

COUNCIL MEMBERS:Suzanne
HawkinsJim
MunnShawn
BarigarChris
TalkingtonGregory
LantingDon
HallRebecca
Mills Sojka

Vice Mayor

Mayor

**AGENDA**

Meeting of the Twin Falls City Council
Monday, February 23, 2015

City Council Chambers - 305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT**AGENDA ITEMS****I. CONSENT CALENDAR:**

1. Consideration of a request to approve the Accounts Payable for February 18–23, 2015, total: \$1,788,240.16.
2. Consideration of a request to approve the February 9, 2015, City Council Minutes.
3. Consideration of a request to approve the Final Plat for the Canyon Village Subdivision, a PUD, for Northeast Investments LLC.
4. Consideration of a request to approve the Final Plat for the Fieldstone Professional Subdivision, a PUD, for Wills Inc.

Purpose:

Action

Action

Action

Action

By:

Sharon Bryan

Leila A. Sanchez

Rene'e V. Carraway-
JohnsonRene'e V. Carraway-
Johnson**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request to approve a Resolution that will authorize the Mayor to execute the Cooperative Agreement for the Intersection of Blue Lakes Blvd. & Heyburn Ave.
2. Consideration of a request to adopt an Ordinance for a *Zoning District Change and Zoning Map Amendment* from R-1 VAR to R-2 for property located on the east side of the 500, 600, and 700 blocks of Hankins Road North for the Twin Falls School District #411.
3. Consideration of a request to adopt an Ordinance to *Vacate* undeveloped property within a portion of Northern Passage Subdivisions #3 and #4 on property located at the northeast corner of Federation Road (extended) and Grandview Drive North for Northern Passage, Inc.
4. Presentation of the City Pool Financial Report.
5. Public input and/or items from the City Manager and City Council.

Purpose:

Action

Action

Action

Presentation

By:

Jacqueline Fields

Rene'e V. Carraway-
JohnsonRene'e V. Carraway-
JohnsonJohn Pauley, Aquatics
Director of the YMCA**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:****IV. PUBLIC HEARINGS: 6:00 P.M.**

1. Consideration of a request for a Zoning Title Amendment to amend Title 10 to increase the required public notice for various public hearings.

PH/Action

Jonathan Spendlove

V. ADJOURNMENT:

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.

COUNCIL MEMBERS:

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

**MINUTES**

Meeting of the Twin Falls City Council
Monday, February 9, 2015
City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT**AGENDA ITEMS****I. CONSENT CALENDAR:**

1. Consideration of a request to approve the Accounts Payable for February 3 – February 9, 2015, total: \$40,540.86.
2. Consideration of a request to approve the January 2 and January 26, 2015, City Council Minutes.

Purpose:

Action

Action

By:

Sharon Bryan

Leila A. Sanchez

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a contract with CH2MHill for Design of the Headworks Expansion at the Waste Water Treatment Plant for an amount not to exceed \$707,450.
2. Consideration of a request to negotiate and enter into an agreement with the Twin Falls School District to construct irrigation improvements in the vicinity of the new South Hills Middle School and to use funds budgeted for the Castlewood Pressure Irrigation station for the work.
3. Presentation of an update on the construction of the Hankins Water Tank.
4. Public input and/or items from the City Manager and City Council.

Purpose:

Action

Action

Presentation

By:

Troy Vitek

Lee Glaesemann

Lee Glaesemann

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**IV. PUBLIC HEARINGS: 6:00 P.M.**

1. Consideration of a request for a [Zoning District Change and Zoning Map Amendment](#) from R-1 VAR to R-2 for 51 (+/-) acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North.
2. Consideration of a request for [Vacation](#) of 13(+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, consisting of 46 single family lots and adjacent rights-of-way and easements to allow for the development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North.

PH/Action

PH/Action

Brad Wills
%Twin Falls School DistrictTim Vawser/EHM Engineers
% Northern Passage Inc.**ITEM FOR CONSIDERATION:**

1. Consideration of a request to approve the final plat of the Northern Passage Subdivision, #5, consisting of 13(+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4.

Action

Tim Vawser/EHM Engineers
% Northern Passage Inc.**V. ADJOURNMENT:**

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.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Chris Talkington, Gregory Lanting, Don Hall,

Absent: Rebecca Mills Sojka

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Planner I Jonathan Spendlove, Assistant City Engineer Troy Vitek, Project Engineer Lee Glaesemann, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATION: None

GENERAL PUBLIC INPUT

Mayor Hall thanked the Brownie Scouts with Silver Sage Council for their Valentines Card.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for February 3 – February 9, 2015, total: \$40,540.86.
2. Consideration of a request to approve the January 2 and January 26, 2015, City Council Minutes.

MOTION:

Vice Mayor Hawkins moved to approve the Consent calendar as presented. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a contract with CH2MHill for Design of the Headworks Expansion at the Waste Water Treatment Plant for an amount not to exceed \$707,450.

Assistant City Engineer Vitek explained the request. On May 21, 2013, a bond was passed by the citizens in the amount of \$38m. \$32m of this bond was earmarked for the Waste Water Treatment Plant (WWTP) to provide additional capacity. The City has approached CH and asked them to provide an additional scope of services to complete the Design for the Headworks Expansion. CH has provided a Scope of Work attached along with a contract in the amount of \$707,450. Staff recommends that City Council allow the City Engineer to sign Task Order No. 15 Amendment 1 for the amount not to exceed \$707,450.

City Manager Rothweiler stated that the savings is associated with the waste water treatment plant portion of the project. There were two pieces of the bond issue for \$38m: (1) \$32m was set aside for the waste water treatment facility and (2) \$6m was set aside for the collection facility. The savings discussed was on the original project and the original cost moving forward. Capacity fees have been collected. Capacity fees are fees that are paid by industrial, residential, and all users of the system, which is to buy capacity into the plant and those funds can only be used for the waste water treatment facility, specifically the collection systems or anything that would assist for the overall capacity at the plant. \$5.1m could be possibly available for the proposed project. This would not include the \$6m that has been set aside and earmarked for collection projects.

Discussion followed.

-Compensation Table

-Breakdown of costs

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The project can be stopped at any time if it is found that the contract is not viable and is not to exceed \$707,460. The contract is for the design portion only.

MOTION:

Councilmember Barigar moved to approve the contract with CH2M Hill for Design of the Headworks Expansion at the Waste Water Treatment Plant for an amount not to exceed \$707,450. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a request to negotiate and enter into an agreement with the Twin Falls School District to construct irrigation improvements in the vicinity of the new South Hills Middle School and to use funds budgeted for the Castlewood Pressure Irrigation (PI) station for the work.

Project Engineer Glaesemann explained the request. The Twin Falls School District is preparing to construct a new middle school near 3600 North and Harrison Street South. As part of their work they must construct gravity irrigation improvements and a PI station to serve the school property.

Currently, there are subdivisions adjacent to the new school property that were required to be constructed with pressurized irrigation piping, but were not required to construct a pressurized irrigation station. Providing the pressurized irrigation water to these subdivisions is the City's responsibility. The City does not have the ability to provide sufficient pressurized canal company water to their systems therefore is providing potable water for their irrigation system.

At this time the City has the opportunity to work with the School District to develop a new PI station on the School property. The pressurized irrigation station would require the upsizing of piping that the school must already install and the installation of pressurized irrigation piping to connect to the subdivisions. Some additional easements would also be needed.

Staff is seeking Council approval to negotiate and enter into an agreement with the School District to include the additional work into their construction scope and the City will pay for their portion of the improvements. The agreement would also include necessary easements to allow for the construction of a city pressurized irrigation station. The City would construct the pressurized irrigation station under a separate construction contract.

The current budget includes \$225,000 for the construction of a pressurized irrigation station at the Castlewood Subdivision. Investigation and modeling is still being performed but initial estimates for the irrigation improvements are between \$100,000 and \$120,000. The cost of the PI station construction is not included in this estimate. Funds for the construction of the South Hills pressurized irrigation station are being considered for inclusion in the next budget cycle.

Staff recommends approval to negotiate and enter into an agreement with the Twin Falls School District to construct irrigation improvements in the vicinity of the new South Hills Middle School and to use funds budgeted for the Castlewood PI station for the work.

Discussion followed:

- Potable and non-potable water
- Areas the station will serve
- Lawntaps

Project Engineer Glaesemann stated the City is currently using potable water for the subdivisions because the City does not have any canal company water that is pressurized to be able to put into those pipes. The new station will tie into those pipes and potable water will be shut off.

The School District will be responsible for their PI station. The City will not share PI water with the school. Approximately 160 shares of water will be delivered through the PI station amounting to 160 acres worth of water.

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MOTION:

Councilmember Barigar moved to approve the request to negotiate and enter into an agreement with the Twin Falls School District to construct irrigation improvements in the vicinity of the new South Hills Middle School and to use funds budgeted for the Castlewood PI station for the work as presented. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

3. Presentation of an update on the construction of the Hankins Water Tank.

Project Engineer Glaesemann explained the request using a PowerPoint presentation. In 2013, the City of Twin Falls purchased 4.75 acres of property located on the southeast corner of Hankins Road and Marie Street for the construction of a 5 million gallon potable water storage tank. The tank is being constructed south of the City's existing tank and pumping station. The tank is needed to fulfill the requirements of a development agreement between the City, Urban Renewal Agency, and Clif Bar. This will also improve fire flows and allow additional growth on the southeast side of the City.

On August 18th, the Council awarded the project to Performance Systems, Inc. of Meridian Idaho and construction began on September 8, 2014. Construction is scheduled to be completed in June of 2015. The critical components of the project are on schedule but the Contractor has indicated that some tasks are about 5 days behind schedule and adjustments are being made to make up the time.

As of February 4th, \$2,127,617.22 has been invoiced on the project.

Discussion followed.

-Construction project liability

-Funding

Project Engineer Glaesemann explained that the contractor is specifically required to provide safety on their job site.

City Manager Rothweiler stated the City does not have any liability for the project.

Project Engineer Glaesemann explained that per the development agreement with Clif Bar and the URA, the budget for the work is \$7,300,000. The funding sources shown in the agreement are \$3,500,000 City (reserves), \$2,628,000 URA (TIF) and \$1,172,000 URA (other sources). The City is using percentage ratios for the actual amounts that are being spent on the contract. The City Manager Rothweiler stated that the City's share is 52% of the project and the balance will come from the TF Urban Renewal Area 1, because of the direct benefit to the other areas with a connected water system. The Clif (TIF) is paying for their proportionate share which is the \$2,628,000.

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

City Manager Rothweiler stated that Monday is President's Day, and the regular City Council meeting will be held on Tuesday, February 17, 2015, at 5:00 p.m.

Councilmember Lanting invited the community to attend a design workshop on Thursday, February 19, 2015, 6:00 p.m. to 8:00 p.m. at the Historic Ballroom located at 205 Shoshone Street North in Twin Falls. Concepts and options for the project area will be presented at the workshop, and participants will have the opportunity to provide comments and input on things they would like to see move forward in design

Mayor Hall stated that he spoke with KLIX radio and Councilmembers agreed to meet at the station every two weeks.

Recess at 5:37 p.m.

Reconvened at 6:00 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M.

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1. Consideration of a request for a [Zoning District Change and Zoning Map Amendment](#) from R-1 VAR to R-2 for 51 (+/-) acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North.

Brad Wills, representing the applicant, 222 Shoshone Street W., explained the request. The purpose of this request is to amend the current zoning land use designation for the Sackett Farms Subdivision Lot 1 from R-1 VAR to R-2. Both R-1 VAR and R-2 are described in City Code 10-4-3.1 and 10-4-4.1 as a low density area: "This district is intended to promote residential development and to provide a low density residential environment."

Currently the property is R-1 Variable. Changing from an R-1 Variable to an R-2 does not necessarily mean drastically changing from large lots to smaller lots. The three subdivisions currently nearby that are R-1 VAR, are the Temple Subdivision with an average of 12,000 sq.ft. lots, Morning Sun Phase 7 which is across the street from the proposed project with an average of 10,500 sq. ft. , and Pioneer Subdivision located on Filer and Carriage Lane which is an R-1 VAR with lots that can be 8,000 sq. ft.

In an R-2 zone the average sq. ft. of Hometowne, Northern Passage, Settler's Ridge, Northern Sky, Fieldstone and Sunterra is 9,400 sq. ft. An R-1 does not necessarily mean the developer will go down to the 6,500 sq. ft. It is market driven and the side of town being discussed lends itself to larger lots.

The rule in the R-1 is that new subdivision lots have to be equal to 85% of the overall square footage of existing platted lots that are within 150' of the exterior of the proposed subdivision, or a minimum of 18,500 sq. f.t, whichever is less. Where the LDS Church is located and has a six acre parcel, whoever develops the property has to be within 85% of that lot square footage or a minimum of 18,500 sq. ft. The City owns a two acre lot requiring the applicant to be within 85% of that two acre lot. Any lots within 150 ft. of the City owned lot the developer will end up at 18,500 sq. ft. lots. Morning Sun lots back up to the development and are 15,000 sq. ft. lots, and any lot that will be designed has to be 12,900 sq. ft.

The subdivision will have a large buffer. Hankins is 116' right of way, Filer is 72' right of way, and the school will shelter the division. The applicant is asking this be changed to an R-1 Var. The School District intends to sell a portion of the property through a public auction to a potential developer to help fund the school projects. Allowing this to go from R-1 Var to R-2 does not necessarily mean smaller lots, but will give the buyer the ability to make lots between 10,000 sq. ft. to 11,000 sq. ft. for the entire development and not just the interiors.

The Planning & Zoning Commission on January 13, 2015, unanimously recommended for approval to rezone this site from R-1 VAR to R-2.

Discussion followed.

Councilmember Lanting asked if the property that is to be sold will likely be a PUD allowing the Council more control of the lot sizes. Brad Will stated he imagines that this will not be a PUD. He believes it will be purchased and developed as a residential subdivision.

Councilmember Talkington asked if the R-2 is granted, the interior can go down to a minimum of 6,500 sq. ft., and along Hankins Road and traveling roads the lots will be larger. Brad Wills stated that the request is to allow the perimeter lots to be zoned R-2 to also allow a minimum of 6,500 sq. ft. lots.

Planner I Spendlove explained the request.

The Twin Falls School District purchased the property in 1990 from Melvin Sackett. The land has since been leased for agricultural purposes. The Sacket Farm Conveyance Plat went through the public hearing process and was recorded in June 2008. This conveyance plat was for the purposes of selling a 2 acre lot to the City for a regional pressurized irrigation pump station. In August 2014, a public hearing was held requesting this site for annexation under the current zoning of R-1 VAR. The City Council adopted Ordinance #3075 accepting this area for annexation. In November 2014, this area was approved for a Comprehensive Plan Amendment from Agricultural to Medium Density, and a Water Service Boundary change to include this area.

This is a request for a Zoning District Change and Zoning Map Amendment for approximately 52 Acres. The Comprehensive Plan and Future Land Use Map designate this area as Medium Density. Medium Density allows for residential density from single family to multi-family residential developments. The areas immediately surrounding this parcel is currently zoned R-1 VAR within the Area of Impact. The area to the West, across Hankins Road, is within city limits and was developed under the R-1 VAR code as it is written today.

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The areas to the North and South were developed quite some time ago under a now defunct Rural Residential or R-1:43000 Zoning District. In 2004 the City renegotiated the Area of Impact Agreement. That agreement amended RR and R-1:43000 zoning districts in favor of the comparable current zoning of AG (Agricultural) and SUI (Suburban-Urban Interface) that we have today and expanded the R-Var zoning district along the expanded easterly Area of Impact borders. This was partially done to curb growth on the fringes towards City limits in favor of a more compact urban development pattern.

Twin Falls School District #411 has submitted a Preliminary Plat for this area that staff is currently reviewing. A copy of that Preliminary. At this time the school is platting 3 total lots; one (1) for the proposed new elementary school itself, one (1) to the west of the school approximately the same size as the schools lot, and one (1) encompassing the remainder of the land towards the south. For the council's information, as currently shown on the preliminary plat, no residential development is shown at this time.

This Rezone request would allow for future development to occur under the codes and standards as set forth in the R-2 Zoning District.

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.

On January 13, 2015 the Commission determined the request was in compliance with both of the (2) main objectives and voted to recommend approval of the request to rezone this site from R-1 VAR to R-2, as presented, by a vote of 7 for and 0 against.

Mayor Hall opened up the public testimony portion of the hearing.

Elizabeth Bryant, 3397 Highlawn Drive, submitted a letter for the record. (attached)

John Martin, 624 N. Hankins, stated he and his wife are in favor of the request. He lives adjacent to the Mel Sackett farmhouse.

Mayor Hall closed the public testimony portion of the hearing.

MOTION:

Councilmember Talkington moved to approve the request for a [Zoning District Change and Zoning Map Amendment](#) from R-1 VAR to R-2 for 51 (+/-) acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North. The motion was seconded by Vice Mayor Hawkins.

Discussion followed.

Councilmember Lanting stated he would like to see a zone between R-1 VAR and R-2. In addition, A PUD would guarantee the requirement of a minimum of 8,000 sq. ft.

Councilmember Talkington stated that unless there was a PUD the remaining acres could possibly be turned into 6,000 sq. ft. duplexes. He believes the developer may go into maximizing density to maximize their return.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a request for [Vacation](#) of 13(+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, consisting of 46 single family lots and adjacent rights-of-way and easements to allow for the development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North.

Tim Vawser, EHM Engineers, representing the developers, stated he would like to explain the request for the vacation and the approval of the final plat. The developers would like to replat the area in order for the School District to have a buildable lot for their site. The first step of the process is to vacate portions of subdivisions which were platted in 2009. Northern Passage #1 and #2 are virtually built out at this point. Northern Passage #3 and #4 are platted and in escrow.

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The School District contacted the Shotwells and the Shotwells agreed to sell them a 10 acre piece pending vacation of the subdivision. The vacation would include Federation Road and Grandview Drive right of way which is scheduled to be kept in place. There are 46 lots, adjacent right of ways and easements that need to be, in effect, obliterated to start over again. Currently this is platted as loop roads that come out at Federation and Grandview. The reconfiguration of 15 lots needs to take place to create a cul de sac bulb area and a configuration of those lots as well as a small portion of Northern Passage #4 to create a cul de sac rather than a through road.

Approval of the vacation will allow the platting of a large parcel as well as the reconfiguration of lots to serve the School District in the area.

Discussion followed.

Councilmember Lanting asked when the School District begins to build will Federation Road go through at this point or will it have to wait until Northern Passage #3 is built out. Tim Vawser stated that the applicant will be building enough of Federation Road to serve the School District and to get the internal looping in their parking lots, but at this point, nothing past the east boundary of the School District parcel is planned. He does expect this to accelerate lot sales within the area so Federation will most likely go forward in a more accelerated time frame. Right now Canyon Trails #6 paving will take place as soon as the paving plants open this spring. Federation will be built to that point or at least a major portion of it. Basically there is an equivalent of two more phases of two subdivisions to get to the point to build out Federation. Northern Passage is built out so within a couple of phases, if lot sales start, this could be finished out relatively quickly.

Councilmember Lanting stated his concern of traffic flow in the area. Tim Vawser stated he does not like to speculate as far as when things will be built out, but they will be building a full 24' road or larger on Grandview in front of the school. City staff has asked for consideration as far as fencing along the frontage of Grandview so that parents don't block Grandview by unloading students. Federation will be a stub street and will take the basis of the traffic getting students in and out of school. Along with that the School District has had a drop lane on Federation designed into their site plan so that parents pulling off will be pulling off the travel way to drop children off.

