



Twin Falls City Council Agenda

Monday, May 21, 2018, 5:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

Members: Shawn Barigar, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Gregory Lanting, Christopher Reid, Ruth Pierce

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) CONSIDERATION OF AMENDMENTS TO AGENDA
- 4) PROCLAMATIONS: None
- 5) GENERAL PUBLIC INPUT
- 6) CONSENT CALENDAR
 - a) Request to approve the Accounts Payable for May 15 - 21, 2018.
Purpose: **ACTION ITEM** By: Sharon Bryan, Deputy City Clerk
 - b) Request to approve the May 14, 2018, City Council Minutes.
Purpose: **ACTION ITEM** By: Sharon Bryan, Deputy City Clerk
- 7) ITEMS OF CONSIDERATION
 - a) Request to confirm the Mayor's appointment of Tom Frank to the Airport Advisory Board.
Purpose: **ACTION ITEM** By: Shawn Barigar, Mayor
 - b) Request to approve a cash contribution in-lieu of park land dedication for Morning Sun No. 10 Subdivision.
Purpose: **ACTION ITEM** By: Wendy Davis, Parks & Recreation Director
 - c) Request to adopt an ordinance creating City Code 8-2-15 regarding outdoor seating on public sidewalks.
Purpose: **ACTION ITEM** By: Nathan Murray, Economic Development Director
 - d) Update on fire stations and remodels; Programming Committee will give an update on the status of new fire stations and remodel projects.
Purpose: **Informational** By: Corey Beam, Captain
 - e) Update on the current state of the recycling program and market, and discuss the next stage of the small cart pilot program.
Purpose: **Informational** By: Bill Baxter, Utility Services Director

- f) A request to authorize the purchase of approximately 1.7 acres of real property located on the east side of Hankins Rd, 325 feet north of Filer Ave.

Purpose: **ACTION ITEM** By: Mitch Humble, Deputy City Manager

- g) Request to adopt an Ordinance for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 104 Lincoln Street.(app. 2929)

Purpose: **ACTION ITEM** By: Jonathan Spendlove, Planning & Zoning Director

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

9) PUBLIC HEARINGS

- a) Request to amend Cedar Park PUD # 210 to allow a planned Residential 4-plex Development on one (1) lot within the C-1 Zoned Designated area as shown on the Master Development Plan, located at the North West corner of Meadow View Lane, extended, and Addison Avenue East c/o Dave Thibault/EHM Engineers, Inc. on behalf of Summit Development EHM, Engineers, Inc. (app. 2934)

Purpose: **ACTION ITEM** By: Jonathan Spendlove, Planning & Zoning Director

10) ADJOURNMENT

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

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall
 - wait to be recognized by the Mayor or Chairman
 - approach the microphone/podium
 - state their name, and whether they are a resident or property owner in the City of Twin Falls, and proceed with their input.
2. The Mayor or Chairman may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning and Zoning shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
 3. 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.
 4. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
 5. A City Staff Report shall summarize the application and history of the request.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) minutes per person.
 - 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 or Chairman. 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.
 8. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council or Planning & Zoning Commission, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor or Chairman may again establish time limits.
 9. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning and Zoning Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor or Chairman.



Twin Falls City Council Minutes

Monday, May 14, 2018, 5:00
PM

City Council Chambers
203 Main Avenue East- Twin Falls,
Idaho

****Amended Agenda****

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Councilmember Greg Lanting, Suzanne Hawkins, Ruth Pierce, Christopher Reid, Vice Mayor Nikki Boyd via phone
Absent: Councilmember Chris Talkington
Staff Present City Manager Travis Rothweiler, Deputy City Manager Mitch Humble, Deputy City Manager Brian Pike, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Battalion Chief Ron Aguirre, Sergeant Justin Dimond, Parks and Recreation Director Wendy Davis, Planning and Zoning Director Jonathan Spendlove, Deputy City Clerk Sharon Bryan

Mayor Barigar called the meeting to order at 05:03:
PM A quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Barigar invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

Mayor Barigar invited Boy Scout to lead us in the pledge of Allegiance to the flag Mayor Barigar asked all present, who wished, to recite the pledge of Allegiance to the Flag.

3) CONSIDERATION OF AMENDMENTS TO AGENDA

NONE

4) PROCLAMATIONS

- a) Police Week and Peace Officers Memorial - Request made by Josh Hayes, FOB Lodge #22 President

Mayor Barigar read proclamation and presented it to Josh Hayes, President FOB Lodge

#22. Josh Hayes thanked City Council.

- b) Salvation Army Week - Request made by John Kapeleris

Mayor Barigar read proclamation and presented it to John Kapeleris, Sec Advisory Board, Salvation Ar

John Kapeleris thanked City Council.

5) GENERAL PUBLIC INPUT

6) CONSENT CALENDAR

MOTION:

Councilperson Hawkins moved to approve the Consent Calendar as presented.

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

- a) Request to approve the Accounts Payable for May 8-14, 2018.
- b) Request to approve the May 7, 2018, City Council Minutes.
- c) Request to hold the Magic Valley Law Enforcement Memorial Service on May 19, 2018.
- d) Request to approve the "Special Olympics 2018 State Summer Games."
- e) Request to approve the 3rd Annual Magic Valley Pride Festival to be held on June 9, 2018.
- f) Request to approve In-Lieu contribution for River Ridge Estates No. 5 Subdivision park land dedication.
- g) Request to approve In-Lieu contribution for Addison Springs Subdivision park land dedication.
- h) Approval of the Final Plat for Sunwest Subdivision No 1 (2 Lots on ~3 acres), located near the NE Corner of Washington Street North and Cheney Drive (App. PZ18-0011).
- i) Request to approve the Final Plat for Pillar Falls Plaza (24 Lots on ~21 Acres) located near Pole Line Road E and Mountain View Drive (App. PZ18-0009)

7) ITEMS OF CONSIDERATION

- a) Presentation to recognize Firefighter Kyle Eldridge for completion of his TFFD Firefighter II.

Battalion Chief Aguirre introduced Firefighter Kyle Eldridge and explained the process.

Mayor Barigar presented Firefighter Kyle Eldridge a certificate of completion of Twin Falls Fire Department Firefighter Level II.

- b) Request to approve the Crazy Days on Main event on June 2, 2018.

Sergeant Dimond gave staff report.

Kindsey Rigenberg, Brass Monkey asked City Council to approve Crazy Days event on Main Street for Saturday, June 2, 2018 from 12:00 PM to 7:00 PM.

Discussion ensued on the following:
Tradition for a long time.

Tony Prater, Jenson Jewelers, supports the event.

Tony Barnes, Vice Chair Western Days, expressed some concerns but said Western Days Committee will support the even.

- Discussion ensued on the following:
Council feels it is a great idea.

MOTION:

Councilperson Lanting moved to approve the Crazy Days event on Main Street for Saturday, June 2, 2018 from 12:00 PM to 7:00 PM. Councilperson Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- c) Request to approve a contract with Pivot North/BRS to conduct a feasibility study for a community recreation center.

Parks and Recreation Director Davis reviewed the contract with Pivot North/BRS.

Brian Wright gave a review on the Feasibility Study.

Trevor Morgan explained how the Committee selected Pivot North.

Clint Sievers, Pivot North explained the feasibility study process.

Discussion ensued on the following:

Appreciation of Committee

- What will it look like between each phase?
- Budget
- Survey
- City Manager Rothweiler explained why survey was included. Funding concerns.
- Business planning and operation planning.
- Wellness Community.
- Community center.

MOTION:

Councilperson Boyd moved to approve the contract with Pivot North/BRS to conduct a feasibility study for a community recreation center. Councilperson Pierc seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- d) Request to waive the Non-Conforming Building Expansion Permit Process for a residential home located at 219 Lenore Street. (App. PZ18-0013)

Planning and Zoning Director Spendlove gave staff report.

MOTION:

Councilperson Lanting moved to waive the Non-Conforming Building Expansion Permit Process for a residential home located at 219 Lenore Street. Councilperson Rei seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- e) Request to establish a minimum value for the public auction of real property located at 324 Hansen Street East.

Deputy City Manager Humble reviewed the request to establish a minimum value for the public auction of real property located at 324 Hansen Street East.

Discussion ensued on the following:

- What year did the City buy property?
- Cost of property.
- Concerns with setting a minimum bid.
- Access issues with building.

MOTION:

Councilperson Hawkins moved to approve the request to establish a minimum value of \$200,000 for the public auction of real property located at 324 Hansen Street East.

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

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler reminded City Council of the Police Officers Memorial on May 19, 2018, 11:00 AM at City Park.

City Manager Rothweiler reminded everyone that tomorrow is Election Day.

9) PUBLIC HEARINGS: None

10) ADJOURNMENT

The meeting adjourned at 06:15: PM

Sharon Bryan, Deputy City Clerk



Date: Monday, May 21, 2018
To: Honorable Mayor and City Council
From: Bill Carberry, Airport Manager, Shawn Bariager, Mayor

ACTION ITEM

Request:

Request to confirm the Mayor's appointment of Tom Frank to the Airport Advisory Board.

Time Estimate:

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

Background:

The City advertised for applicants interested in becoming a City representative on the Airport Board due to the departure of Abbie Mashaal, who needed to resign due to his new career as a charter pilot. Staff worked with the City PIO in issuing two separate press releases and listing the opening on the City Web page over a six-week period.

An interview committee composed of Mayor Shawn Barigar, County Airport Liaison Don Hall, Airport Board Chairman Mike March and Airport Manager Bill Carberry interviewed six candidates earlier this month. The committee was impressed with Tom Frank and unanimously agreed to recommend him. Mr. Frank has a background in community volunteer work and good understanding of current airport operations and development goals. He lives in the city limits and works at the local television station.

Approval Process:

City Code 8-7-3 states that Airport Board member appointments are recommended by the Mayor and confirmed by the City Council.

Budget Impact:

N/A

Regulatory Impact:

Approval of this request will maintain full membership on the Airport Advisory Board.

History:

N/A

Analysis:

N/A

Conclusion:

I request that the Council confirm the appointment of Tom Frank to the Airport Advisory Board.

Attachments:

None



Date: Monday, May 21, 2018
To: Parks and Recreation Commission
From: Wendy Davis, Parks & Recreation Director

ACTION ITEM

Request:

Request to approve a cash contribution in-lieu of park land dedication for Morning Sun No. 10 Subdivision.

Time Estimate:

10 minutes for staff presentation.

Background:

This is a request for a Parks in Lieu contribution for Morning Sun No. 10. A 32.11 acre subdivision with ninety-five (95) residential lots.

The requested Parks in Lieu contribution is calculated at \$58,615 based on the auction price the current owner purchased the property for.

The applicant is requesting a credit for this Parks in Lieu due to the construction cost of the shelter at Morning Sun Park. The credit proposed is \$35,854.91. Bringing the total cash contribution for Morning Sun No. 10 to, \$22,760.09.

Approval Process:

In accordance with City Code Section 10-12-3-11 Section F: The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements.

The commission was tasked with forwarding a recommendation to City Council based on, 1) the minimum standards or regulations set forth in City Code, and 2) the guiding principles of the Twin Falls Parks and Recreation Master Plan.

Budget Impact:

Accepting the contribution as requested will grant the credit as shown on the application. The contribution amount will then be \$22,760.09, this amount will then be available for applicable Parks expenditures as determined through the normal budget process.

Regulatory Impact:

History:

N/A

Analysis:

N/A

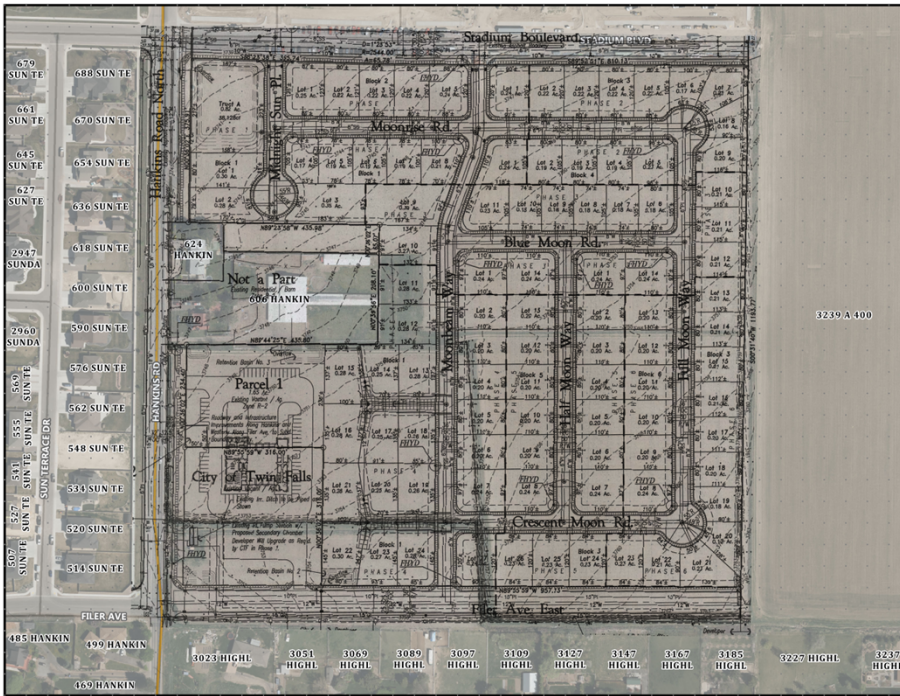
Conclusion:

On April 17th, 2018 the Parks and Rec Commission heard this request. After much debate and discussion amongst the members, they forwarded a positive recommendation to accept cash contributions in-lieu of park land dedication by a vote of 5-2.

The Council is tasked with deciding on whether to accept a Parks in Lieu contribution for the Morning Sun No 10 Subdivision.

Attachments:

1. Parks in Lieu Staff Report - Morning Sun
2. 1 - Preliminary Plat
3. 2 - Aerial
4. 3 - Vicinity Map
5. 4 - Appraisal



Comprehensive Staff Report

From: Wendy Davis

Request: Request to recommend approval of a Parks in Lieu contribution for Morning Sun No. 10.

Public Meeting: May 21st, 2018

Analysis

This is a request for a Parks in Lieu contribution for Morning Sun No. 10. A 32.11 acre subdivision with ninety-five (95) residential lots.

The requested Parks in Lieu contribution is calculated at \$58,615 based on the auction price the current owner purchased the property for.

The applicant is requesting a partial credit for this Parks in Lieu. The credit proposed is \$35,854.91. Bringing the total cash contribution for Morning Sun No. 10 to, \$22,760.09.

As part of previous in-lieu contributions (Morning sun 8 and 9) the applicant proposed to construct a picnic shelter at Morning Sun Park. The credit being sought is the difference between the cost of the shelter and the amount of the previously approved Parks In-Lieu contributions.

Approval Process

In accordance with City Code Section 10-12-3-11 Section F: The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements.

