



Twin Falls City Council Agenda

Monday, November 5, 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) PROCLAMATIONS: None
- 4) GENERAL PUBLIC INPUT
- 5) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the Accounts Payable for October 25 thru 31, 2018.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the October 29, 2018, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request for the approval of the **Final Plat** for River Ridge Estates Subdivision No. 5, approximately 6.08 (+/-) acres, to develop 19 lots and 2 tracts located at the southeast corner of Cheney Drive extended and Madrona Street North c/o Tim Vawser, EHM Engineers, Inc. (app. PZ18-0087).
By: Steve O'Connor, Planner
 - d) **ACTION ITEM:** Request to accept a Right-of-Way Encroachment Agreement With West Coast Seed Mill and Supply Company.
By: Erin Steel, Engineer 1
 - e) **ACTION ITEM:** Request to approve a Deferral Agreement with West Coast Seed and Supply Company.
By: Erin Steel, Engineer 1
- 6) ITEMS OF CONSIDERATION
 - a) **ACTION ITEM:** Request to confirm the appointment of Shayne Nope as the City of Twin Falls City Attorney.
By: Shawn Barigar, Mayor
 - b) **PRESENTATION:** Presentation of Idaho POST Certifications to Officers Salko Lilic, Elisha Batteiger, Tyler Kraft, Tyler Campbell, Chris Ehardt, and Powell Eaton.
By: Chief Craig Kingsbury, Twin Falls Police Department

- c) **ACTION ITEM:** Request to waive the Non-Conforming Building Expansion Permit Process for a residential home located at 347 Polk Street. (App. PZ18-0086)
By: Steve O'Connor, City Planner
- d) **ACTION ITEM:** Request to approve Reserve Funds to Purchase a Public Safety Radio System and to Enter Into an Agreement with Federal Engineering for Consulting Services.
By: Kathy Markus, Information Technology Communications Manager
- e) **ACTION ITEM:** Request to amend City Code section 2-5-3 to allow the Planning and Zoning Commission to be appointed to fulfill the duties of the City's Traffic Safety Commission.
By: Mitch Humble, Deputy City Manager
- f) **ACTION ITEM:** Request to appoint the Planning and Zoning Commission to fulfill the duties of the Traffic Safety Commission.
By: Shawn Barigar, Mayor
- 7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS
- 8) PUBLIC HEARINGS
 - a) **ACTION ITEM:** Request for a Special Use Permit to construct a maximum of (8) four plex units, on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North. c/o EHM on behalf of Kaitlyn Court (app. PZ18-0059)
By: Steve O'Connor, City Planner
- 9) ADJOURNMENT TO EXECUTIVE SESSION:
 - a) Executive Session 74-206(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

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, October 29, 2018, 5:00 PM

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Vice Mayor Nikki Boyd, Council Members Chris Talkington, Greg Lanting Christopher Reid.

Absent: Council Members Suzanne Hawkins & Ruth Pierce

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Brian Pike, City Attorney Fritz Wonderlich, Captain Anthony Barnhart, Detective Jonathan Wilson, Assistant City Engineer Troy Vitek, Building Safety Eck Senivongs, Utility Services Supervisor Bill Baxter, Human Resources Director Gretchen Scott, Planning & Zoning Director Jonathan Spendlove, Public Information Officer Joshua Palmer, Parks & Rec Director Wendy Davis, Help Desk Technician Kim Hafer, Finance Administrative Assistant Amy Luna

Mayor Barigar called the meeting to order at 05:00 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.

3) PROCLAMATIONS: None

4) GENERAL PUBLIC INPUT:None

5) CONSENT CALENDAR

MOTION: Vice Mayor Boyd moved to approve the Consent Calendar as presented. Council Member Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

- a) Request to approve the Accounts Payable for October 18 thru 24, 2018.
- b) Request to approve the October 22, 2018, City Council Minutes.
- c) Request to approve the October 22, 2018 Special City Council Minutes.

6) ITEMS OF CONSIDERATION

- a) Recognition of Kortnie Kent's ICC Certifications.
Building Official Eck Senivongs asked the Council to recognize Kortnie Kent's ICC Certifications.

Mayor Barigar: Congratulated Kortnie on her achievements and dedication.

Vice Mayor Boyd: Thanked Kortnie for asking questions and getting answers.

Council Member Talkington: Stated that Kortnie has really raised the performance bar in that department.

- b) Presentation by Rick Thompson on potential improvements to Shoshone Falls/Dierkes Lake.
Citizen Rick Thompson presented potential improvements to Shoshone Falls/Dierkes Lake.

Discussion ensued on the following:

Council Member Lanting: How far does the road drop?

Council Member Talkington: Thanked Mr Thompson for looking forward. Asked if Mr. Thompson has received any cost estimates to do any of these proposals.

Vice Mayor Boyd: What is the number of parking places there currently?

Parks & Rec Director Davis: Stated that there are currently 280 parking spaces.

City Manager Rothweiler: Shows a lot of initiative on Mr. Thompson's part to bring these ideas to the Council. Explained some of the Cities ideas that were addressed during the budget process.

Mayor Barigar: Asked Parks & Rec Director Davis about previous concepts for improving this area.

Parks & Rec Director Davis: Will locate previous concepts and bring back to the Council.

Council Member Lanting: Asked Ms. Davis is there was any income that is sitting out there from the ticket sales.

Mayor Barigar thanked Mr. Thompson for his proposal.

- c) Update on the current state of the recycling program and market.

Utility Services Supervisor Baxter introduced representatives from PSI Waste who gave a brief overview of the Recycling program.

Looking to pull 140 tons out of the landfill this month. Last year they ran an average of 150 tons per month.

Current rate is \$163.00 per ton for the previous 5 months or so. China will not be accepting any mixed paper.

3 mills in Washington State that are that are planning to expand their facilities, but they are 6-12 months out.

Biggest problems with recycling at this time are: plastic bags and yard waste in the recycling bins.

Need to get contamination down to 10% thru community education, currently at about 25%. Youth education opportunities.

Discussion ensued on the following:

Council Member Talkington: Thanked the presenters asked about what was acceptable.

Council Member Lanting: Asked about offenders and how this issue is handled.

Mayor Barigar: Thanked the presenters for their information.

Mayor Barigar: (for citizen) Asked for clarification of "contaminates." We will look forward to the future information on recycling.

Mr. Baxter: talked about the insert that went out with this month's utility billing.

- d) Repeal of Employee Resolution No. 1897 and authorization to implement an Employee Handbook

Human Resources Director Scott requested to repeal the Employee Resolution No. 1897 and authorization to implement an Employee Handbook.

Discussion ensued on the following:

Council Member Talkington: Asked if ICRMP is on board with this.

Mayor Barigar: Explained the concept that is being proposed.

Vice Mayor Boyd: Liked the idea that the employees will have a handbook that they can refer to.