Councilmember Lanting asked if students who live in Settler's Ridge, Northern Passage, Northern Sky, etc., will be able to get down Federation Road to walk to school. Tim Vawser stated that foot traffic, though it might be a path of least resistance for students, would be expected to be addressed in the near future. The school still has quite a time frame out for final completion as well.

Councilmember Lanting asked if there are any types of sidewalks at Grandview for the students living in Hometowne. Tim Vawser stated that fronting the School District property and Hometowne there are sidewalks but unfortunately there are two unplatted homes and unless they go forward there will not be a sidewalk.

Planner 1 Spendlove explained the request.

In 2004 a joint application for annexation of 376 Acres was approved. The annexation of this particular area assigned the R-2 Zone as it stands today. The subdivisions titled Northern Passage #3 and Northern Passage #4 were approved by City Council in 2006 and recorded in 2009. No further zoning history is known at this time.

The vacation of the lots will consolidate this land into one lot, thus facilitating the option for a Re-Plat and re-organization of the land into more suitable lots for a future Elementary School. There is a request for approval of Northern Passage Subdivision #5 preliminary plat being presented to the Commission this evening. This preliminary plat shows the replatting of the vacated parcel into 16 lots; 15 single family residential lots and 1 lot to allow for development of a new public elementary school.

The vacation of roadways is needed to enable the creation of a suitably sized lot for the Future Elementary School. Although the vacation will create some dead end streets, this issue will be addressed during the future platting process for the school. The preliminary plat is being presented to the Commission this evening.

Staff is unaware of any currently installed utilities in the area of this vacation. We have received approval letters from all applicable utility companies.

Vacation of platted subdivisions, including public easements and row, require a recommendation by the Commission followed by another public hearing and decision by the City Council.

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On January 13, 2015 the Commission held a public hearing on this request. The public hearing was opened and had one public comment from an adjacent neighbor who lives on the west side of Grandview Drive N. They were concerned the additional traffic generated by the new elementary school could impact their farming business during the farming season. The public hearing was closed. Upon conclusion of the Commission's deliberation Commissioner Tatum made a motion to recommend approval of the vacation request, as presented, to City Council with staff recommendations. Commissioner Boyd seconded the motion. All members voted in favor of the motion.

Recommended for approval, 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 submittal of all utility letters and any conditions that may be required prior to adoption of the ordinance.

Staff recommends the Council approve the vacation request, as presented, and subject to the conditions placed on the Commission's recommendation to the City Council.

Mayor Hall opened up the public testimony portion of the hearing.

Chance Requa, 4140 N 2700 E., stated he is speaking on behalf of the farms that are in the area (two families and one business) on the west side of Grandview. The concern is the traffic. Grandview, north of Pole Line is a country road. It is not anywhere near capacity to what was done to Grandview, south of Pole Line, adjacent to the hospital where it has four lanes right at its mouth. The only exits on Grandview would be the one stop light at Pole Line and then down around towards the Gun Club, which is the only access to Federation. He is also concerned of bean and spud trucks and machinery travelling on Grandview Drive. The width of Grandview Drive is hardly wide enough to accommodate two trucks as it is and is concerned of moving that width with the flow of school traffic. If Federation Road is not finished when the school opens, students will be walking on Grandview to and from school. Without Federation Road being finished students will walking through farmland and construction. He asked what can be done to have Federation Road completed before the school is finished and running so students will not be in a dangerous and hazardous area and to alleviate some of the traffic on Grandview.

Brad Wills, 222 Shoshone Street West, explained that he and Brady Dickenson will take Council's concerns into consideration regarding student safety.

Mayor Hall closed the public testimony portion of the hearing.

Councilmember Talkington asked City staff that if the vacation is approved prior to issuing a building permit can the Council hold the School District accountable for providing safe access on Federation Road through an improvement.

City Attorney Wonderlich stated that the vacation and the subdivision request is by the developer of the properties. It is staff's recommendation that if a condition is placed, for example, development of Federation Road, Council may attach this to the approval of either the vacation or the replatting.

Mayor Hall asked staff that generally when developed happens the developer completes the roadway or at least half the roadway and upgrades roads. He asked how this works with the School District.

Planner I Spendlove stated that the portion of the roads the school would be adjacent to would be improved. The other sections would not be until they are developed. Federation Road will be built to where the school owns the property.

Councilmember Talkington asked if the request could be tabled until the School District comes back with an agreement from the user immediately to the east.

City Attorney Wonderlich stated that he understands that the School District is driving the request but this is not a School District's request but the developers. The Council approved Northwest Passage 3 & 4, and the developer is asking the Council to vacate and replat. For example when discussing the development along the School District or the future school, what is being discussed is the development along Northern Passage # and the new #5 not the school. The

MINUTES

Monday, February 9, 2015

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developer will have to come in with a developer's agreement and an agreement to develop curb, gutter, and sidewalk along that block at that time. This would also include the part adjacent to the school.

Mayor Hall closed the public hearing.

Vice Mayor Hawkins asked staff if it would be better to put the condition on the vacation or on the replatting. City Attorney Wonderlich recommended attaching it to the replatting

Councilmember Talkington moved to approve the Vacation of 13 acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, consisting of 46 single family lots and adjacent rights-of-way and easements to allow for the development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North as presented and 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 submittal of all utility letters and any conditions that may be required prior to adoption of the ordinance

The motion was seconded by Councilmember Lanting.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

ITEM FOR CONSIDERATION:

1. Consideration of a request to approve the final plat of the Northern Passage Subdivision, #5, consisting of 13(+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4.

Tim Vawser, EHM Engineers, explained the request. The request is for approval of the final plat of Northern Passage #5. This will create 15 single family lots. The developer has no wish to do any duplexes or any type of development like that in there. All of these are 8,000 sq. ft. or more except for the school district lot which is essentially less right of way of a 10 acre parcel. He asked Council that if the request is approved and if the need for a condition comes for any type of pathway or an any off site connection it would be in a temporary manner as opposed to something in the vain of a hardened sidewalk, because ultimately street improvements, irrigation improvements will ruin anything that goes in at this point when development takes place.

Planner I Spendlove explained the request.

Staff recommends the Council approve the final plat of the Northern Passage Subdivision #5, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to approval and publication of an ordinance for the Vacation of the requested portion of Northern Passage Subdivisions #3 & #4.

MOVED:

Councilmember Lanting moved to approve the final plat of the Northern Passage Subdivision, #5, consisting of 13(+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, subject to the following conditions:

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

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3. Subject to approval and publication of an ordinance for the Vacation of the requested portion of Northern Passage Subdivisions #3 & #4.

The motion was seconded by Councilmember Barigar.

Councilmember Barigar asked Brad Wills and/or Brady Dickenson what is the timeline for completion of the school.

Brady Dickenson stated that the time of completion of the school is September of 2016.

MOTION:

Councilmember Talkington moved to amend the motion that the applicant be required to provide a temporary improved safety walking lane from the end of the improvements on Federation Road to the School District property as part of the platting. The motion was seconded by Vice Mayor Hawkins.

Discussion followed.

Councilmember Lanting stated he believes that the Council is a little ahead of themselves because they have an opportunity later during the SUP, etc. for the School District, to attach those things at that point and for that reason he didn't put it in his original motion. This will give the School District some time to go to the developers and work out something.

City Manager Rothweiler stated that staff would recommend that when looking at temporary easement or temporary pathway associated with this project that maintenance be the responsibility of the developer and not the responsibility of the City.

Councilmember Talkington added to his motion the temporary easement or temporary pathway associated with this project that maintenance be the responsibility of the developer and not the responsibility of the City. Vice Mayor Hawkins agreed with the addition.

Vice Mayor Hawkins stated she does not want to wait to request a temporary path until a request for a Special Use Permit is presented. She does not want to have it missed down the road while it is being addressed tonight. The people in the neighborhood know the traffic and know the amount of farm equipment that travels on that road and believes it would be amiss to not have some other way for students to get to the school. Since it will be a one year and one half before the school is opened, the Council needs to hold someone accountable to have a path put through there.

Roll call votes showed Councilmembers Hawkins, Hall, and Talkington voted for the motion. Councilmembers Munn, and Barigar, Lanting voted against the motion. Failed 3 to 3.

Councilmember Lanting stated that a condition can be placed on the Special Use Permit.

Discussion followed on the appropriate location or time of the condition.

Councilmember Lanting stated that he would like to see the condition on the Special Use Permit and if he does not see it he will appeal the request to the Council for review.

Councilmember Barigar stated that he would encourage the developers as well as the future purchasers of the property to consider not only pedestrian access but vehicular access. He stated he is less concern about kids being able to walk to school, than a single vehicular access to the school. The design of the new schools is more accommodating of heavier traffic flows but again it's all on Grandview coming in from one place and he would encourage those involved solutions on getting Federation through to help alleviate that.

Roll call vote on the main motion showed all members present voted in favor of the motion. Approved 6 to 0.

City Attorney Wonderlich stated that Gary Nelson would like to comment.

Gary Nelson, 246 9th Avenue N., representing Canyon Trails Subdivision # 6 and #8, stated the development of Prospector Way will be developed and will be taking Federation up to a certain point. On Phase 8 he will be responsible for Federation up to where it joins Grandview Estates Subdivision and would like to participate in a way that would allow Federation to develop sooner. Even though it has been his plan to do #7 before #8, he would consider making improvements to that portion of Federation to enable it to happen further.

V. **ADJOURNMENT**: The meeting adjourned at 7:07 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

CC: Renee'
Travis
Council

January 30, 2015

Twin Falls City Council
305 Third Avenue East
Twin Falls Idaho, 83301

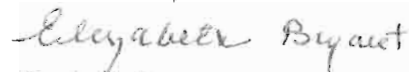
Dear Council Members.

I am writing this letter to plead with you to disallow R-2 zoning change for the 500, 600, and 700 blocks on the east side of Hankins Road North. The existing neighborhoods in this area are all much bigger lot sizes and the integrity of these existing neighborhoods should be respected.

I know "progress" and increased population size is the Holy Grail of most of the Council members, but if you are not thinking of the people who are already here and giving their properties equal consideration to proposed development, you are not representing me. Come to think of it, you don't represent me in any case because I live in Twin Falls County so cannot even vote for or against any Council member.

I don't have a lot of hope of stopping the Twin Falls School District juggernaut, but I wanted to add my position for consideration.

Sincerely



Elizabeth Bryant
3397 Highlawn Drive
Twin Falls, Idaho, 83301



Public Meeting: **MONDAY, February 23, 2015**

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager

ITEM I-

Request: Request for approval of a Final Plat for the Canyon Village Subdivision, A PUD approximately 38.29 (+/-) acres to develop 3 commercial lots on property located at the southwest corner of Pole Line Road East and Eastland Drive North c/o EHM Engineers, Inc.

Time Estimate:

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

Background:

Applicant:	Status: Owner	Size: 38.29 Acres
Northeast Investments LLC Kent Taylor PO Box 1901 Twin Falls, ID 83303	Current Zoning: C-1 PUD	Requested Zoning: Approval of the Final Plat of Canyon Village Subdivision, a PUD
	Comprehensive Plan: Urban Village	Lot Count: 3 Lots
	Existing Land Use: Undeveloped Commercial/Residential	Proposed Land Use: 3 lots - Mixed Use in compliance with the PUD
Representative:	Zoning Designations & Surrounding Land Use(s)	
Gerald Martens EHM Engineers, Inc. 621 N College Rd, #100 Twin Falls, ID 83301 734-4888 gmartens@ehminc.com	North: Pole Line Road; C-1 PUD, Undeveloped	East: Eastland Drive North; R-2, Undeveloped
	South: R-1 VAR, Residential	West: R-4 PUD, Undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

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

- (A) Application: 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 subdivider shall submit to the administrator three (3) copies of the final plat. (Ord. 2012, 7-6-1981)
- (F) Council Action: The council, at its next meeting following receipt of the administrator's report, shall consider the commission's findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify what if any conditions shall apply prior to recordation or development of the site.

Budget Impact:

Approval and recordation of a final plat will allow the site to be developed as approved. Development could be a positive impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat 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.

History:

On August 12, 2014 the Planning & Zoning Commission heard the preliminary PUD presentation requesting Annexation of this 40 (+/-) acre parcel and, if upon annexation, to include consideration of a Zoning District Change and Zoning Map Amendment from R-2 to C-1 PUD to allow a development with mixed uses consistent with the Urban Village land use designation as identified in the Comprehensive Plan.

Due to commission and public comments the scheduled public hearing was rescheduled until October 14, 2014.

At the October 14, 2014 Planning & Zoning Commission public meeting and upon conclusion of the public hearing portion of the public hearing the applicant asked for this request to be tabled. By unanimous vote the request was tabled. On November 18, 2014 the applicant held a neighborhood meeting at EHM Engineer, Inc. offices.

On November 25, 2014 the Commission held a second public hearing asking for a recommendation on the zoning changes being proposed. All members present voted in favor of the motion subject to several conditions.

On December 15, 2014 the City Council held a public hearing on this request. Upon conclusion of the public hearing and deliberations the Annexation and Zoning District Change and Zoning Map Amendment were approved as presented with the Commission's recommendations and to include that an appropriate pedestrian connection between said Property and nearby public trails should be designed, reviewed, and approved by the City Engineering Staff prior to construction of said connection by the Developer. All council members present voted in favor of the motion.

On December 22, 2014 Ordinance #3084 was adopted. On January 1, 2015 the ordinance was published and on January 6, 2015 the ordinance was recorded.

Analysis:

This is a request for a final plat of Canyon Village PUD Subdivision, consisting of 38 acres divided into 3 lots. The site is undeveloped and is located on the corner of Pole Line Road and Eastland Drive. The purpose of the plat only containing three (3) lots is to facilitate the development of the Bishops storehouse on Lot 1, and the building of Mountain View Drive to connect Pole Line Road with Cheney Drive and to add a right-turn lane from Pole Line Road East to Mountain View Drive. A subsequent re-plat of lots 2 and 3 will be required prior to development occurring on those lots. Such re-platting will be required to conform to the approved PUD Agreement #270.

The development of the Bishop's Storehouse was presented and approved during the Public Hearing process that took place in previous months with the Planning and Zoning Commission, and the City Council. The final plat being presented is in conformance with the approved preliminary plat and appears to be in conformance with the Canyon Village PUD #270 in regards to the Bishops Storehouse. Review of the building permit for this particular lot and development will also be required; at that time it shall also be reviewed for compliance with the approved Canyon Village PUD #270

The first step of the plat approval process is approval of a preliminary plat. 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. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The final plat is consistent with other subdivision development criteria and is in conformance with the approved preliminary plat and the Comprehensive Plan which designates this area as Urban Village - appropriate for mixed use; professional/neighborhood type commercial and mixed residential uses.

On February 10, 2015 the commission heard a request for approval of the Canyon Village Subdivision, a PUD Preliminary Plat. Upon conclusion of the public input and the commission's deliberation Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Boyd 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 compliance with the approved Canyon Village PUD #270, and any conditions or agreements committed to during that approval process.
3. Subject to a right turn-bay being constructed on Pole Line Road East at the Mountain View Drive intersection unless a traffic study indicates otherwise.

Conclusion:

Staff recommends the Council approve the final plat of the Canyon Village Subdivision, as presented, and subject to the conditions as required by the Commission:

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 compliance with the approved Canyon Village PUD #270, and any conditions or agreements committed to during that approval process.
3. Subject to a right turn-bay being constructed on Pole Line Road East at the Mountain View Drive intersection unless a traffic study indicates otherwise.

Attachments:

- | | |
|--|--|
| 1. Preliminary Plat | 3. Final Plat |
| 2. Canyon Village PUD #270 Master Development Plan | 4. Portion of Feb 10, 2015 P&Z minutes |

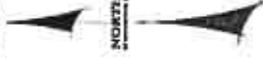
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C.P. 100-100000

REPORT TITANIUM OXY ZINNOXIDE

DATE RECEIVED - SURVEY UNIT: 2014-024357
SURVEY UNIT: 2014-024357

PLATE 5/8" HX 3/8" W
C.P. 1/16" - 1/16" W

Canyon Village Subdivision, a PUD
Located In
A Portion of
Gow's Lot 1, Section 3
Township 10 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2015



0 50 100 200
SCALE IN FEET

Legend

- SUBMITTER'S ACCOUNTING LINE
SECTION LINE
EXPENSE LINE (AS NOTED)
ALLOCATION PRIORITY LINE
CONTINUED OF INDEX
LIST LINE
CLOSURE POINT (NOT SET)
RANGE 3/4" RANGE (AS NOTED)
FOCUS 1/2" RANGE (AS NOTED)
MONITORING (AS NOTED)
SET 3/4" x 3/4" SPIDER A
CAP - LS 10118
IT USE ONLY.
RESEARCH, DESIGN,
AND CONSTRUCTION

Sheet Index	
Sheet Number	Sheet Title
1 of 4	Plan Files
2 of 4	Draw and Elevation
3 of 4	Geography of Owners
4 of 4	Additional Documents

Health Certificate

[illegible]

THE UNIVERSITY OF CHICAGO

Survey References

1-800-4-A-TRUCK
1-800-4-A-TRUCK
1-800-4-A-TRUCK
1-800-4-A-TRUCK

Notes

1. Disbandment of all the jobs and he is consistent with the approved PMS agreement, but
2. no endorsement of LA 2 or LA 3 will be allowed until a Resolution is approved by the City of Palo Alto. Said Resolution shall members with the approved PMS agreement.

**A. All companies must be authorized by the
Laf. County's Association.**



Vicinity Map

N.T.S.



44-38861-1000



Commissioner Tatum was seated at this time.

2. Request for approval of a Preliminary Plat for the Canyon Village Subdivision, A PUD approximately 38.29 (+/-) acres to develop 3 commercial lots on property located at the southwest corner of Pole Line Road East and Eastland Drive North c/o EHM Engineers, Inc. on behalf of Northeast Investments, LLC.

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained that this property is located at the southwest corner of Eastland Drive North and Pole Line Road East and is approximately 40 acres. This property has an approved PUD Agreement and Master Development Plan and the first step for moving forward with the development is to have the preliminary plat approved. The motivating force for this project is to allow for the construction of the Bishops Warehouse at the northwest corner of the plat. The proposed plat consists of 3 lots with one lot for the Bishops Storehouse, the second lot located on the east side of Meadow View Drive extended and a lot south of the lot for the Bishops Storehouse. This approval tonight will only allow for development on 1 lot for the Bishops Storehouse it does call for the development of Meadow View Drive in its entirety, the development of the pathway that will run north and south through the property, and a cross walk across Pole Line Road East which was a concern at previous meetings. There will be no other development on the other lots until a preliminary plat has come through on the division of the other two parcels. The applicant concurs with the staff recommendations as listed.

Staff Analysis:

Planner I Spendlove, stated on August 12, 2014 the Planning & Zoning Commission heard the preliminary PUD presentation for a request to Annex a 40 (+/-) acre parcel and to consider a Zoning District Change and Zoning Map Amendment. Due to commission and public comments the scheduled public hearing was rescheduled until October 14, 2014. At the October 14, 2014 Planning & Zoning Commission meeting and upon conclusion of the public hearing portion of the public hearing the applicant asked for this request to be tabled. By unanimous vote the request was tabled. On November 18, 2014 the applicant held a neighborhood meeting at EHM Engineer, Inc. offices. On November 25, 2014 the Commission held a second public hearing asking for a recommendation on the zoning changes being proposed. All members present voted in favor of the motion subject to conditions. On December 15, 2014 the City Council held a public hearing on this request. Upon conclusion of the public hearing and deliberations the Annexation and Zoning District Change and Zoning Map Amendment were approved as presented with the Commission's recommendations and to include that an appropriate pedestrian connection between said Property and nearby public trails should be designed, reviewed, and approved by the City Engineering Staff prior to construction of said connection by the Developer. All council members present voted in favor of the motion.