The commission is tasked with forwarding a recommendation to City Council based on, 1) the minimum standards or regulations set forth in City Code, and 2) the guiding

principles of the Twin Falls Parks and Recreation Master Plan.

Applicable Regulations or Codes

Per City Code 10-12-3-11 a "minipark" is a minimum of 15,000sq-ft and a "neighborhood" park is at least 3 acres of flat open space.

The amount of land to set aside for park land is equal to the number of household units multiplied by 0.01

The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application.

The development may qualify for a 50% reduction on their cash contribution in lieu of park land if the development meets all criteria to be called an "in fill" development. (Ord. 2954, 11-3-2008)

Facts

The proposed subdivision proposes 95 lots which would require a 41,382 sq-ft +/- park.

This amounts to ~3 Dwelling Units per acre.

The development is within city limits, does border an arterial street, and it will be converted from agricultural land.

Master Plan Compliance

There is no identified location for a neighborhood park per the Parks Master

Plan for this area. This development would not produce the minimum standards required for a neighborhood park. Therefore accepting Parks in Lieu contributions would comply with the master plan

Conclusion

On April 17th, 2018 the Parks and Rec Commission heard this request. After much debate and discussion amongst the members, they forwarded a positive recommendation to accept cash contributions in-lieu of park land dedication by a vote of 5-2.

The Council is tasked with deciding on whether to accept a Parks in Lieu contribution for the Morning Sun No 10 Subdivision.

Attachments

1. Morning Sun No. 10 Subdivision Preliminary Plat
2. Aerial Map
3. Vicinity Map
4. Appraisal Summary

Public Meeting: May 21st, 2018

Drainage Calculations:

Drainage Runoff Factors: $V_i = 1.6/12(A)(ROF)$
 Impervious Areas = 0.95
 Landscape Areas = 0.25
 Undeveloped Area = 0.35
 Pre-Development = 0.25

Total Subd. Area = 1,227,165sf
 Roadway & SW Area = 245,478sf - Impervious
 Total Lot Area = 945,446sf = 42% Impervious
 Ret. Basin (Landscape) = 36,241sf - Tract A

Drainage Area A= Interior Roadways and Proposed Res. Lots @ 42%
 Except Hammerheads - Impervious per CTF Memorandum 4/12/15.
 Roadway & SW Area= 245,478sf 1.6/12* 245,478*95=31,094cf
 Impervious Lot Area= 337,466sf 1.6/12* 337,466*95=42,743cf
 Landscape Area = 644,221sf 1.6/12* 644,221*25=21,474cf
 Total Sub Total 95,311cf
 Pre Development = 1,227,165sf 1.6/12*1,227,165*25=40,906cf
 Sub Total 54,405cf

~375' Drainage From Hankins Improvements

Roadway & SW Area = 14,250sf - Impervious
 Landscape Area = 2,250sf - Landscape

Roadway & SW Area= 14,250sf 1.6/12* 14,250*95=1,805cf
 Landscape Area = 2,250sf 1.6/12* 2,250*25= 75cf
 Total Sub Total 1,880cf
 Total Req'd. 56,285cf

Storm Drainage Shall be Retained in Tract A Basin as Shown
 190'x144'x3' Deep (Mea @ Top) 4:1 Min Slopes = 63,500cf

Drainage Area B= Hammerheads and Proposed Res. Lots @ 42%
 Impervious per CTF Memorandum 4/12/15.
 Driveway Area = 12,264sf 1.6/12* 12,264*95= 1,553cf
 Impervious Lot Area= 54,471sf 1.6/12* 54,471*95= 6,900cf
 Landscape Area = 75,221sf 1.6/12* 75,221*25= 2,507cf
 Total Sub Total 10,960cf
 Pre Development = 141,956sf 1.6/12* 141,956*25= 4,732cf
 Sub Total 6,228cf

Storm Drainage Shall be Retained in Tract B Basin as Shown
 40'x90'x3' Deep (Mea @ Top) 4:1 Min Slopes = 63,500cf

Filler Ave. E. Improvements (Developer Portion)

Roadway & SW Area = 54,535sf - Impervious
 Landscape Area = 14,351sf - Landscape

Roadway & SW Area= 54,535sf 1.6/12* 54,535*95=6,908cf
 Landscape Area = 14,351sf 1.6/12* 14,351*25= 478cf
 Total Sub Total 7,386cf
 Pre Development = 68,909sf 1.6/12*68,909*25= 2,297cf
 Total Req'd. 5,089cf

Storm Drainage Shall be Retained in Tract Basin 2 as Shown
 36'x80'x4' Deep (Mea @ Top) 4:1 Min Slopes = 5,106cf

Notes:

- NOTES:
- Tracts A shall be owned and maintained by the Morning Sun Home Owner's Association. Tracts A will be subject to a blanket utility and storm water retention easement.
 - All landscaping strips and roadway medians shall be maintained by the Morning Sun Home Owner's Association.
 - Developer shall construct pressure irrigation station improvements as required to support this development.
 - All improvements shown on parcels identified as City of Twin Falls or Not a Part to be by others.

Design Data

Owner/Developer: Wickel Land Co., L.L.P.
 c/o Gerald Martens
 621 N. College Rd. Suite 100
 Twin Falls, Id. 83301
 (208) 734-4888 (G. Martens)

Engineer/Surveyor: EHM Engineers, Inc.
 621 N. College Rd. Suite 100
 Twin Falls, Id. 83301
 (208) 734-4888

Development Area: 32.11 Acres

Existing Zone: R-2

Proposed Zone: No Change

Existing Use: Vacant / Ag.

Proposed Use: Residential-Single Household

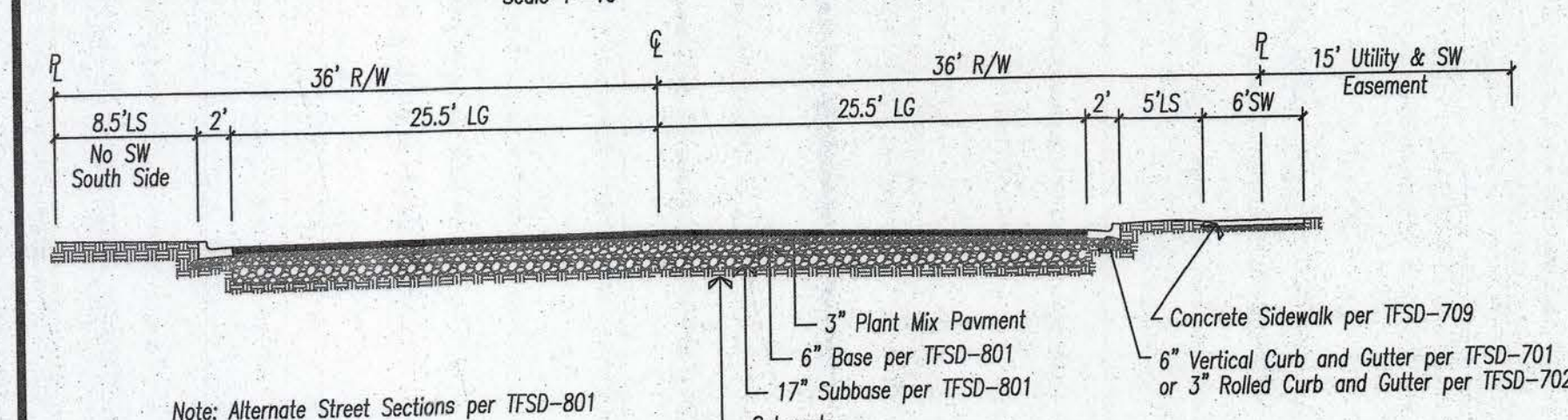
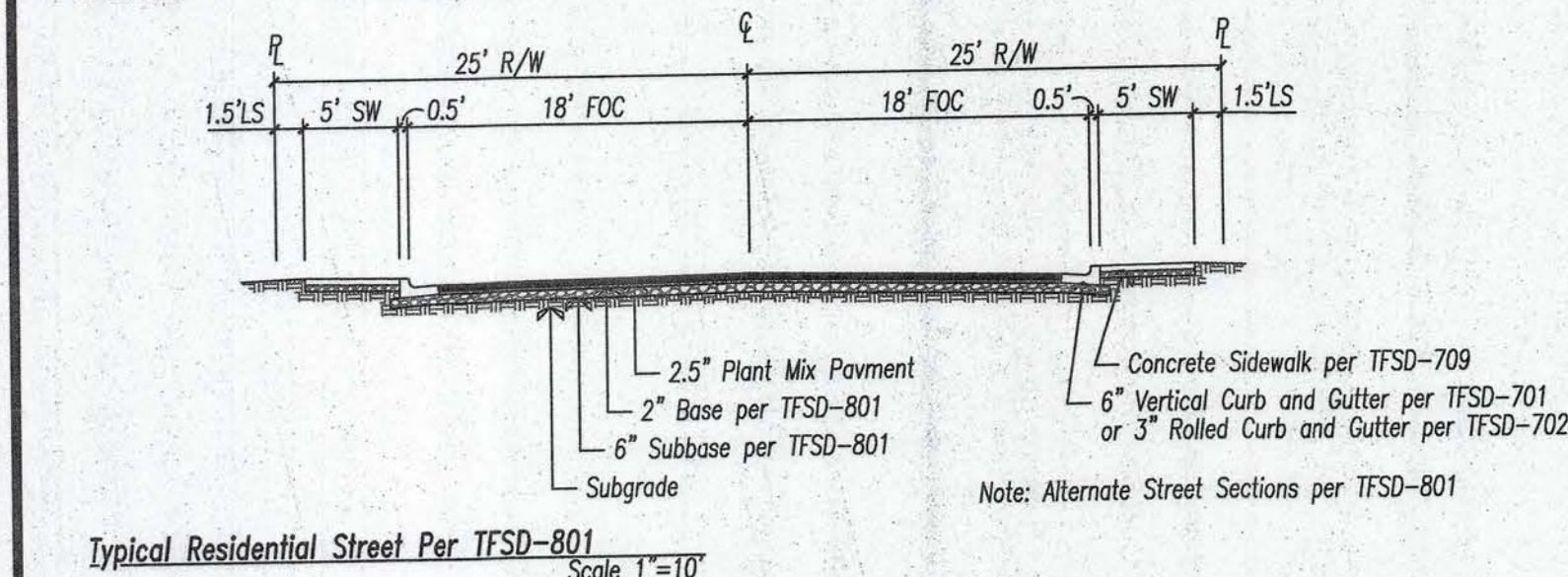
Variance: None Requested

Setbacks: Setbacks shall conform to City of Twin Falls Zoning and Subdivision Regulations Section 10-4-4.3

Sewer & Water: City Sewer and Water

Utilities: Underground Power, Gas, TV, and Telephone

Easements: 15' Adjacent to Roads and as shown



Roadway Typical Sections

Morning Sun No. 8

Residential Subd. - R1 Var.

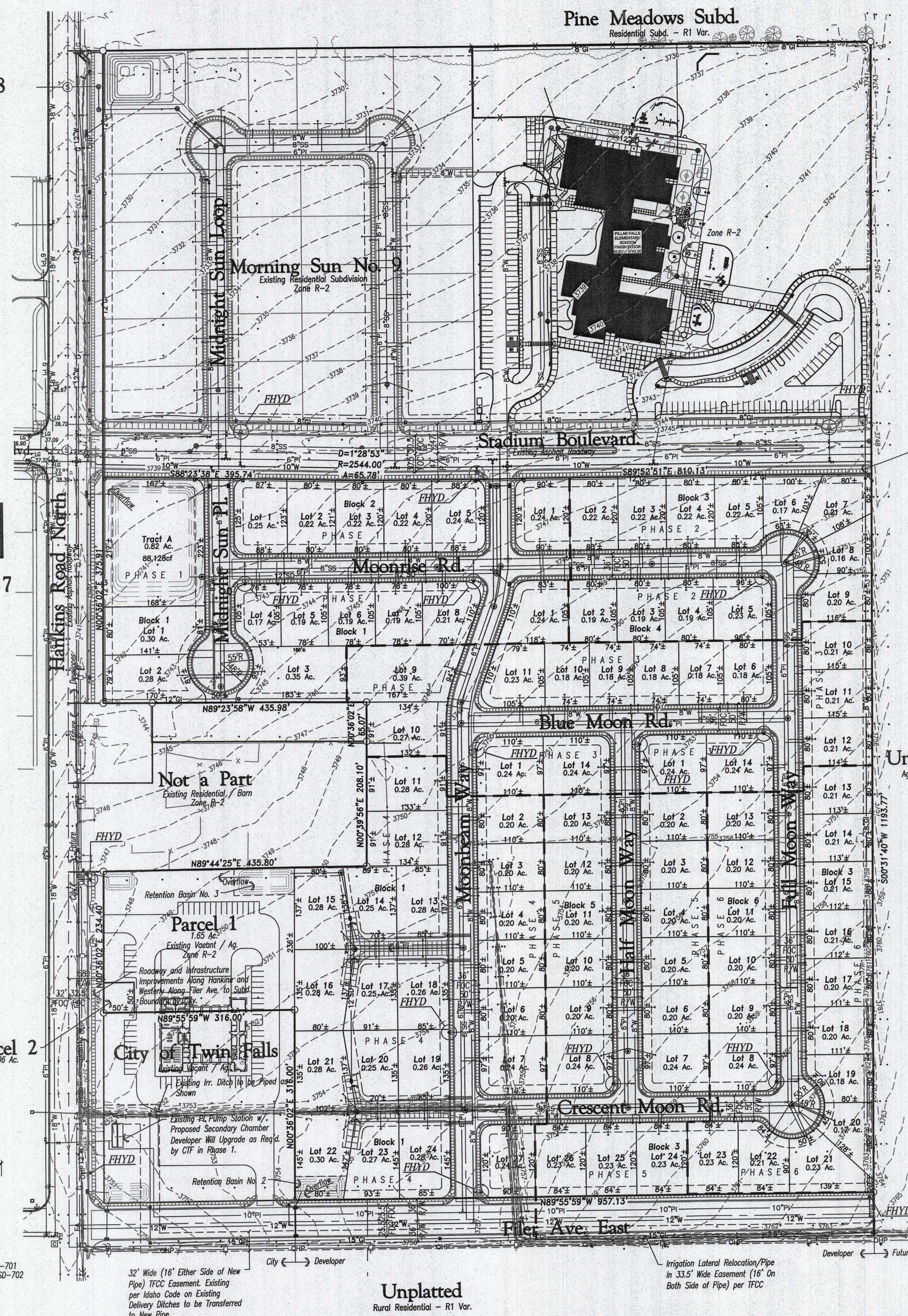
LDS Church

Morning Sun No. 7

Existing Residential Subd. R1 Var.

