6 PRO and the remainder of the surrounding area is already C-1 zoning.

There is no plan to develop this property any more than is currently on the property. The Western Enclosure building is not being expanded and will be operating under the guidelines set by the Commission for the Special Use Permit.

We thank you for your time and consideration in this matter,

Sincerely,

Terry Robinson & Josh Collins

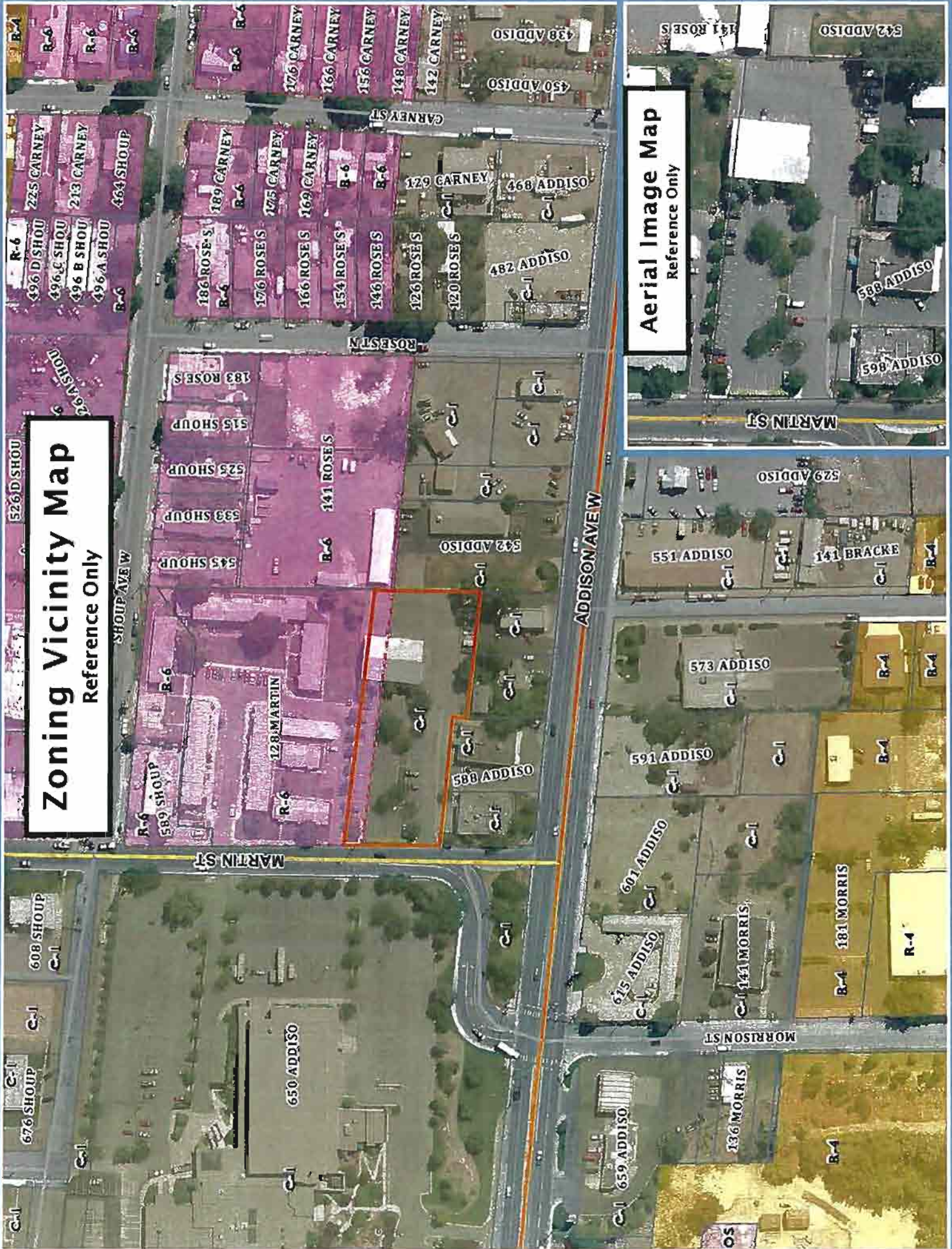
Pro West Engineering

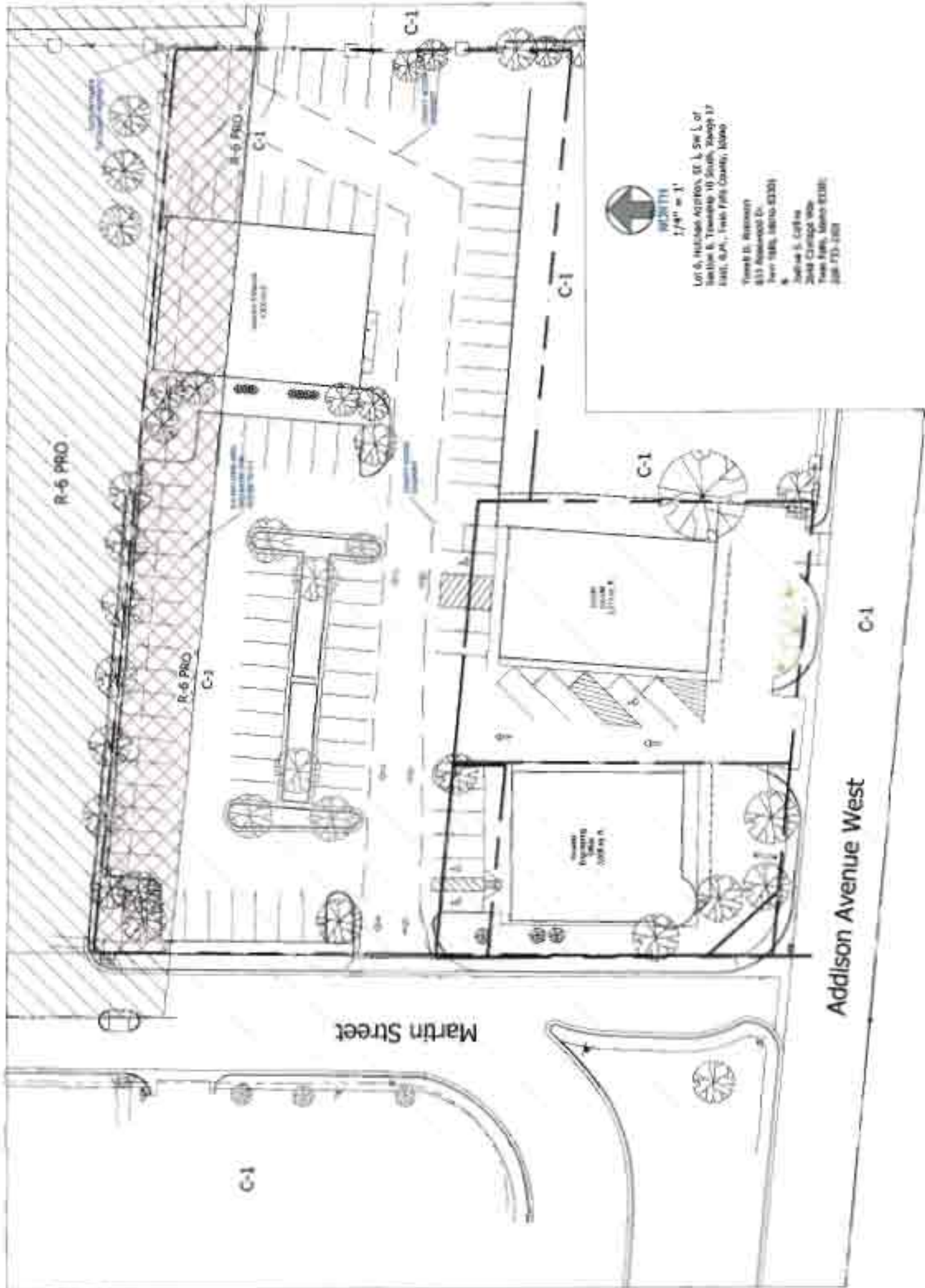
Zoning Vicinity Map

Reference Only

Aerial Image Map

Reference Only





1/4" = 1'

Lot 6, Hutchins Addition, SE 1/4, SW 1/4 of
Section 8, Township 10 South, Range 17
East, 6th P.M., Tenth P.M. County, Idaho

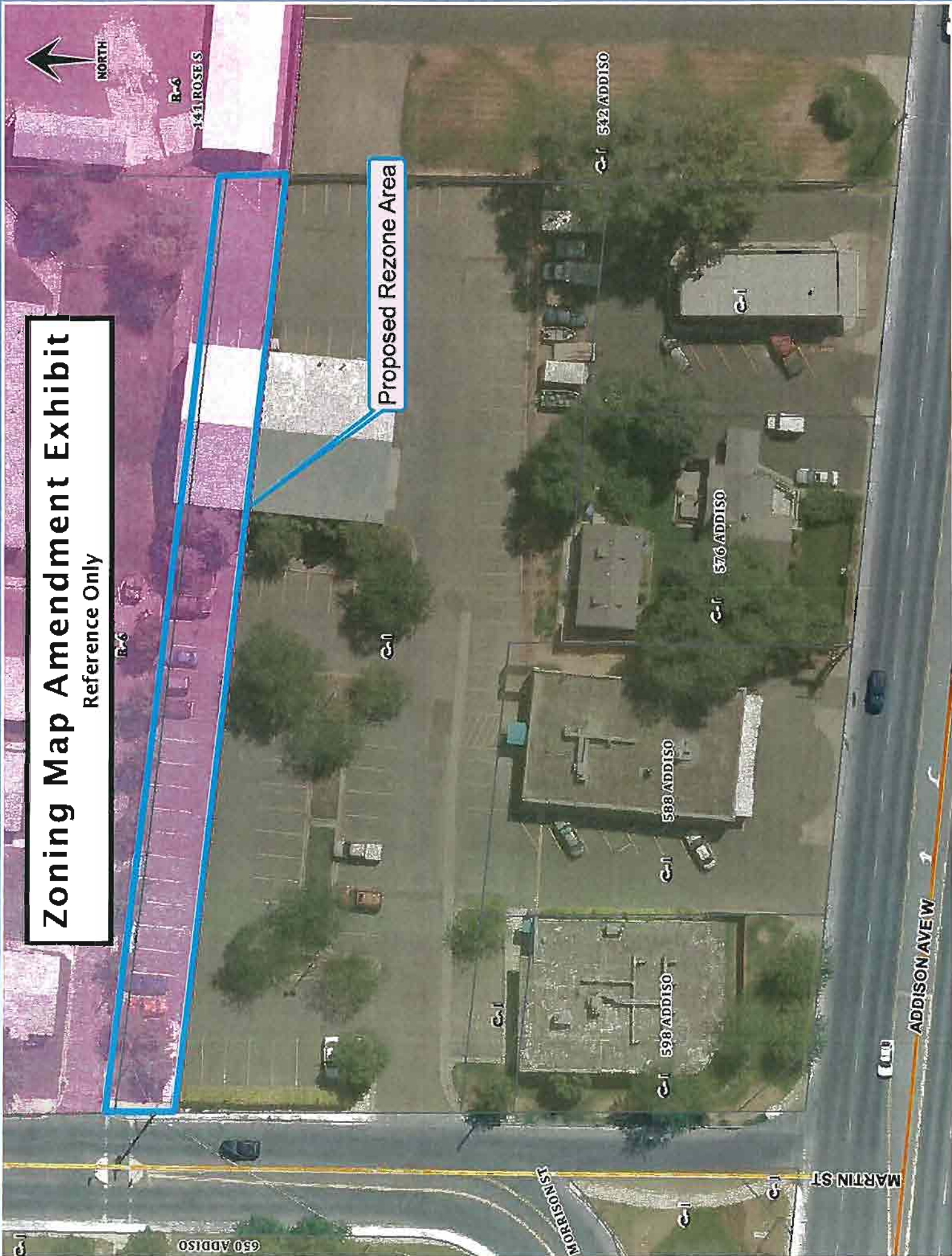
Timothy D. Anderson
4117 N. Main Street
Boise, Idaho 83704-8301