This is a request for a preliminary plat of Canyon Village PUD Subdivision, consisting of 38 acres divided into 3 lots. The site is undeveloped and is located on the corner of Pole Line Road and Eastland Drive. The purpose of the plat only containing three (3) lots is to facilitate the development of the Bishops Storehouse on Lot 1, and the building of Mountain View Drive to connect Pole Line Road with Cheney Drive. A subsequent re-plat of lots 2 and 3 will be required prior to development occurring on those lots. Such re-platting will be required to conform to the approved PUD Agreement #270.

The development of the Bishop's Storehouse was presented and approved during the Public Hearing process that took place in previous months with the Planning and Zoning Commission, and the City

Council. The preliminary plat being presented appears to be in conformance with the Canyon Village PUD #270 in regards to the Bishops Storehouse. Review of the building permit for this particular lot and development will also be required; at that time it shall also be reviewed for compliance with the approved Canyon Village PUD #270

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 medium density residential use.

Planner I Spendove stated upon conclusion should the Commission approve the preliminary plat for Canyon Village Subdivision, 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 compliance with the approved Canyon Village PUD #270, and any conditions or agreements committed to during that approval process.

Assistant City Engineer Vitek added a third condition.

3. Subject to a right turn-bay being constructed on Pole Line Road East at the Mountain View Drive intersection unless a traffic study indicates otherwise.

PZ Questions/Comments:

- Commissioner Grey asked if all of the issues associated with the wetlands area have been worked out with the Army Corp of Engineers.
- Assistant City Engineer Vitek confirmed the Army Corp of Engineers has approved the plan.
- Commissioner Munoz clarified that the roads and paths will be developed when the Bishops Storehouse is constructed, he asked if the park will be completed at that time also.
- Mr. Martens explained the park area that fronts on the Bishop Storehouse pad will be developed, there is a crossing over the wetlands as a driveway into that parcel and as parting of constructing that bridge a portion of the wetlands will be developed and the plan has been approved by the Army Corp of Engineers.

Public Comment: **Opened & Closed**

Closing Statements:

- Mr. Martens stated to simplify the process the applicant accepts the right turn-bay condition and it will be constructed as part of this project.

Deliberations Followed:

- Commissioner Boyd stated she appreciates the additional landscaping throughout the master development plan and she thinks that it is time for development to occur in this area.
- Commissioner Frank stated he is appreciative of the developer putting in the cross walk and the path being installed.

- Commissioner Munoz explained that the work and effort that has been put into this project should be used as an example of how to achieve a good outcome.
- Commissioner Grey explained that if the development is done as shown on the master plan it should make the majority of people happy.

Motion:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Boyd 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 compliance with the approved Canyon Village PUD #270, and any conditions or agreements committed to during that approval process.
3. Subject to a right turn-bay being constructed on Pole Line Road East at the Mountain View Drive intersection unless a traffic study indicates otherwise.



Public Meeting: **MONDAY, February 23, 2015**

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager.

ITEM II

Request: Request for approval of a Final Plat for the Fieldstone Professional Subdivision- A PUD consisting of 11.9 (+/-) acres with thirty two (32) lots and one tract for a mixed use development located south of the 900-1100 blocks of Cheney Drive West and East of the 1350-1450 blocks of Field Stream Way. c/o David Thibault, EHM Engineers, Inc. on behalf of Brad Wills.

Time Estimate:

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

Background:

Applicant:	Status: Property Owner	Size: 11.9(+/-) acres
Wills Inc. c/o Brad Wills 222 Shoshone St West Twin Falls, ID 83301 208-734-4411	Current Zoning: R-4-PRO-PUD	Requested Zoning: Approval of a final plat
	Comprehensive Plan: Medium Density Residential adjacent to Urban Village	Lot Count: 32 lots
	Existing Land Use: undeveloped	Proposed Land Use: Professional offices and multi-family residential
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers Inc. 621 North College Road, Ste. 100 Twin Falls, ID 83301 David Thibault 208-734-4888	North: C-1 PUD; Cheney Dr W, extended, Twin Falls Reformed Church	East: R-2; single-family dwellings
	South: R-2; North College Rd W, single-family and duplex dwellings	West: R-2 and R-6 PRO PUD; Field Stream Way, LDS Church
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-4, 10-4-6, 10-4-18, 10-6-1 through 4, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-12-2.3	

Approval Process:

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

- (A) Application: 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 subdivider shall submit to the administrator three (3) copies of the final plat. (Ord. 2012, 7-6-1981)
- (F) Council Action: The council, at its next meeting following receipt of the administrator's report, shall consider the commission's findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon

granting or denying the final plat the council shall specify what if any conditions shall apply prior to recordation or development of the site.

Budget Impact:

Approval and recordation of a final plat will allow the site to be developed as approved. Development of the site will have a positive impact on the City budget.

Regulatory Impact:

Upon approval of a preliminary plat 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.

History:

On March 30, 2004 the Commission approved the Preliminary Plat of Westview Meadows, now known as Fieldstone Subdivision to develop 36 +/- acres with 82 single family residential lots. The City Council approved the Final Plat of Fieldstone Subdivision on April 26, 2004 with two conditions. 1) Bike path be changed to 15' wide and 2) Water shares to be deeded to the City when the plat was recorded.

In July 2004 this area was annexed into the City of Twin Falls with R-2 zoning, Ordinance #2794. Fieldstone Subdivision (formerly Westview Meadows), consisting of 36 acres and 82 residential lots, was recorded in Dec 2004. The property has been developed in phases.

On February 23, 2009 the City Council approved a request to vacate a portion of Cobble Creek Road, a public right-of-way, Ordinance #2965. As a result of the vacation of the public right-of-way, Fieldstone 1st Amended Subdivision was recorded in July 2010.

A preliminary presentation to rezone a portion of the Fieldstone Subdivision from R-2 to R-6 PRO PUD rezone request was given to the Planning and Zoning Commission on September 13, 2011. Planning and Zoning recommended denial of the rezone. On November 22, 2011 a modified preliminary presentation to rezone this property from R-2 to R-4 PRO PUD was given to the Planning and Zoning Commission. On December 13, 2011 the Planning and Zoning Commission recommended denial of the modified request. Council approved the rezone as R-4 & R-4 PRO PUD on January 23, 2012. On February 2, 2015 Ord #3087 was adopted to Rezone a portion of the Fieldstone Subdivision, as approved. Also on February 2, 2015 the PUD Agreement was approved, as presented.

The Planning and Zoning Commission recommended denial of a request to vacate the dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Fields Stream Way. On March 5, 2012 the Council approved the request to vacate the dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres. On January 26, 2015 Ord #3086 was adopted for the Vacation of a portion of the Fieldstone Subdivision, as approved.

On February 11, 2014 the Preliminary Plat for the Fieldstone Professional Subdivision, A PUD was approved, as presented and subject to conditions.

Analysis:

This is a request for approval of the Final Plat for the Fieldstone Professional Subdivision, A PUD, includes 11.9 (+/-) acres and is zoned R-4 PRO PUD (Residential Medium Density) PRO (Professional Office Overlay) PUD (Planned Unit Development) zone. The request is to plat thirty two (32) lots. The site is located south of the 900-1100 blocks of Cheney Drive West and East of the 1350-1450 blocks of Field Stream Way.

The proposed plat will allow for a planned mixed use development consisting of residential multi-family, professional and medical uses.

The preliminary plat indicates five (5) lots along the future alignment of Cheney Drive West for professional office uses, three (3) lots along North College Road West for duplexes, four (4) lots for single family dwellings at the end of Cobble Creek Road to complete a cul-de-sac and twenty (20) single family "cottage-style" residences along Field Stream Way. The non-residential uses are restricted to buildings less than 14,000 square feet unless allowed by special use permit. Screening would be required between the residential areas and non-residential areas.

Development of this property will require the construction of Cheney Drive West, from Grandview Drive North to Fieldstream Way. Four of the five proposed professional office use lots access Cheney Drive West, extended. The Commission placed a condition on the approval of the preliminary plat that no building permits shall be issued for Lots 1 through 5, Block 1 of the Fieldstone Professional Subdivision until Cheney Drive West has been constructed.

A portion of Twin Falls Canal Company's Lateral #43 is located along the northern boundary of the proposed subdivision where Cheney Drive West, extended shall be constructed. The developer has provided the City with the appropriate approval from the Twin Falls Canal Company for the relocation of the lateral and the necessary easements.

Fieldstone Subdivision is currently served with thirty five (35) sewer will serves. This development, being a replat of those residential lots, will retain those will serves and associated volume of waste water. There will be no additional capacity available until the waste water treatment plan is complete. The estimated time of completion of the treatment plant is December 2015.

The first step of the plat/subdivision approval process is approval of a preliminary plat. 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. It is also indicated on the Preliminary Plat that the site will be on a pressure irrigation (P.I.) system.

The final plat is in conformance with the Comprehensive Plan which designates this area as appropriate for medium density residential development and the urban village/urban infill land use concept. There is not a zoning designation specific to the Urban Village/Urban Infill classification but it encourages mixed density residential development and a mix of non-residential uses that support the area which can be met with the professional office overlay.

On February 11, 2014 the Commission heard a request for approval of the preliminary plat of the Fieldstone Professional Subdivision, a PUD. Upon conclusion of public input and commission deliberations Commissioner Sharp made a motion to approve the request, as presented, with staff recommendations. Commissioner DeVore seconded the motion.

The motion was approved by a vote of 8 for and 1 against subject to the following conditions:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to Council approval of an Ordinance for the rezoning of the property from R-2 to R-4 PRO PUD. **ORD #3087 approved 02-02-2015.**
3. Subject to Council approval of an Ordinance for the vacation of the dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Fields Stream Way. **ORD #3086 approved 01-26-2015.**
4. Subject to Council approval and recordation of the Fieldstone Professional P.U.D. R-4 Professional Planned Unit Development Agreement. **PUD AGREEMENT APPROVED 02-02-2015.**
5. Subject to no building permits being issued for Lots 1 through 5, Block 1, Fieldstone Professional Subdivision, until Cheney Drive West, extended, has been constructed.
6. Subject to road right-of-way being dedicated to the City of Twin Falls from the Twin Falls Reformed Church, Inc. for their portion of Cheney Drive West, extended. **COMPLETED.**
7. Subject to Twin Falls Canal Company approval of the relocation of Lateral #43 and the dedication of necessary easements. **COMPLETED.**

;

CONCLUSION:

Staff recommends the Council approve the final plat Fieldstone Professional Subdivision, A PUD, as presented, and subject to the following conditions:

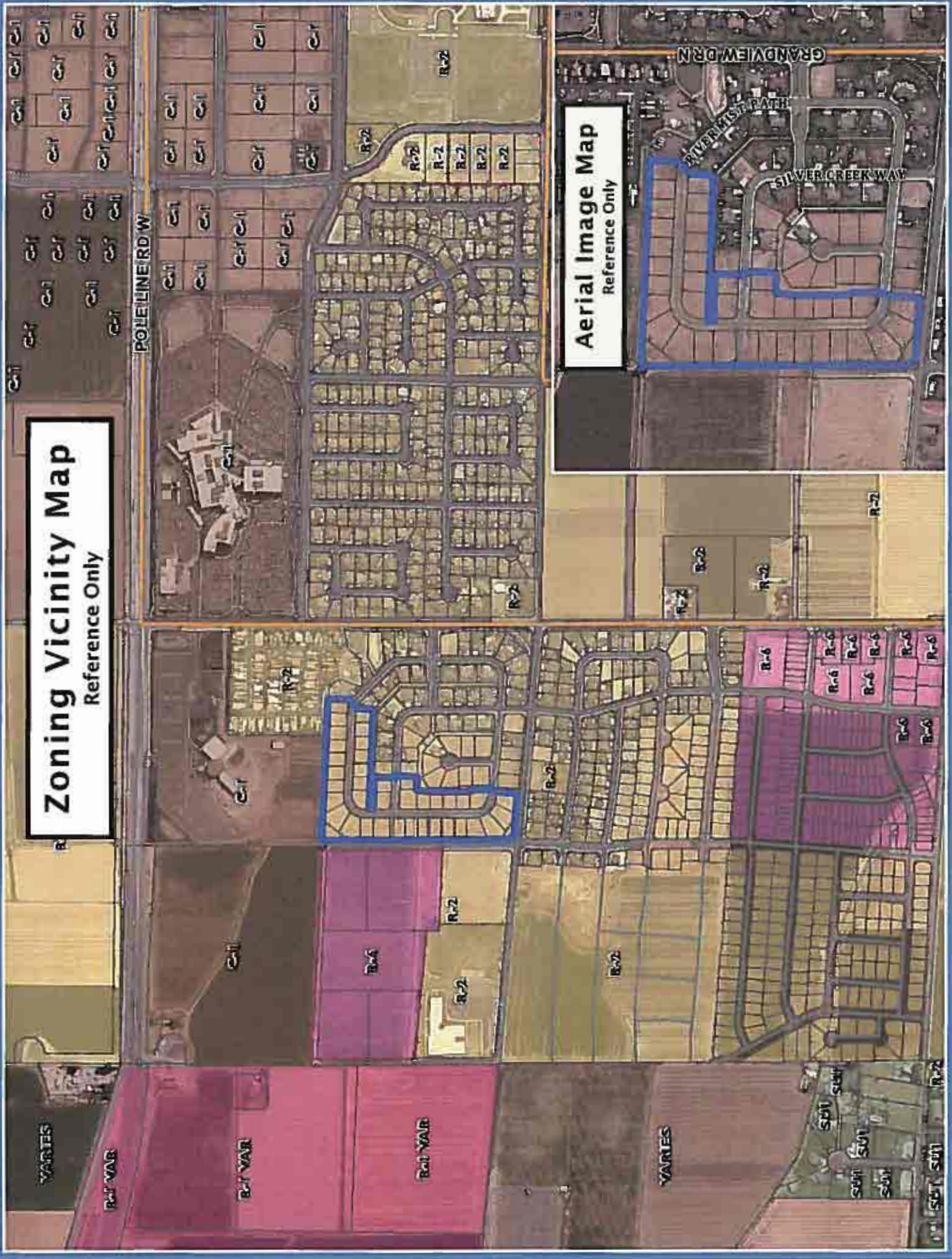
1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to no building permits being issued for Lots 1 through 5, Block 1, Fieldstone Professional Subdivision, until Cheney Drive West, extended, has been constructed.

Attachments:

1. Zoning Vicinity/Aerial Map
2. Preliminary Plat Exhibit
3. Fieldstone Professional Master Development Plan
4. Final Plat Exhibit
5. Portion of the Feb 11, 2014 P&Z minutes

Zoning Vicinity Map

Reference Only

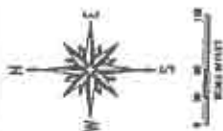


Aerial Image Map

Reference Only



Heldman Professorial Substitution
 Awarded to
 A Person of
 S.F. NE⁴, Section 8
 Township 10 South, Range 17 East
 Boise Meridian
 Twin Falls County, Idaho
 2013



DESIGN DATA =

Study	Study design	Study period	Study location	Study population	Study size	Study results	Study conclusions
1. [Author et al., 1998]	Retrospective cohort study	1980-1995	United States	Adults aged 18-64 years	1,000	...	...
2. [Author et al., 1999]	Prospective cohort study	1990-1998	United States	Adults aged 18-64 years	1,000	...	...
3. [Author et al., 2000]	Case-control study	1990-1998	United States	Adults aged 18-64 years	1,000	...	...
4. [Author et al., 2001]	Retrospective cohort study	1980-1995	United States	Adults aged 18-64 years	1,000	...	...
5. [Author et al., 2002]	Prospective cohort study	1990-1998	United States	Adults aged 18-64 years	1,000	...	...

NOTES: _____

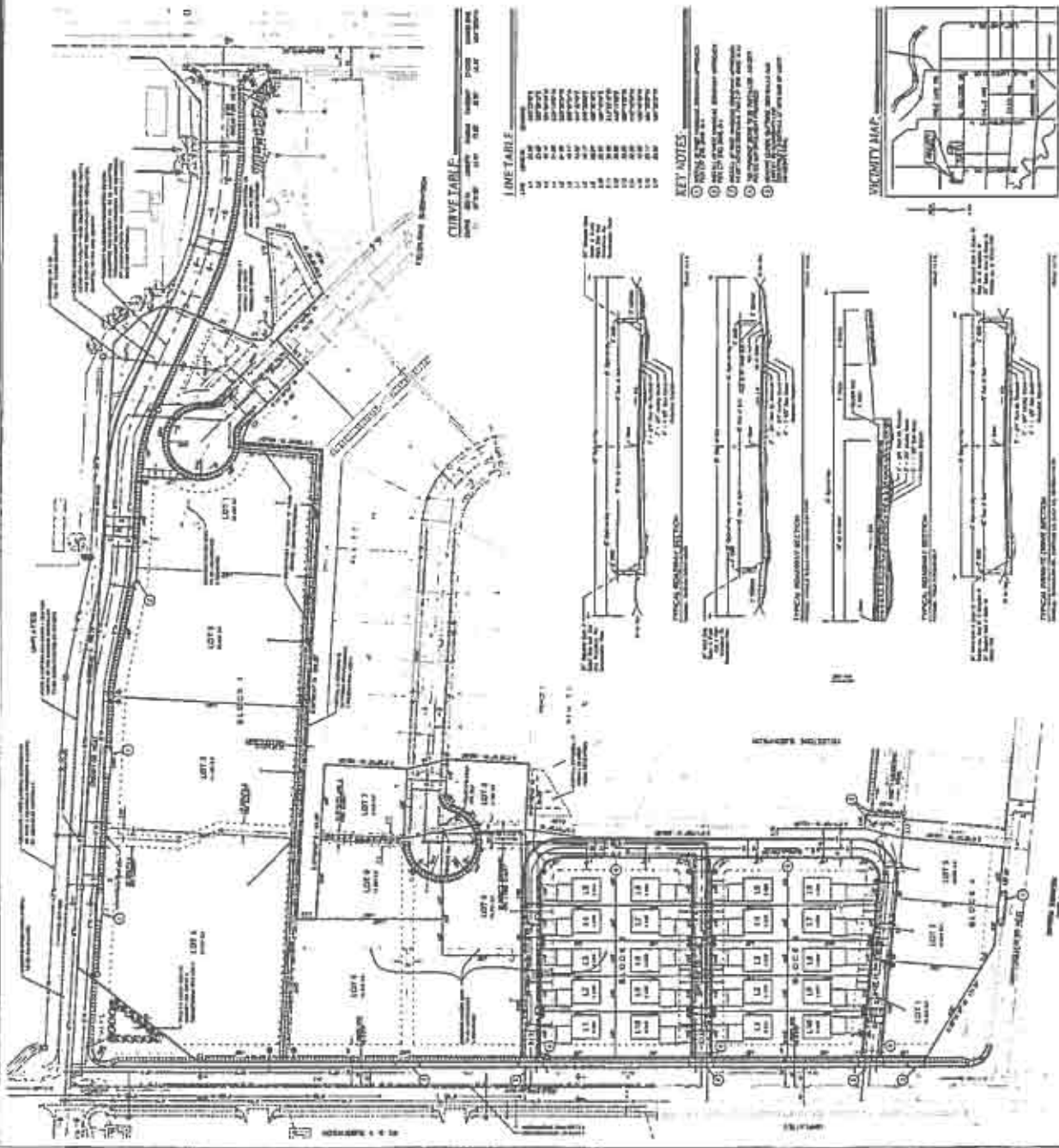
- [illegible]