MOTION: Council Member Lanting moved to repeal the Employee Resolution No. 1897 and authorization to implement an Employee Handbook. Council Member Talkington seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

General Public Input: None

Advisory Board Reports: None

City Managers Announcements:

City Manager Rothweiler informed the council that the meeting on November 12, 2018 will be moved to Tuesday November 13, 2018 at 5pm in observance of Veterans Day.

Council Member Talkington asked about a payable that was approved to be paid in the amount of \$650,000.00 and if it was verified that this was done to spec.

Assistant City Engineer Vitek explained the process.

8) PUBLIC HEARINGS

Public Hearing is set to begin no earlier than 6 pm so the Council chose to go into Executive Session and return to the meeting.

- a) Request for a Zoning Title Amendment to repeal and replace City Code 10-11-9 Floodplain Regulations (A through E). c/o City of Twin Falls-Troy Vitek, Assistant City Engineer (Application PZ18-0056)

Assistant City Engineer Vitek made a Request for a Zoning Title Amendment to repeal and replace City Code 10-11-09 Floodplain Regulations (A through E). c/o City of Twin Falls-Troy Vitek, Assistant City Engineer (Application PZ18-0056).

Discussion ensued on the following:

Vice Mayor Boyd: Would this effect any projects that are in motion at this time?

Mayor Barigar: Asked City Attorney Wonderlich if there was an actual ordinance that they needed to vote on.

Public Input:

Citizen Florance: Spoke about the proposal and would like to actually see the new Ordinance.

Council Member Talkington: Asked Citizen about his concerns with this proposal.

Mayor Barigar: Advised presenter to get this ordinance on a future Council Agenda for possible approval.

The meeting adjourned at 06:16 PM.

9) ADJOURNMENT TO EXECUTIVE SESSION:

- a) Executive Session 74-206(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

MOTION: Vice Mayor Boyd moved to adjourn to Executive Session 74206(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Council Member Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

Adjourned to Executive Session at 5:45 pm. Returned from Executive Session at 6:05 pm.



Date: Monday, November 5, 2018
To: Planning and Zoning Commission
From: Steve O'Connor, Planner

ACTION ITEM

Request:

ACTION ITEM: Request for the approval of the **Final Plat** for River Ridge Estates Subdivision No. 5, approximately 6.08 (+/-) acres, to develop 19 lots and 2 tracts located at the southeast corner of Cheney Drive extended and Madrona Street North c/o Tim Vawser, EHM Engineers, Inc. (app. PZ18-0087).

Time Estimate:

N/A

Background:

This parcel is the last remaining portion for development for this area. The lots to the south were platted with River Ridge Nos. 3 & 4 in 2003 & 2008 respectively.

This property was part of the original Preliminary Plat for River Ridge. However, due to inactivity, that original approval has expired and a new Preliminary Plat is required. The Preliminary Plat was approved by the P&Z Commission on June 26th, 2018 as presented and with staff's recommended conditions.

Approval Process:

Per Twin Falls City Code 10-12-2.4, The council shall consider the commission's findings and comments from concerned persons and agencies to decide on the Final Plat. The Council has the following options: approve, conditionally approve, disapprove or table the final plat for more information.

Budget Impact:

N/A

Regulatory Impact:

Approval of the Final Plat will enable the landowner to move towards recording and eventual development of the land in accordance with current zoning and development codes and standards.

History:

N/A

Analysis:

N/A

Conclusion:

The submitted final plat has been reviewed by Staff and has been found to be in conformance with the approved Preliminary Plat.

Should the Council approve the Final Plat as presented, Staff recommends the following conditions.

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure

compliance with all applicable city code requirements and standards.

Attachments:

1. River Ridge No. 5 Prelim Plat Staff Report
2. 1 - Vicinity Map
3. 2 - River Ridge No. 5 Final Plat
4. 3 - 06-26-18 Minutes
5. 4 - Photos



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Steve O'Connor - City Planner
 Editor: Jonathan Spendlove - Director
 Authored by: Steve O'Connor
 Request: For the Commission's approval of a Preliminary Plat for the River Ridge No.5 Subdivision. c/o Tim Vawser, EHM Engineers, Inc. on behalf of James Ray.
 Application: PZ18-0022

Applicant Information:
 James Ray, James Ray Inc.
 4105 Hidden Lakes Dr.
 Kimberly, ID 83341
 208.280.0518

Public Meeting: June 26th, 2018

Analysis

This is a request for approval of the preliminary plat of the River Ridge No. 5 Subdivision, a proposed single-family development located east of Madrona St. and south of Cheney Dr. The proposed development has 19 lots for single family development.

This Plat complies with City Code in regards to development criteria for the R-1 VAR Zoning District.

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

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

Approval Process

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following

the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

History

This parcel is the last remaining portion for development for this area. The lots to the south were platted with River Ridge Nos. 3 & 4 in 2003 & 2008 respectively.

This property was part of the original Preliminary Plat for River Ridge. However, due to inactivity that original approval has expired and a new Preliminary Plat is required.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as "Town Neighborhood" Staff has determined this request is in compliance with the 2016 comprehensive plan