Jeffrey S. Cagle
2014 Canyon Blvd
Twin Falls, Idaho 83301
208-733-1001

Zoning Map Amendment Exhibit

Reference Only

Proposed Rezone Area



R-6
141 ROSES

C-1
542 ADDISO

C-1
576 ADDISO

C-1
588 ADDISO

C-1
598 ADDISO

C-1

650 ADDISO

MORRISON ST

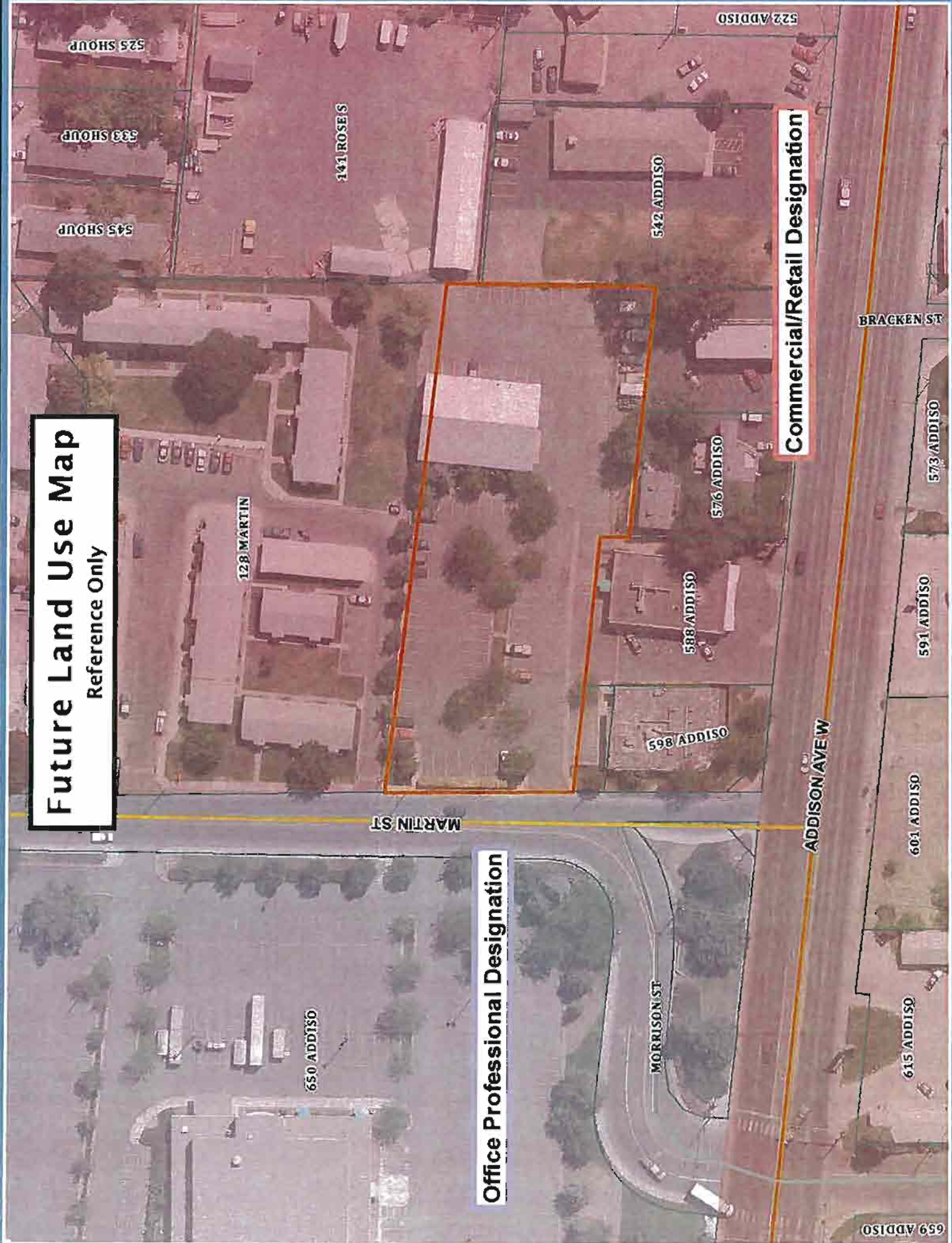
MARTIN ST

ADDISON AVE W

Future Land Use Map
Reference Only

Office Professional Designation

Commercial/Retail Designation







Rear/East Portion of building and Lot



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
February 25, 2014 6:00PM
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 "Tato" Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

City Council Liaison
Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

Present Absent

Boyd
Derricott
Frank
Grey
Munoz
Sharp
Tatum

AREA OF IMPACT MEMBERS

Present Absent

DeVore
Woods

CITY COUNCIL LIAISON(S): Mill Sojka

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

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.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):
2. Approval of Findings of Fact and Conclusions of Law:
 - Fieldstone Professional (pre-plat 02-11-14)
 - Crandall (SUP 02-11-14)
 - TF Chamber of Commerce (SUP 02-11-14)

February 5, 2014 Work Session
February 11, 2014 Public Hearing

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.
Commissioner Munoz seconded the motion. Commissioner Woods abstained.

Approved

III. ITEMS OF CONSIDERATION:.....

IV. PUBLIC HEARINGS:

- 1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment for .5 (+/-) acres from R-6 PRO to C-1 for property located at 580 Addison Avenue West ProWest Engineering c/o Dan Thiel / Mtn. Sun Construction, LLC. (app.2619)**

Applicant Presentation:

Dan Thiel, Mountain Sun Construction, LLC, representing the applicant, stated that he was here at an early hearing for a Special Use Permit to use of this shop for the ProWest business. This request is to have the entire property that the shop is on rezoned to a commercial zone. The property is currently split into two different zones R-6 PRO and C-1. He asked that the Commission recommend approval.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request.