Parcel 2

0.06 Ac.



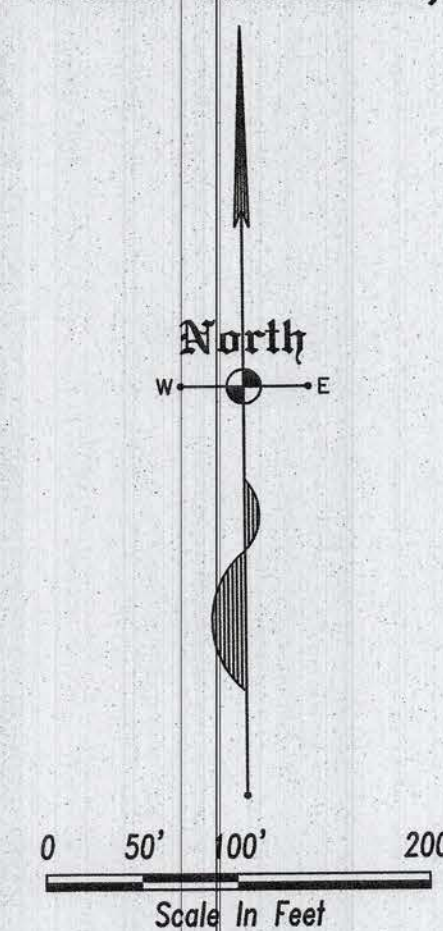
Preliminary Plat

For:

Morning Sun Subdivision No. 10

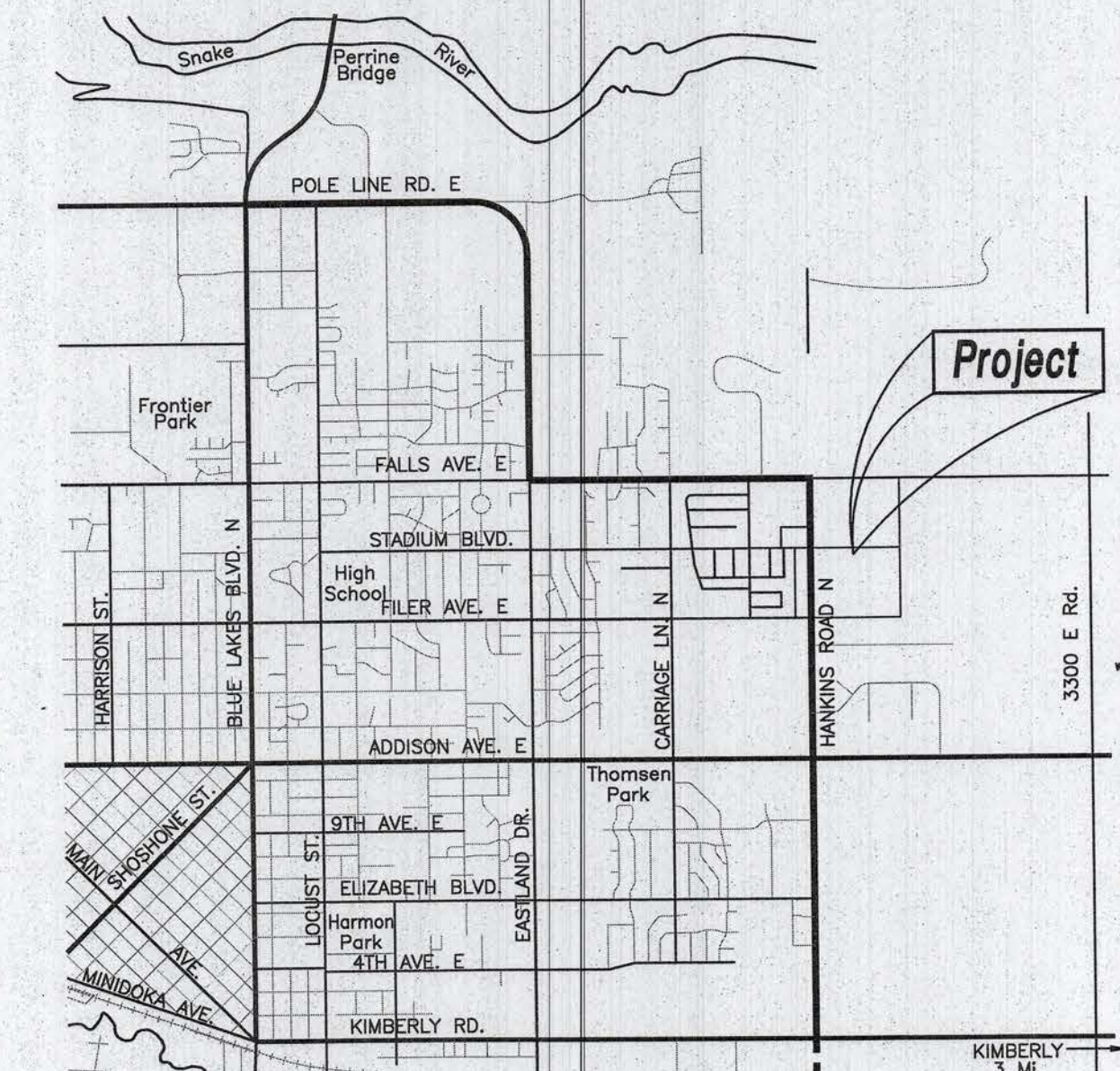
A Replatting and Renumbering of
 Lots 1 & 2, Block 2, Sackett Farm Subd. No. 2

In
 A Portion of
 SW 1/4 NW 1/4, Section 12,
 Township 10 South, Range 17 East
 Boise Meridian,



Legend

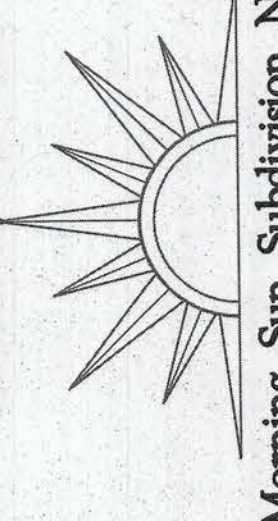
Property Boundary Line
 Proposed Lot Line
 Proposed Easement Line
 Building Setback Line
 Proposed Water Main & Size
 Existing Water Main & Size
 Proposed Sewer Main & Size
 Existing Sewer Main & Size
 Proposed Pressure Irrigation Main & Size
 Existing Pressure Irrigation & Size
 Proposed Storm Drain & Size
 Existing Storm Drain & Size
 Existing Overhead Powerline
 Proposed Fire Hydrant
 Existing Fire Hydrant
 Proposed Manhole
 Existing Manhole
 Proposed Power Pole
 Existing Power Pole
 Proposed Valve
 Existing Valve
 Proposed Catch Basin
 Existing Catch Basin



Twin Falls, Idaho

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

Preliminary Plat For:



Morning Sun Subdivision No. 10

DO NOT SCALE DRAWINGS
 CONTRACTOR SHALL VERIFY ALL
 CONDITIONS AND DIMENSIONS AT
 THE JOB SITE AND NOTIFY THE
 ENGINEER OF ANY DIMENSIONAL
 ERRORS, OMISSIONS, OR DIS-
 CREPANCIES BEFORE BEGINNING
 OR FABRICATING ANY WORK.

REVISIONS:
 2/24/17 TCM per CTF
 4/14/17 TCM per CTF

STAMP

APPROVED

DESIGN T. MCBRIDE

DRAWN T. MCBRIDE

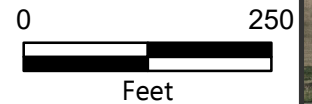
DATE DEC., 2016

SCALE AS SHOWN

DWG. NO. 415-15PREPLAT



Aerial Map



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Parks Vicinity Map

 Park Area

Zoning

 C-1

 R-1 VAR

 R-2

 R-4

 R-6

 SUI

Area Of Impact

 Area Of Impact



0 500 1,000
Feet

**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**

Gerald Martens

From: Jessica Bowser <jbowser@titlefact.com>
Sent: Tuesday, November 28, 2017 9:38 AM
To: Gerald Martens
Subject: RE: Documents Requested

Reading through the Sales Contract it looks like the sales prices were broke down as shown below

Sunway Subdivision:

Sales Price: \$641,900.00
5% Buyers Premium: \$32,095.00
Total: \$673,995.00

Sackett Farm Subdivision:

Sales Price: \$912,300.00 = *# 30,000 / ACRE* *30.41 ACRES*
5% Buyers Premium: \$45,615.00
Total: \$957,915.00

Total Sales Price: \$1,631,910.00

Let me know if you have any questions. Have a great day!



*PURCHASE PRICE REPRESENTS AMOUNT BID
IN PUBLIC AUCTION. - PREMIUM COMPENSATES
AUCTION/MARKETING COSTS.*

Jessica Bowser

Escrow Officer

Phone: 208-733-3821

Fax: 208-734-2940

jbowser@titlefact.com

"It's your choice, choose TitleFact!"

TitleFact, Inc., does not accept or request changes to wiring instructions via email or fax. Always call to verify.

From: Gerald Martens [mailto:gmartens@ehminc.com]
Sent: Monday, November 27, 2017 2:16 PM
To: Jessica Bowser <jbowser@titlefact.com>
Subject: RE: Documents Requested

The closing included the sunway parcel Can you give me the breakdown between the Sunway parcel and the Sackett parcel.

Gerald

*Gerald L. Martens
Professional Engineer*

621 North College Road – Suite 100
Twin Falls, Idaho 83301



A. Settlement Statement (HUD-1)

OMB Approval No. 2502-0265

B. Type of Loan			
1. ☐ FHA 2. ☐ RHS 3. ☐ Conv. Unins	6. File Number: 67088sm	7. Loan Number:	8. Mortgage Insurance Case Number:
4. ☐ VA 5. ☐ Conv. Ins			
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.			
D. Name & Address of Borrower: WICKEL LAND COMPANY LLP AN ID LIMITED LIABILITY PARTNERSHIP		E. Name & Address of Seller: TWIN FALLS SCHOOL DISTRICT #411	
		F. Name & Address of Lender:	
G. Property Location: LOT 2BLOK 1 SUNWAY CONVEYANCE PLAT & LOT 1 BLK 2 SACKETT FARM SUB NO 2 T.F. CTY Lot: Block:		H. Settlement Agent: TITLEFACT INC. 163 FOURTH AVENUE NORTH TWIN FALLS, ID 83301 Place of Settlement: 163 FOURTH AVENUE NORTH TWIN FALLS, ID 83301	
		TIN: 820293927 Phone: (208) 733-3821 I. Settlement Date: 6/8/2015 Funding Date: 6/8/2015	
J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller	
101. Contract sales price	1,631,910.00	401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	456.00	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes:		406. City/town taxes:	
to		to	
107. County taxes:		407. County taxes:	
to		to	
108. Assessments:		408. Assessments:	
to		to	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. Gross Amount Due From Borrower	1,632,366.00	420. Gross Amount Due To Seller	
200. Amounts Paid By Or In Behalf Of Borrower		500. Reductions In Amount Due To Seller	
201. Deposit or earnest money	163,191.00	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes:		510. City/town taxes:	
to		to	
211. County taxes:		511. County taxes:	
to		to	
212. Assessments:		512. Assessments:	
to		to	
213.		513.	
214.		514.	
215.		515.	
216.		516.	



Date: Monday, May 21, 2018
To: Honorable Mayor and City Council
From: Nathan Murray, Economic Development Director

ACTION ITEM

Request:

Request to adopt an ordinance creating City Code 8-2-15 regarding outdoor seating on public sidewalks.

Time Estimate:

The staff presentation will take about two minutes. Following the presentation, additional time may be needed for questions and discussion.

Background:

Currently, Twin Falls City code does not allow for obstruction of a public sidewalk except as part of a 'Special Event Permit'. Economic Development Staff, at the request of downtown merchants, was asked to put forth a new ordinance to allow seating to be placed on public sidewalks within downtown for use by the adjacent businesses. The attached ordinance is an attempt to set uniform standards for the placement of chairs and tables while ensuring compliance with applicable codes and providing certain safety measures for diners and pedestrians.

Use of the public sidewalk in this way was a topic of discussion during the design phase for the Main Avenue Project as wide spaces with outdoor dining have been shown to add to the vibrancy of downtown. The proposed ordinance is intended to balance community needs for pedestrian movement and ADA access with the needs of downtown restaurants. The ordinance also creates a permitting process coordinated through the Engineering Department to give oversight and aid compliance with the applicable codes.

It should be noted that these permits are discretionary and create no property rights in use of the public right-of-way for private purposes. Also, revocation is allowed for noncompliance with applicable code requirements or when City needs necessitate removal of the tables and chairs.

Approval Process:

To adopt the ordinance additional readings are necessary. Once on final reading occurs, a simple majority vote of the Council is needed to adopt the ordinance.

Budget Impact:

There is no budgetary impact with this request.

Regulatory Impact:

Adoption of this ordinance will amend City Code as described above.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council adopt the ordinance as presented.

Attachments:

1. 2018 Outdoor Seating Ordinance - final draft

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE BY THE ADDITION OF A NEW SECTION 8-2-15 PROVIDING FOR PERMITTING OF OUTDOOR SEATING ON PUBLIC SIDEWALKS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

That Chapter 2 of Title 8 of the Twin Falls City Code is amended by the addition of a NEW SECTION 8-2-15 as follows:

“8-2-15: OUTDOOR SEATING ON PUBLIC SIDEWALKS:

The City Planning and Zoning Director may issue permits for use of public sidewalks for outdoor seating within the CB Central Business and OT Old Towne zoning districts. Permits issued as authorized by this section are discretionary and shall never create any property rights by the permittee in the public right-of-way. Permits may be issued under the following conditions:

- (A) Anyone wishing to use the public sidewalk for outdoor seating must submit a written application to the City Planning and Zoning Director, along with a scaled drawing demonstrating that the proposed outdoor seating area will conform to the following standards.
 - 1. Seating abuts or is parallel to the on premise vendor in which the seating will serve.
 - 2. In areas where the sidewalk is less than fifteen (15) feet, at least five (5) feet of clear, unobstructed sidewalk width will remain available for pedestrian use along the cement pavement, in a linear direction more or less parallel to the right-of-way the full length of the outdoor seating area. In areas where the sidewalk is greater than fifteen (15) feet, ten (10) feet of clear, unobstructed sidewalk shall remain.
 - 3. Outdoor seating areas shall have a five (5) foot setback between the designated seating area and a driveway, alley, or street.
 - 4. Awnings associated with the outdoor seating will be installed in accordance with the Building Code. Umbrellas shall not extend into the required unobstructed sidewalk area required in this Section.
 - 5. Signs associated with the outdoor seating area will be installed in accordance with provisions of the underlying zone.
 - 6. Garbage cans for collection of trash generated by the outdoor seating area will be provided at a convenient location, and removed from the public right-of-way at closing every day.
 - 7. Use of the outdoor seating area for service of food shall be in compliance with all regulations of South Central Health District.
 - 8. Where applicable, seating located within an ITD or Highway District Right-Of-Way shall require written approval from the governing entity.
- (B) Upon determining that the application meets the requirements of this section, the City Planning and Zoning Director may issue a permit signed by the applicant including, but not limited to, the following conditions:

1. Certificate of commercial/general liability insurance in the minimum amount of \$500,000, naming the City of Twin Falls an additional insured for any claim arising out of use of the public right-of-way for outdoor seating.
2. Twin Falls City, its officers, agents and employees, will be held harmless from any claims, causes of action, injuries, losses, damages, expenses, fees and costs, including attorneys' fees, associated or arising from the operation of the outdoor seating.
3. The outdoor seating owner and operator will be responsible for repair of any damage done to the public sidewalk. Hours of outdoor use will be limited to not earlier than 6:00 A.M. and not later than 12:00 A.M. and will not exceed the operating hours of the associated eating or drinking establishment.
4. Any music or ambient sounds shall meet the sound limitation requirements outlined in Title 10 of City Code.
5. The outdoor seating area and surroundings will be maintained in a neat and clean condition at all times.
6. The outdoor seating owner and operator will remove seating area if necessary for sidewalk repair or replacement, utility maintenance, or upon failure to comply with the terms of the agreement.