Conclusion

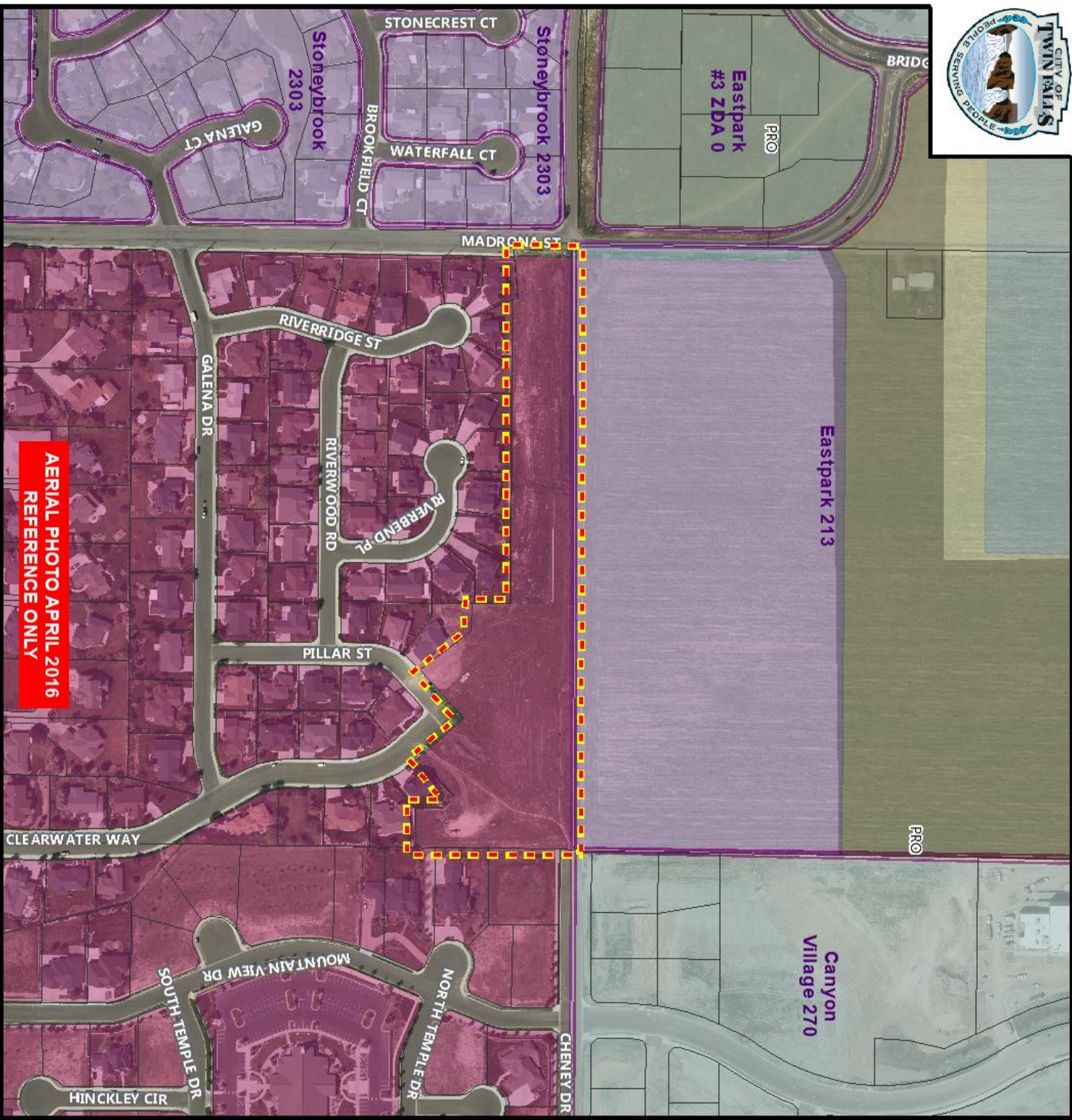
Should the Commission approve the preliminary plat of River Ridge No. 5, as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

Attachments

1. Vicinity Map
2. Preliminary Plat
3. Photos

Public Meeting: June 26th, 2018

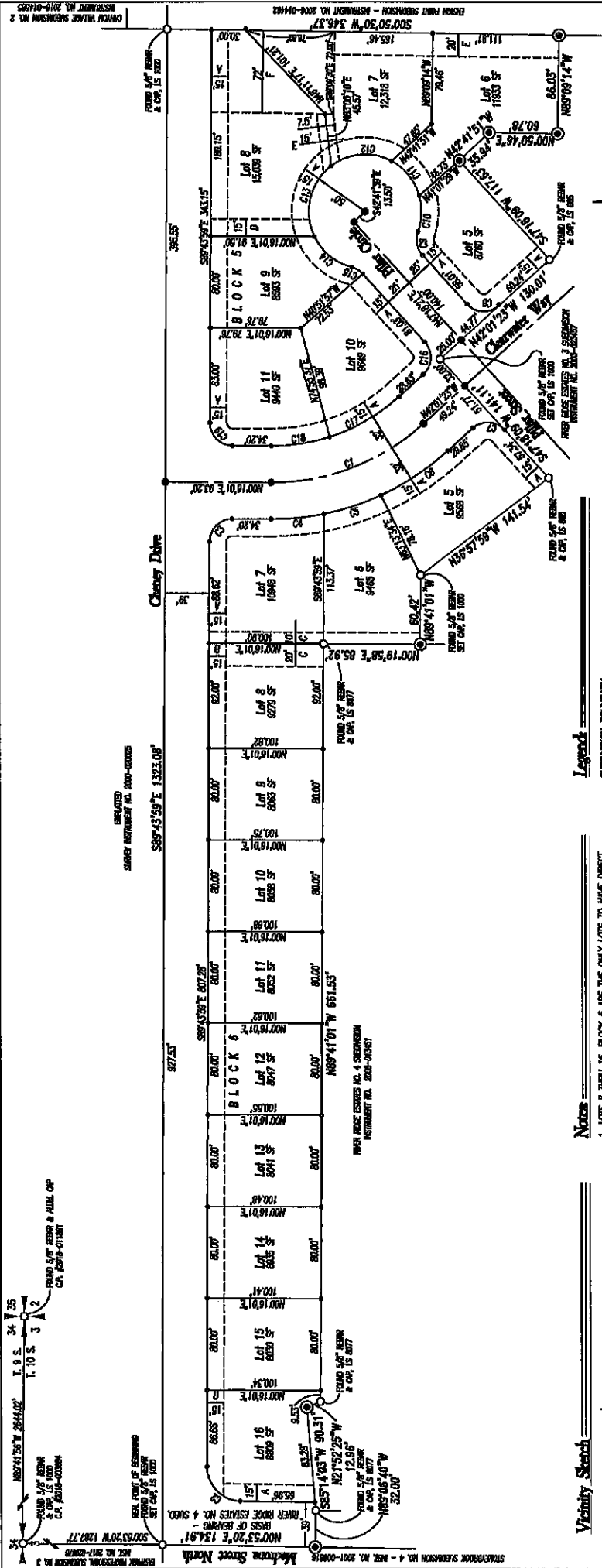


Vicinity Map

- C-1
- R-1 VAR
- R-2
- R-4
- PRO
- PUD

Current Zoning & Land Use:
R-1; Vacant
Comprehensive Plan:
Town Neighborhood
Adjacent Zoning & Land Uses:
North:
Future Cheney Dr. E.; R-1 VAR
PUD; Agriculture
South:
R-1 VAR; Residential
East:
R-1 VAR; Residential
West:
Madrona St.; R-1 PUD;
Residential





River Ridge Estates No. 5 Subdivision

Legend

Section 3

TWS R 17 F BM

Twin Falls County Idaho

2018



EHM Engineers, Inc.

Engineers / Surveyors / Planners

438-171P
Sheet 1 of 3

Legend

- SUBDIVISION BOUNDARY
 LOT LINE
 STREET CENTERLINE
 EASEMENT AS NOTED
 SET 5/8" x 24" REBAR & CAP (LS 1000)
 TO BE SET 5/8" x 24" REBAR & CAP (LS 1000)
 TO BE SET 1/2" x 24" REBAR & CAP (LS 1000)
 FOUND 5/8" REBAR

Exemption Key:

- A UTILITY EASEMENT
- B UTILITY & EROSION EASEMENT
- C EROSION EASEMENT
- D WATER LINE EASEMENT
- E STORM DRAIN EASEMENT
- F DRAINAGE & COMMON AREA EASEMENT

Contents

[illegible]