He summarized the history of the property and stated this property came through in December for a Special Use Permit. In 1986 a Special Use Permit was granted for an Auction House. Later the building changes hands and in May of 2012 the County sold the property to ProWest Engineering. Since the applicant purchased the building they have been operating an Electrical Engineering Firm, they have leased a space to the Vendor Blender and have been using this shop. . In December 2013, ProWest applied for a Special Use Permit to replace an existing non-conforming use with another non-conforming use for their electrical cabinet assembly. This Special Use Permit was approved by the Commission with conditions.

He stated this request is to move the R-6 PRO zoning boundary so that it coincides with the property line to the north making the whole building and parking area C-1; commercially zoned. The property is Lot 6 of the Holohan Addition; and the request is to rezoned it from

R-6 PRO (Residential Multi-Household Professional Office Overlay) to C-1 (Highway Commercial). There is an existing building on site that is zoned both C-1 and R-6 PRO. The Official Zoning Districts Map has the boundary line bisecting the building itself into two (2) differing zones.

The use of the property, and the building, will not change with this application. The applicant has expressed that the rezone request stems from wanting to clean up the zoning issues with the property, and remove possible encumbrances on the property if sold or if buildings were possibly expanded.

The Comprehensive Plan and Future Land Use Map designate the particular area wishing to be rezoned as Commercial/Retail. The area immediately to the East, South, and West are currently C-1 and have Commercial and Government uses established. The area to the north is zoned R-6 PRO and is currently a multi-family housing project. This proposed rezone would be compatible with the adjacent land uses in the area and does follow the Future Land Use Map and goals of the Comprehensive plan.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- to evaluate the request to determine the extent and nature of the amendment requested.

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

Planner I Spendlove stated upon conclusion if the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Commissioner Questions/Comments:

Public Hearing: **Opened**

Public Hearing: **Closed**

Deliberations **Followed: Without Concerns**

Motion:

Commissioner Munoz made a motion to recommend approval of the request, as presented. Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

Recommended For Approval, As Presented
Scheduled For City Council March 31, 2014



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1308

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on December 10, 2013 to ProWest Engineering whose address is 580 Addison Avenue West for the purpose of replacing a legal non-conforming use by allowing an assembly business consisting of electrical components on property located at 580 Addison Avenue West and legally described as Twin Falls Holohan Addn S1/2 Exc SE 125' x 176' & Exc SW 176.9 x 145' & Exc N 30' Lot 6

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

This permit corresponds to Zoning Application No.2607

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable City Code requirements and standards.
2. Subject to this Special Use Permit being limited to ProWest Engineering/Western Enclosure/EagleGate Systems only.
3. Subject to limiting the number of large metal shipping container sized enclosures to a maximum of two (2) on the property at one time and to be located inside the building at all times.
4. No outside storage of materials or finished product at any time.



CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

DATE

1/14/14

This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.

cc: Building Inspection



Public Hearing: **MONDAY MARCH 31, 2013**

To: Honorable Mayor Hall and City Council

From: Mitch Humble, Community Development Department

ITEM IV-

Request: Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South. c/o Judith A Rayborn (App 2622)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

Background:

Applicant:	Status: Owner	Size: 15,454 sf/0.35 Acres
Judith A. Rayborn 206 8 th Ave North Twin Falls, ID 83301 208-733-3431 731-3430 (cell)	Current Zoning: R-4	Requested Zoning: R-4 PRO
	Comprehensive Plan: Urban Village / Urban Infill	Lot Count: 1 parcel
	Existing Land Use: Single Family Residential	Proposed Land Use: Residential with a Professional Office Overlay
Representative:	Zoning Designations & Surrounding Land Use(s)	
	North: M-1 Aol and M-1; Osterloh Ave W(undeveloped); Agricultural/single family residence	East: R-2; Washington St South; Residential
	South: R-4, Residential	West: R-4, Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-5, 10-4-18, 10-14-1 through 9	

Approval Process:

At the conclusion of a Public Hearing, the Planning & Zoning Commission is asked to make a recommendation on the requested zoning of the property. Their recommendation will be forwarded to the City Council for consideration. A public hearing will be held and the City Council is asked to make a decision on the request. If approved an ordinance is published and codified.

Budget Impact:

Approval of this request will impact the City budget as developed & viable non-residential property may be assessed at a higher value than undeveloped residential property.

Regulatory Impact:

Approval of this request will allow the property to be developed and viable increasing the tax base of the property.

History:

The Farmstead Plat was recorded around 1937, this plat created the lot applying for the rezone. The City of Twin Falls does not have any history on the building that resides on the lot.

In 1981 Twin Falls City adopted an amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map.

Analysis:

This is a request for a Zoning District Change and Zoning Map Amendment to rezone a single parcel from R-4; Residential Medium Density to R-4 PRO; Residential Medium Density with a Professional Office Overlay. The parcel, located at 708 Washington Street South, is 15,454 sf/0.35 +/- acres, with a legal description of NE 66.9' X 231' of Lot A, Farmstead Subdivision-A Survey. There is an existing single family residence on the parcel.

The surrounding neighbors are primarily single family residences and agricultural. Along the northern boundary of this property is an undeveloped minor collector street; Osterloh Ave W. North of Osterloh the property is zoned M-1; light manufacturing with a small single family residence and agricultural farm land. That residence is in city limits and the farm ground is outside city limits. To the east of 708 Washington St S is a residential subdivision zoned R-2 developed with single family residences. To the south and west of 708 Washington St S the property is zoned R-4 with developed single family residences. Kitty-corner of 708 Washington St S across Washington St S to the north and east is a manufacturing plant zoned M-1; Light Manufacturing. There are established commercial and light manufacturing businesses located in this plant.

The applicant has expressed in her narrative that the rezone request stems from the desire to sell this property and to be able to market it other than just as a residence. With the current zoning of R-4, commercial/professional/service oriented businesses are not allowed. The rezone may allow the applicant to market the property as a possible future professional office subject to full compliance with city codes and development standards. Within the R-4 PRO zoning code, in order to convert a residence to professional office, a Special Use Permit and a building permit for a change of use would be required.