Drainage Calculations

1. 姓名: 李小明
 2. 性别: 男
 3. 年龄: 25
 4. 职业: 教师
 5. 籍贯: 广东省广州市
 6. 民族: 汉族
 7. 婚姻状况: 已婚
 8. 学历: 本科
 9. 学位: 硕士
 10. 专业: 教育学
 11. 工作单位: 广州市教育局
 12. 联系电话: 13800138000
 13. 电子邮箱: 123456789@163.com
 14. 身份证号: 440106199801010001
 15. 住址: 广州市天河区珠江新城
 16. 邮编: 510620
 17. 血型: O型
 18. 身高: 175cm
 19. 体重: 70kg
 20. 爱好: 阅读、运动、旅游
 21. 特长: 写作、演讲、组织活动
 22. 座右铭: 天道酬勤
 23. 自我评价: 性格开朗，为人正直，有较强的责任心和团队合作精神。

LEGEND

1. **QUESTION**
 2. **ANSWER**
 3. **EXPLANATION**
 4. **REFERENCE**
 5. **KEYWORD**
 6. **TOPIC**
 7. **SUBTOPIC**
 8. **DIFFICULTY**
 9. **STATUS**
 10. **DATE**
 11. **TIME**
 12. **SCORE**
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SECURITY MAP:



Commercial
Property
C-1 PUD Zone

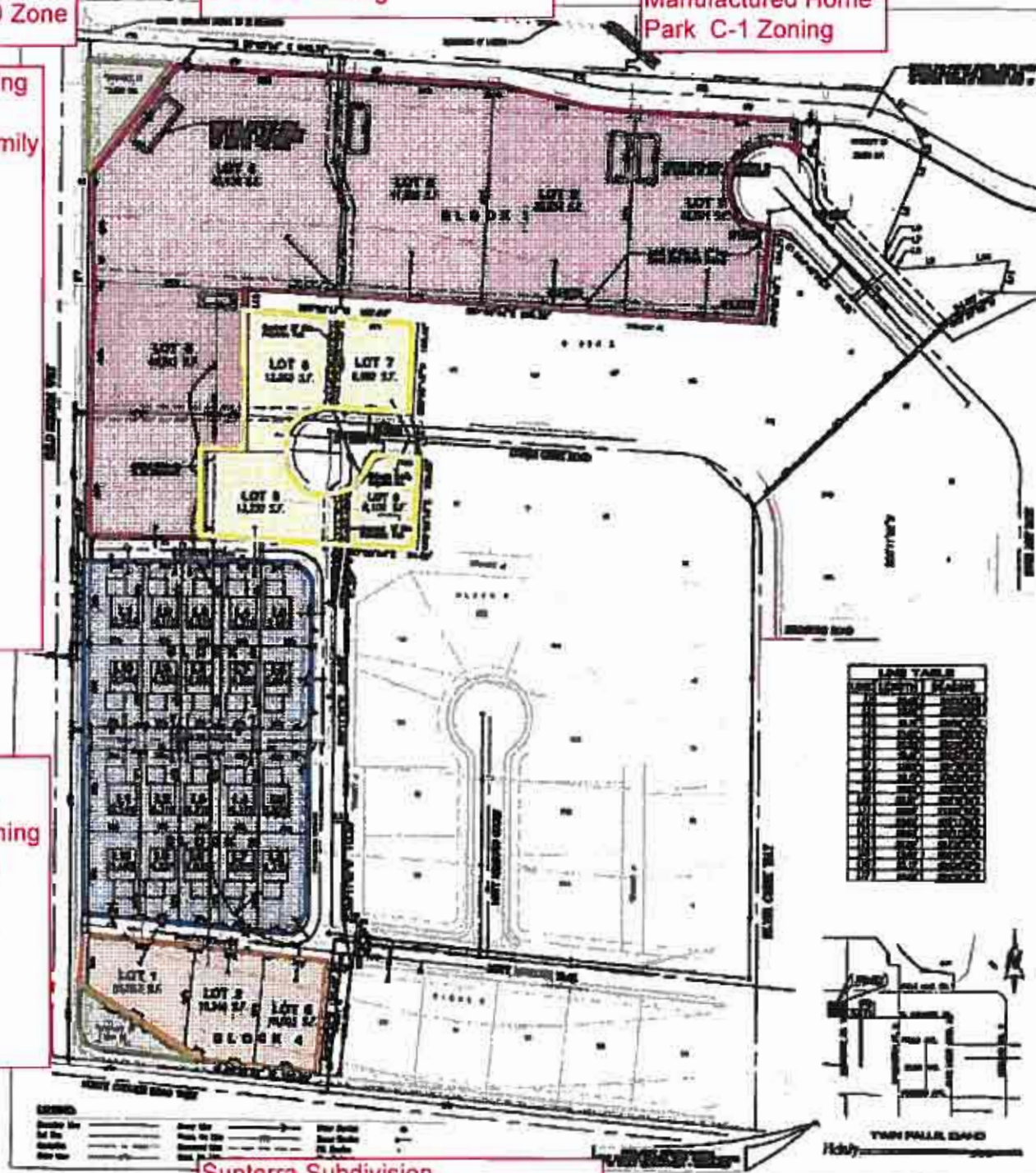
Twin Falls Reformed Church
C-1 PUD Zoning

Manufactured Home
Park C-1 Zoning

St.
Luke's
Hospital

R-6 Zoning
Future
Multi-Family

LDS
Church
R-2 Zoning
Special
Use
Permit



Sunterra Subdivision
Close to 40 % Higher Density than
Fieldstone Subdivision

5 Professional Office overlay use area lots

4 Single-family residential lots

3 Duplex residential lots

20 Single-family cottage-style residential lots

2 Tracts

G:\workarea\PLANNING & ZONING\Agenda 2012\01-23-2012 - CC\WILLS - REZONE OF FIELDSTONE SUB\01-23-2012 - CC - Wills Inc Fieldstone PUD (app. 2475)-RvC Presentation.doc

Page 9 of 29

Exhibit # 6

2-14-2020

[illegible]

2710000 LITERALS AND
ANNUAL BUDGET WITH SLIGHT
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CONTRACTS B. AND C. SHALL BE REQUIRED FOR
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AND SHALL BE OWNED AND MAINTAINED BY THE
VILLAGE OF PROFESSIONAL HOMEOWNERS
ASSOCIATION"

Victims' Man-



Legend

[illegible]

Health Certificate

[illegible]Line Table

Country	Year	Age	Sex	Height (cm)	Weight (kg)	Body Mass Index (kg/m ²)	Waist Circumference (cm)	Waist-Hip Ratio	Trunk Fat (%)	Visceral Fat (cm)	Subcutaneous Fat (cm)	Visceral Fat Index (VFI)	Subcutaneous Fat Index (SFI)	Visceral Fat to Subcutaneous Fat Ratio (V/S)
USA	1999	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2000	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2001	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2002	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2003	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2004	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2005	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2006	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2007	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2008	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2009	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2010	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2011	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2012	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2013	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2014	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2015	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2016	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2017	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2018	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2019	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2020	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2021	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2022	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2023	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2024	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2025	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2026	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2027	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2028	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2029	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83
USA	2030	40	M	178	85	27.5	94	0.54	18.5	12	15	0.15	0.18	0.83

Curve Table

[illegible]

1. The following information is being furnished to you:



EHM Engineers, Inc.



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
February 11, 2014 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "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): NONE

CITY STAFF: Carraway, Spendlove, Strickland, Fields, 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): **January 28, 2014 Public Hearing**
2. Approval of Findings of Fact and Conclusions of Law: **NONE**

Motion:

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

Unanimously Approved

III. ITEMS OF CONSIDERATION:

1. Request for Commission's consideration of approval of the preliminary plat for the Fieldstone Professional Subdivision- A PUD consisting of 11.9 (+/-) acres with 32 lots and 1 tract for a mixed use development located south of the 900-1100 blocks of Cheney Drive West & East of the 1350-1450 blocks of Field Stream Way. c/o David Thibault, EHM Engineers, Inc. on behalf of Brad Willis

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc., representing the applicant stated this is the next step in a long process that began a few years ago as this process is the first step in re-subdividing of an already approved subdivision. This property is east of the Xavier School and the LDS Church that is under construction and southwest of the hospital. The applicant has been through the process to request a rezone of the property to an R-4 PRO PUD Zoning Designation; there were also roadways that were vacated in a portion of the subdivision for the re-subdivision process to occur. The plat is a mixture of residential homes and professional office lots. As part of this

**Planning & Zoning Commission Minutes
February 11, 2014**

development Cheney Drive West will be extended on the north boundary providing another access for the area as it grows. Brad Wills developed the Fieldstone Subdivision and this is the last phase for development of this property.

Staff Analysis:

Planner I Spendlove displayed the exhibits on the overhead and presented the staff analysis of the request. The history starts at approximately 2004 with various plats, PUD approvals and vacations. There are a couple of ordinances that have not been completed. He stated this preliminary plat includes 11.9 (+/-) acres the proposed plat will allow for a planned mixed use development consisting of residential multi-family, professional and medical uses. The minimum lot area for a single family dwelling in the R-4 zone is 4000 square feet, 7000 square feet for a duplex and multi-plex dwelling units will increase over the duplex area by 2000 square feet per dwelling unit depending on how it is designed. The Professional Office overlay states that the lot size shall be of sufficient size to provide for the building, off street parking and landscaping. All of the proposed lots have the required square footage. Professional Office will require parking, landscaping will be required so this will limit the design size.

The preliminary plat is proposing five (5) lots along the future alignment of Cheney Drive West for professional office uses, three (3) lots along North College Road West for duplexes, four (4) lots for single family dwellings at the end of Cobble Creek Road to complete a cul-de-sac and twenty (20) single family cottage-style residences along Field Stream Way. The non-residential uses are restricted to buildings less than 14,000 square feet unless allowed by special use permit. Screening would be required between the residential areas and non-residential areas.

There have been a lot of discussions regarding the construction of Cheney Drive West extension with Twin Falls Reformed Church, MBJ, LLC aka Countryside Village Trailer Park and the developer. The City has received road right-of-way from MBJ, LLC. The road right-of-way dedication has not been received from the property owner to the north, Twin Falls Reformed Church, Inc. Four of the five proposed professional office use lots access Cheney Drive West, extended. The Commission may wish to place a condition on the preliminary plat that no building permits will be issued for Lots 1 through 5, Block 1 of the Fieldstone Professional Subdivision until Cheney Drive West has been constructed.

A portion of Twin Falls Canal Company's Lateral #43 is located along the northern boundary of the proposed subdivision where Cheney Drive West, extended shall be constructed. The developer is proposing to relocate and pipe the lateral on the property to the north, Twin Falls Reformed Church, Inc. The Commission may wish to place a condition on the preliminary plat that the developer shall provide an approval from the Twin Falls Canal Company for the relocation of the lateral and the necessary easements.

Fieldstone Subdivision is currently served with thirty five (35) sewer will serves. This development, being a re-plat of those residential lots, will retain those will serves and associated volume of waste water. There will be no additional capacity available until the waste water treatment plan is complete. The estimated time of completion of the treatment plant is December 2015.

This is the first step of the plat approval process. 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

**Planning & Zoning Commission Minutes
February 11, 2014**

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.

This request is in conformance with the Comprehensive Plan which designates this area as appropriate for medium density residential development and the urban village/urban infill land use concept. There is not a zoning designation specific to the Urban Village/Urban Infill classification but it encourages mixed density residential development and a mix of non-residential uses that support the area which can be met with the professional office overlay.

Zoning & Development Manager Carraway stated upon conclusion should the Commission approve the request, as present, 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 Council approval of an Ordinance for the rezoning of the property from R-2 to R-4 PRO PUD.
3. Subject to Council approval of an Ordinance for the vacation of the dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Field Stream Way.
4. Subject to Council approval and recordation of the Fieldstone Professional P.U.D. R-4 Professional Planned Unit Development Agreement.
5. Subject to no building permits being issued for Lots 1 through 5, Block 1, Fieldstone Professional Subdivision, until Cheney Drive West, extended, has been constructed.
6. Subject to road right-of-way being dedicated to the City of Twin Falls from the Twin Falls Reformed Church, Inc. for their portion of Cheney Drive West, extended.
7. Subject to Twin Falls Canal Company approval of the relocation of Lateral #43 and the dedication of necessary easements.

PZ Questions/Comments:

- Zoning & Development Manager Carraway stated that the developer has asked that lot 4 Block 1 be excluded from condition #5, because to construct this building he would be accessing the property from Field Stream Way, she explained the City Engineer Fields may be able to address this issue if the Commission has questions about this request.
- Commissioner Frank asked City Engineer Fields to discuss this request.
- City Engineer Fields stated as long as the entity that chooses to develop on that land and is willing to accept access on Field Stream Way that would work out just fine.
- Commissioner Woods asked about the irregular shapes of the lots along the northeast portion of the plat.
- Mr. Thibault explained these lots were excluded from the plat because the Fieldstone Homeowners Association owns this greenbelt area.
- Commissioner Woods asked if Misty Meadows Trail will go all the way through generating more traffic through a residential area.
- Mr. Thibault stated no the road will not go through it will be posted as private with no on street parking.
- Commissioner Woods asked about the configuration of Tract B and if the reason for it is because of existing construction.
- Mr. Thibault stated the tract contains storm water retention that will need to be reconfigured to accommodate the storm water retention as well as the construction of Cheney Drive West along the northern boundary.

**Planning & Zoning Commission Minutes
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- Commissioner Grey asked how the relocation of the lateral will work if there is not documentation from the church to the north as to whether or not they have agreed to this.
- Mr. Thibault explained he and the developer have been working with the property owners in the area and the canal company on relocating the lateral and suggested Mr. Wills speak on that issue. There is a plan for piping the canal and they are currently working on alignments to complete the project. There are a lot of properties with a vested interest in this project.
- Brad Wills, Wills Inc. stated the lateral is on the churches property, they have been working for about a year with the canal company. To make the pipe work they have an agreement with the canal company to have them relocate the lateral to an open ditch to the north, so that they don't have to pipe it twice. The Twin Falls Reform Church through their PUD Agreement has signed an agreement to give the City right-of-way to move forward with Cheney Drive West construction. The moving of the canal and the development of Cheney Drive West are being worked on together so that it can be done around the same time.
- Commissioner Munoz asked if there have been any traffic studies for this area related to how high density development would impact the area.
- Mr. Wills explained not to his knowledge, but by extending Cheney Drive West that should assist in relieving traffic. This project is not increasing the density but by having Cheney Drive West go through the intention is to have the City grow in this direction and by building Cheney Drive West it should help.
- Commissioner Frank asked the City Engineer Fields to describe how the City designs its roads.
- City Engineer Fields explained the master development plan shows collectors as four lane roads and this has been designed as a three lane road because the access is very limited and in part because there was a desire to get it built.
- Commissioner Frank asked if from what is known of this development does staff see any potential traffic concerns.
- City Engineer Fields stated not along this section.
- Commissioner Munoz asked if there is a deadline for completion of the Cheney Drive West, extension, because the rest of the subdivision can be developed creating density without traffic plans.
- City Engineer Fields stated there is not a due date for construction of the Cheney Drive West, extension but it is her understanding that there is a desire to construct it as soon as possible because there is more than one beneficiary.

Public Hearing: Open

- Megan Humble, 931 Misty Meadows Trail, stated she knows that it is required for non-residential developments to provide fencing, the request is that the fence go up before the development takes place so that the fencing can be uniform, especially since some of the lots are going to be directly exposed to the Cheney Drive West, extension.

Closing Statement:

- Mr. Wills stated along Grandview Drive there is a nice block wall and it was extended through Sunterra. The home owners are responsible for choosing to fence up along the walking path. The businesses will have to provide fencing between the two uses. They will put the fencing in before the development occurs.

Public Hearing: Closed

Deliberations Followed:

- Commissioner Munoz stated he still has concerns related to traffic and once Cheney Drive West is developed that will help, but he still has concerns.
- Commissioner Sharp stated he likes this plan better than the high density housing, the concerns have been addresses, as for traffic the property is going to be developed one way or the other.
- Commissioner Boyd stated it's hard to predict because you can't have one without the other development needs the road and the road needs to be there for development. So predicting when things will be built is difficult.
- Commissioner Munoz stated his concern is that Cheney Drive West doesn't have to be constructed until after the other lots are already developed.
- Commissioner Grey stated what if the condition was changed to state that Cheney Drive West must be built before development occurs.
- Commissioner Frank stated that building permits could be withheld until Cheney Drive West is built where the professional office lots are located.
- Commissioner Sharp clarified that Condition #5 states exactly that requirement.
- Commissioner Munoz stated that he thinks restricting development for the entire subdivision is until Cheney Drive West is constructed is too restrictive; he just has concerns with the timing and the traffic.
- Commissioner Frank stated he doesn't have an issue with approving this request.

Motion:

Commissioner Sharp made a motion to approve the request, as presented, with staff recommendations. Commissioner DeVore seconded the motion. Commissioners Boyd, Derricott, Frank, Grey, Sharp, Tatum, DeVore and Woods voted in favor of the motion and Commissioner Munoz voted against the motion.

APPROVED, AS PRESENTED, WITH STAFF RECOMMENDATIONS

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to Council approval of an Ordinance for the rezoning of the property from R-2 to R-4 PRO PUD.
3. Subject to Council approval of an Ordinance for the vacation of the dedicated public rights-of-way and easements consisting of 2.7 (+/-) acres located within a portion of the Fieldstone Subdivision located south of the 900-1100 blocks of Cheney Drive West, undeveloped and east of the 1350-1450 blocks of Fields Stream Way.
4. Subject to Council approval and recordation of the Fieldstone Professional P.U.D. R-4 Professional Planned Unit Development Agreement.
5. Subject to no building permits being issued for Lots 1 through 5, Block 1, Fieldstone Professional Subdivision, until Cheney Drive West, extended, has been constructed.
6. Subject to road right-of-way being dedicated to the City of Twin Falls from the Twin Falls Reformed Church, Inc. for their portion of Cheney Drive West, extended.
7. Subject to Twin Falls Canal Company approval of the relocation of Lateral #43 and the dedication of necessary easements.



Date: February 23, 2015
To: Honorable Mayor and City Council
From: Jacqueline D. Fields, P.E., City Engineer

Request:

Consideration of a request to approve a Resolution that will authorize the Mayor to execute the Cooperative Agreement for the Intersection of Blue Lakes Blvd. & Heyburn Ave.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The Idaho Transportation Department (ITD) will be conducting maintenance work on Blue Lakes this spring. The work will entail mill and inlay of several sections of pavement, primarily in the southbound curb lanes of Blue Lakes Blvd. The locations will be near Ash, Poleline Road, Filer Ave, Caswell, Ave and Heyburn Ave.

Currently, there are loops controlling the Heyburn signal. During the decision making for this maintenance work, Engineering, Streets and ITD staff discussed the opportunity to partner on updating the signal with cameras. City staff would purchase and install the signal equipment and ITD will reimburse 50% of the cost.

This agreement enables the partnership.

Approval Process:

A simple majority vote is required to pass the resolution that authorizes the Mayor to execute the agreement.

Budget Impact:

The Streets budget includes funding for signal repair (102-31-10-458-57)

Regulatory Impact:

None.

Conclusion:

Staff requests approval of the resolution to authorize the Mayor to execute the Cooperative Agreement for the Intersection of Blue Lakes Boulevard and Heyburn Ave.