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1. LOTS 8 & 9, TRU 16 ARE THE ONLY LOTS TO HAVE DIRECT ACCESS TO CHENEY DRIVE. ALL OTHER LOTS SHALL BE ACCESS FROM CLEVELAND AVE, PULASKI STREET, OR PULASKI CIRCLE.
2. THE FRONTAGE AND COMMON AREA EASEMENT SHOWN ON LOTS 7 AND 8, SHALL BE OWNED BY THE OWNERS OF SAID LOTS 7 AND 8 AND SUBJECT TO A COMMON AREA MAINTENANCE AGREEMENT BY THE CITY OF THIN FALLS. COMMON AREA MAINTENANCE PROVIDED BY THE CITY SHALL BE LIMITED TO SURFACE MAINTENANCE OF LANDSCAPED AREAS, MAINTENANCE OF SIDEWALKS, AND MAINTENANCE OF THE COMMON AREA SHALL BEGET AND TO THE INDIVIDUAL PROPERTY OWNERS. ALL LOT OWNERS WITHIN THIS SUBDIVISION MAY BE SUBJECT TO FEES ASSESSED FOR MAINTENANCE FROM THE CITY OF THIN FALLS FOR THIS AREA AND THE LANDSCAPE STRIPS ADJACENT TO CHENEY DRIVE FOR THE LOTS WITHIN THIS AREA. ACCESS TO CHENEY DRIVE SHALL BE LIMITED TO THE FOLLOWING: LOT 1, BLOCK 6 TO LOTS 5, 8, 9, 11, BLOCK 5 AND LOT 7, BLOCK 6.

Investment Considerations

The interior monuments on this Plot shown as "70 BE S21", will be used in accordance with section 50-1333, Idaho Code on or before 2019 or as determined by the City of Twin Falls.

With Confidence:

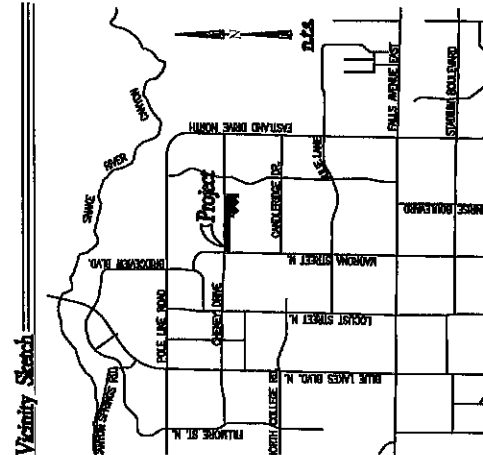
[illegible]

Dead References

2017001344

References

2000-020025
2014-004357





Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 26, 2018, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Members -

City Limits: Danielle Dawson, Vice-Chair; Craig Hawkins; Gerardo "Tato" Muñoz, Chairman; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairman Munoz called the meeting to order at 6:00 pm, read the public hearing procedures, confirmed a quorum and introduced staff.

Members Present: Dawson, Hawkins, Munoz, Hansen, Kelley

Staff Present: Cherry, O'Connor, Spendlove, Strickland, Vitek

2) Consideration of Amendments to Agenda

None

3) General Public Input

None

4) Consent Calendar

a) Approval of minutes from the following meeting: 06-12-18

b) Approval of findings of fact for the following meeting: 06-12-18

- Magic Valley Hospital (SUP)
- Epic Shine (SUP)
- Evans, Eric (SUP)
- Tommy's Car Wash (SUP)

Motion:

Commissioner Hawkins made a motion to approve the consent calendar, as presented. Commissioner Dawson seconded the motion.

Unanimously Approved

5) Items of Consideration

- a) Request for the consideration of the **Preliminary Plat** for Addison Springs Subdivision, approximately 12.5(+/-) acres , to develop 5 lots located at the northeast corner of Addison Avenue East & Carriage Lane. c/o Scott Allen, JUB Engineers, Inc. (app. PZ18-0021)

Applicant Presentation:

Scott Allen, JUB Engineers, Inc. representing the applicant, stated this property came through for a ZDA application earlier this year. The preliminary plat is for 5 lots the north 7 acres will be used for townhomes 96 Units on one lot. the 4 lots to the south are commercial and held in trust until development. Phase 1 will be residential, Phase 2 will be commercial. There will be a 96 units, a club house with an on-site manager and approximately half of the units will have covered parking, This development will provide a good buffer between commercial and residential.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for the consideration of the **Preliminary Plat** for Addison Springs Subdivision, approximately 12.5(+/-) acres , to develop 5 lots located at the northeast corner of Addison Avenue East & Carriage Lane.

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

This parcel has been in agricultural use since at least 1950 and likely before then. Development has occurred around it and it was part of the Cedar Park PUD #210, recorded in April 2008. It was recently rezoned with the Addison Springs ZDA, which was recorded June 11th 2018.

This is a request for approval of the preliminary plat of the Addison Springs Subdivision, a proposed mixed use development at the NE corner of Carriage Ln and Addison Ave E. The preliminary plat proposes 5 lots, 4 commercial lots along Addison Ave. E., and 1 residential lot with a multi-family development consisting of 96 residential units.

This Plat complies with City Code in regards to development criteria for the C-1 and R-6 Zoning Districts and the applicable ZDA.

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

plans are reviewed

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

Should the Commission approve the preliminary plat of Addison Springs Subdivision, as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

PZ/Questions & Comments:

- Commissioner Munoz asked about maintenance for the dog park. This facility will have its own maintenance for this area.
- Commissioner Hansen asked about parking requirements.
- Mr. Allen explained a code change that requires more parking based on the number of units has helped to address the parking concerns. This plan meets and exceeds the parking requirement.
- Commissioner Munoz asked about the parking islands. Mr. Allen explained the parking islands will be landscaped.

Public Hearing: Opened

Gary Nelson, explained he owns property to the east of this property and they have been working with this owner on things that will impact both properties like access into and out of the area. They are working together for solutions.

Public Hearing: Closed

Discussions Followed: Without Concerns

Motion:

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

Approved As Presented With The Following Conditions

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

- b) Request for the consideration of the **Preliminary Plat** for River Ridge Estates Subdivision No. 5, approximately 6.08 (+/-) acres, to develop 19 lots and 2 tracts located at the southeast corner of Cheney Drive extended and Madrona Street. Norht c/o Tim Vawser, EHM Engineers, Inc. (app. PZ18-0022)

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing the applicant, stated this was a larger part of a previous plat from a different owner. The approval of that plat had expired, this will re-establish the preliminary plat, it will extend Cheney Dr to Madrona Street per the City Transportation Master Plan.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for the consideration of the **Preliminary Plat** for River Ridge Estates Subdivision No. 5, approximately 6.94 (+/-) acres, to develop 19 lots and 2 tracts located at the southeast corner of Cheney Drive extended and Madrona Street.North.

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

This parcel is the last remaining portion for development for this area. The lots to the south were platted with River Ridge Nos. 3 & 4 in 2003 & 2008 respectively.

This property was part of the original Preliminary Plat for River Ridge. However, due to inactivity that original approval has expired and a new Preliminary Plat is required.