The 2009 Comprehensive Plan and Future Land Use Map designates this portion of Washington Street South corridor as appropriate for Urban Village/Urban Infill development.

The Comprehensive Plan outlines the desired type of uses in the following description:

"Urban Village/ Urban Infill uses are proposed within the existing City Limits on sites that are surrounded by built-up areas and which are generally smaller than land located on the outskirts of the community. Instead of being developed with single-family homes or similar homogenous uses, a mixed-use profile is envisioned; incorporating a range of residential uses and densities, in addition to commercial and community uses which support urban lifestyles. Mixed uses would be both vertical and horizontal, depending on the design qualities of each specific project."

Since the adoption of the Comprehensive Plan in 2009 this land use designation of Urban Village/Urban Infill has not been adopted in Title 10 as a zoning district. The intent of the UV/UB is to allow for infill development of light commercial/professional uses in established areas specifically along major arterials

such as Washington Street South. Under staff review we determined a professional office overlay may accomplish the intent of the UV/UB description of utilizing this lot other than as a single family residence. A Home Occupation could still be operated by SUP at this site under the current zone of R-4.

If the request is approved by the City Council, development of the site would require a Special Use Permit and development of site improvements which may include paving, landscaping, storm water retention, curb/gutter/sidewalk, development of Osterloh Ave W, compliance with building codes to change the use from a residence to a professional office and review for compliance of Engineering and Fire codes.

If approved this would be the first zoning amendment to allow a use other than residential along this section of Washington St S for property currently zoned/developed/used as residential.

In reviewing a request for a Zoning District Change and Zoning Map Amendment there are two (2) main tasks: **1-** to determine whether the request is in conformance with the Comprehensive Plan and **2-** to evaluate the request to determine the extent and nature of the amendment requested.

Conclusion:

On February 25, 2014 the Planning & Zoning Commission evaluated the request as presented and unanimously determined the extent and nature of the amendment being requested was in conformance with the Comprehensive Plan.

The Commission unanimously recommended the City Council grant this request, as presented.

Attachments:

1. Letter of Request
2. Zoning Vicinity and Aerial Map
3. Comprehensive Plan – Future Land Use Map
4. Site Photos(3)
5. Applicants exhibits (6)
6. Portion of the Feb 25, 2014 P&Z minutes

January 23, 2014

Attention: City of Twin Falls Planning and Zoning Commission:

My name is Judi Rayborn, I own the property located at 708 South Washington, Twin Falls, Idaho.

For the past 20 years the property has been used as a single family residence/ rental. With the widening of South Washington the steady flow of traffic has increased immensely. Commercial and industrial businesses have also increased creating a positive effect on this area. While heavy traffic at 45 miles per hour is great for businesses, it has had a negative effect on the existing homes facing Washington Street South. The ingress and egress of driveways along Washington Street South is extremely dangerous and the safety of children and pets is also a great concern.

My lot located at 708 South Washington is unique to any neighboring lot. It is situated on the corner facing South Washington with Osterloh running 231 feet along the entire North boundary. This allows access to the entire property without disrupting or narrowing the existing South Washington frontage.

The vacant portion of my lot running parallel to Osterloh would be ideal for parking.

I would like to request a zoning change to accommodate a small professional office: Real Estate, Law, Interior Design, Nail Salon, Beauty Salon, etc. This would not disrupt or infringe upon neighboring businesses or residents. I believe a zoning change from R4 to R4/PRO would be an advantage to existing R4 zoned single family property owners, allowing and creating an opportunity for future business.

I believe the highest and best use for Washington Street South is professional offices, retail, manufacturing and commercial.

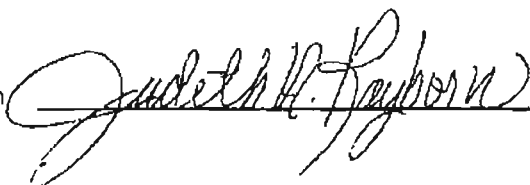
To the North of my property directly across Osterloh the single family residence and property is Zoned M1 as well as the vacant land contiguous to the house running West along the North boundry of Osterloh. East of my property across Washington Street and North thereof, the property formerly known as "Jayco" is also zoned M1. The corner of Washington Street South and Orchard on the North side of Orchard is zoned C1.

I think a zoning change would be appropriate for my property currently zoned R4.