Attachments:

1. Cooperative agreement and resolution

COOPERATIVE AGREEMENT

US93, INT. BLUE LAKES AND HEYBURN AVENUE
TWIN FALLS COUNTY

PARTIES

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the IDAHO TRANSPORTATION DEPARTMENT, hereafter called the State, and the CITY OF TWIN FALLS, acting by and through its Mayor and Council, hereafter called the City.

PURPOSE

The State is constructing a mill and inlay project on US-93 within the City limits. One intersection, (Blue Lakes/Heyburn Avenue) will be updated to cameras by the City during this project. This Agreement covers the responsibilities of the parties in accomplishing this work.

Authority for this Agreement is established by Idaho Code Sections 40-317, 67-2326 through 67-2333, and 67-2339.

The Parties agree as follows:

SECTION I.

1. The State will provide, at its own cost, a mill and inlay on US-93 within the City limits.
2. The City will purchase equipment necessary to update the intersection of Blue Lakes and Heyburn Avenue with cameras instead of loops. The City will install the cameras using their own resources.
3. The City will provide an invoice to the State for the cost of the equipment. The State will reimburse the City for fifty (50) percent of the cost.
4. The State will, subject to the limitations hereinafter set forth, indemnify, save harmless and defend regardless of outcome the City from expenses of and against suits, actions, claims, or losses of every kind, nature and

description, including costs, expenses and attorney fees caused by or arising out of any negligent acts by the State or the State's officers, agents and employees while acting within the course and scope of their employment, which arise from or which are in any way connected to the construction and maintenance of the work. Any such indemnification hereunder by the State is subject to the limitations of the Idaho Tort Claims Act (currently codified at chapter 9, title 6, Idaho Code). Such indemnification hereunder by the State shall in no event cause the liability of the State for any such negligent act to exceed the amount of loss, damages, or expenses of attorney fees attributable to such negligent act, and shall not apply to loss, damages, expenses, or attorney fees attributable to the negligence of City.

5. The City will, subject to the limitations hereinafter set forth, indemnify, save harmless and defend regardless of outcome the State from expenses of and against suits, actions, claims, or losses of every kind, nature and description, including costs, expenses and attorney fees caused by or arising out of any negligent acts by the City or the City's officers, agents and employees while acting within the course and scope of their employment, which arise from or which are in any way connected to the maintenance of the work. Any such indemnification hereunder by the City is subject to the limitations of the Idaho Tort Claims Act (currently codified at chapter 9, title 6, Idaho Code). Such indemnification hereunder by the City shall in no event cause the liability of the City for any such negligent act to exceed the amount of loss, damages, or expenses of attorney fees attributable to such negligent act, and shall not apply to loss, damages, expenses, or attorney fees attributable to the negligence of State.

6. Sufficient Appropriation. It is understood and agreed that the State is a governmental agency, and this Agreement shall in no way be construed so as to bind or obligate the State beyond the term of any particular appropriation of funds by the Federal Government or the State Legislature as may exist from time to time. The State reserves the right to terminate this Agreement if, in its sole judgment, the Federal Government or the legislature of the State of Idaho fails, neglects or refuses to appropriate sufficient funds as may be required for the State to continue payments. Any such termination shall take effect immediately upon notice and be otherwise effective as provided in this Agreement. Nothing in this Agreement shall be construed as limiting or expanding the statutory or regulatory responsibilities of any involved individual in performing functions granted to them by law; or as requiring either entity to expend any

sum in excess of its respective appropriation. Each and every provision of this Agreement is subject to the laws and regulations of the State of Idaho and of the United State.

EXECUTION

Effective Date: This Cooperative Agreement shall become effective upon signature of the District Four Engineer and the Mayor of the City of Twin Falls.

Method of Termination: This Cooperative Agreement shall remain in force unless formally terminated by either party after thirty (30) days written notice to the other party.

Amendments: Amendments to this Cooperative Agreement shall become effective upon mutual agreement and written approval by the District Four Engineer and the Mayor of the City of Twin Falls.

IDAHO TRANSPORTATION DEPARTMENT

District Engineer

Attest:

CITY OF TWIN FALLS

City Clerk

Mayor

(SEAL)

By regular/special meeting
on _____.

hm:TwinFallsSignal Coop.docx

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Agreement stating obligations of the **STATE** and the **City of Twin Falls**, hereafter called the **CITY**, for improvements to the intersection of US93; Blue Lakes and Heyburn Avenue; and

WHEREAS, certain functions to be performed by the **STATE** involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, The **STATE** can only pay for work associated with the State Highway system; and

WHEREAS, the **CITY** is fully responsible for its share of project costs; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for developing improvements to the intersection of US93; Blue Lakes and Heyburn Avenue; and is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Twin Falls, held on _____, _____

(Seal)

City Clerk



MONDAY FEBRUARY 23, 2015

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager

ITEM II-

Request: For the City Council to consider adoption of an ordinance for a [Zoning District Change and Zoning Map Amendment](#) from R-1 VAR to R-2 for 51 (+/-) acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North.

Time Estimate: Staff presentation may be five (5 +/-) minutes. This is not a public hearing item but there may be an additional five (5) minutes for questions by the City Council.

Background:

On January 13, 2015 the Planning & Zoning Commission held a public hearing regarding the rezoning of this property from R-1 VAR to R-2. Upon conclusion of the public hearing and deliberation the Planning & Zoning Commission unanimously recommended approval of the Zoning District Change as presented.

On February 9, 2015 the City Council held a public hearing on this request. Upon conclusion of the public hearing and council deliberation Councilmember Talkington moved approval of a [Zoning District Change and Zoning Map Amendment](#) from R-1 VAR to R-2 for 51 (+/-) acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North., as presented. Councilwoman Hawkins seconded the motion. The motion was approved 6 for and 0 against.

Conclusion:

As directed by the Council, staff has prepared an ordinance for your consideration.

Staff recommends the City Council adopt the ordinance so it can be published and codified.

Attachments:

1. Ordinance & Attachments
2. Map of Rezoned Area

ORDINANCE NO. _____

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

WHEREAS, Wills, Inc., on behalf of Twin Falls School District #411, had made application for a rezone of property located on the east side of the 500, 600, and 700 blocks of Hankins Road 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 13th day of January, 2015, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon a REZONE of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 9th day of February, 2015.

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

SECTION 1. That the following described real property located on the east side of the 500, 600, and 700 blocks of Hankins Road North is the subject of a Zoning District Change and Zoning Map Amendment from R-1 VAR to R-2:

SEE ATTACHMENT "A"

SECTION 2. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The zoning of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 3. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the rezoning of the real property above described.

PASSED BY THE CITY COUNCIL

, 2015

SIGNED BY THE MAYOR

, 2015

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday,

, 2015

ATTACHMENT "A"

A parcel of land located in the South half of the Northwest quarter of the Northwest quarter and part of the Southwest quarter of the Northwest quarter of section 12, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, and more particularly described as follows:

Beginning at the West quarter of said Section 12, from which the Northwest corner of said Section 12 bears North 00°36'02" East, 2647.18 feet to the REAL POINT OF BEGINNING;

Thence North 00°36'02" East along the Westerly boundary of the NW4 for a distance of 622.08 feet;

Thence North 89°44'25" East for a distance of 493.80 feet;

Thence North 00°39'56" East for a distance of 208.10 feet;

Thence North 89°21'47" West for a distance of 354.98 feet;

Thence North 00°36'02" East parallel with the Westerly boundary of the NW4 for a distance of 64.84 feet;

Thence North 89°23'58" West for a distance of 139.00 feet to a point on the Westerly boundary of the NW4;

Thence North 00°36'02" East along the Westerly boundary of the NW4 for a distance of 1082.73 feet to the Northwest corner of the S2 NW4 NW4;

Thence South 89°52'51" East along the Northerly boundary of the S2 NW4 NW4 for a distance of 1328.69 feet to the Northeast corner of the S2 NW4 NW4;

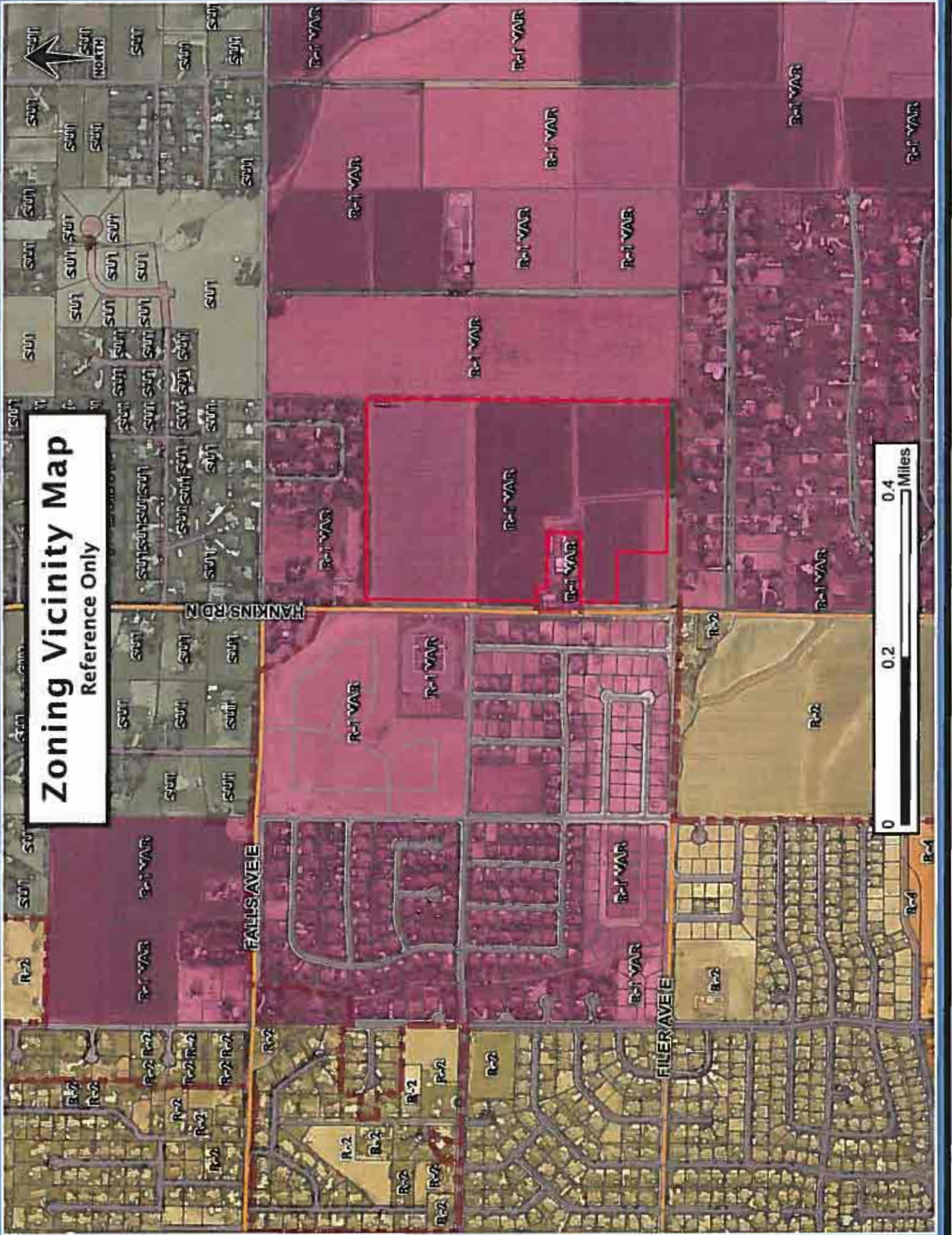
Thence South 00°31'40" West along the Easterly boundary of the S2 NW4 NW4 and the SW4 NW4 for a distance of 1984.14 feet to the southeast corner of the SW4 NW4;

Thence North 89°55'59" West along the southerly boundary of the SW4 NW4 for a distance of 1331.22 feet to the REAL POINT OF BEGINNING.

Containing approximately 57.99 acres.

Zoning Vicinity Map

Reference Only



CURVE DATA

Curve	Delta	Length	Radius	Chord	Chord Ang
C1	107°55'31"	114.64'	500.00'	114.64'	58°57'51.3"
C2	107°55'31"	114.64'	500.00'	114.64'	58°57'51.3"
C3	107°55'31"	114.64'	500.00'	114.64'	58°57'51.3"

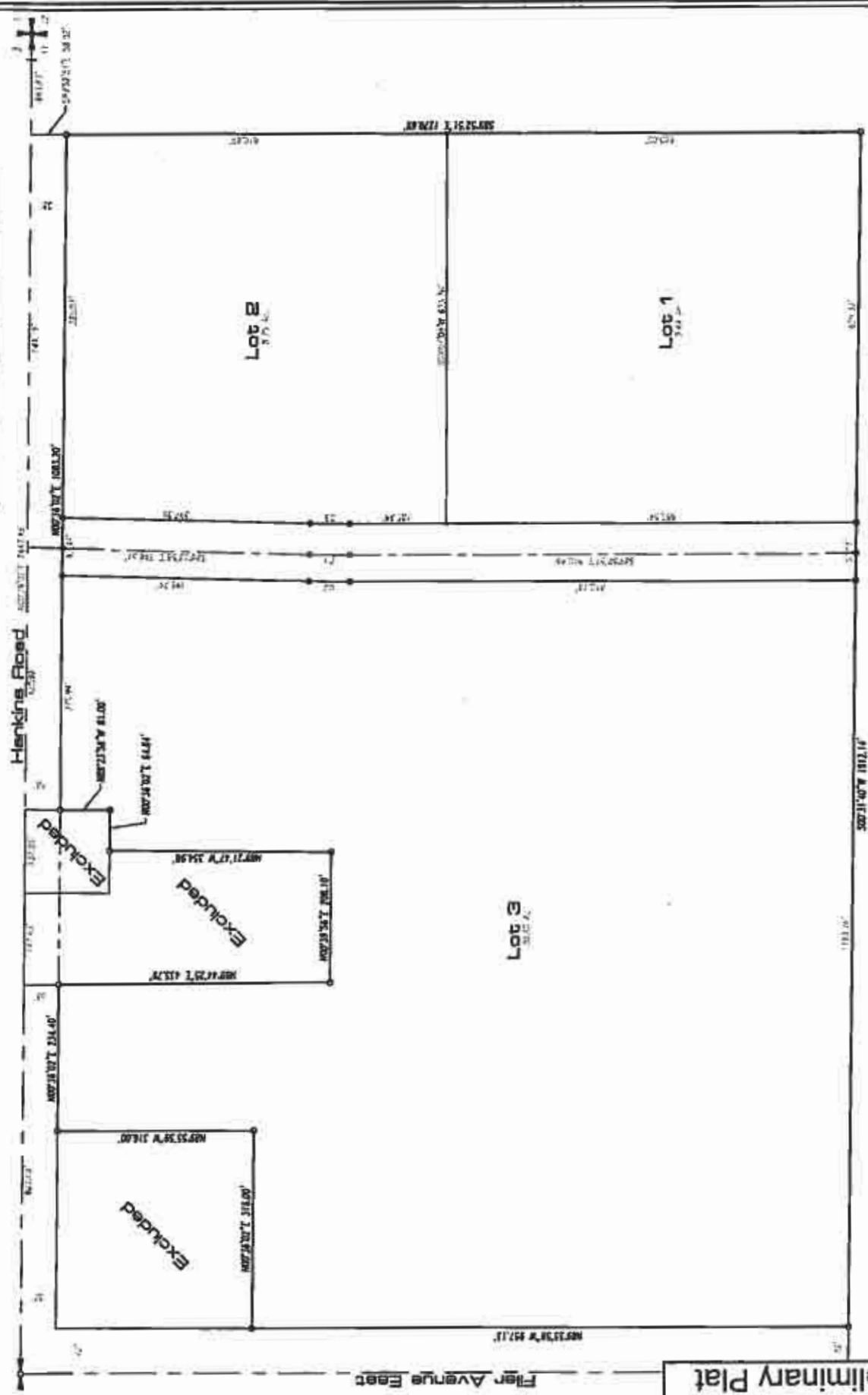
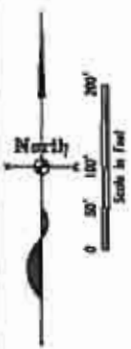
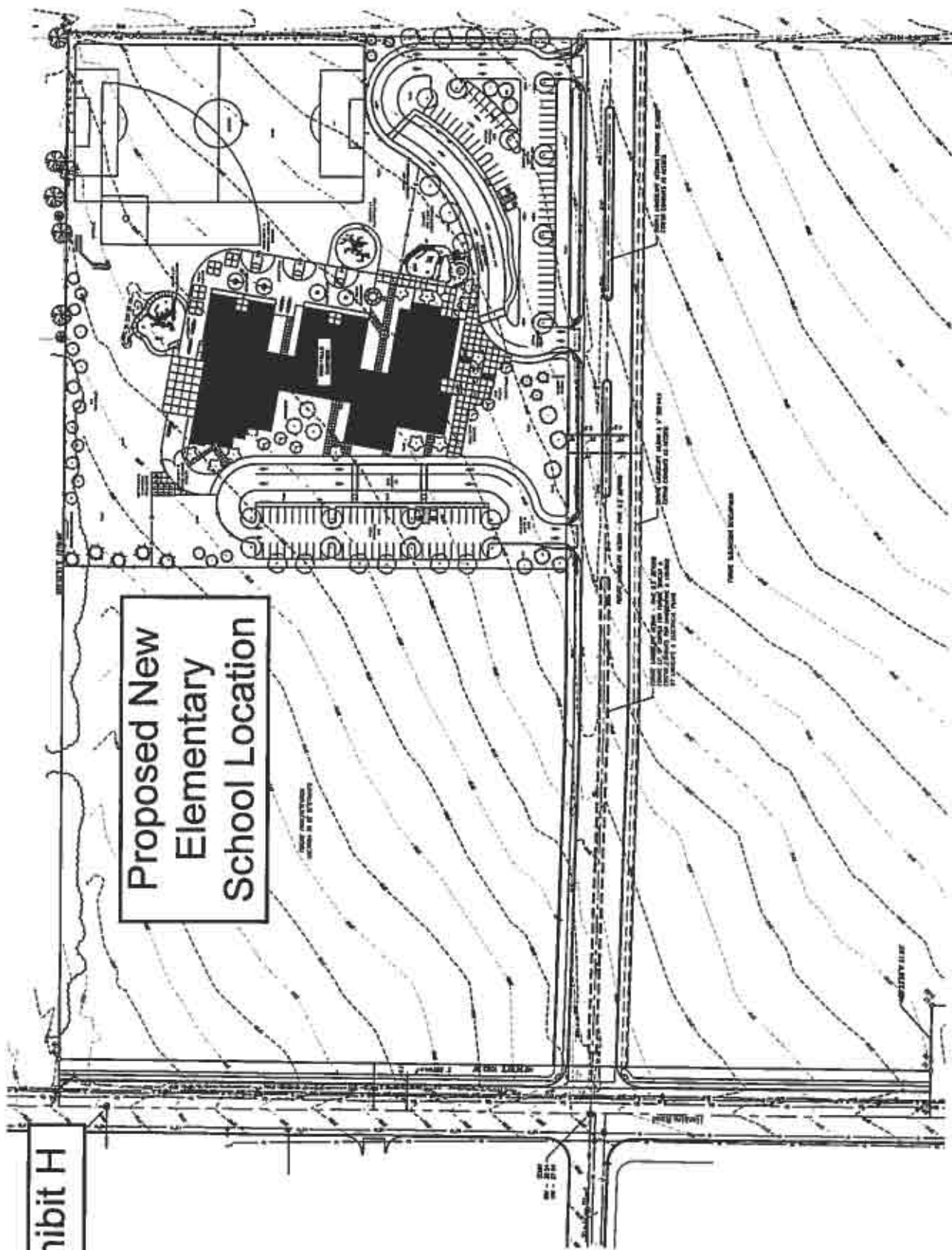


Exhibit G Proposed Preliminary Plat

EHM Engineers, Inc.