This is a request for approval of the preliminary plat of the River Ridge No. 5 Subdivision, a proposed single-family development located east of Madrona St. and south of Cheney Dr. The proposed development has 19 lots for single family development.

This Plat complies with City Code in regards to development criteria for the R-1 VAR Zoning District.

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

plans are reviewed

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

Should the Commission approve the preliminary plat of River Ridge Estates No. 5, as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

PZ/Questions & Comments:

- Commissioner Munoz asked about the Cheney Drive extension and the portion that will be built.
- Mr. Vawser explained that they will be building 1/2 of the road.
- Commissioner Munoz asked about driveway access onto Cheney Dr.
- Mr. Vawser explained each lot will have a turn around which is required by city code for homes along a collector.

Public Hearing: Opened & Closed Without Input

Discussions Followed:

- Commissioner Hansen asked about parking along the half road.
- P&Z Director Spendlove explained there will be two way traffic along this road and no parking along the road.
- Commissioner Munoz explained the turn around driveway meet code but it is still a concern.

Motion:

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

Approved As Presented With The Following Conditions

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

- c) Request for the consideration of the **Preliminary Plat** for Cedarpark Subdivision No. 11, approximately 6.94 (+/-) acres, to develop 1 lot located along the 200 Block of Meadowview Lane North. c/o Dave Thibault, EHM Engineers, Inc. (app. PZ18-0030)

Applicant Presentation:

David Thibault, EHM Engineers, Inc. representing the applicant, explained the property consists of 6.94 (acres) the plat is proposed to be a single lot designed for multi-family units. They will also be constructing their half of Meadowview Lane North and building it to city standards. Their property will be served by City water and sewer, there is an internal storm drainage and retention facilities planned within the development. The property is zoned correctly for the permitted use and meets the criteria for preliminary plat approval.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for the consideration of the **Preliminary Plat** for Cedarpark Subdivision No. 11, approximately 3.51 (+/-) acres, to develop 1 lot located along the 200 Block of Meadowview Lane North.. c/o Dave Thibault, EHM Engineers, Inc. (app. PZ18-0030)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. If tabled, approval or denial shall occur at the regular meeting following the meeting at which the plat is first considered by the Commission. The action and the reasons for such action shall be stated in writing by the Administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the approved preliminary plat to the Council for its information and record.

This parcel has been in agricultural use since at least 1950 and likely before then. Development has in vicinity of it and it is part of the Cedar Park PUD #210, recorded in April 2008.

This is a request for approval of the preliminary plat of the Cedar Park No. 11 Subdivision, a proposed multifamily development at the NW corner of Addison Ave E and future Meadowview Ln. The preliminary plat proposes 1 lot with 112 residential units.

This Plat complies with City Code in regards to development criteria for the C-1 Zoning District and the applicable PUD.

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

comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed

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

Should the Commission approve the preliminary plat of Cedarpark Subdivision No. 11, as presented, staff recommends approval be subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

PZ/Questions & Comments:

- Commissioner Munoz asked about a park located close to this development.
- City Planner O'Connor explained a parks-in-lieu has been accepted for this development, the most accessible park is Thompson Park.
- Commissioner Munoz asked about pedestrian crossing.
- City Planner O'Connor explained there is a pedestrian crossing located at the intersection signal located at Carriage Lane and Addison Avenue.
- Commissioner Munoz asked about the size of the units and parking
- City Planner explained it appears the units will be 4-plex.
- Commissioner Munoz asked about parking requirements.
- City Planner explained parking is based on the number of bedrooms.
- Commissioner Kelley asked about connections from Addison Avenue East to Meadowview Lane North.
- Assistant City Engineer Vitek explained staff recommended that a half road connection be constructed from Addison Avenue East to Whispering Pine Road.
- Commission Hansen clarified this would allow for two access points.
- Assistant City Engineer Vitek explained that is correct, he also clarified that roadway would only be constructed to the south of the applicants property until development of the adjacent property occurs, at that point the curb, gutter and sidewalk would be installed along this portion of the Meadowview Lane.
- Commissioner Munoz asked about the width of their portion of the road.
- Assistant City Engineer Vitek stated required width for their half of the road is 24'.
- Commissioner Hansen asked about sidewalks around the subdivision.
- Assistant City Engineer Vitek explained there will be sidewalks within the subdivision.
- Commissioner Hansen asked if there will be covered parking.
- Mr. Thibault stated there will not be covered parking, there will be sidewalks along

the front of the units with parking in front.

- Commissioner Munoz asked if fire has had a chance to review the plat.
- Mr. Thibault explained the Fire Department is included in the review of the plat.
- Commissioner Hawkins asked about drainage.
- Mr. Thibault explained the low lying sides of the property is northwesterly and the plat has been designed to meet city standards to address drainage and storm water retention, it will also collect a portion of the Meadowview Lane drainage at this location within an easement for maintenance purposes.

Public Hearing: Opened & Closed without Input

Discussions Followed:

- Commissioner Hawkins stated he does not have any concerns.
- Commissioner Munoz explained the biggest issue right now is that the parcel is landlocked.
- Commissioner Hansen is glad to see that there will be a connection from Addison to Whispering Pine Drive to provide additional access to the development.
- Commissioner Dawson thinks that it will be a good buffer to the north if commercial develops along the frontage of Addison Avenue East.
- P&Z Director Spendlove recommended that a condition that requires Meadowview Lane to be constructed from Addison Avenue East to Whispering Pine.

Motion:

Commissioner Dawson made a motion to approve the request, as presented with an additional condition that Meadowview Lane, from Addison Avenue East to Whispering Pine Drive, be constructed prior to occupancy of any building within the development. Meadowview Lane south of the project may be limited to twenty four (24) feet wide, until adjacent development occurs. Design of the roadway to be determined by City Engineer. Commissioner Kelley seconded the motion. Commissioners Dawson, Hawkins, Hansen and Kelley voted to approve the motion. Commissioner Munoz voted against the motion.

Motion to Amend Conditions Passed

Motion:

Commissioner Kelley made a motion to approve the request as presented with the amended conditions. Commissioner Dawson seconded the motion. All members voted in favor of the motion.

Approved, As Presented, With The Following Amended Conditions

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable

city code requirements and standards.

2. Subject to Meadowview Lane, from Addison Avenue East to Whispering Pine Drive, be constructed prior to occupancy of any building within the development. Meadowview Lane south of the project may be limited to twenty four (24) feet wide, until adjacent development occurs. Design of the roadway to be determined by City Engineer.

6) Public Hearings

- a) Request for a **Zoning District Change and Zoning Map Amendment** from R-4 to R-4 NCO ZDA for property located at 1122 Washington Street South. c/o Community Council of Idaho, Terrance A Blom (app. PZ 18-0018)

Applicant Presentation:

Terrance Blom, the applicant, explained the only modification to the original presentation was for sidewalks. They have provided a site plan with the sidewalks for the Commission to review.