If the City Planning and Zoning Director denies the requested permit, the applicant may request the City Council to review the decision.

(C) Revocation of Permit: The City Planning and Zoning Director may suspend or revoke any permit issued under this Chapter for violation of any of the provisions of the City Code or laws of the State, or for any other reason, in the discretion of the City Planning and Zoning Director. Prior to suspension or revocation, the City Planning and Zoning Director shall notify the permittee in writing, setting forth the reasons for the revocation. If the permittee disagrees with the decision to revoke the permit, the permittee may request the City Council to review the decision.”

PASSED BY THE CITY COUNCIL _____, 2018.

SIGNED BY THE MAYOR _____, 2018.

MAYOR

ATTEST:

DEPUTY CITY CLERK



Date: Monday, May 21, 2018
To: Honorable Mayor and City Council
From: Corey Beam, Captain

Informational

Request:

Update on fire stations and remodels; Programming Committee will give an update on the status of new fire stations and remodel projects.

Time Estimate:

Approximately 10 minutes.

Background:

Captain Corey Beam from the Fire Programming Committee will give an update to council on the status of the new fire stations and remodel projects.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

None



Date: Monday, May 21, 2018
To: Honorable Mayor and City Council
From: Bill Baxter, Utility Services Director

Informational

Request:

Update on the current state of the recycling program and market, and discuss the next stage of the small cart pilot program.

Time Estimate:

Presentation will take approximately 5 minutes. Staff will answer any questions, but is not planning any additional time given the information to be presented.

Background:

On March 12, 2018, Council approved a rate increase to the sanitation charges in order to provide funding for cost sharing of recycling processing costs with PSI, up to \$100 per ton total cost, and to allow for the increased costs of sending recycling materials to the landfill if the processing costs exceed the \$100 per ton amount. This report is simply to provide an update on the process through the month of April.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

City staff is committed to sharing the process that is occurring, and any changes in the recycling procedures and market conditions, for Council's information. This item is simply informational.

Attachments:

None



Date: Monday, May 21, 2018
To: Honorable Mayor and City Council
From: Mitch Humble, Deputy City Manager

ACTION ITEM

Request:

A request to authorize the purchase of approximately 1.7 acres of real property located on the east side of Hankins Rd, 325 feet north of Filer Ave.

Time Estimate:

The staff report will take about five minutes to present. Following the report, additional time may be needed to answer questions.

Background:

Several years ago, the City acquired real property located at the northeast corner of Filer Ave and Hankins Rd via a land exchange with the Twin Falls School District. At that time, we had planned to use the property for a water storage tank and pressure irrigation (PI) station. The PI station has since been constructed. However, the site turned out not to be the best location for the planned water tank. The water tank was subsequently constructed on Hankins Rd south of this location. Currently, much of the City's property here is still vacant, with the PI station taking up a small portion of the parcel.

In 2016, the City began a Comprehensive Plan update project. As part of the project, the consultant performed a fire station location analysis for the City. That analysis identified the northeast corner of Filer Ave and Hankins Rd as a good location for future Fire Station #5. The property that we have at that location is not quite large enough to accommodate the fire station and the PI station. But there is vacant property both to the north and east of that location that could be paired with our current property to make the site a good size for both the fire and PI stations.

Staff approached the owner of the property with a request to purchase some of the adjacent property. The property owner was very receptive to the request and agreed to sell the City the 1.7+/- acres to the north of our current property. The property owner was in the early stages of subdividing their property into what is planned as Morning Sun #10. The 1.7 acres to the north of our site worked out well to sell to the City because it was a difficult piece of their property to include in the subdivision. The owner agreed to sell us the property for their same acquisition price, plus the cost of a couple of improvements they made to the property since buying it.

The Council heard a report earlier tonight regarding the progress of our fire station capital planning efforts. In that report, you heard that the City is still progressing down the path of constructing a future fire station at this location. This property acquisition is necessary to accommodate the future fire station being designed for this location. Therefore, staff recommends that the Council approve this request to purchase the real property adjacent to our current property at the northeast corner of Hankins Rd and Filer Ave.

Approval Process:

A simple majority vote of the Council is needed to approve this request.

Budget Impact:

The purchase price to acquire the property is \$64,239.00. The property owner acquired this property in an auction from the Twin Falls School District. The sale price reflects the owner's exact acquisition cost (\$51,207), plus the cost of a recent irrigation pipe extension (\$10,022) and a road design (\$3,010) that were both completed for the benefit of the subject property. Since the City is acquiring the property as a future fire station location, we plan to use Fire Impact Fees to pay for it. This proposal was discussed with the Impact Fee Advisory Committee, which supports the use of impact fees for this acquisition. As of March 31, 2018, the Fire Impact Fee fund has over \$1.8 million.

Regulatory Impact:

Approval of this request will initiate the purchase of the real property described above.

History:

N/A

Analysis:

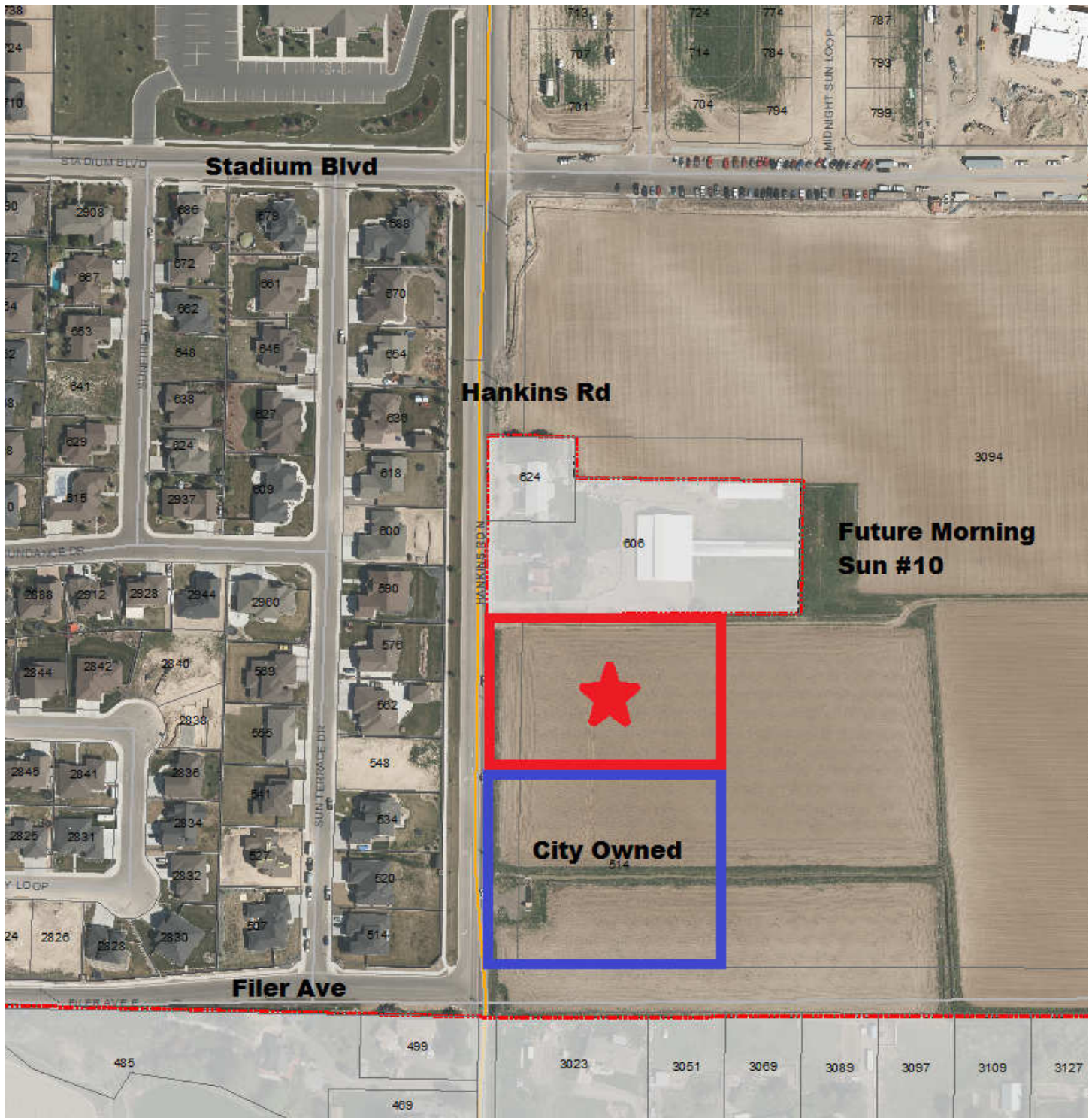
N/A

Conclusion:

Staff recommends that the Council approve the request to purchase the real property as described above. The Impact Fee Committee recommends the use of Fire Impact Fees to pay for the property acquisition.

Attachments:

1. FS-5 Location
2. FS-5 Purchase Agreement Letter



RECEIVED

APR 13 2018

CITY OF TWIN FALLS
ENGINEERING DEPT.

Date: April 13, 2018

To: City of Twin Falls
Attn: Mitch Humble

From: Gerald Martens, P.E.

Regarding: Morning Sun #10 - Tract B

Via: Hand Deliver

Per our discussion, I propose to sell you Tract B for \$64,239.00 calculated as follows:

Land 1.7069 acres \$30,500.00 per acre	=	\$51,207.00
Irrigation pipe extension	=	\$10,022.00
Roadway design fill	=	<u>\$ 3,010.00</u>
Total		\$64,239.00

The sale is conditional upon the following:

1. City pays all costs relative to Hankins Road Tract B frontage.
2. City accepts all costs relative to irrigation pump station improvements as required to accommodate Tract B and the existing City owned parcel.

The closing will be scheduled upon recordation of the final plat anticipated to occur within the next 30 days.

Gerald Martens, P.E.

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049 • [208] 421-2315



Date: Monday, May 21, 2018
To: Planning and Zoning Commission
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request to adopt an Ordinance for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 104 Lincoln Street.(app. 2929)

Time Estimate:

Approximately three (3) minutes for staff presentation of the history and ordinance.

Background:

On March 27, 2018, a Public Hearing was held by the Planning and Zoning Commission. There were a few comments by nearby residents regarding the request, some comments pertained to the changes being sought by the applicant. After discussion, the Commission Recommended Approval of the rezone by a Vote of 9 – 0.

On April 23, 2018 a Public Hearing was held by the City Council. No public input regarding this item was heard. After some discussion the Council Approved the rezone by a vote of 6-0.

Approval Process:

The ordinance is presented by staff, if Council wishes to pass it during this meeting a motion is needed to suspend the rules and place the ordinance on third and final reading. A simple majority vote is then needed to pass the ordinance.

Budget Impact:

Regulatory Impact:

The passing of this ordinance will change the zoning district of the property located at 104 Lincoln Street. New rules will apply to this property in regards to Special Uses, Signage, and other development criteria.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by the Council, staff has prepared an ordinance for your consideration. Staff recommends the adoption of the ordinance so it may be published and codified.

Attachments:

1. Tanner, Brian_ZDC_ORD

ORDINANCE NO. _____

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

WHEREAS, Tanner Law, P.L.L.C c/o Brian Tanner has made application for rezoning of property located at 104 Lincoln Street; City of Twin Falls, and an amendment of the revised Area of Impact and Comprehensive Plan Land Use Map; and

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 27th day of March, 2018, to consider the Zoning Designation and necessary Zoning & Planning Map amendment upon a rezone of the real property below described, and an amendment to the revised area of Impact and Comprehensive Plan Land Use Map; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 23 day of April, 2018.

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

SECTION 1. The following described real property located at 104 Lincoln Street is the subject of a Zoning District Change and Zoning Map amendment from R-2 to R-2 PRO.

Lots 45,46,47 and the north 20 feet of Lot 48 in Block 1 of Blue Lakes Addition Twin Falls County, Idaho, according to the plat thereof, recorded in Book 3 of Plats, Page 29, records of said county.

SECTION 2. That the Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same area hereby amended to reflect the rezoning designation of the real property above described.

SECTION 3. 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 annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____



PZ Public Hearing: TUESDAY, April 10th, 2018

CC Public Hearing: Monday May 21st, 2018

To: Honorable Mayor and City Council

Presenter: Jonathan Spendlove, Planning and Zoning Director

Editor: Jonathan Spendlove, Planning and Zoning Director

Authors: Steve O'Connor, Jonathan Spendlove

Request: To **Amend Cedar Park PUD #210** to allow a planned Residential 4-plex Development on one (1) lot within the C-1 Zoned Designated area as shown on the Master Development Plan, 12.5 +/- acres, located at the North West corner of Meadow View Lane extended, and Addison Ave East. c/o Dave Thibault/EHM Engineers, Inc. on behalf of David Skaggs/Summit Development, Inc. (app 2934)

Time Estimate:

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

Background:

Applicant Summit Development David Skaggs 9408 W. Burnett Dr. Boise, ID 83709 Representative EHM Engineers, Inc. David Thibault 621 N. College Dr., Ste. 100 Twin Falls, ID 83301 208.734.4888 dthibaut@ehminc.com	Status: Developer	Size: 12.25+/- acres
	Current Zoning: C-1 PUD	Requested Zoning: Amendment to PUD
	Comprehensive Plan: Neighborhood Commercial & Town Neighborhood	Lot Count: 1 Lot
	Existing Land Use: Agriculture	Proposed Land Use: Residential
	Zoning Designations & Surrounding Land Use(s)	
	North: R-4 PUD; Undeveloped	East: R-2 (AOI); Agriculture
	South: C-1 PUD-Undeveloped ; C-1; Addison Ave E/Residential, Commercial	West: C-1 PUD; proposed Mixed Use ZDA; Thad Farnham
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-6, 10-4-8, 10-6-1.6 & 7, 10-9, 10-10, 10-11-1 thru 8 and the Cedar Park PUD #210	

Approval Process: This request is an amendment to existing PUD, the process followed is the same as a ZDA.