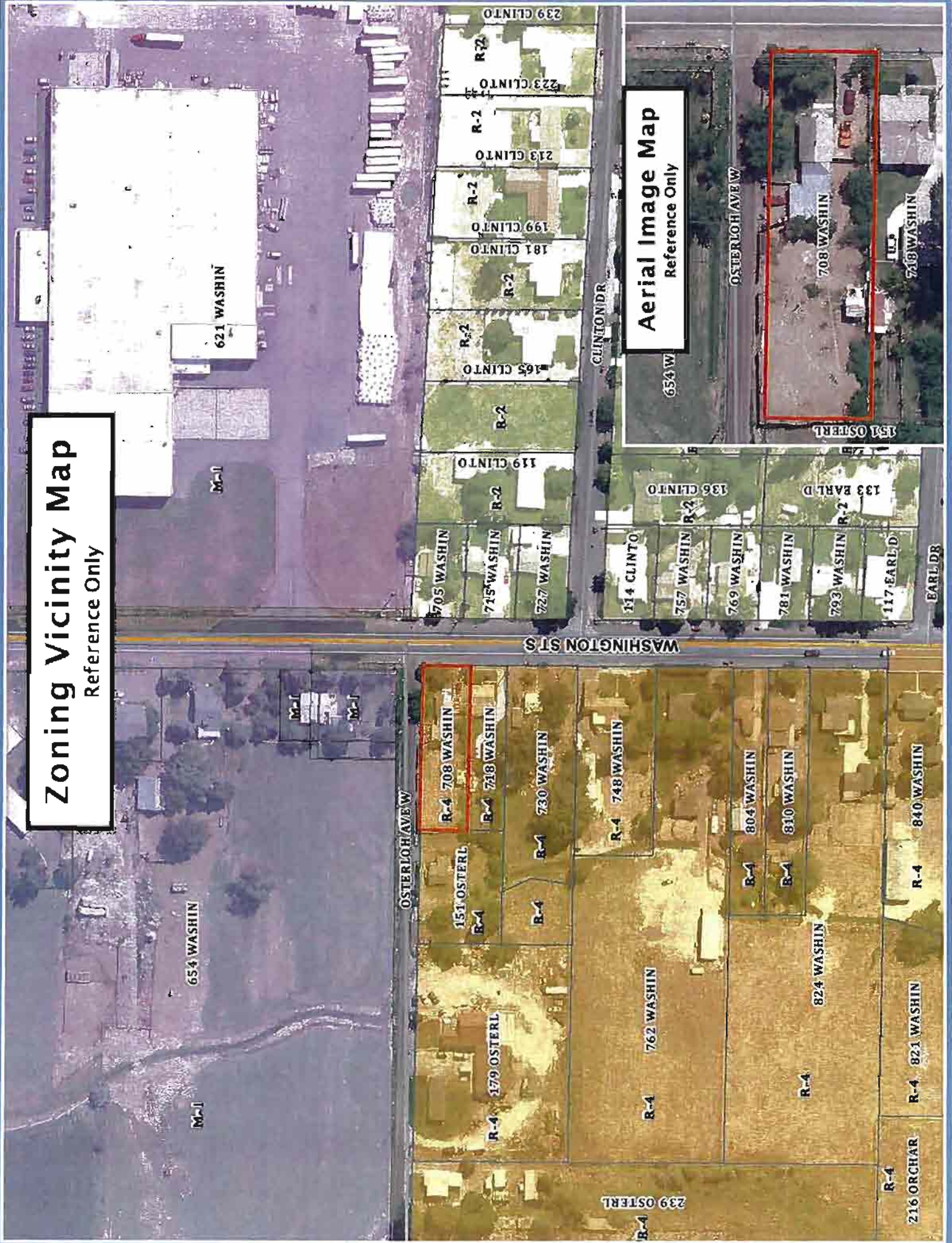
Thank you for considering my request.