Staff Presentation:

P&Z Director Spendlove reviewed the request on the overhead and stated that this is a request for a **Zoning District Change and Zoning Map Amendment** from R-4 to R-4 NCO ZDA for property located at 1122 Washington Street South.

The applicant is required to present a preliminary review to the Planning and Zoning Commission in which the commission may give suggestions and ask questions of the applicant about the proposed ZDA. A public hearing shall be held before the Commission for a recommendation to City Council to; amend the zoning district and the zoning map, amend with recommendations or deny the request.

El Milagro has a long history of providing low cost housing options in Twin falls since it was established in the mid 20th century as a migrant camp for transient farm workers. The property established a Head Start early childhood education center in 1989 and has expanded that operation several times over the years.

This is a request to rezone, with a Zoning Development Agreement, the El Milagro Housing Project from R-4 PUD to R-4 & NCO ZDA on property located at 1122 Washington St. S. The current facilities are aging and the Community Council of Idaho (CCI) wishes to redevelop the property to better serve it's residents and the surrounding community as a whole.

The ZDA proposes a low impact commercial element to this project, with the

addition of the NCO zone allowing non-profits and other service to be onsite to assist residents and other community members as well as make a private school a permitted use and building a new "Head Start" facility.

The residential development will be updated 4-plexes with garages. CCI also wishes to preserve several older residential buildings to memorialize the history of the site as a migrant camp.

The proposed development is similar to the currently developed density and is complementary to the surrounding neighborhoods.

All access to this property will be from the adjoining Washington Street South arterial Roadway. No vehicle access is shown to any of the surrounding neighborhoods.

If the Commission determines the proposed request appropriate, you may recommend approval to the City Council, as presented, subject to the following conditions.

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.

PZ/Questions & Comments:

- Commissioner Hansen asked about the setback of the buildings along Washington Street South and is it enough for future widening of the road.
- P&Z Director Spendlove explained that Washington Street South has a centerline setback requirement to ensure buildings are not constructed too close to the right-of-way.
- Commissioner Munoz asked about the intent of the commercial area.
- Mr. Blom explained the commercial area is to provide an area where they can consolidate their services to one location. They have also been working on partnerships with other non-profit organizations that may also be interested in providing services to this area of town.
- Commissioner Munoz asked about average age of the buildings that are there currently.
- Mr. Blom explained they were built in approximately 1942.
- Commissioner Kelley asked about the historic buildings.
- Mr. Blom explained there are two buildings on the property that are original. One is a shower unit and the other is barracks style dormitory that has never been changed. They were also buildings used during the Japanese Internment so they have been in contact with individuals in Minidoka to determine if the builds can be preserved or if there it can be designated as a memorial or museum.

Public Hearing: Opened & Closed Without Input

Discussions Followed:

- Commissioner Hansen explained as an entry way to the city from the airport he thinks this will be a beautiful project.
- Commissioner Munoz explained that he agrees and it is way overdue.

Motion:

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

7) Upcoming Meeting(s)

- a) July 10, 2018 Public Hearing
July 11, 2018 Work Session at 12:00 pm **(2nd Wednesday) Cancelled**

8) Adjournment

Chairman Munoz adjourned the meeting at 7:07 pm.

Lisa A. Strickland, Administrative Assistant



W End Looking E Along
Future Cheney Dr. E.



Looking S into River
Ridge No. 4



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Erin Steel, Troy Vitek

ACTION ITEM

Request:

ACTION ITEM: Request to accept a Right-of-Way Encroachment Agreement With West Coast Seed Mill and Supply Company.

Time Estimate:

Consent Calendar.

Background:

West Coast Seed Mill Supply Company located at 2362 Warren Avenue, Twin Falls, Idaho 83301 is constructing a new building. In order to provide the required ADA accessible parking they will need to encroach 10' into the City of Twin Falls Right-of-Way (ROW). The encroachment does not impact the street in any way, only an unpaved section of City ROW. This agreement will allow West Coast Seed to park within a portion of City ROW, if at anytime the City needs to utilize the ROW, this agreement will allow the City to require West Coast Seed to vacate the area at no cost.

Approval Process:

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

Budget Impact:

None

Regulatory Impact:

City Code requires that Right-of-Way encroachments be approved by City Council.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the Council approve the request as presented.

Attachments:

1. West Coast Seed Mill Supply Co ROW Encroachment Agreement
2. EHM Engineers_20181030_112342 Legal Description

RIGHT-OF-WAY ENCROACHMENT AGREEMENT

WHEREAS, Grantee owns certain real property at 2362 Warren Avenue and adjoining that public right-of-way; and,

WHEREAS, Grantee owns and operates a business with parking areas located within and encroaching in the public right-of-way; and,

WHEREAS, Grantee wishes to expand upon their property to the west and will extend the parking which encroaches into the public right-of-way and,

WHEREAS, The City Engineer has reviewed the Grantee's request for an encroachment permit, and has determined that the proposed encroachment will not interfere with the widening/improvement of Warren Avenue for the foreseeable future; and

WHEREAS, The Grantor and Grantee have agreed that the encroachment may remain so long as the right-of-way is not needed for the development of public infrastructure within the public right-of-way.

NOW, THEREFORE, The CITY OF TWIN FALLS, IDAHO, an Idaho municipal corporation, P.O. Box 1907, Twin Falls, Idaho 83303, hereafter referred to as "Grantor", does hereby grant and convey unto West Coast Seed Mill Supply Company, whose address is 2362 Warren Avenue, Twin Falls, Idaho 83301, hereafter referred to as "Grantee", a temporary encroachment permit and easement to be located on the public right-of-way, in the County of Twin Falls, Idaho. Said easement is legally described in Exhibit A, attached hereto, and as depicted in Exhibit B, also attached hereto.

This encroachment permit and easement may be revoked and terminated at the sole discretion of the Grantor, upon the determination that the right-of-way subject to this encroachment easement is needed for the further development of the Grantor's public infrastructure. Upon termination of this permit and easement, Grantee shall remove the parking area and return the right-of-way free and clear of any obstructions or impediments, in condition to permit construction of public infrastructure.

This Easement covers all of the agreements by the parties hereto and the parties agree further that there are no written or verbal agreements otherwise which change or add to the terms hereof. This grant of easement is perpetual, and shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

GRANTOR

GRANTEE

Shawn Barigar, Mayor
City of Twin Falls

Dwayne Hayden, (Title)_____
West Coast Seed Mill Supply Company

STATE OF IDAHO

) ss.

County of Twin Falls

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Shawn Barigar, Mayor of the City of Twin Falls, known to me to be the person whose name is) subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls.

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

Residing at:_____

Commission expires:_____

STATE OF IDAHO

) ss.

County of Twin Falls

On this ____ day of June, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Dwayne Hayden, _____, of West Coast Seed Mill Supply Company, known to me to be the person whose name is) subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the West Coast Seed Mill Supply Company.