As per Twin Falls City Code 10-6-1.6 and 10-6-1.7 a change to the approved PUD/Master Development Plan shall require a public hearing before the Planning & Zoning Commission for a recommendation on the change(s) and a public hearing before the City Council for a decision.

The applicant is first required to do a preliminary presentation to the Planning and Zoning Commission and the Public. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project prior to the public hearing(s).

Budget Impact:

No impact to budget from this presentation.

Regulatory Impact:

After a public hearing, a recommendation from the Planning and Zoning Commission for the requested change will allow the request to proceed to the City Council for a decision.

History:

The Cedar Park PUD is a 132 acre planned commercial/residential mixed-use development. The Rezone/PUD was approved in 1997 after multiple public hearings following the process outlined in City Code. The PUD Agreement was signed and recorded in April 2004. There has been steady residential development, in compliance with the PUD Agreement, occurring to the north of this site since 2004. The undeveloped commercial portion has continued to be farmed without interruption up to this point.

On March 27, 2018 a preliminary presentation was made to the Planning Commission. There was minimal comment on the matter when opened for public comment.

Analysis:

This is a request to amend the Cedar Park PUD #210 to allow a planned Residential Development consisting of 4-Plex Dwellings on one (1) large commercially zoned future lot within the C-1 Zoned Designated area as shown on the Master Development Plan. This area is located at the North West corner of Meadow View Lane extended (not currently constructed), and Addison Ave East. The applicant is wishing to develop a residential 4-plex planned development on 1.4 +/- acre lot in the center of the designated area.

Per Current City Code 10-4-8 Commercial Highway: Residential Developments with *Dwellings – multiple household (5 units or more)*, are a Permitted Use. Therefore, current code prohibits residential developments which consist of 4-Plex Buildings, they are required to have 5 units or more per building.

Possible Impacts: the change in PUD language will allow developments with fewer units per building. Current code does not implicitly cap the total number of dwelling units on C-1 Zoned property. Since this is only changing the layout/construction type of the buildings being proposed, staff does not foresee largely detrimental impacts to surrounding properties with the requested change.

Conclusion:

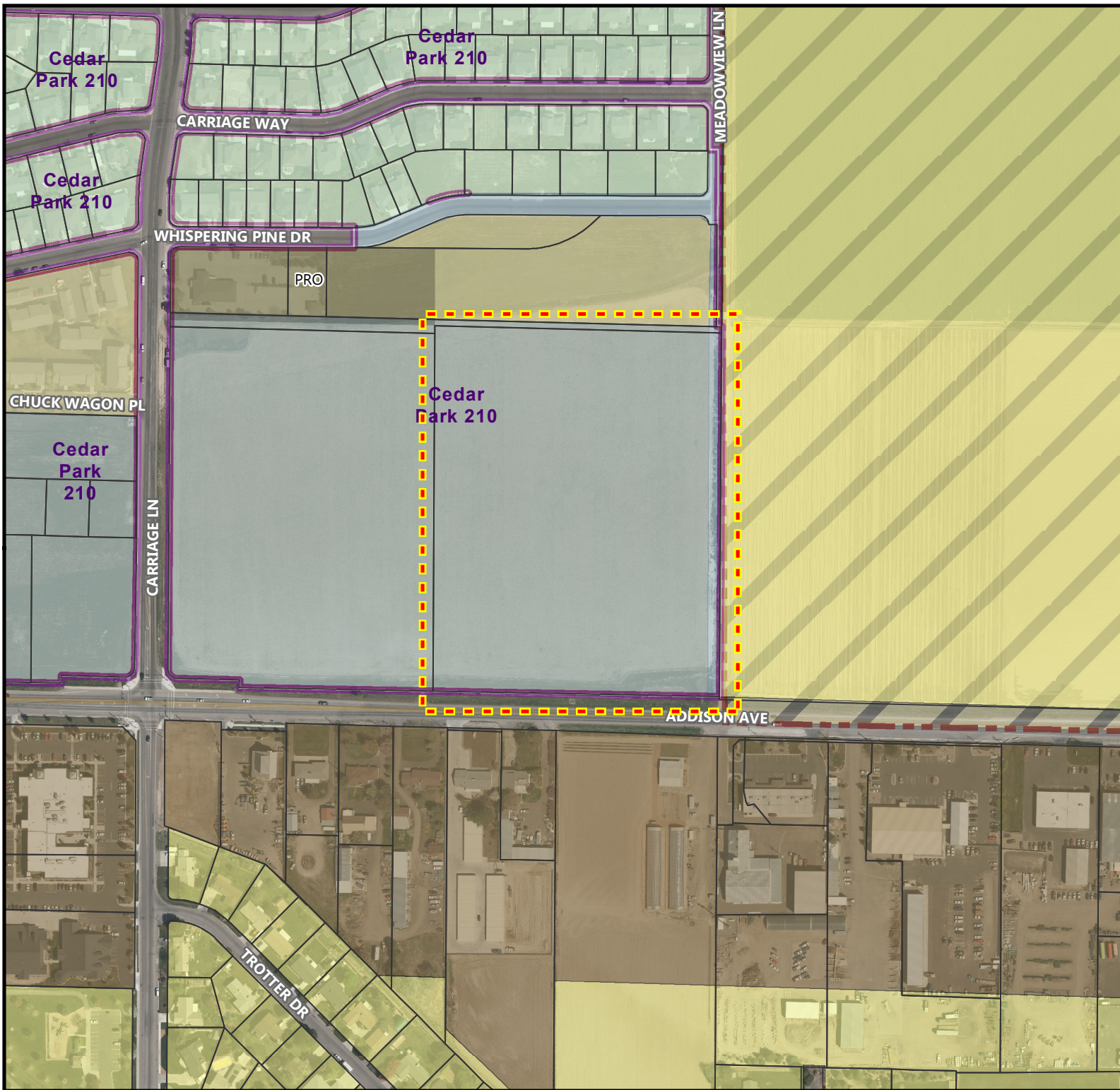
On April 10th 2018, the Planning and Zoning Commission held a public hearing on this application. There was minimal public input. The commission voted unanimously to recommend approval of this request as presented with staff recommendations.

The Council may approve the request, deny the request, or table the request for additional information. If the Council concludes to approve the request, as presented, Staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable codes and standards.
2. Subject to approval by all the property owner(s) prior to recordation.
3. Subject to a signed PUD Amendment being recorded prior to any development or platting occurring on the property.

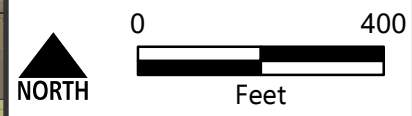
Attachments:

1. Zoning Vicinity Map
2. Aerial Photo Map
3. Future Land Use Map
4. Draft PUD Amendment
5. Cedar Park PUD #210 – Currently Recorded
6. Location Map – Applicant Provided



Zoning Vicinity Map

- PRO
- PUD
- C-1
- R-1 VAR
- R-2
- R-4
- Area Of Impact



AERIAL PHOTO APRIL 2016
REFERENCE ONLY

2695 ADDIS

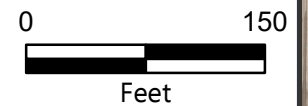
MEADOWVIEW LN

ADDISON AVE

Aerial Map



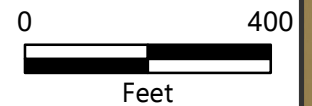
NORTH



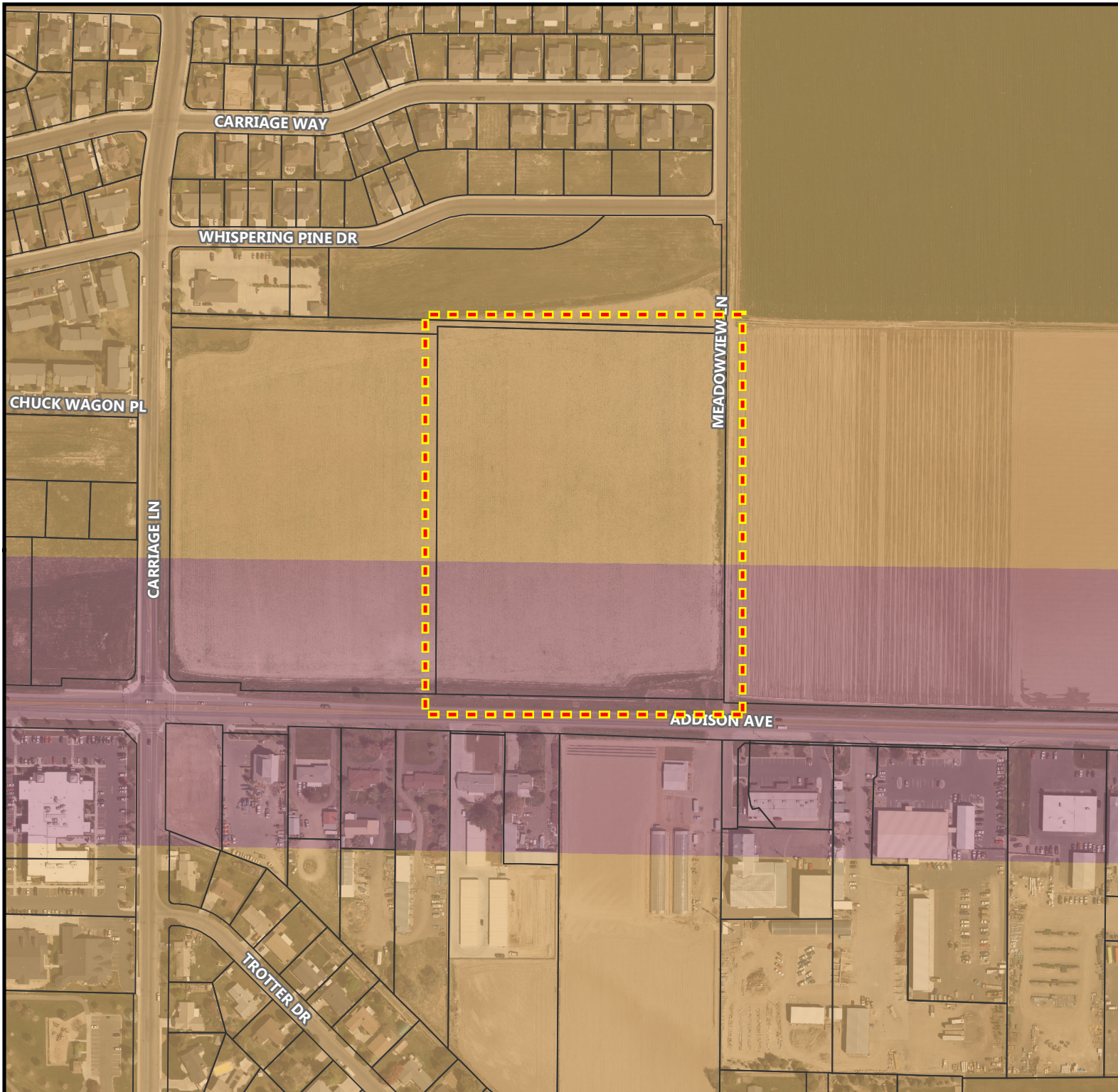
AERIAL PHOTO APRIL 2016
REFERENCE ONLY

Zoning Vicinity Map

- Neighborhood Commercial
- Town Neighborhood



AERIAL PHOTO APRIL 2016
REFERENCE ONLY



Amendment to
CEDAR PARK P.U.D. (No. 210)
C-1 Planned Unit Development Agreement

THIS AGREEMENT, made and entered into this _____ day of _____, by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City") and Jane George, Rosemary McGonigal, and Gary Nelson (hereinafter called "Developers"), whose address is 430 Blue Lakes Blvd. Suite D, Twin Falls Idaho 83301.

RECITALS

WHEREAS, Jane George, Rosemary McGonigal, and Gary Nelson, are the Developers and the equitable title holders to certain tracts of land in the City of Twin Falls, State of Idaho, being more particularly described in Exhibit A attached hereto. The subject land is located between the 2400 and 2700 blocks of Addison Avenue East to a depth of one-half mile north of Addison Avenue East (hereinafter referred to as "Property") and;

WHEREAS, Developers design to amend and modify the permitted uses within the existing CEDAR PARK Planned Unit Development Agreement and;

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

COVENANTS

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

Section 2. Subsection A. USES. shall be amended and modified to read as follows:

- A. USES. The use language in the Twin Falls City Code, Title 10, regarding the underlying “C-1, R-2, R-4, & R-4(PRO) PUD” zone shall apply with regard to permitted uses, special uses, and prohibited uses on the Property or any portion thereof as shown on the Master Plan.

Within the C-1 PUD designated areas of the Property multiple household dwelling units, being fourplexes, shall be permitted upon the premises as a permitted use.

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

CITY OF TWIN FALLS

By:_____

DEVELOPERS

By:_____

By:_____

By:_____

STATE OF IDAHO)

)ss .

County of Twin Falls)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jane George, known or identified to me to be the person who subscribed the foregoing instrument and acknowledged to me that she executed the same.

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

Notary Public for the State of Idaho _____

Residing at:_____

My Commission Expires:_____

STATE OF IDAHO)

)ss

County of Twin Falls)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Rosemary McGonigal, known or identified to me to be the person who subscribed the foregoing instrument and acknowledged to me that she executed the same.

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

Notary Public for the State of Idaho _____

Residing at:_____

My Commission Expires:_____

STATE OF IDAHO)

)ss

County of Twin Falls)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Gary Nelson, known or identified to me to be the person who subscribed the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public for the State of Idaho _____

Residing at:_____

My Commission Expires:_____

Twin Falls County, Idaho

Recorded for:

TWIN FALLS, CITY OF

02:17pm

Apr. 28, 2004

2004 - 009021

No. of Pages: 27 Fee: \$81.00
KRISTINA GLASCOCK
County Clerk
Deputy: CNCEDAR PARK PUDC-1, R-2, R-4 & R-4(PRO) PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this 2ND DAY OF JUNE, 1997, by and between the CITY OF TWIN FALLS, a municipal corporation, State of Idaho (hereinafter called "City"), and Jane George, Rosemary McGonigal and Gary Nelson (hereinafter called "Developers"), whose address is 430 Blue Lakes Blvd. No., Suite D, Twin Falls, Idaho 83301.

RECITALS

WHEREAS, Jane George, Rosemary McGonigal and Gary Nelson (hereinafter included in reference to "Owners" or "Developers"), are the equitable title holder to certain tracts of land in the City of Twin Falls area of impact, State of Idaho, all parcels are more particularly described in Exhibits "A" (zoning) and "B" (ownership), and attached hereto. The subject land is located between the 2400 and 2700 blocks of Addison Avenue East to a depth of one-half mile north of Addison Avenue East (hereinafter "Property"); and

WHEREAS, Developers intend to develop and/or sell portions of the Property from time to time; and

WHEREAS, Developers have made request of the City of Twin Falls to develop a portion of the Property as commercial subdivisions, and the balance as one or more residential

subdivisions, including portions with professional overlay ("Project") and have submitted to the City a master plan and zoning thereof (attached hereto as Exhibit "C") which has been approved for development as a "C-1 PUD" by the Planning and Zoning Commission and as a "C-1, R-2, R-4 & R-4(PRO) PUD" by the City Council of the City; and

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

COVENANTS

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

1. **NATURE OF THE AGREEMENT.** This Agreement shall become part of the "C-1, R-2, R-4 & R-4(PRO) PUD" zone with respect to the Property upon its full execution and recording. Developers, Owners, and their assigns or successors in interest, as well as City and its assigns and successors (if any), shall be bound by the terms and conditions contained herein.