Exhibit H





MONDAY FEBRUARY 23, 2015

To: Honorable Mayor Hall and City Council

From: Rene'e V. Carraway-Johnson, Zoning & Development Manager

ITEM II-

Request: For the City Council to consider adoption of an ordinance to Vacate 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, consisting of 46 single family lots and adjacent rights-of-way and easements to allow for replatting and development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North..

Time Estimate: Staff presentation may be five (5 +/-) minutes. This is not a public hearing item but there may be an additional five (5) minutes for questions by the City Council.

Background:

On January 13, 2015 the Planning & Zoning Commission held a public hearing regarding vacation of a portion of Northern Passage Subdivision(s) No. 3 & No. 4, and certain elements therein.

Upon conclusion of the public hearing the Planning & Zoning Commission unanimously recommended approval of the partial vacation as presented and with staff recommendations.

On February 9, 2015 the City Council held a public hearing on this request. Upon conclusion of the public hearing and deliberation Councilmember Lanting moved approval for Vacation of 13 (+/-) acres of undeveloped property within a portion of Northern Passage Subdivisions #3 and #4, consisting of 46 single family lots and adjacent rights-of-way and easements to allow replatting and development of a new elementary school on property located at the northeast corner of Federation Road (extended) and Grandview Drive North., as presented and subject to the following conditions placed by the Planning and Zoning Commission.

- 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 submittal of all utility letters and any conditions that may be required prior to adoption of the ordinance.*

Councilman Barigar seconded the motion. The motion was approved 6 for and 0 against.

Conclusion:

All conditions placed on the vacation approval have been met. As directed by the Council, staff has prepared an ordinance for your consideration.

Staff recommends the City Council adopt the ordinance so it can be published and codified.

Attachments:

1. Ordinance & Attachments

2. Map of Vacated Area

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

WHEREAS, Northern Passage, Inc., c/o Tim Vawser has made application for vacation of property located within a portion of Northern Passage Subdivisions #3 and #4 in the City of Twin Falls; 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 13th day of January, 2015, to consider the vacation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 9th day of February, 2015.

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 VACATED:

SEE ATTACHMENT "A"

SECTION 2. That title to the real property by this Ordinance vacated be divided among the adjoining property owners in the portions herebelow described to the persons named below:

NAME: Northern Passage, Inc.
ADDRESS: P.O. Box 2138
PROPERTY: McCall, ID 83638

SECTION 3. 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, in the same manner as other instruments affecting the title to real property, as required by Idaho Code 50-1324(2).

PASSED BY THE CITY COUNCIL

, 2015

SIGNED BY THE MAYOR

, 2015

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday,

, 2015

"Attachment A"

Land Description For Vacated Portions of "Northern Passage Subdivisions 3 and 4"

A parcel of land located in the Southwest quarter of the Northwest quarter of Section 32, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, being more particularly described as follows:

Commencing at the East quarter corner of said Section 32. Said point lies South $89^{\circ}50'35''$ East, 5319.11 feet from the West quarter corner of said Section 32. Thence, North $89^{\circ}50'35''$ West, 4631.47 feet along the South boundary of the North half of Section 32 to the Southwest corner of "Northern Passage Subdivision Number 3". Thence, North $00^{\circ}01'09''$ West, 35.50 feet along the West boundary of "Northern Passage Subdivision Number 3" to a point on the North right of way of Federation Road being the REAL POINT OF BEGINNING.

Thence, North $89^{\circ}50'35''$ West, 611.17 feet along said right of way.

Thence, North $44^{\circ}57'21''$ West, 42.51 feet to a point on the East right of way of Grandview Drive North.

Thence, North $00^{\circ}04'07''$ West, 891.51 feet along said right of way to the Southwest corner of Lot 10, Block 13 of "Northern Passage Subdivision Number 4".

Thence, South $89^{\circ}50'35''$ East, 139.37 feet along the South boundary of Lot 10, Block 13 of "Northern Passage Subdivision Number 4" to the Southeast corner thereof.

Thence, South $00^{\circ}01'09''$ East, 13.00 feet along the West right of way of Ahsahka Street.

Thence, South $89^{\circ}50'35''$ East, 445.00 feet to the Southeast corner of Lot 21, Block 11 of "Northern Passage Subdivision Number 4".

Thence, South $00^{\circ}01'09''$ East, 648.00 feet along the West boundary of "Northern Passage Subdivision Number 3" to the Southwest corner of Lot 10, Block 11 of "Northern Passage Subdivision Number 3".

Thence, South $89^{\circ}50'35''$ East, 115.00 feet along the South boundary of Lot 10, Block 11 of "Northern Passage Subdivision Number 3" to the Southeast corner thereof and a point on the West right of way of Caribel Street.

Thence, South $00^{\circ}01'09''$ East, 144.00 feet along the West right of way of Caribel Street extended to a point on the South right of way of Kamiah Road.

Thence, South $89^{\circ}50'35''$ East, 104.60 feet along the South right of way of Kamiah Road to the Northwest corner of Lot 11, Block 9 of "Northern Passage Subdivision Number 3".

Thence, South 00°01'09" East, 116.50 feet along the West boundary of Lot 11, Block 9 of "Northern Passage Subdivision Number 4" to the Southwest corner thereof and a point on the North right of way of Federation Road.

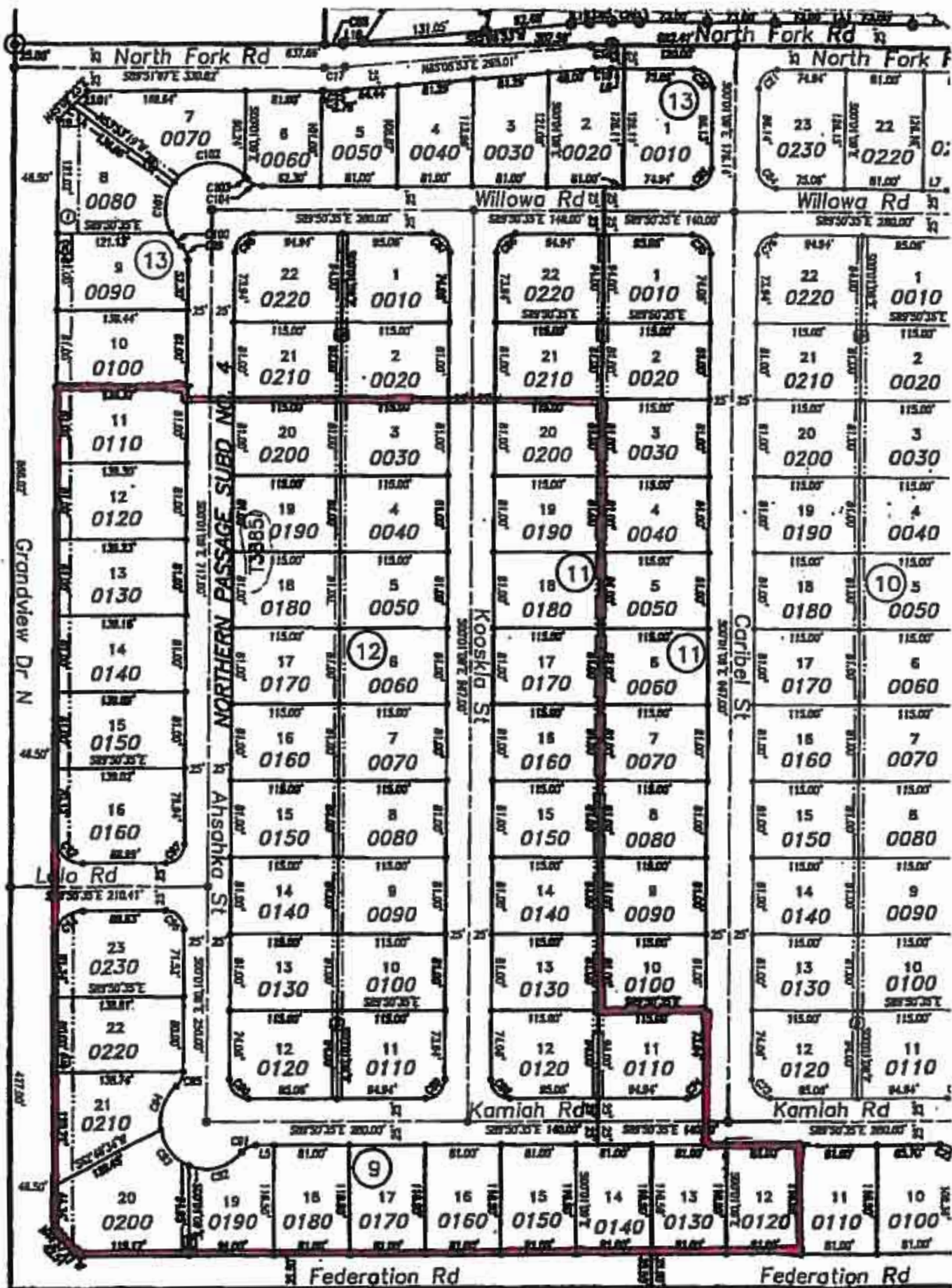
Thence, North 89°50'35" West, 162.00 feet along said right of way to the REAL POINT OF BEGINNING.

Containing approximately 13.178 acres.



Twin Falls City Platted Subdivision Map







Monday, February 23, 2015 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request:

Presentation of the City Pool Financial Report by John Pauley, Aquatics Director of the YMCA

Time Estimate:

John Pauley will make the presentation; it will take approximately 10 minutes. Following the presentation, we expect some time for questions and answers.

Background:

As part of the Concession Agreement between the City and the YMCA, an annual financial report is to be presented to the City Council. These reports of pool operations shall include all City Pool revenues, expenses, and attendance. Overhead charges shall be explained in detail and justified. City Pool revenues shall include daily admissions, annual pool passes, seasonal memberships, and that portion of overall Y memberships that are attributable to the City Pool.

City staff and Council members met with the YMCA to figure out how full membership revenue should be credited as the pool revenue. The Y has memberships just for the pool and memberships for usage of all three of their facilities. Both sides agreed that the adult daily admission (\$4.00) will be use when each full YMCA member uses the pool as overall City pool revenue.

John Pauley, Aquatics Director for the YMCA presented this report to the Parks and Recreation Commission at their February meeting. Mr. Pauley explained the revenue stayed consistent with the year before, but the expenditures went up by approximately \$27,000. That can be credited to the YMCA adding another guard on duty whenever the pool is open. The Y did mention during their presentation last year, they will be increasing the number of guard and they expect those expenditures to increase. Utilities went up again this past year by approximately 14%.

Approval Process:

There is no approval process associated with this presentation.

Budget Impact:

There is no immediate budget impact associated with this presentation.

Regulatory Impact:

There is no regulatory impact associated with this presentation.

Conclusion:

This is a presentation by the Aquatics Director of the YMCA. No action is necessary.

Attachments:

YMCA's Financial Report from September 1, 2013 – August 31, 2014
Concession Agreement – City Pool

Y/City Pool Profit & Loss

September 2012 through August 2013 with Previous year comparison

	Sep '13 - Aug 14	Sep '12 - Aug 13	Sep '11 - Aug 12
City Pool Revenue			
City of Twin Falls - Co-Op	120,000.00	120,000.00	119,982.10
Daily Admissions	68,784.27	70,768.46	68,354.09
Pool Rentals	8,250.84	7,670.38	7,942.76
Sales - CP	2,004.18	5,117.79	4,409.44
Swim Lessons	97,291.31	91,191.83	76,243.24
City Pool Revenue - Other	0.00	1,201.90	165.00
Memberships - CP	112,290.40	110,504.36	68,441.70
Memberships - YMCA	60,376.00	64,396.00	106,612.00
Total Income	468,997.00	470,850.72	452,150.33
Expense			
Accounting & Legal	534.20	250.00	247.50
Bank Charges	4,972.86	6,721.77	9,435.14
Repairs/Maintenance	6,810.52	5,430.27	7,366.90
Food	623.23	229.00	669.37
Health Insurance	4,465.73	9,775.00	7,536.43
Janitorial Supplies	4,567.11	5,221.41	6,601.26
Liability Insurance	9,640.30	9,411.66	3,000.00
Office Expenses	5,524.72	6,458.08	5,907.69
Payment to Affil Org	4,971.33	0.00	1,320.00
Professional Salaries	47,515.89	49,610.95	31,150.04
Administrative costs	45,278.90	51,907.16	46,591.24
Aerobic Instructor	17,907.08	15,797.46	16,873.17
Clerical Wages	32,272.44	40,691.05	38,128.37
Lifeguard	101,740.30	73,716.16	83,784.49
Maintenance	3,940.79	7,559.08	6,431.56
Swim Lessons	44,954.56	39,540.37	35,104.32
City Pool - Other	937.17	0.00	1,155.95
Payroll Tax Expenses	22,532.86	21,338.07	19,830.26
Payroll Tax - Unemployment	2,626.25	10,041.44	9,331.89
Pool Chemicals	25,050.07	25,737.11	21,869.74
Program Supplies	8,330.42	2,423.94	4,056.23
Advertising	10,471.98	8,597.11	11,308.08
Retirement	6,303.73	6,608.14	5,005.36
Product Supplies	2,582.13	3,762.52	2,028.23
Uniforms - Lifeguards	1,541.27	1,261.46	1,873.29
Utilities	89,960.73	77,582.27	63,659.86
Workmans Comp	4,418.21	3,486.61	3,292.08
Total Expense	510,474.78	483,158.09	443,558.45
Net Income	-41,477.78	-12,307.37	8,591.88

Y/City Pool Financial Explanations & Visit/Program Comparison

Financial Explanations

- The \$4 daily admission fee for adults was used for determining the value of a YMCA Member visit for 2013-2014. This value was used in last year's financials as well.
- Administrative costs & professional salaries are the percentage of each staff member's salary that was applied towards the pool. They are 85% for the Aquatics Director, 15% for the CEO, 33% for the Bookkeeper, 33% for the Membership Coordinator, 33% for the Marketing Director and 33% for the Front Desk Supervisor.
- Health Insurance and Retirement were calculated for the above staff and the Aquatics Director (85%) based off of the same percentages.

Y/City Pool Visits

- YMCA Member Visits
 - o 2012-2013: 16,099
 - o 2013-2014: 15,094
- Y/City Pool Member Visits
 - o 2012-2013: 15,621
 - o 2013-2014: 15,450
- Daily Admission Visits
 - o 2012-2013:
 - 3 & Under: 1,526
 - 4-17 Years of Age: 11,922
 - Adults 18 Years of Age & Older: 6,827
 - Total: 20,275
 - o 2013-2014:
 - 3 & Under: 1,089
 - 4-17 Years of Age: 7,787
 - Adults 18 Years of Age & Older: 5,916
 - Total: 14,792
- Total Visits
 - o 2012-2013: 51,995
 - o 2013-2014: 45,336

Swim Lesson Numbers

- 2012-2013: 2,303
- 2013-2014: 2,096

Y/City Pool Natural Gas & Electricity Use

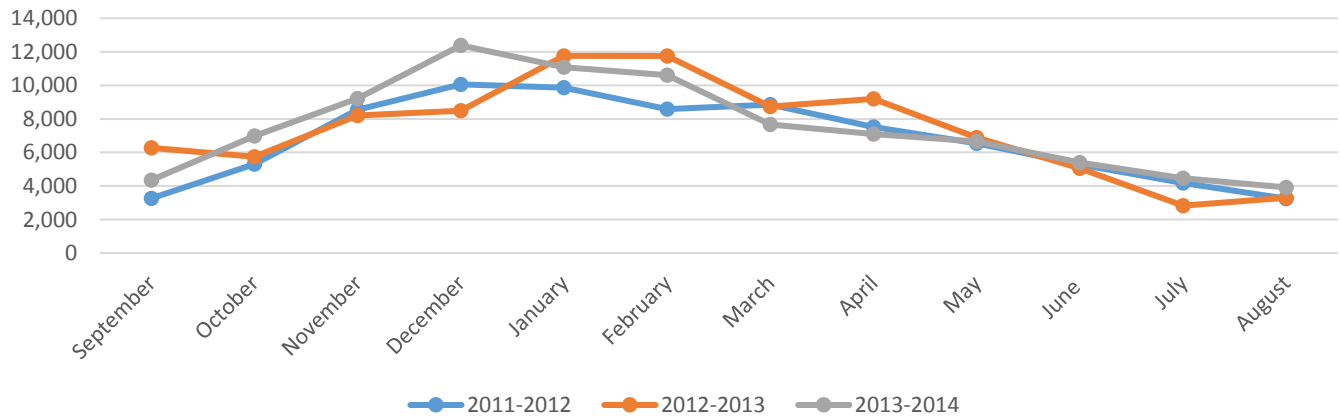
Therms Used

	2011-2012	2012-2013	2013-2014
September	3,266	6,275	4,354
October	5,293	5,743	6,978
November	8,551	8,210	9,213
December	10,058	8,486	12,382
January	9,869	11,758	11,091
February	8,592	11,742	10,609
March	8,843	8,738	7,672
April	7,510	9,192	7,102
May	6,543	6,877	6,654
June	5,291	5,061	5,397
July	4,176	2,828	4,456
August	3,247	3,307	3,916
Total	81,239	88,217	89,824

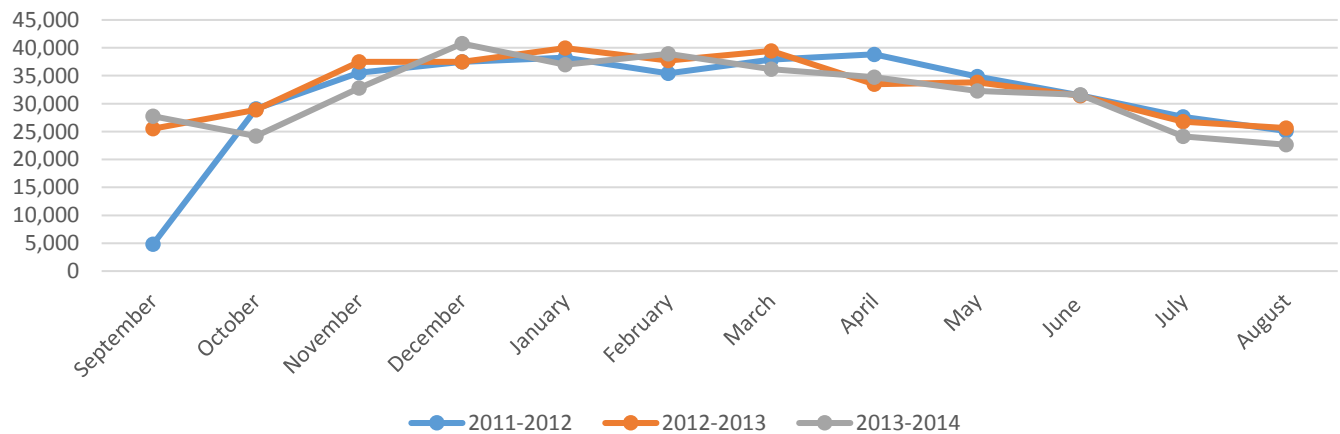
Kilowatts Used

	2011-2012	2012-2013	2013-2014
September	4,840	25,520	27,720
October	29,080	28,880	24,200
November	35,560	37,520	32,800
December	37,480	37,480	40,760
January	38,240	39,960	37,000
February	35,440	37,720	38,920
March	37,880	39,440	36,200
April	38,840	33,480	34,760
May	34,880	33,800	32,280
June	31,480	31,440	31,560
July	27,640	26,760	24,160
August	25,120	25,600	22,640
Total	376,480	397,600	383,000

Therms Used



Kilowatts Used



COPY

CONCESSION AGREEMENT

THIS CONCESSION AGREEMENT, made and executed this 31st day of August, 2011, by and between the City of Twin Falls, a municipal corporation of Idaho, hereinafter referred to as "City" and The YMCA of Twin Falls, Inc., hereinafter referred to as "the Y";

WITNESSETH:

WHEREAS, the City has heretofore granted a Concession Agreement in the City Pool, owned by the City and located within the corporate limits; and

WHEREAS, the Mayor and City Council have determined that it is in the community's best interest to continue said Concession Agreement to operate and manage the pool; and

WHEREAS, the City requested proposals from individuals/entities interested in entering into a Concession Agreement with the City; and

WHEREAS, the Y was selected by the City Council as having a qualified proposal and instructed staff to begin negotiations on a proposal that will be mutually acceptable to both parties.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. GRANT OF CONCESSION. The City hereby grants to the Y the exclusive privilege or Concession of maintaining and operating the City Pool owned by the City and located within the corporate limits. During the period commencing September 1, 2011 and ending August 31, 2018, the Y shall maintain and operate the City Pool in accordance with the terms and conditions that follow herein. This Agreement may be renewed upon terms mutually agreed to by both parties. The City and the Y agree to review the terms of this contract at any time during the term of this Agreement, at the request of either party.
2. USE FOR AQUATIC RECREATIONAL PROGRAMS. The Concession premises and the facilities, fixtures, furnishings, and equipment located therein and thereon shall be used by the Y to conduct aquatic recreational programs for the citizens of Twin Falls and for other pool patrons. The Y may occasionally use the facilities for other activities, including parties, events, swim meets or other activities that are consistent with the operation of a public pool.