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

NOTARY PUBLIC

Residing at:_____

Commission expires:_____

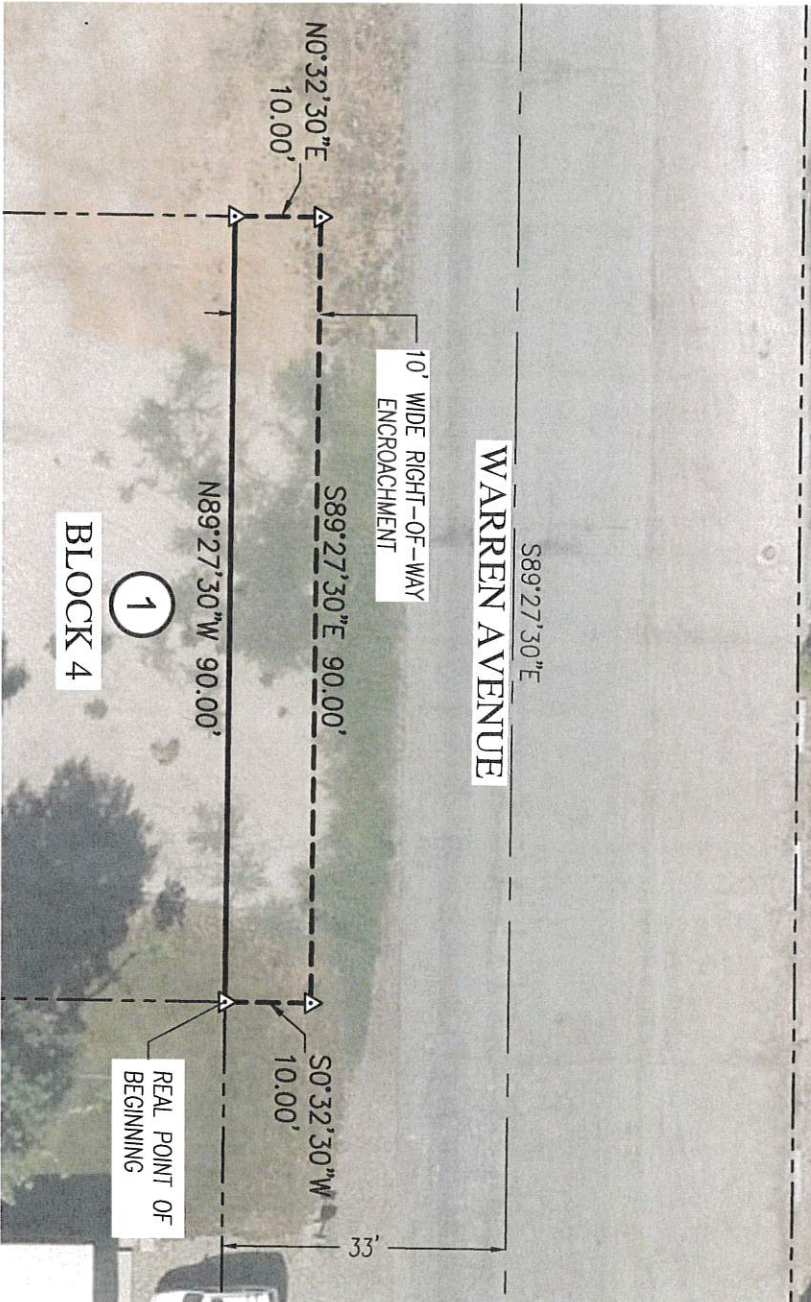
Exhibit A
Legal Description
Warren Avenue Right-of-Way Encroachment
Twin Falls, Idaho

Being a portion of Warren Avenue, as shown on that certain map entitled "Industrial Park Subdivision No. 2", recorded November 1, 1974 as Instrument No. 672407 in the office of the County Recorder of Twin Falls County, more particularly described as follows:

Beginning at the Northeast corner of said Lot 1 and being the REAL POINT OF BEGINNING;
Thence, along the North Boundary of said Lot 1, North 89°27'30" West 90.00 feet to the Northwest corner thereof;
Thence, leaving said North boundary, North 00°32'30" East 10.00 feet;
Thence, South 89°27'30" East 90.00 feet along a line parallel with and ten (10.00) feet Northerly from said North Boundary;
Thence, South 00°32'30" West 10.00 feet to said REAL POINT OF BEGINNING.

End of Description

A Portion of
 Warren Avenue
 Industrial Park Subdivision No. 2
 In
 SW ⁴, Section 23
 Township 10 South, Range 17 East
 Boise Meridian
 Twin Falls County, Idaho
 2018



SCALE IN FEET

EXHIBIT
 RIGHT-OF-WAY ENCROACHMENT
 TWIN FALLS, IDAHO



EHM Engineers, Inc.
 BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners
 621 North College Road, Suite 100 Twin Falls, Idaho 83301
 p (208)-734-4888 fax (208)-734-6049 web: ehmine.com

JOB NO.:	359-18
APPROVED	
DESIGN	
DRAWN	GSH
DATE	OCT. 2018
SCALE	SHOWN
V. 359-18 EXH-01	
Sheet No.:	1



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Erin Steel, Troy Vitek

ACTION ITEM

Request:

ACTION ITEM: Request to approve a Deferral Agreement with West Coast Seed and Supply Company.

Time Estimate:

Consent Calendar.

Background:

West Coast Seed Mill Supply Company located at 2362 Warren Avenue, Twin Falls, Idaho 83301 is constructing a new building. The construction of a new building triggers required improvements including construction of curb and gutter. Curb gutter does not exist on any section of Warren Avenue. Deferral of curb gutter will allow West Coast Seed to construct the new building without curb gutter, but at a future date when the City Engineer deems it appropriate the City may call the deferral and West Coast Seed will construct the curb gutter at a more appropriate time.

Approval Process:

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

Budget Impact:

None

Regulatory Impact:

City code states that deferrals must be approved by City Council.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the Council approve the request as presented.

Attachments:

1. DEFERRAL MULTI YEAR AGREEMENT

MULTI-YEAR IMPROVEMENT DEFERRAL AGREEMENT

This Agreement made and entered into this _____ day of _____, 20____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City", and WEST COAST SEED MILL SUPPLY COMPANY, hereinafter called "Developer", for the purpose of construction certain improvements on property sought to be developed.

WHEREAS, Developer certifies that he is owner in fee simple or the authorized agent of the owner in fee simple of the following described real property: ; and,

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the above described real property, marked Exhibit 'A', showing ownership of said real property to be in Developer, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above-described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner; and

WHEREAS, Developer desires to develop said real property in the following manner for a commercial building addition ; and,

WHEREAS, the Developer is obligated to construct certain improvements pursuant to Title 10, Chapter 11 of the Twin Falls City Code; and,

WHEREAS, the City is authorized, pursuant to Twin Falls City Code Section 10-11-1 to defer said improvements for a period not to exceed three (3) years when the cost of the required improvements exceed twenty-five percent (25%) of the cost of the proposed private improvements; and,

WHEREAS, the City Council on _____ agreed to defer construction of the aforementioned improvements,

WITNESSETH, that for and in consideration of the mutual promises, conditions, and covenants contained herein, the parties agree as follows:

I.