2. **NATURE OF THE DEVELOPMENT.** It is agreed by the parties hereto that certain language and requirements pertaining to the "C-1, R-2, R-4 & R-4(PRO) PUD" zone shall be interpreted as follows:

TWIN FALLS COUNTY, IDAHO
RECORDED FOR: City of T.F.

1997 JUN 13 A 8:23

1997009394

ROBERT S. FORT -
EX-OFFICIO RECORDER

FEE: 81.00 DEPUTY: Sho

A. **USES.** The use language in the Twin Falls City Code, Title 10, regarding the underlying "C-1, R-2, R-4 & R-4(PRO) PUD" zone shall apply with regard to permitted uses, special uses, and prohibited uses on the Property or any portion thereof, as shown on the Master Plan.

B. **PHASING OF DEVELOPMENT.** Developers shall be permitted to develop the Property in phases, provided those phases are in compliance with the Master Plan, this PUD Agreement, and an approved preliminary plat. Approval for each phase may be obtained by submission of a technically correct final plat for each phase to the City Council. The designation and location of specific uses, and buildings on the Master Plan are conceptual and minor changes therefrom shall not provide basis for disapproval of any final plat. There shall be no minimum and a maximum time limit of three years between completion of one phase and commencement of the next phase.

3. **STREET, SEWER, WATER AND DRAINAGE IMPROVEMENTS.**
Developers shall be responsible for the design and construction of street, sewer, water and drainage systems on the Property (hereinafter "Improvements") as described herein in accordance with City standards.

A. **IMPROVEMENT PLANS.** Developers shall, as to each phase of its development, file or cause to be filed with the City a complete set of plans for that development phase, showing all Improvements contemplated within that phase of the development (hereinafter

"Improvement Plans"). The Improvement Plans and all improvements shown thereon shall meet with the approval of the City, which approval shall be given if such plans conform with published City requirements.

B. **IMPROVEMENT DESIGN AND CONSTRUCTION.** Developers shall cause to be designed, constructed and installed, in accordance with the Improvement Plans and at its expense, all Improvements shown on the Improvement Plans. Notwithstanding the foregoing, nothing in this Agreement shall prohibit City participation in the cost or financing of improvements on the Property if mutually agreed to by the parties hereto.

C. **PHASED CONSTRUCTION.** Developers may install the Improvements all at once or in phases. Developers shall provide the City with written notification of which phase it intends to develop, when and of what portion, or portions, of said Improvements it intends to complete at the time; and agree to make such modifications and/or construct any temporary facilities necessitated by such phased construction work as shall be required and approved by the City, which approval shall not be unreasonably withheld.

D. **CONSTRUCTION SUPERVISION.** Developers shall use a qualified construction engineer or supervisor to supervise the construction inspection and testing of the work as necessary, to ensure that all such Improvements are constructed in accordance with the approved Improvement Plans.

E. **NONCOMPLIANCE.** In the event any of the requirements with regard to the installation of said Improvements are not complied with, the City shall give written notice to Developers of said non-compliance. Developers shall cure said non-compliance within thirty (30) days of this receipt of notice (or, in the case of non-compliance that will take in excess of thirty (30) days to cure, Developers shall commence to cure within thirty (30) of receipt of notice and diligently pursue the same to completion). In the event Developers fail to cure said non-compliance in the manner set forth hereinabove, the City shall have the right to withhold the issuance of any future building permits and certificates of occupancy within that phase of such "PUD" until such time as all requirements specified in Section 3 have been complied with; PROVIDED, HOWEVER, Developers shall have the right to appear before the City Council at any regular meeting after any building permits and certificates of occupancy shall have been withheld for reasons set forth in this paragraph, and shall have the right to be heard as to why such building permits and certificates of occupancy should be issued. The City Council shall then in good faith and in an objective manner decide whether said building permits and certificates of occupancy should be issued, and its decision shall be final, except that the rights of the parties are preserved at law and equity.

F. **FEES.** Developers shall pay, or cause to be paid, to City all applicable fees, if any, with regard to the installation of Improvements pursuant to the Improvement Plans. However, City water and sewer connection and service charges shall be paid for by individual developers and users at the rates set by applicable City ordinances and resolutions.

G. **DEDICATION OF IMPROVEMENTS.** City hereby agrees to accept maintenance responsibility for the public improvements upon their completion to City standards.

4. **PLATS.** Developers agree to file with City a preliminary plat, prepared by a registered professional engineer, of the real property which is the subject of this Agreement. Final plats for phases to be developed shall be submitted specifically identifying and dedication all necessary public easements and those rights-of-way the City agrees to accept herein and in the Standard Developers Agreement. It is agreed that said plats and any amendments thereto must first be approved by City.

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

A. **APPROVAL AND CONSTRUCTION.** All Improvements shall be constructed in accordance with engineered drawings and specifications, describing in reasonable detail the work to be performed, which drawings and specifications shall first be approved by City and meet City standards, which approval shall not be unreasonably withheld.

B. **BUILDING SETBACKS.** All buildings on the Property are to be constructed with minimum setbacks in conformance with the setback requirements of the underlying "C-1, R-2, R-4 & R-4(PRO) PUD" zones and the centerline setbacks of Addison Avenue East and Carriage Lane.

C. **LANDSCAPING.** The Developers will provide pedestrian and bicycle access from multi-family areas to commercial areas and provide a continuous internal pedestrian walkway from the perimeter public sidewalk to the principal customer entrance of commercial buildings over 50,000 square feet. The walkways are to be distinguished from driving surfaces through the use of special pavers, bricks or scored concrete to enhance pedestrian safety. Landscaping is to be provided on north sides of commercial buildings to integrate with residential development to the north, and the parking lots are to be broken up with islands of landscaping within the parking lots. Also, a landscaped buffer thirty feet (30') in depth from the sidewalk is to be provided along Addison Avenue East, and a landscaped buffer from behind the sidewalk to sixty feet (60') from the centerline is to be provided on Carriage Lane in both the commercial and professional overlay areas.

D. **DRAINAGE.**

(1) Storm water from commercial developments shall be retained. Facilities to retain storm water shall be designed, constructed, and maintained by the property owner of each lot in the development, unless specific written arrangements are made to share those responsibilities among several lot owners and/or the City.

(2) Storm water from residential developments shall be detained to limit discharge to downstream drainways. Detention facilities meeting City Code requirements in effect at the time of plat approval shall be designed and constructed by the Developers, and

maintained by the property owners' association of each development, unless specific written arrangements are made to share those responsibilities among individual lot owners and/or the City.

E. **BUILDING STANDARDS.** Buildings and Improvements shall comply with the following standards.

(1) **Prohibited Materials.** Metal sided buildings and buildings with exposed unpainted plain concrete block are prohibited. Concrete tilt-up or double-T panels are prohibited unless they have a decorative finish. This does not preclude the use of decorative masonry block or brick or the use of architectural residential metal siding. The commercial buildings are to have pitched roofs and facades broken up with windows, awnings and building recesses. Commercial building colors are to be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited. Neon tubing is not allowed as an accent material.

(2) **Outside Storage and Display.** Loading docks, trash collection, outdoor storage and similar facilities and functions are to be incorporated into the overall design of the building and the landscaping so the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

(3) **Utilities.** All on-site utility service lines, including electrical lines

and telephone lines located within a parcel shall be placed underground. Any transformer or terminal equipment provided within or immediately adjacent to the parcel shall be visibly screened from the view from streets, with appropriate screening material.

(4) **Special Pedestrian Improvements.** The Developers will provide pedestrian and bicycle access from multi-family areas to commercial areas and provide a continuous internal pedestrian walkway from the perimeter public sidewalk to the principal customer entrance of commercial buildings over 50,000 square feet. The walkways are to be distinguished from driving surfaces through the use of special pavers, bricks or scored concrete to enhance pedestrian safety. Construction of Carriage Lane will include provision for a bike route and pedestrian crossings with special pavers, bricks or scored concrete to enhance pedestrian safety.

F. **CODES.** All construction on the Property shall be to the standards established by applicable codes.

G. **CONTROL DURING DEVELOPMENT OF INDIVIDUAL PARCELS.** Developers shall maintain control during development of the Property or any part thereof, through the use of deed restrictions to be recorded setting forth the required development criteria contained herein.

6. **ACCESSES TO ADDISON AVENUE EAST.** Developers and subsequent

property owners agree to limit the number of accesses on Addison Avenue East west of Carriage Lane to one (1) and on Addison Avenue East east of Carriage Lane to one (1).

7. **WIDENING OF ADDISON AVENUE EAST.** Developers hereby agree to dedicate the right-of-way to the City the area under the Developers' control needed for widening of the Addison Avenue East right-of-way (hereinafter "Addison Avenue East Expansion Area"). The Developers agree to be responsible for the cost of widening Addison Avenue East when they develop the adjacent phase of their property.

8. **STANDARD DEVELOPERS' AGREEMENT.** It is understood and agreed by the parties hereto that it shall be necessary for Developers or individual owners to execute the City's Standard Developers' Agreements.

9. **GENERAL PROVISIONS.**

A. **COOPERATION.** The parties hereto agree to cooperate each with the other. Developers shall submit to the City all plans, specifications, and working drawings required by the City.

B. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties concerning the property and improvements described herein, and no amendment or modification to this Agreement shall be valid or effective unless reduced to

writing and signed by the parties.

C. **APPLICABLE LAW.** This Agreement shall be construed in accordance with the laws of the State of Idaho.

D. **NOTICES.** If notices from one party to the other are desired or required hereunder, such notices shall be delivered or mailed to the party to receive such at this address last known to the sender of such notice. Notices shall be deemed received on the date of hand delivery or upon seventy-two (72) hours following deposit in the United States mail, if properly addressed, stamped and sent with "Return Receipt Requested." On the date of this Agreement, the addresses of the parties are as follows:

DEVELOPERS: Rosemary McGonigal, Gary Nelson, Jane George
AKA Cedar Park Group
Attention: Jane George
430 Blue Lakes Blvd. N., Ste. D
Twin Falls, ID 83301

DEVELOPERS: Rosemary McGonigal, Gary Nelson, Jane George
AKA Cedar Park Group
Attention: Jane George
430 Blue Lakes Blvd. N., Ste. D
Twin Falls, ID 83301

CITY: City of Twin Falls
P.O. Box 1097
321 Second Avenue East
Twin Falls, ID 83303-1907

E. **SUCCESSORS AND ASSIGNS.** This Agreement shall be binding upon the successors, assigns and legal representatives of the parties hereto.

F. **SEVERABILITY.** In the event any portion of this Agreement is declared by a court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from this Agreement, and the remaining portions shall not be affected thereby.

G. **SIGNATORIES.** Each of the persons executing this Agreement hereby represents and warrants that he or she is duly authorized and empowered to so act on behalf of the entity for which he or she is signing and that this Agreement is binding on, and enforceable against, such entity.

H. **EFFECTIVE DATE.** This "PUD" Agreement shall become valid and binding only upon its approval by the City, through its City Council, and upon its execution by the Mayor and Developers.

I. **ATTORNEY'S FEES.** In the event that either party should be required to retain an attorney because of the default or breach of the other or to pursue any other remedy

provided by law, that party which prevails in any litigation shall be entitled to a reasonable attorney's fee.

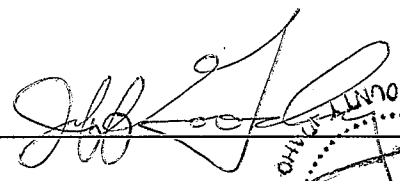
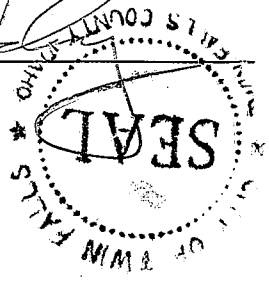
J. **CONSTRUCTION.** Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being acknowledged that both parties have participated in the preparation hereof.

K. **ATTACHMENTS.** All attachments to this Agreement and recitals are incorporated herein and made a part hereof as if set forth in full.

L. **CAPTIONS.** The captions, section and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and shall in no way affect interpretation of this Agreement.

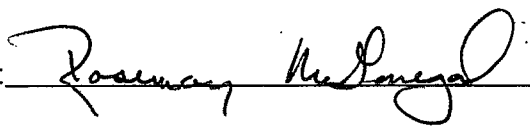
IN WITNESS WHEREOF, the City has affixed its seal and caused these presents to be executed by its Mayor on the date above written.

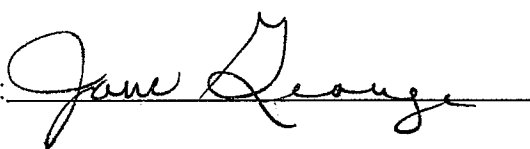
CITY OF TWIN FALLS

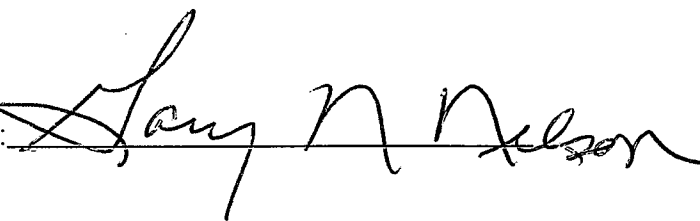
By: 


DEVELOPERS

Rosemary McGonigal, Gary Nelson,
Jane George (AKA Cedar Park Group)

By: 

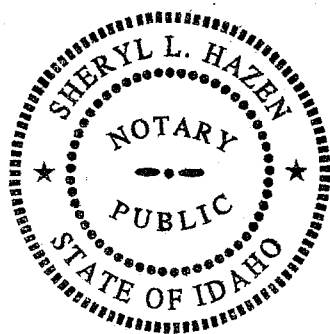
By: 

By: 

STATE OF IDAHO)
) ss
County of Twin Falls)

On this 2nd day of JUNE, 1997, before me, the undersigned, a Notary Public
in and for the State of Idaho, personally appeared Jane George, known to me to be the person who
subscribed the foregoing instrument and acknowledged to me that she executed the same.