Sincerely yours,

Judith A. Rayborn

 date 1/23/14

Reference Only



Reference Only

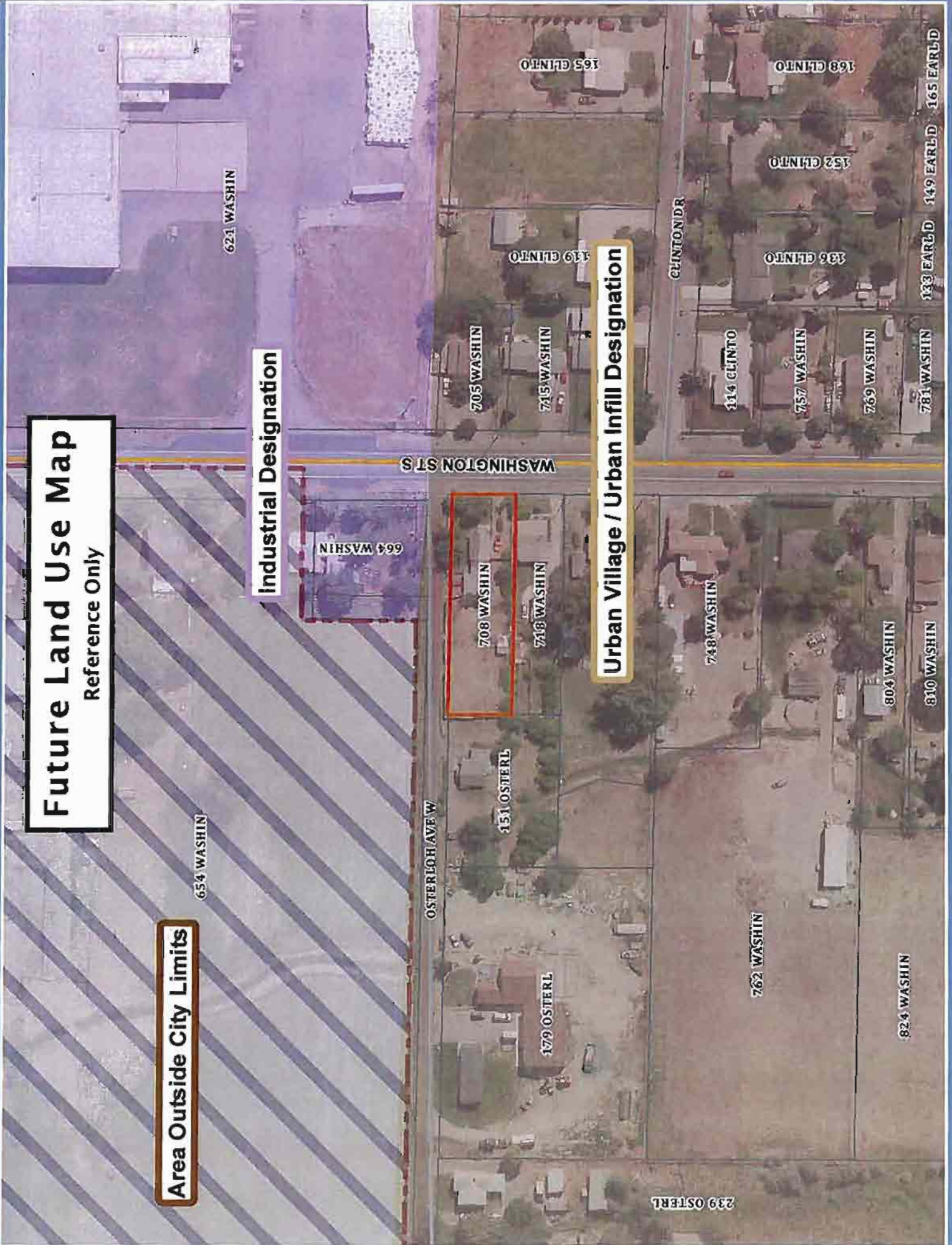
Future Land Use Map

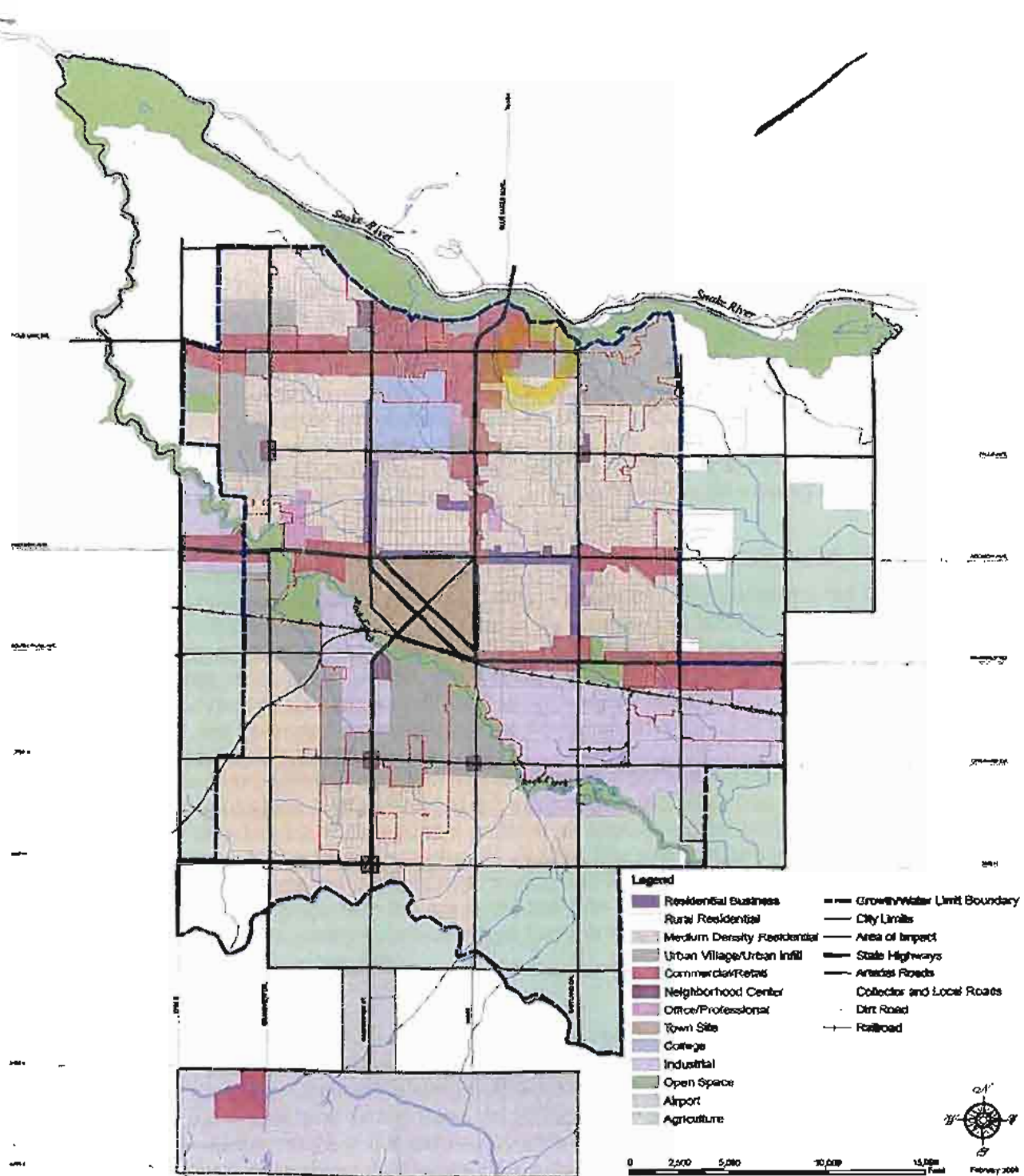
Reference Only

Area Outside City Limits

Industrial Designation

Urban Village / Urban Infill Designation





Twin Falls Comprehensive General Plan Update

Map 2-4:
Future Land Use











M-1

M-1

Osterloh Street

T188100000 AE
P08560

LOT A

T188100000 AD
P08559

00000 AR
P08555

R-A

TAX 905
116'

TAX 617
00000 AB
P08556

160'

T188100000 AF
P08558

00000 AC
P08557

303'

T188100000 BB
P08563

LOT B

00000 BA
P08561

84'

110'

265'

00000 BB
T1881
P08562

R-A

T188100000 CC
P08566

LOT C

00000 CA
P08564

00000 CB
P08565

00000 CC
P08567

Washington Street

Farmstead
Subdivision



1/8" = 10'-0"











MINUTES
TWIN FALLS CITY PLANNING & ZONING
COMMISSION
February 25, 2014 6:00PM
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 "Tato" Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

City Council Liaison
Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

Present Absent

Boyd
Derricott
Frank
Grey
Munoz
Sharp
Tatum

AREA OF IMPACT MEMBERS

Present Absent

DeVore
Woods

CITY COUNCIL LIAISON(S): Mill Sojka

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

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.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):
2. Approval of Findings of Fact and Conclusions of Law:
 - Fieldstone Professional (pre-plat 02-11-14)
 - Crandall (SUP 02-11-14)
 - TF Chamber of Commerce (SUP 02-11-14)

February 5, 2014 Work Session
February 11, 2014 Public Hearing

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented.
Commissioner Munoz seconded the motion. Commissioner Woods abstained.

Approved

1. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 708 Washington Street South c/o Judith Rayborn (app.2622)

Applicant Presentation:

Judith Rayborn, the applicant, stated she owns the property in question. The property has been used as a rental since they purchased it in 1994. The lot is very large and with the addition to Washington and increased traffic it is not very good for a rental. There is access to the property from Osterloh Avenue West which would be able to be used for parking. She thinks it would be great for a professional office and would meet the intent for the area. The property is zoned R-4 now and is across the street from M-2 zoned property to the north. It is located south of the old Jayco building. This change would not disrupt the area if this rezone was to be approved. It would make a great office property and she would like to be able to utilize the property better.