3. PAYMENT TO THE Y. The City shall pay the Y an operation and management fee of \$120,000 per year, payable in monthly installments of \$10,000.00 on the first day of each month beginning on September 1, 2011. Payments shall continue throughout the term of this agreement.

4. OPERATION. The Y shall be responsible for the operation and management of the City Pool in a manner that promotes longevity and meets any applicable state regulations.

The Y shall review, and update as necessary, the operations manual for the pool in order to ensure proper operation and maintenance. The pool operations manual shall be readily accessible. The operations manual shall include instructions for such items and maintenance schedules, records and reports, water chemistry, accidents, emergency procedures, care of filters, operation of pumps and other equipment, and the proper handling and storage of all chemicals used. The operations manual shall be reviewed for continued applicability and updated as necessary annually, beginning on the anniversary of the commencement of this agreement.

5. ADMISSION FEES AND REVENUE. The Y shall collect and retain fees for the use of the pool by the public. The Y shall keep posted at the pool, and include in a yearly informational booklet, a schedule of rates for all pool activities and programs. Water aerobics, lap swim, and open swim, are included programs in a Y membership and City Pool pass.

The fees charged by the Y shall not exceed the fees set forth on "Exhibit A" attached hereto and incorporated herein. Any changes to the admission fees or pool passes must be approved by the Pool Aquatics Advisory Board (discussed in section 7 below). The Board may provide for an annual increase in the maximum fee not exceeding 5% per year. Fee increase requests that exceed 5% per year shall be considered by the City Council following a recommendation by the Board.

6. POOL AQUATICS DIRECTOR. During the term of this Agreement, the Y shall employ a full time Aquatics Director who is familiar with the operation of the pool, is responsible for the health and safety of the public using the pool, and responsible for operating the pool and the Y/City aquatic programs. The Aquatics Director shall maintain at least one of the following certifications:

- Certified Pool Operator (CPO), National Swimming Pool Foundation

- Aquatic Facility Operator (AFO), National Recreation and Parks Association
- National Swimming Pool Institute (NSPI Tech 1), National Spa and Pool Institute

The operator and all lifeguards shall maintain all of the following certifications:

- Life Guarding
- Cardiopulmonary Resuscitation (CPR), and
- First Aid

The Y shall provide copies of current certifications upon request of the City Manager, or designee.

7. POOL AQUATICS ADVISORY BOARD. The City's Parks & Recreation Commission shall be appointed to perform the duties of a Pool Aquatics Advisory Board. In addition to regular Commission members, the following persons shall be ex-officio members when performing Board duties: City Manager or designee, the C.E.O. of the Y or designee, and the Aquatics Director. The purpose of the Board shall be to review citizen complaints and to advise and recommend to the City Council and the Y matters concerning the operations, aquatics programs and facility needs of the City Pool.

8. SCOPE OF CONCESSIONS TO BE PROVIDED. The scope of this Concession includes a License to go upon and use the Concession premises for the purpose of conducting a swimming program, with the necessary rights and responsibilities thereon.

A. Y Duties:

- (1) Provide swimming lessons, primarily to youth.
- (2) Provide aquatic fitness and therapy opportunities.
- (3) Provide open swim hours for the general public.
- (4) Provide lap swim hours for the general public.
- (5) Solicit, facilitate, and provide for swim meets and other special swim events.
- (6) Provide support and assistance for organized youth swim teams and associations.
- (7) Coordinate with the local high schools for team practices and meets.
- (8) Manage and oversee pool security.
- (9) Provide a safe environment for the swimming public and employees.
- (10) Promote and market the pool facility.

- (11) Assist with planning and execution (if possible) with any capital improvements and renovation to the pool facility.
- (12) Provide all necessary supplies, materials, equipment and appropriate staff necessary to manage, operate and maintain the pool facility.
- (13) Provide chemicals necessary to maintain water chemistry and provide staff to check water chemistry and perform adjustments as necessary.

B. Janitorial, Repairs, and Alterations:

- (1) The Y shall be responsible for the daily janitorial and cleaning of the City Pool, including, but not limited to, locker rooms, office, pool deck, wading pool, equipment, fixtures, and contents of the facility.
- (2) It is the intent of the parties that capital expenditures shall be the obligation of the City and the "day-to-day" maintenance costs shall be the obligation of the Y. For example, a remodel of the restroom facilities would be a capital expenditure but the repair of a sink or toilet fixture would be a "day-to-day" maintenance. Capital expenditure as used herein shall be defined as any expenditure that extends the life of a City facility, such as replacing the bubble, and includes structural damage repairs, the expansion of structures or systems, the remodel of structures or systems, the replacement of water heating or water quality equipment, and the complete asphalt overlay of the parking area. In the event of a dispute between the parties regarding the classification of an expense as either a 'day-to-day maintenance expense' or a 'capital expenditure', the parties agree to negotiate with each other in good faith to resolve the dispute in a fair and equitable manner.
- (3) The Y is required, at its sole cost and expense, to maintain and operate the pool facility in a good and safe condition in accordance with industry standards. This includes the maintenance and repair of the pool; all interior and exterior structures; building systems; utility systems and connections; equipment; restrooms; pool accessories (slide, ladders, etc...); lighting; and fixtures.
- (4) The Y shall be expected to provide an adequate staff to maintain the pool facility in excellent physical condition and appearance.

- (5) No permanent alterations shall be made to the pool facility without written approval from the City. Any such alteration approved by the City will become the property of the City upon termination of this agreement.

C. Utilities:

The Y shall pay all utility expenses for the operation of the pool, including telephone, electricity, and natural gas. The City will provide sanitation, water, and sewer utility services at no cost to the Y.

D. Days of operation:

The Concession premises shall be open to the public on Memorial Day, Independence Day, and Labor Day.

9. CITY TO MAINTAIN PREMISES. The City shall be responsible for the repair of the facility and equipment, including, but not limited to, pumps, motors, chemical feed equipment of the boilers, bubble blower unit, the bubble, the landscaping, the sprinkler system, pool water chemistry systems, the structural components of the plumbing electrical, and HVAC systems, the diving boards and fencing at the City Pool. The City will perform regular inspections of the facility and equipment described above. The City will also install and take down the seasonal cover, or bubble, each year.

The Y shall notify the City on a timely basis of facilities and equipment requiring repair. The City shall make all repairs on a timely basis and in a manner that minimizes impact on the use of the facility.

The City reserves the right to enter upon the Concession premises at any reasonable time in order to ensure compliance with the terms of this Concession Agreement. The City reserves the right to inspect, investigate, and survey the Concession premises as deemed necessary, and reserves the right to do any and all work of any nature necessary for preservation, maintenance, and operation of the premises. The Y shall be liable for all expenses incurred by the City for work done by the City in order to preserve, maintain, and operate the Concession premises, when, after giving notice of default, such work is necessary to remedy the Y's negligence or non-compliance with the terms of this Agreement.

10. FINANCIAL REPORTING. The Y shall provide to the Pool Aquatics Advisory Board and the City Council quarterly reports of pool operations and annual Y financial statements for the year ending Dec. 31, 2011, and annually thereafter. These reports of pool operations shall include all City Pool revenues, expenses, and attendance. Overhead charges shall be explained in detail and justified. City Pool revenues shall include daily admissions, annual pool passes, seasonal memberships, and that portion of overall Y memberships that are attributable to the City Pool.

11. FACILITIES USE AGREEMENT. In recognition of the Facilities Use Agreement and property lease that exists between the City and the Twin Falls School District #411 (T.F.S.D.) the Y shall give priority to the requests for use of the facility by all school affiliated programs and events, including but not limited to, swim clubs, physical education classes, P.T.A/O. groups, class parties and reward programs of the T.F.S.D. Additionally, contracts with T.F.S.D. and its programs for regularly scheduled pool space and times must be approved by the Pool Aquatic Advisory board prior to execution and before the start of the program when possible. The Board will respond by its next scheduled meeting or within 30 days from the date of request.

12. USE OF CITY'S FIXTURES, FURNISHINGS AND EQUIPMENT. The License granted hereunder includes exclusive right to manage and use the facilities, fixtures, and furnishings owned by the City and currently located on the Concession premises. All pool equipment can only be used on the pool facility or other City facilities. Said furnishings and equipment are listed in Exhibit "B", attached hereto and incorporated herein. The Y shall provide all additional facilities, fixtures, furnishings and equipment and personal property necessary for the operation of swimming and aquatic programs, not set out in Exhibit "B". Any such additional facilities, fixtures, furnishings and equipment and personal property not listed in Exhibit "B", but located at the pool facility, are property of the Y. At least once each year, a physical inventory of the City's fixtures, furnishings, and equipment shall be taken and a copy delivered to the City Parks and Recreation Director. The Y shall notify the City of any missing items or any discrepancies found regarding the inventory lists.

Upon termination of this Concession Agreement, all fixtures and furnishings owned by the City shall remain on the premises. The Y shall return all City-owned fixtures and furnishings

in as good of a condition as said fixtures and furnishings were in as of the date this Agreement, reasonable wear and tear excepted.

The City reserves the right to carry out any redesign, remodeling, reconstruction, or new construction on the Concession premises which it deems advantageous to the long-term operations of the facility, if such modification can be accomplished without substantial interference with the Y operations. Whenever possible, the City shall provide the Y 30 days notice before beginning any remodel or modification. The timing, extent, and nature of any improvements shall be solely within the discretion of the Mayor and Council of the City.

13. ACCEPTANCE OF PREMISES BY THE Y. The Y has accepted the premises as is. The Y agrees to return the premises and the facilities, fixtures, furnishings, and equipment not owned by the Y to the City in a condition as good as when accepted by the Y, reasonable wear and tear excepted.

14. COMPLIANCE WITH LAWS. The Y shall strictly comply with all Federal, State and local laws, rules, regulations, and ordinances, including those governing the operation of a public swimming pool. The Y agrees not to permit or allow any illegal business, trade or occupation in or on the Concession premises and shall not permit the premises to be occupied by or used for any immoral or illegal purposes.

15. INDEMNIFICATION. The Y agrees that it will at all times maintain Worker's Compensation coverage for the benefit of its employees, and adequate liability and property damage insurance as specified in Section 16 below covering the activities of the Y, its agents, servants and employees, on the leased premises. The Y further agrees to defend, indemnify, and save the City, its agents, employees and public officials, harmless from any and all claims or causes of action of any nature whatsoever arising out of the activities and operations of the Y, its agents, servants, invitees, officers, and employees, in connection with this Concession Agreement.

16. DIVING BOARD. The parties hereby acknowledge that the swimming pool depth below the diving boards at the swimming pool is ten feet (10'). This depth meets Idaho Code. However, the requirement for Y swimming pools is 11 feet, 6 inches (11'6"). As such, the City hereby agrees to indemnify and hold harmless the Y, its employees and agents, of and from any

claim or causes of action arising out of or related to injury or damages to persons hitting the bottom of the pool under the diving boards as a result of the use of the diving boards. This is a specific exemption to paragraph 15 above.

17. INSURANCE. In order to effectuate the foregoing indemnification provisions, the Y shall maintain insurance coverage as follows:

- A. The Y shall purchase public liability insurance in the amount of \$500,000 combined single limit to protect the City from any and all public liability claims. The City shall be named as an additional insured or be acknowledged by the Y's insurance carrier as a covered entity under the terms of said policy. Moreover, the Y is required to put its surety on notice that said surety may not change or cancel the existing insurance policy with the Y without first giving the City at least thirty (30) days written notice.
- B. The Y shall purchase personal property insurance in an amount sufficient to insure any and all of its personal property which might be used in the Y's operation of the business.
- C. The Y shall purchase Worker's Compensation insurance or the equivalent as required by Idaho Code.
- D. A Certificate of Insurance evidencing compliance with the foregoing insurance requirements shall be filed with the Deputy City Clerk prior to or at the time of execution of this Concession Agreement. The above described insurance shall contain contractual coverage sufficiently broad to insure the provisions of Section 15 "Indemnification." The Y's failure to maintain insurance shall be a basis for immediate termination of this Concession Agreement.

18. PAYMENT OF TAXES. The Y shall pay all taxes, if any, which may be imposed by proper authority upon the Concession premises, or the facilities, fixtures, furnishings, equipment and personal property therein and thereon, including, if applicable, ad valorem, income, sales, and payroll taxes. However, nothing herein shall preclude the Y or the City from challenging in good faith the validity of any tax imposed upon the Concession premises, the facilities, fixtures, furnishings, equipment, or personal property therein and thereon.

19. Y'S INDEPENDENT CONTRACTOR STATUS. It is understood and acknowledged by the parties that the relationship of the Y to the City is that of an independent contractor. The Y

shall have no authority to employ any person as an employee or agent for or on behalf of the City for any purpose, except as otherwise provided herein. Neither the Y nor any person engaging in any work relating to this Concession at the request of or with the consent of the Y, shall be deemed an employee or agent of the City, nor shall any such person or persons represent himself, herself, or themselves to others as an employee or agent of the City.

When ordering any goods or services for this Concession, the Y shall place such order in its own name or business name and not in the name of the City. The Y shall notify its vendors of the independent relationship between the parties to this Concession Agreement and shall advise its vendors that the Y is solely responsible for the goods or services purchased.

20. PAYMENT OF BILLS. The Y shall promptly pay all bills arising from the Y's operation of this facility. It is expressly understood that the Y is a licensee and independent contractor of the City. As such, the City shall in no way be responsible for any bills or obligations whatever incurred by the Y in the operation of the facility under this Concession Agreement.

21. PERMITS AND LICENSES. The Y shall obtain and maintain at its own expense any permits and licenses that may be required by competent authority for the operation of this facility.

22. NON-DISCRIMINATION. The Y shall fully comply with the Federal Equal Employment Act and other State and Federal laws requiring the fair, equal, and non-discriminatory treatment of all persons without regard to race, color, religion, sex, age or national origin. The Y represents, certifies and agrees that no person shall be denied or refused service or full or equal use of the facilities, nor denied employment opportunities by the Y, as a result of race, creed, color, religion, sex, age, national origin, ancestry, physical or mental handicap unrelated to ability, or marital status.

23. Y EMPLOYEES. The Y shall operate this Concession and shall employ sufficient and qualified personnel to operate the Concession in a businesslike manner. The pool facility shall be staffed with at least one aquatics director, as required above, along with other personnel adequate for the operation of the facility. In the event of a voluntary or involuntary termination of an aquatics director that places the Y out of compliance with this paragraph, the Y shall immediately exercise its best efforts to come into compliance with this paragraph.

Safety of Y employees shall be a primary concern of the Y. All employees shall be provided necessary safety training and equipment, and the Y shall require that its employees use the same at all reasonable times.

24. PARKS AND RECREATION DIRECTOR CITY'S REPRESENTATIVE. The Parks and Recreation Director of the City, working with the advice of the Pool Aquatics Advisory Board shall represent and manage the City's interest in the Concession premises. The Director may make reasonable written requests regarding the operation of this Concession to ensure compliance with the terms of this Concession Agreement, with which requests the Y shall comply.

25. NON-ASSIGNMENT. This Concession Agreement shall not be assigned in whole or in part nor shall the Concession premises or any part thereof be sublicensed, nor shall any right or privilege herein granted to the Y be sold, transferred or assigned, without the prior written approval of the City. Any such transfer, sale or assignment, whether voluntary or involuntary, without the written approval of the City, shall be void and shall constitute grounds for the cancellation of this Concession Agreement at the option of the City.

26. MODIFICATIONS OF LICENSE. This Concession Agreement sets forth all of the agreements between the parties hereto, and no change, modification, or amendment thereof shall be valid and binding unless set forth in writing and signed by the City and the Y.

27. TERMINATION.

- A. If, in the judgment of the City, the Y breaches or is in default of any term of this Concession Agreement, the City shall give the Y written notice specifying with reasonable particularity the unsatisfactory performance or default. If such breach or default is capable of being remedied and the Y fails or refuses to take reasonable steps to remedy such unsatisfactory performance or default within thirty (30) days after receipt of said notice, the City may terminate this Concession Agreement. If such breach or default is incapable of being remedied, the City may automatically terminate the Concession Agreement granted herein upon written notice to the Y of the breach or default.
- B. If, in the judgment of the Y, the City breaches or is in default of any term of this Concession Agreement, the Y shall give the City written notice specifying with

reasonable particularity the unsatisfactory performance or default. If such breach or default is capable of being remedied and the City fails or refuses to remedy such unsatisfactory performance or default within thirty (30) days after receipt of said notice, the Y may seek whatever remedy is available at law or in equity.

- C. Notwithstanding the foregoing, the City and the Y shall have the absolute right to terminate this agreement by giving written notice one hundred eighty (180) in advance of the termination.

28. DESTRUCTION OF PREMISES. In the event the Concession premises are damaged by fire or other casualty to such an extent that the continued use of the premises by the Y is not desirable, the City or the Y may immediately terminate this Concession Agreement. The City may, but is not obligated to, repair or rebuild the Concession premises. In that event, if any portion of the original Concession Agreement period remains, the Y, upon written notice, shall resume operation of the Concession in accordance with this Concession Agreement.

29. REMOVAL OF PROPERTY ON TERMINATION. In the event this Concession Agreement expires or is terminated as herein provided, the Y shall immediately vacate the Concession premises and shall remove (a) all fixtures and personal property not on the inventory in Exhibit "B", (b) all fixtures and personal property not purchased to replace such inventory in Exhibit "B", and (c) all fixtures and personal property in which the Y holds actual title. Should the Y fail to remove or dispose of such property as herein provided, the City may consider it abandoned and may claim proper title to it or dispose of the same at the Y's expense.