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

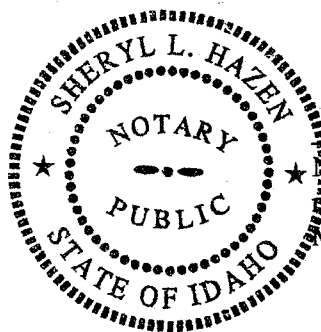


Sheryl L. Hazen
Notary Public for the state of Idaho;
residing at TWIN FALLS
My commission expires: 7/29/00

STATE OF IDAHO)
) ss
 County of Twin Falls)

On this 2nd day of JUNE, 1997, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Rosemary McGonigal, known to me to be the person who subscribed the foregoing instrument and acknowledged to me that she executed the same.

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

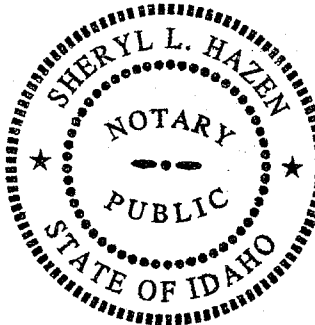


Sheryl L. Hazen
 Notary Public for the state of Idaho;
 residing at TWIN FALLS
 My commission expires: 7/29/00

STATE OF IDAHO)
) ss
 County of Twin Falls)

On this 2ND day of JUNE, 1997, before me, the undersigned, a Notary Public
 in and for the State of Idaho, personally appeared Gary N. Nelson, known to me to be the person who
 subscribed 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.



Sheryl L. Hazen
 Notary Public for the state of Idaho;
 residing at TWIN FALLS
 My commission expires: 7/29/00

PUB-210
EXHIBIT A

Zone Description
for
Cedar Park

Parcel A C-1 Commercial

A parcel of land located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the Southeast corner of Section 11. Thence North 88°51'28" West 2614.72 feet to the South quarter corner of Section 11 and being the REAL POINT OF BEGINNING.

Thence North 88°51'24" West 653.72 feet along the South boundary of Section 11.

Thence North 00°03'14" West 660.00 feet,

Thence South 88°51'28" East 654.27 feet,

Thence North 00°00'25" West 240.00 feet,

Thence South 88°51'31" East 1308.40 feet,

Thence South 00°03'35" West 900.00 feet along the East boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11.

Thence North 88°51'28" West 1307.36 feet along the South boundary of Section 11 to the REAL POINT OF BEGINNING.

Parcel A contains approximately 36.92 acres.



Zone Description
for
Cedar Park

Parcel B R-4 P.U.D.

A parcel of land located in SE¼SW¼, Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the Southeast corner of Section 11. Thence North 88°51'28" West 2614.72 feet to the South quarter corner of Section 11. Thence North 88°51'24" West 653.72 feet along the South boundary of Section 11. Thence North 00°03'14" West 660.00 feet to the REAL POINT OF BEGINNING.

Thence North 88°51'28" West 330.07 feet,

Thence North 00°03'14" West 167.65 feet,

Thence North 49°31'56" East 203.47 feet,

Thence along a curve left

▲ - 24°05'57"
R - 200.00 feet
A - 84.12 feet
C - 83.50 feet
T - 42.69 feet
LCB - South 77°57'02" East

Thence South 90°00'00" East 195.90 feet,

Thence along a curve left

▲ - 12°10'11"
R - 200.00 feet
A - 42.48 feet
C - 42.40 feet
T - 21.32 feet
LCB - North 83°54'55" East

Thence North 77°49'49" East 521.46 feet,

Thence North 89°59'36" East 654.07 feet,

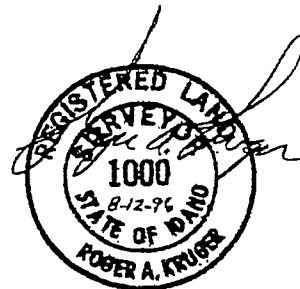
Thence South 00°00'25" East 189.43 feet,

Thence North 88°51'34" West 654.20 feet,

Thence South 00°00'25" East 240.00 feet,

Thence North 88°51'28" West 654.27 feet to the REAL POINT OF BEGINNING.

Parcel B contains approximately 9.88 acres.



Zone Description
for
Cedar Park

Parcel C. R-4 PRO

A parcel of land located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the South quarter corner of Section 11. Said point lies North 88°51'28" West 2614.71 feet from the Southeast corner of Section 11. Thence South 88°51'28" East 1307.36 feet to the Southeast corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11. Thence North 00°03'34" East 900.00 feet along the East boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11. Thence North 88°51'31" West 654.20 feet to the REAL POINT OF BEGINNING.

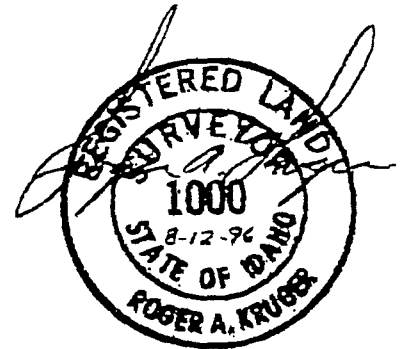
Thence North 88°51'34" West 654.20 feet,

Thence North 00°00'25" West 176.32 feet,

Thence North 89°59'36" East 654.07 feet,

Thence South 00°00'25" East 189.43 feet the REAL POINT OF BEGINNING.

Parcel C contains approximately 2.75 acres.



PUB-210

Zone Description
for
Cedar Park

Parcel D R-4 P.U.D.

A parcel of land located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the South quarter corner of Section 11. Said point lies North 88°51'28" West 2614.71 feet from the Southeast corner of Section 11. Thence South 88°51'28" East 1307.36 feet to the Southeast corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11. Thence North 00°03'34" East 900.00 feet along the East boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11 to the REAL POINT OF BEGINNING.

Thence North 88°51'31" West 654.20 feet,

Thence North 00°00'25" West 189.43 feet,

Thence North 89°59'36" East 201.75 feet,

Thence along a curve left

▲ - 44°59'36"
R - 200.00 feet
A - 157.06 feet
C - 153.05 feet
T - 82.83 feet
LCB - North 67°29'48" East

Thence North 45°00'00" East 183.83 feet,

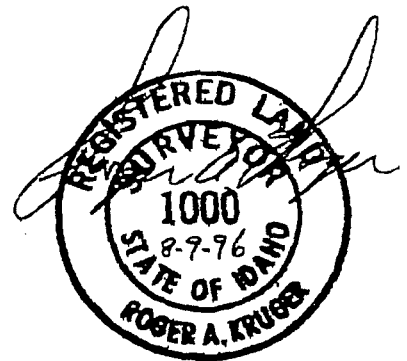
Thence along a curve left

▲ - 12°29'40"
R - 100.00 feet
A - 21.81 feet
C - 21.76 feet
T - 10.95 feet
LCB - North 38°45'10" East

Thence South 71°23'53" East 176.95 feet,

Thence South 00°03'35" West 351.57 feet along the East boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11 to the REAL POINT OF BEGINNING.

Parcel D contains approximately 4.11 acres.



Zone Description
for
Cedar Park

Parcel E R-2

A parcel of land located in W $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the South quarter corner of Section 11. Said point lies North 88°51'28" West 2614.71 feet from the Southeast corner of Section 11. Thence South 88°51'28" East 1307.36 feet to the Southeast corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11. Thence North 00°03'34" East 1251.57 feet along the East boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11 to the REAL POINT OF BEGINNING.

Thence North 71°23'53" West 176.95 feet,

Thence along a curve right

- Δ - 12°29'40"
- R - 100.00 feet
- A - 21.81 feet
- C - 21.76 feet
- T - 10.95 feet
- LCB - South 38°45'10" West

Thence South 45°00'00" West 183.83 feet,

Thence along a curve right

- Δ - 44°59'36"
- R - 200.00 feet
- A - 157.06 feet
- C - 153.05 feet
- T - 82.83 feet
- LCB - South 67°29'48" West

Thence South 89°59'36" West 855.82 feet,

Thence South 77°49'49" West 521.46 feet,

Thence along a curve right

- Δ - 12°10'11"
- R - 200.00 feet
- A - 42.48 feet
- C - 42.40 feet
- T - 21.32 feet
- LCB - South 83°54'55" West

Thence South 90°00'00" West 195.90 feet,

Thence along a curve right

- Δ - 24°05'57"
- R - 200.00 feet
- A - 84.12 feet
- C - 83.50 feet
- T - 42.69 feet
- LCB - North 77°57'02" West

Thence South 49°31'56" West 203.47 feet,

Thence South 00°03'14" East 497.65 feet,

Thence North 88°51'24" West 323.92 feet,

Thence North 00°06'04" West 1654.71 feet along the West boundary of E½SW¼, Section 11 to the Northwest corner of S½NE¼SW¼, Section 11.

Thence South 88°47'53" East 1310.74 feet to the Northeast corner of S½NE¼SW¼, Section 11.

Thence North 00°00'24" West 661.10 feet to the Northwest corner of W½SE¼, Section 11.

Thence South 88°46'40" East 1310.46 feet to the Northeast corner of W½SE¼, Section 11.

Thence South 00°03'35" West 1390.94 feet along the East boundary of W½SE¼, Section 11 to the REAL POINT OF BEGINNING.

Parcel E contains approximately 80.65 acres.

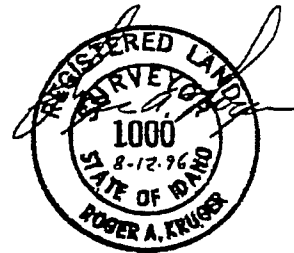


EXHIBIT B

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

TWIN FALLS COUNTY, IDAHO
RECORDED FOR: **TITLEFACT, Inc.**
~~1995 JUL 11 10:01~~ 19950701131
ROBERT S. FORT
EX-OFFICIO RECORDER
FEE: 300 DEPUTY *mjs*

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

**** SPACE ABOVE FOR RECORDER ****
36942ML

QUITCLAIM DEED

For Value Received CEDARPARK BUILDERS COMPANY, do hereby convey, remise and forever quit claim unto ROSEMARY McGONIGAL, as to an undivided 1/4 interest, CAROL JANE GEORGE, as to an undivided 1/4 interest, GARY N. NELSON, as to an undivided 1/4 interest AND STEVEN R. KEIM, as to an undivided 1/4 interest, whose address is: P.O. BOX 174, TWIN FALLS, ID 83303, the following described premises, to-wit:

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 11: W1/4SE1/4; E1/4SW1/4; SE1/4NW1/4
SUBJECT TO: Twin Falls County Highway Right of Way EXCEPT: Township 10 South, Range 17 East, Boise, Meridian, Twin Falls County, Idaho Section 11: SE1/4NW1/4 and together with their appurtenances. N1/2NE1/4SW1/4 TOGETHER WITH: Access easement to pump over and across the North 20 feet of the NW1/4SE1/4

Dated:

CEDARPARK BUILDERS COMPANY

BY: *Gary N. Nelson*
GARY N. NELSON, PRESIDENT

BY: *Carol Jane George*
CAROL JANE GEORGE, SECRETARY-TREASURER

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 7th day of MAY, 1994, before me, the undersigned, Notary Public in and for said State, personally appeared GARY N. NELSON AND CAROL JANE GEORGE known or identified to me to be the PRESIDENT AND SECRETARY-TREASURER of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Christy J. Grist
Notary Public for Idaho
Residing at: *Twin Falls*
My Commission expires: *12/13/97*
TWIN FALLS COUNTY, IDAHO
RECORDED FOR: **TITLEFACT, Inc.**
1995 JUL 13 A 8:38 1995010883
FEE: 300 DEPUTY *Sr*

39163ml
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY, IDAHO

TITLEFACT, Inc.

1996 DEC 30 P 4: 55

19960218631

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

RECORDED
TWIN FALLS COUNTY, IDAHO

WARRANTY DEED

RE: 600 : FIFTY 84

FOR VALUE RECEIVED STEVEN R. KEIM and BONNIE E. KEIM, husband and wife, as to an undivided one-fourth (1/4) interest, being all their interest, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto CAROL JANE GEORGE, a single woman, as to an undivided one-eighth (1/8) interest; and ROSEMARY McGONIGAL, a married woman dealing with her sole and separate property, as to an undivided one-eighth (1/8) interest, hereinafter called grantee, whose address is: 430 Blue Lakes Blvd North, Suite D, Twin Falls, ID 83301, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 11: W $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$
EXCEPT

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 11: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

Together with: Access easement to pump over and across the North 20 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

AND EXCEPT:

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

Section 11: A parcel of land located in the S $\frac{1}{2}$, being more particularly described as follows;

COMMENCING at the Southwest corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 11;

THENCE East 1320.00 feet along the South boundary of Section 11 to the REAL POINT OF BEGINNING;

THENCE North 866.58 feet parallel with the West boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11;

THENCE East 660 feet parallel with the South boundary of Section 11;

THENCE South 866.58 feet parallel with the West boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11;

THENCE West 660 feet along the South boundary of Section 11 to the REAL POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way

AND ALSO EXCEPT

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

Section 11: A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:

COMMENCING at the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, and being the REAL POINT OF BEGINNING;

THENCE East 660 feet along the South boundary of Section 11;

THENCE North 660 feet parallel with the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE West 330 feet parallel with the South boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE South 330 feet parallel with the West boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11;

THENCE West 330 feet parallel with the South boundary of Section 11;

THENCE South 330 feet along the West boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the REAL POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way.