Carolyn Cutler, Gem State Realty, stated she has been asked by the applicant to help her find a use for the property and make it more marketable. The surrounding area has M-1, Manufacturing and a variety of uses. The area is changing and the R-4 PRO zoning would offer an opportunity for the area to change and fit the comprehensive plan goals. The population density has increased tremendously in this area and having a professional overlay type of business would make this property more marketable.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. He stated The Farmstead Plat was recorded around 1937, this plat created the lot applying for the rezone. The City of Twin Falls does not have any history on the building that resides on the lot. In 1981 Twin Falls City adopted an amended Title 10; Zoning & Subdivision Regulations and amended the Area of Impact and Zoning Districts Map.

This is a request for a Zoning District Change and Zoning Map Amendment to rezone a single parcel from R-4; Residential Medium Density to R-4 PRO; Residential Medium Density with a Professional Office Overlay. The parcel, located at 708 Washington Street South, is 15,454 sf/0.35 +/- acres, with a legal description of NE 66.9' X 231' of Lot A, Farmstead Subdivision-A Survey. There is an existing single family residence on the parcel.

The surrounding neighbors are primarily single family residences and agricultural. Along the northern boundary of this property is an undeveloped minor collector street; Osterloh Ave W. North of Osterloh Avenue West the property is zoned M-1; light manufacturing with a small single family residence and agricultural farm land. That residence is in city limits and the farm ground is outside city limits. To the east of 708 Washington St S is a residential subdivision zoned R-2 developed with single family residences. To the south and west of 708 Washington St S the property is zoned R-4 with developed single family residences. Kitty-corner of 708 Washington St S across Washington St S to the north and east is a manufacturing plant zoned M-1; Light Manufacturing. There are established commercial and light manufacturing businesses located in this plant.

The applicant has expressed in her narrative that the rezone request stems from the desire to sell this property and to be able to market it other than just as a residence. With the current zoning of R-4, commercial/professional/service oriented businesses are not allowed. The rezone may allow the applicant to market the property as a possible future professional office subject to full compliance with city codes and development standards. Within the R-4 PRO zoning code, in order to convert a residence to professional office, a Special Use Permit and a building permit for a change of use would be required.

The 2009 Comprehensive Plan and Future Land Use Map designates this portion of Washington Street South corridor as appropriate for Urban Village/Urban Infill development. The Comprehensive Plan outlines the desired type of uses in the following description: *"Urban Village/ Urban Infill uses are proposed within the existing City Limits on sites that are surrounded by built-up areas and which are generally smaller than land located on the outskirts of the community. Instead of being developed with single-family homes or similar homogenous uses, a mixed-use profile is envisioned; incorporating a range of residential uses and densities, in addition to commercial and community uses which support urban lifestyles. Mixed uses would be both vertical and horizontal, depending on the design qualities of each specific project."*

Since the adoption of the Comprehensive Plan in 2009 this land use designation of Urban Village/Urban Infill has not been adopted in Title 10 as a zoning district. The intent of the Urban Village/ Urban Infill is to allow for infill development of light commercial/professional uses in established areas specifically along major arterials such as Washington Street South. Under staff review we determined a professional office overlay may accomplish the intent of the Urban Village/ Urban Infill description of utilizing this lot other than as a single family residence. A Home Occupation could still be operated by SUP at this site under the current zone of R-4.

If the request is approved by the City Council, development of the site would require a Special Use Permit and development of site improvements which may include paving, landscaping, storm water retention, curb/gutter/sidewalk, development of Osterloh Avenue Wes, compliance with building codes to change the use from a residence to a professional office and review for compliance of Engineering and Fire codes.

If approved this would be the first zoning amendment to allow a professional office along this section of Washington St S for property currently zoned/developed/used as residential.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: 1- to determine whether the request is in conformance with the Comprehensive Plan and 2- to evaluate the request to determine the extent and nature of the amendment requested.

The Commission is asked to make a recommendation on this request which automatically is scheduled for a public hearing before the City Council. The Commission's recommendation may be to deny the request, approve the request as presented or they may table the request and ask that additional information be provided for their review.

To make a positive recommendation to the City Council the Commission must determine that 1- the request is in conformance with the Comprehensive Plan and 2- the extent and nature of changing the zoning of this property to R-4 PRO would be compatible with and not detract from the surrounding area.

Planner I Spendlove stated upon conclusion if the Commission finds that 1 & 2 have been met then Staff recommends the Commission recommend approval of this request, as presented.

Commissioner Questions/Comments:

- Commissioner Grey asked if the egress onto Osterloh Avenue West would be allowed.
- Planner I Spendlove stated that the Engineering Department would have to determine the location for the egress and if it would be feasible. Without a design for the property it would be hard to determine, however it would be reviewed by Engineering at the time of submittal.

Public Hearing: Opened

Public Hearing: Closed

Closing Statement:

Mrs. Rayborn explained because of the traffic in this location the rental status is very short term. It would be nice to have a family rent the home long term but the property is not conducive for a family.

Deliberations Followed:

- Commissioner DeVore asked staff if this request complies with the Comprehensive Plan.
- Planner I Spendlove stated staff did not address this in the staff report and has left this decision up to the Planning & Zoning Commission.
- Commissioner Sharp stated he has lived in this area before and feels the change would meet the goals of the Comprehensive Plan.
- Commissioner Munoz stated he thinks this would be a good transition and this is in line with the Comprehensive Plan.
- Commissioner Frank stated this would be positive, it is unsafe for a residential use and recommending approval would allow them to move forward through the process.
- Commissioner Grey stated this would help get the ball rolling for this type of change in the area.

Motion:

Commissioner Sharp made a motion to recommend approval of the request, as presented.

Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

Recommended For Approval, As Presented
Scheduled For City Council March 31, 2014