The Y shall quit and surrender the said premises and shall leave the City's fixtures, equipment, furnishings, and personal property in as good or better condition as when accepted by the Y, reasonable wear and tear excepted. Removal of any fixtures and improvements attached to the structures on the Concession premises shall not leave the structures in a worse condition than at the time of the execution of this Concession Agreement.

30. LIENS AND ENCUMBRANCES. The Y shall keep the Concession premises, including all City-owned facilities, City-owned furnishings, City-owned fixtures, City-owned equipment and other City-owned property therein and thereon, free and clear from any liens and encumbrances arising from or growing out of the Y's use of the Concession premises. At the

City's request, the Y shall furnish the City's Chief Financial Officer written proof of payment of any item which might constitute the basis for such a lien on the premises, facilities, fixtures, furnishings, equipment or other property.

31. TERMINATION UPON BANKRUPTCY. Except, to the extent prohibited by applicable law, upon the occurrence of any one or more of the following events the Concession Agreement granted herein shall be deemed to have terminated automatically:

- A. The filing by the Y of the voluntary Petition in bankruptcy or the making of an assignment for the benefit of creditors; or
- B. The filing of an involuntary bankruptcy Petition against the Y that is not withdrawn or dismissed within ten (10) days; or
- C. A consenting by the Y to the appointment of a receiver or trustee of all or part of the Y's assets; or
- D. The filing by the Y of a Petition or Answer seeking an arrangement or reorganization under the Federal Bankruptcy Act or any other applicable State or Federal law; or
- E. The filing by the Y of a Petition to take advantage of any insolvency law or act.

32. NON-WAIVER OF BREACH. The waiver by the City of any breach by the Y of any provision contained in this Concession Agreement shall not be deemed to be a waiver of such provision or any subsequent breach of the same.

33. WRITING IS ENTIRE AGREEMENT. This Concession Agreement constitutes the entire agreement between the parties. No evidence of any prior or contemporaneous agreements, written or oral, may be used to modify the express terms of this writing.

34. SEVERABILITY. If any provision or portion of any provision of this Concession Agreement shall be deemed illegal or unenforceable by a Court of competent jurisdiction, the unaffected provisions or portions thereof shall remain in full force and effect.

35. JURISDICTION AND VENUE. Any action or proceeding relative to this Lease Agreement shall be maintained in the District Court, Fifth Judicial District County of Twin Falls, State of Idaho.

36. NOTICE. All notices under this Concession Agreement shall be deemed to be properly served if sent by certified mail to the last address previously furnished by the parties hereto. Until hereafter changed by written notice, said addresses shall be as follows:

City of Twin Falls

Attn: Parks and Recreation Director

P.O. Box 1907

Twin Falls, ID 83303-1907

YMCA of Twin Falls, Inc.

Attn: C.E.O.

1751 Elizabeth Blvd.

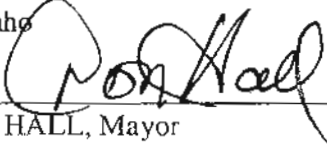
Twin Falls, ID 83301

Notice shall be complete upon receipt, unless the recipient ignores or refuses to sign for the certified letter, in which event notice shall be deemed to have been completed on the first attempted delivery by the United State Post Office.

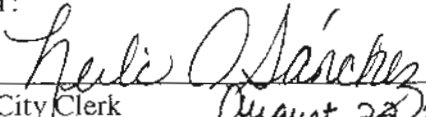
37. ATTORNEY'S FEES UPON BREACH. In the event it becomes necessary for either party to enforce the terms of this Concession Agreement, the prevailing party shall be awarded by a sum which will reasonably compensate it for the attorney's fees and costs incurred by such party to enforce the terms of this agreement. In the event attorney fees are awarded by a Court of law, the parties agree that a reasonable rate for attorney fees is \$150.00 per hour.

IN WITNESS WHEREOF, the parties hereto have executed this Concession Agreement by and through their authorized representatives the day and year first-above written.

CITY OF TWIN FALLS, a municipal corporation
of Idaho

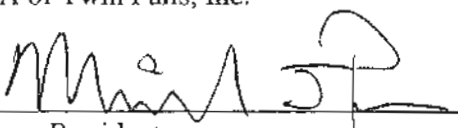

DON HALL, Mayor

ATTEST:


Deputy City Clerk

August 28, 2011

YMCA of Twin Falls, Inc.


Michael Prosser President

STATE OF IDAHO)
 :SS
County of Twin Falls)

On this 30th day of August, 2011, before me, the undersigned, a Notary Public in and for the State, personally appeared M. Prosser the authorized agents for the YMCA of Twin Falls, Inc., known to me to be the person who executed the foregoing instrument, and acknowledged to me that he executed the same.

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

(SEAL)




NOTARY PUBLIC FOR IDAHO

Residing in: Twin Falls, Idaho

My Commission Expires: June 16, 2014

EXHIBIT "A"
MAXIMUM FEES

Daily Admissions:

Youth 3 years and under	\$3.00
Youth 4 – 17 years	\$4.50
Adult	\$6.00

Annual Passes:

Adult	\$260.00/year or \$31.50/month, plus tax and a \$50 joiner fee
Family	\$350.00/year or \$38.50/month, plus tax and a \$50 joiner fee
Youth (under 18 years)	\$237.50/year or \$29.50/month, plus tax and a \$50 joiner fee

Rental Rate:

\$170.00/hour – actual rental charge will depend on the percentage of the pool used

EXHIBIT "B"
INVENTORY OF CITY OWNED FACILITIES

The City of Twin Falls is the owner of the pool and its related attachments (ladders, slide, diving boards, etc...) and all of the existing buildings, including all the fixed equipment. Fixed equipment includes but is not limited to HVAC equipment, boilers, chemical control systems, UV system, bathroom/plumbing fixtures, counters, and fire suppression equipment, etc.

In addition to the above named items, the City of Twin Falls owns the following equipment and items:

- Seasonal cover or bubble and associated fixtures (lights, blower, assembly hardware, canopy connections to building, etc...)
- Pool blankets
- Guard stands
- Lane line reels
- Picnic area shelter
- Picnic tables
- Bounce house
- Tarp Reels
- Pool Vacuum



Public Hearing: **MONDAY FEBRUARY 23, 2015**

To: Honorable Mayor Hall and City Council

From: Jonathan Spendlove, Community Development Dept.

ITEM V-

Request: Request for a Zoning Title Amendment to amend Title 10 to increase the required public notice for various public hearings.(app 2702)

Time Estimate:

The applicant/staff presentation may take up to five (5) minutes followed by questions from the Public and City Council.

Background:

Applicant:	
City of Twin Falls Planning and Zoning Staff 324 Hansen St E Twin Falls, Id 83301 208-735-7267	Requested Zoning: Amendment to Twin Falls City Code – Title 10
Representative:	
Jonathan Spendlove Planner I	Applicable Regulations: Numerous Sections within Title 10.

Approval Process:

All procedures will follow the process as described in TF City Code 10-14: Zoning Amendments.

Zoning Title Amendments, which consist of text or map revisions, require a public hearing before the Planning Commission. Following the public hearing, the Commission may forward the amendment with its recommendation to the City Council. Any material change by the Commission from what was presented during the public hearing will require an additional hearing prior to the Commission forwarding its recommendation to the Council.

After the Council receives a recommendation from the Commission, a public hearing shall be scheduled where the Council may grant, grant with changes, or deny the Zoning Title Amendment. In any event the Council shall specify the regulations and standards used in evaluating the Zoning Amendment, and the reasons for approval or denial.

In the event the Council shall approve an amendment, such amendment shall thereafter be made a part of the Title upon the passage and publication of an ordinance.

Regulatory Impact:

Approval by the City Council will allow Twin Falls City Code to be amended as presented.

History:

This request was generated by the Planning and Zoning Commission following some discussion regarding the effectiveness of the current public hearing notice requirements as described in Twin Falls City Code Title 10. These discussions occurred as a direct result of some public hearing items that took place in August and September 2014.

Staff has generated this zoning title amendment under the direction given by the Planning and Zoning Commission during multiple publicly advertised work sessions in October, November and December 2014.

Analysis:

The proposed amendment modifies multiple sectors within Title 10. The major change occurs in Title 10- Chapter 7. A new Section 20 has been written to address the concerns and changes voiced by the public and the Commission. Some changes also address some discrepancy between Twin Falls City Code and State Statute regarding notice.

There are 3 major changes: (1) Applicants will be required to notify public hearings, send letters and post signs, on the same day. (2) Notification distances have been increased in order to more adequately provide notice to surrounding property owners. (3) The number and size of public notice signs has been increased to provide more adequate notice on adjacent street frontages.

Major Change #1 listed above will require the applicant to send the notification letters and post the public notice signs on the property 15 days prior to the public hearing. This will enable staff to more closely monitor the status of the notifications, catch notification violations sooner, simplify the process for the applicant, and most importantly provide an increase of notification time to adjoining owners and residents.

Major Change #2 listed above will increase the minimum notification distance. Current City Code applies an across the board three hundred feet (300') measured from the exterior property line. This amendment modifies the required distance depending on the type of change being requested. With the changes requested, no public hearing will be notified less than a distance of five hundred feet (500'). Certain public hearings within the C-1, CB, R-6, and MHO-1 Zoning Districts will be noticed at seven hundred fifty feet (750'). Certain Public hearings in the M1 and M2 Zoning Districts will be notified at one thousand feet (1000').

Major Change #3 listed above will increase the # and size of signs to be placed on the site. Locations that front multiple roads will be required to place a sign on each frontage. Locations will be required to have a minimum of one sign per three hundred (300) feet of street frontage, or a fraction thereof. Locations that front a City designated arterial street or State Highway, will be required to furnish signs that are a minimum four (4) feet tall and four (4) feet wide, with the bottom of the sign being at least three (3) feet above the ground.

Additional changes included in this newly proposed code section include the following: providing the decision by the Planning and Zoning Commission on public notice when items are forwarded to the City Council, a timeframe to remove the public notice signs, a requirement for staff to furnish a press release to local news media, and to post the public notice on the City Website.

Other sections listed on this amendment are to redirect the reference for public notifications to the newly created Title 10- Chapter 7 – **Section 20**.

On January 27, 2015 the Commission held a public hearing on this amendment. The Commission voted unanimously to recommend approval of the code amendment as written however one commissioner requested, upon adoption of the ordinance, the new code section (10-7-20), be referenced specifically in the various code sections being modified. The attachment reflects this addition.

Conclusion:

Staff concurs with the Commission's recommendation and asks for City Council approval.

Attachments:

1. Proposed changes to Title 10.

No amendments needed for ZDA and Requests for Additional Height

10-3-4: NONCONFORMING USES OR BUILDINGS:

(D) 3. a. Prior to granting a Nonconforming Building Expansion Permit, at least one public hearing shall be held before the Planning and Zoning Commission. At said hearings, all interested persons shall have the opportunity to be heard. [Notice for public hearings shall be provided as required in this Title per 10-7-20.](#)

10-7-19: CITY SERVICES:

(C) Approval Of New Uses By City Council: Any proposed new use to be established on real property owned and/or operated by the city of Twin Falls, not already permitted by other provisions of this zoning ordinance or already approved as required utility improvements in new developments, must be approved by the city council after a public hearing at which interested persons shall have an opportunity to be heard. [Notice for public hearings shall be provided as required in this Title per 10-7-20.](#)

10-9-9: ALLOWABLE SIGNS THAT DO NOT REQUIRE THE ISSUANCE OF A SIGN PERMIT:

(T) Zoning Signs:

1. Definition: A "zoning sign" is a temporary sign erected to publicize the request for zoning or rezoning of a property.
2. Zoning Signs [shall be posted to provide notice for public hearings as required in this Title per 10-7-20.](#)

10-13-2-1: VARIANCES:

(E) Public Hearing: Prior to granting a variance permit, at least one public hearing before the Commission in which interested persons shall have the opportunity to be heard shall be held. [Notice for public hearings shall be provided as required in this Title per 10-7-20.](#)

10-13-2-2: SPECIAL USE:

(F) Public Hearing: Upon receipt of the application for a special use, the Commission shall hold a public hearing. [Notice for public hearings shall be provided as required in this Title per 10-7-20.](#)

10-13-2-3: REVOCATION OF ZONING PERMITS:

(D) A public hearing on the motion or petition to revoke shall be held before the appropriate zoning body. The permit holder, city staff and/or any aggrieved party may present testimony or other evidence at said hearing. Said hearing shall be held within forty five (45) days of the filing of a petition for revocation or the passage of a motion initiating revocation proceedings [Notice for public hearings shall be provided as required in this Title per 10-7-20.](#)

10-14-4: COMMISSION ACTION:

- (C) If the request is not in accordance with a comprehensive plan, the request shall be submitted to the Commission, which shall recommend and the Council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures [as required in this Title per 10-7-20](#). After a comprehensive plan has been amended, this Title may then be amended as hereinafter provided for.

10-14-5: PUBLIC HEARING:

- (A) Zoning Title Amendment: The Commission, prior to recommending a Zoning Title Amendment to the Council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. [Notice for public hearings shall be provided as required in this Title per 10-7-20](#). Following the Commission's hearing, if the Commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Commission forwards the amendment with its recommendation to the Council.
- (B) Zoning Map Amendment: The Commission, prior to recommending a Zoning Map Amendment that is in accordance with a comprehensive plan to the Council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. [Notice for public hearings shall be provided as required in this Title per 10-7-20](#).

10-15-2: PUBLIC HEARING:

- (B) [Notice for public hearings shall be provided as required in this Title per 10-7-20](#). Following the Commission's hearing, if the Commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Commission forwards the proposal with its recommendations to the Council.

10-17-1: CITY PLANNING ADMINISTRATOR:

- (G) Appeals to the commission concerning the administrator's interpretation and administration of this title may be taken by any person aggrieved by a decision of said administrator. Said appeal shall be taken within fifteen (15) days after the decision of the administrator by filing with the administrator a notice of appeal specifying the grounds upon which the appeal is to be taken. The administrator shall transmit to the commission the appeal and all papers constituting the record upon which the appeal is based.

Upon receipt of an appeal from the action of the administrator the commission shall, after giving written notice to all parties concerned at least fifteen (15) days in advance, hold a public hearing. [Notice for public hearings shall be provided as required in this Title per 10-7-20](#). The commission's determination shall be final unless appealed to the council within the same time and pursuant to the same procedure set forth above.

NEW SECTION

10-7-20: PUBLIC HEARINGS NOTICE REQUIREMENTS:

Public notice shall be provided for land use actions requiring a public hearing. Public notice shall comply with the following requirements. Public hearings for appeals to the Administrator's Interpretation and administration of this title, Zoning Title Amendments not relating to a specific property, and Comprehensive Plan Amendments not relating to a specific property are not required to provide mail and site posting notice.

(A) Mail: Mail notice shall be provided as follows when required.

1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be provided by mail to the following:
 - a. property owners, or purchasers of record, within the land being considered,
 - b. property owners, or purchasers of record, within five hundred (500) feet of the external boundaries of the land being considered,
 - (1) For Special Use Permit, Zoning Map Amendment, and Future Land Use Map Amendment requests involving the R6, MHO-1, and nonresidential districts, except M1, M2, and OS, notices shall be mailed to property owners, or purchasers of record, within seven hundred and fifty (750) feet of the external boundaries of the land being considered.
 - (2) For Special Use Permit, Zoning Map Amendment, and Future Land Use Map Amendment requests involving the M1 and M2 districts, notices shall be mailed to property owners, or purchasers of record, within one thousand (1,000) feet of the external boundaries of the land being considered.
 - c. any additional property owners, or purchasers of record, that may be impacted by the proposed change as determined by the Administrator, and
 - d. all political subdivisions providing services within the planning jurisdiction, including the City, school districts, and the Magic Valley Regional Airport Manager.
2. When a public hearing is to be conducted by the City Council for a proposal that the Planning & Zoning Commission has made a recommendation on, the notice for that hearing shall include the Commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
3. The applicant requesting the proposed change shall mail the notices to the required property owners. Upon mailing, the applicant shall sign an affidavit stating that he has notified in writing the required property owners as to his purpose of application, time and place of hearing, residents served, and date of service. A copy of the notification shall be attached to the affidavit and returned to the City not less than ten (10) days prior to the hearing.

(B) Site Posting: Notice shall be posted on site as follows when required.

1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the premises.
2. The applicant requesting the proposed change shall post the required notice on the premises as follows:
 - a. Notice shall be provided by not less than one (1) sign located on the subject property adjacent to each street frontage of the property. In the event that the subject property is not adjacent to a public street, signs may be placed within the nearest public street right-of-way with prior approval from the Administrator and the owner of the right-of-way.

- b. Signs shall be placed on the property so as to remain clearly visible from adjacent streets. In the event that visibility of signs located on the property is obstructed, signs may be placed within the adjacent street right-of-way with prior approval from the Administrator and the owner of the right-of-way.
- c. If a property contains three hundred (300) or more feet of street frontage on a single street, one sign shall be placed on the property for each three hundred (300) feet, or portion thereof, of the street frontage.
- d. Additional notice signs may be required as determined by the Administrator.
- e. Notice signs shall be made from metal, plywood, or an equivalent hard surface and shall be mounted on two (2) posts in a manner that is perpendicular to the street along which the sign posted.
- f. Notice signs shall be a minimum of two (2) feet tall by three (3) feet wide and mounted so the bottom of the sign is at least two (2) feet above the ground. Notice signs that are located along a City designated arterial street or a State Highway shall be a minimum of four (4) feet tall and four (4) feet wide and mounted so the bottom of the sign is at least three (3) feet above the ground.
- g. Notice signs shall be white in color. At the top of the sign, notice signs shall include each of the following with a minimum size of six (6) inch black letters:
 - the words, "Notice of Public Meeting,"
 - the words, "for more information call," and then the phone number for the City's Planning & Zoning Department, and
 - the official City logo.
- h. Notice signs shall include a brochure holder mounted to the sign. The applicant requesting the proposed change shall ensure that, until such time as the notice sign is removed, the brochure holder contains hand-outs providing notice of the time and place of the hearing and a summary of the proposal. When a public hearing is to be conducted by the City Council for a proposal that the Planning & Zoning Commission has made a recommendation on, the notice for that hearing shall include the Commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
- i. The applicant requesting the proposed change shall remove the posted notice sign(s) from the property not more than three (3) days after the conclusion of the final public hearing for the proposed action.

(C) Newspaper: Newspaper notice shall be provided as follows when required.

1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction of the City.
2. When a public hearing is to be conducted by the City Council for a proposal that the Planning & Zoning Commission has made a recommendation on, the notice for that hearing shall include the Commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
3. The Administrator shall cause the newspaper notice to be prepared and published.

(D) Press Release: A press release shall be provided as follows when required.

1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be made available as a press release to news media outlets serving the jurisdiction, including newspapers, radio, and television stations.
2. When a public hearing is to be conducted by the City Council for a proposal that the Planning & Zoning Commission has made a recommendation on, the notice for that hearing shall include the Commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
3. The Administrator shall cause the press release to be prepared and made available to news media outlets. The City cannot guarantee that media outlets will broadcast the press release.

(E) City Website: Notice shall be provided on the City website as follows when required.

1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the City website, www.tfid.org.
2. When a public hearing is to be conducted by the City Council for a proposal that the Planning & Zoning Commission has made a recommendation on, the notice for that hearing shall include the Commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
3. The Administrator shall cause the notice to be posted on the City website.