745-210

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

Dated: December 30, 1996

Steven R. Keim
STEVEN R. KEIM

Bonnie E. Keim
BONNIE E. KEIM

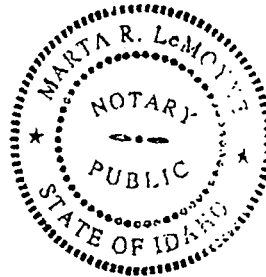
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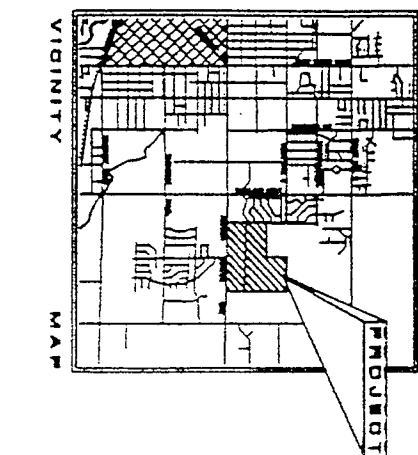
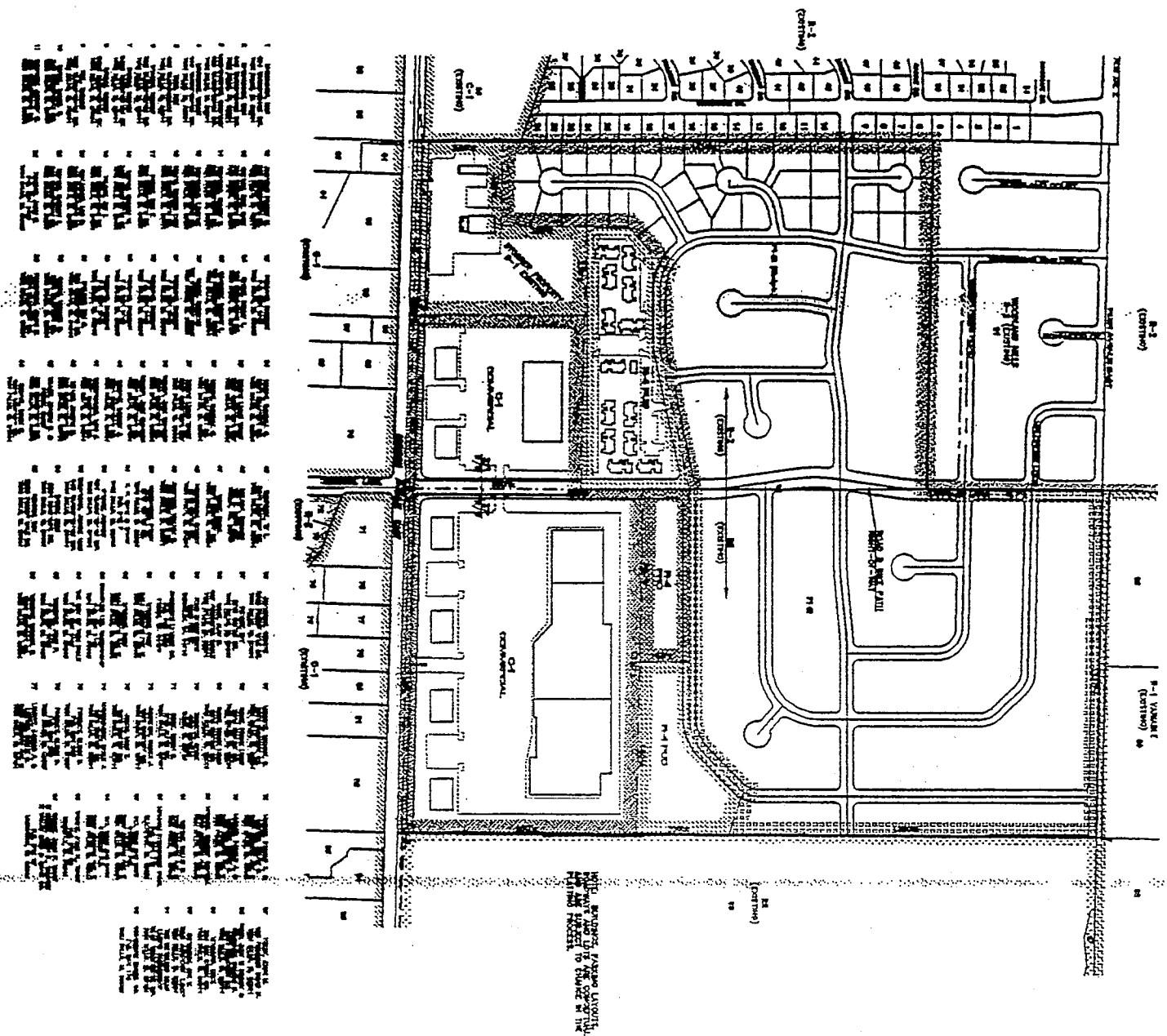
STATE OF IDAHO
County of Twin Falls

On this 30th day of December, 1996, before me, a Notary Public in and for said State, personally appeared STEVEN R. KEIM and BONNIE E. KEIM, husband and wife, as to an undivided one-fourth (1/4) interest, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Marta R. Lemoyne
Notary Public for Idaho
Residing in: Buhl
Commission Expires: 9-8-99





OWNER/DEVELOPER
 CEDAR PARK PLUD.
 1000 N. 1000 E.
 TWIN FALLS, IDAHO 83401
 PREPARED BY
 TWIN FALLS COUNTY, IDAHO
 1988

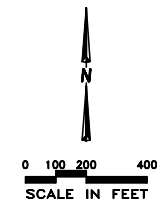
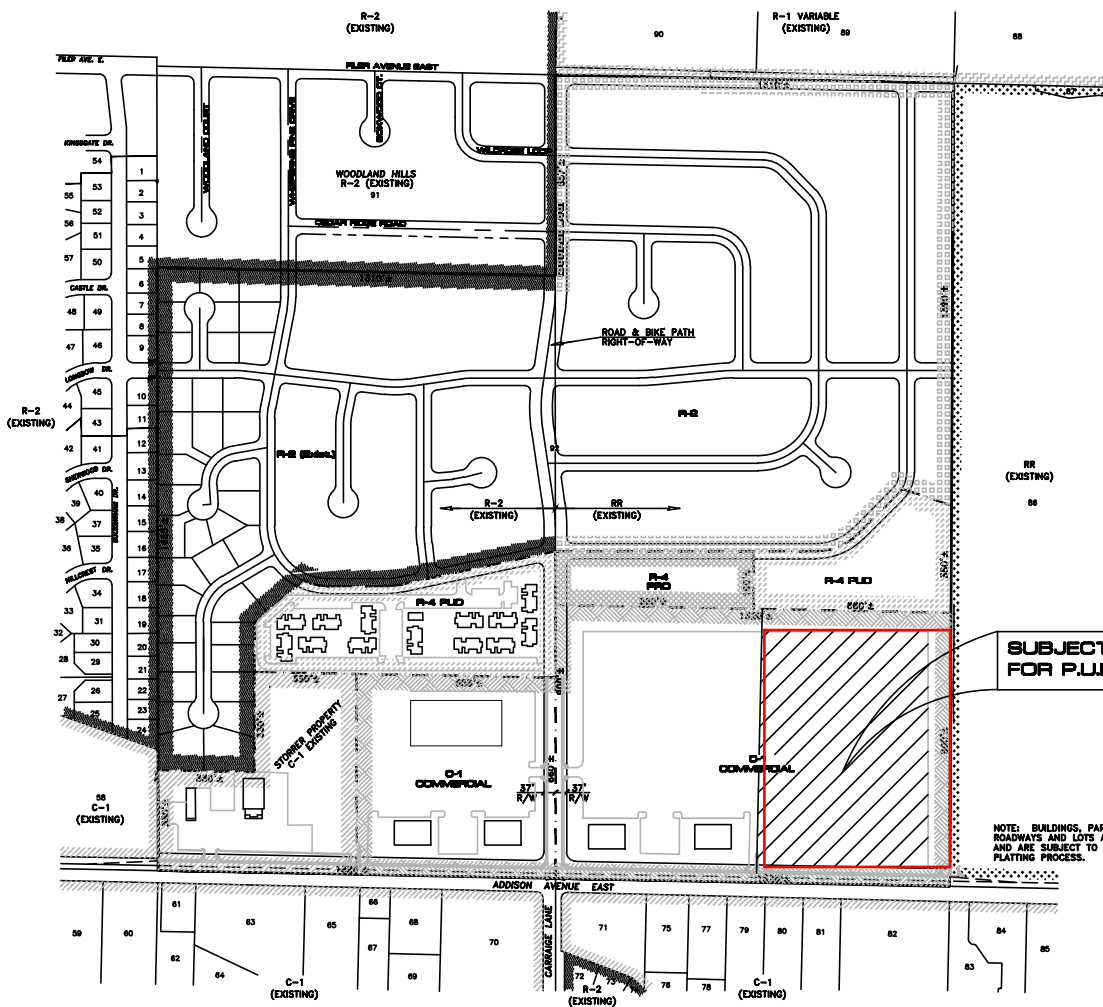
- C-1 PLUD. (PROPOSED)
- R-4 PLUD. (PROPOSED)
- R-4 PRO PLUD. (PROPOSED)
- R-2 (PROPOSED)
- C-1 (existing)
- R-2 (existing)
- R-1 Var. (existing)
- R-1 (existing)

CEDAR PARK PLUD.
 Located in
 S. 1000 N., S. 1000 E., & W. 1000 E.,
 TWIN FALLS, IDAHO
 TOWNSHIP 10 SOUTH, RANGE 17 EAST,
 TWIN FALLS COUNTY, IDAHO
 83401

0 100 200 400
 SCALE IN FEET

Zoning Exhibit For
CEDAR PARK PLUD.
 Twin Falls, Idaho

Engineers, Inc.
 ENGINEERS/SURVEYORS/PLANNERS



CEDARPARK P.U.D.

Located in
 S2 NE4 SW4, S24 SW4, & W2 S24,
 SECTION 11,
 TOWNSHIP 10 SOUTH, RANGE 17 EAST,
 BOISE MERIDIAN,
 TWIN FALLS COUNTY, IDAHO
 1696

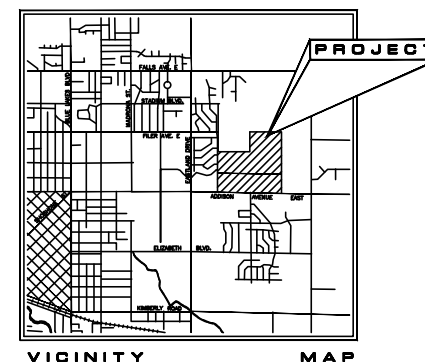
- C-1 P.U.D. (PROPOSED)
- R-4 P.U.D. (PROPOSED)
- R-4 PRO P.U.D. (PROPOSED)
- R-2 (PROPOSED)
- C-1 (Existing)
- R-2 (Existing)
- R-1 Var. (Existing)
- RR (Existing)

**SUBJECT PROPERTY
 FOR P.U.D. AMENDMENT**

NOTE: BUILDINGS, PARKING LAYOUTS,
 ROADWAYS AND LOTS ARE CONCEPTUAL
 AND ARE SUBJECT TO CHANGE IN THE
 PLATTING PROCESS.

OWNER/DEVELOPER: CEDARPARK COMPANY
 % GARY M. NELSON
 1525 ADDISON AVE. E., SUITE 212
 TWIN FALLS, IDAHO 83301
 PHONE: (208) 734-8000

ENGINEER: EDM ENGINEERS, INC.
 621 NO. COLLEGE RD., SUITE 100
 TWIN FALLS, IDAHO 83301
 PHONE: (208) 734-4888



Public Hearing: Opened & Closed Without Comments

Discussion Followed:

- Commissioner Hansen asked about the number of lift stations.
- Mr. Thibault explained there will be one lift station that supports the Pillar Falls and Rio Vista development, there will not be multiple private lift stations.
- Commissioner Munoz asked about future connections and payback.
- Planner I O'Connor explained that if the group that is constructing the lift station applies for payback there will be reimbursement for their costs as people connect to the system.
- Commissioner Detweiler asked about storm water retention.
- Mr. Thibault explained the retention has been calculated for residential however as commercial develops they will have to address retention for those sites.

Motion:

Commissioner Detweiler made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Dawson seconded the motions. 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 the Rio Vista ZDA and all applicable city code requirements and standards.

6) Public Hearings

- a) Request for a **Recommendation** on a **PUD Amendment** to the Cedar Park PUD # 210 to allow a planned Residential 4-plex Development on one (1) lot within the C-1 Zoned Designated area as shown on the Master Development Plan, located at the North West corner of Meadow View Lane, extended, and Addison Avenue East c/o Dave Thibault/EHM Engineers, Inc. on behalf of Summit Development EHM, Engineers, Inc. (app. 2934)

Applicant Presentation:

David Thibault, EHM Engineers, Inc. representing the applicant explained that this request is to amend the Cedarpark PUD #210 for a portion of the property from Addison Avenue East extended northerly incorporating approximately 12 (+/-) acres. The change is to add 4-plex to the outright permitted uses within the C-1 area.

Staff Presentation:

Senior Planner Spendlove reviewed the request on the overhead and stated the Cedar Park PUD is a 132 acre planned commercial/residential mixed-use development. The Rezone/PUD was approved in 1997 after multiple public hearings following the process outlined in City

Code. The PUD Agreement was signed and recorded in April 2004. There has been steady residential development, in compliance with the PUD Agreement, occurring to the north of this site since 2004. The undeveloped commercial portion has continued to be farmed without interruption up to this point.

On March 27, 2018 a preliminary presentation was made to the Planning Commission. There was minimal comment on the matter when opened for public comment.

This is a request to amend the Cedar Park PUD #210 to allow a planned Residential Development consisting of 4-Plex Dwellings on one (1) large commercially zoned future lot within the C-1 Zoned Designated area as shown on the Master Development Plan. This area is located at the North West corner of Meadow View Lane extended (not currently constructed), and Addison Ave East. The applicant is wishing to develop a residential 4-plex planned development on future 4 +/- acre lot in the C-1 designated area.

Per Current City Code 10-4-8 Commercial Highway: Residential Developments with *Dwellings – multiple household (5 units or more)*, are a Permitted Use. Therefore, current code prohibits residential developments which consist of 4-Plex Buildings, they are required to have 5 units or more per building.

The change in PUD language will allow developments with four units per building. Current code does not implicitly cap the total number of dwelling units on C-1 Zoned property. Since this is only changing the layout/construction type of the buildings being proposed, staff does not foresee largely detrimental impacts to surrounding properties with the requested change.

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

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable codes and standards.
2. Subject to approval by the property owner(s) prior to recordation.
3. Subject to a signed PUD Amendment being recorded prior to any development or platting occurring on the property.

PZ Questions/Comments:

- Commissioner Munoz asked about ownership of the 4-plexes.
- Senior Planner Spendlove explained it will be one lot under one ownership.
- Commissioner Kelley asked about access to the development.
- Senior Planner Spendlove explained Meadow View will be constructed and this will be for discussion when the preliminary plat is presented for approval.

Public Hearing: Opened

- Eileen Vanholsen, owns a duplex on Whispering Pine Drive and she has questions about

the water pressure.

Public Hearing: Closed

Discussion Followed:

- Assistant City Engineer Vitek, explained a water model has to be provided in the preliminary plat process to verify there will not be a negative impact created with the development of the plat. This subdivision will be required to tie into the system on Meadow View South and a then it will turn and tie off to Carriage Lane line, and there should not be deterioration in the current water pressure in the area.
- Mr. Thibault explained they plan to design the subdivision according to code.

Motion:

Commissioner Dawson made a motion to recommend approval of the request, as presented, with staff recommendations. Commissioner Hansen seconded the motion. All members present voted in favor of the motion.

Recommended for Approval, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with applicable codes and standards.
2. Subject to approval by the property owner(s) prior to recordation.
3. Subject to a signed PUD Amendment being recorded prior to any development or platting occurring on the property.

Scheduled for City Council Public Hearing May 7, 2018

7) Upcoming Meeting(s)

Zoning & Development Manager Carraway-Johnson announced that this will be her last public hearing. She explained that she has had many challenges along the way but that it has been rewarding as well. She also announced the Jonathan Spendlove has been selected as her replacement.

- a) April 24, 2018 Public Hearing
May 2, 2018 Work Session

8) Adjournment

Chairman Munoz thanked Zoning & Development Manager Carraway-Johnson for her 27 years of service and explained that she has done a wonderful job. He adjourned the meeting at 6:35 pm.