City agrees: 1) to defer construction of the required curb and gutter until _____; until such time as the obligation of the improvement construction on adjacent property or properties allows the City Engineer to require construction under the conditions specified in City Code Section 10-11-5(B) (2).

II.

Developer agrees to: 1) Complete construction of the above-listed improvements on the real property described above by the above-listed dates.

III.

Developer further agrees that in the event that Developer fails to complete the aforementioned construction, the City may complete the construction at the City's expense and may file a lien against the aforementioned property for expenses incurred by the City in said construction.

IV.

Developer agrees to pay the total actual cost of all materials, labor and equipment necessary to completely construct all of improvements required herein and to construct or contract for the construction of all such improvements.

V.

Developer agrees to request in writing that the City Engineer and any other required department of the City make the following inspections and to not proceed with construction until the required inspection is complete and the work has been approved in writing by the City Engineer or his authorized inspector. All such inspections shall be scheduled fifteen (15) days prior to beginning work and the request for an inspection shall be made one working day before the required

inspection. Developer agrees to pay all costs resulting from his failure to properly schedule and request a required inspection or from proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials, all as required by the City Engineer.

Required inspections shall include: 1) approval of all materials before inspection; 2) approval of forms and gravel base before pouring any concrete curb-gutter or sidewalk; and 3) approval of all finished improvements.

VI.

The Developer agrees to: 1) allow the City full and complete access to the construction; 2) provide all materials necessary to conduct all tests; and 3) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

VII.

Developer agrees to obtain any necessary permits from the Twin falls Highway District or the State of Idaho Department of Highways prior to constructing improvements on their respective rights-of-way if said permits are required by the aforementioned agencies. A certified copy of said permit or the original of said permit shall be submitted to the City prior to beginning construction thereon.

This Agreement shall be recorded and shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.

In the event of a breach of this Agreement, or should legal action of any kind be taken to enforce the provisions hereof, the prevailing party shall be entitled to reasonable attorney fees and costs awarded by the Court.

CITY OF TWIN FALLS, IDAHO

BY _____
Mayor

DEVELOPER

STATE OF IDAHO
On this ____day of _____,
20____, before me a notary public in
and for said State, personally
appeared

known to me to be the person who
name subscribed to the within
instrument, and acknowledged to me
that _____
executed the same.

Notary Public
Residing in _____
Expires _____

STATE OF IDAHO
On this ____day of _____,
20____, before me a notary public in
and for said State, personally
appeared

known to me to be the person who
name subscribed to the within
instrument, and acknowledged to me
that _____
executed the same.

Notary Public
Residing in _____
Expires _____



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Chief Craig Kingsbury, Twin Falls Police Department

PRESENTATION

Request:

PRESENTATION: Presentation of Idaho POST Certifications to Officers Salko Lilic, Elisha Batteiger, Tyler Kraft, Tyler Campbell, Chris Ehardt, and Powell Eaton.

Time Estimate:

The presentation will take approximately 30 minutes.

Background:

On April 4, 2018; April 24, 2018; June 14, 2018; June 19, 2018; and June 29, 2018, Officers Salko Lilic, Elisha Batteiger, Tyler Kraft, Tyler Campbell, and Chris Ehardt, respectively, were awarded their Idaho Peace Officer Standards and Training (POST) Intermediate Certification. To receive this certification, these Officers were required to complete hundreds of hours of training, including obtaining several college credits.

On August 6, 2018, Officer Powell Eaton was awarded his POST Advanced Certification. To receive this certification, Officer Eaton has received his POST Intermediate Certificate, has served over six years as a Police Officer in the State of Idaho, and has met the training requirements combined with obtaining college credits.

The personal commitment of these Officers to better themselves through training and education has helped the Twin Falls Police Department in achieving its goal of being the best Police Department in the State of Idaho.

Approval Process:

N/A

Budget Impact:

There is no budgetary impact.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Chief Kingsbury, Staff Sergeant Arnold Morgado, and Staff Sergeant Ron Fustos will present POST certificates to Officers Lilic, Batteiger, Kraft, Campbell, Ehardt, and Eaton before the City Council on November 5, 2018.

Attachments:

1. POST Certificates for 11-05-18 Presentation

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Intermediate Certificate

to

Salko Lilic

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 4th day of April, 2018.*

Jeff A. Harvey
Chairman

Kimberly
Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Intermediate Certificate

to

Elisha W. Batteiger

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 24th day of April, 2018.*

Jeff A. Loney
Chairman

Kimberly
Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Intermediate Certificate

to

Tyler D. Kraft

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 14th day of June, 2018.*

Jeff A. Harvey
Chairman

Kimberly
Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Intermediate Certificate

to

Tyler F. Campbell

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 19th day of June, 2018.*

Jeff A. Loney
Chairman

Kimberly
Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Intermediate Certificate

to

Christopher J. Ehardt

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 29th day of June, 2018.*

Jeff A. Harvey
Chairman

Kimberly
Interim Division Administrator

State of Idaho

*The Peace Officer Standards
& Training Council*

hereby awards the

Advanced Certificate

to

Powell L. Eaton

Twin Falls Police Department

*For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 6th day of August, 2018.*

Jeff A. Harvey
Chairman

Kimberly
Interim Division Administrator



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Steve O'Connor, City Planner

ACTION ITEM

Request:

ACTION ITEM: Request to waive the Non-Conforming Building Expansion Permit Process for a residential home located at 347 Polk Street. (App. PZ18-0086)

Time Estimate:

Staff's presentation may take up to 5 minutes.

Background:

On October 11th, 2018 city staff accepted an application for Waiver of Nonconforming Building Expansion submitted by Emma Jean Hansen. The proposed plans associated with the application show a ~154 sq. ft. addition to the rear (West) side of the existing residence.

The home is located in the R-2 Zoning District. The minimum Side Yard Setback for this zone is 7'. The existing home, built around 1947, according to County Assessor records, sits ~2' from the side (North) property line. Staff determined the current residence is legal nonconforming as the home was lawfully built before the current code requirement of 7' from the side property line.

The addition will encroach into the 7' side yard setback by ~2' as shown on the plan. This encroachment is the ideal alignment for the addition to line up with the existing home's elements on the west side. In no case shall the new addition encroach further into the side yard setback nor into the rear yard setback of 20'.

If the Council wishes, it may waive the public hearing requirement as per Section 10-3-4. This would allow the applicant to proceed immediately with the building permit process.

If the Council determines this request should go through the non-conforming building expansion permit process, an application would be required, and a public hearing shall be held with the Planning and Zoning Commission. The full process takes about 40 days from the date of application. If their decision is appealed to the Council, it could extend the time-frame another 40 days.

Approval Process:

Process for approval shall follow City Code 10-3-4.

Budget Impact:

N/A

Regulatory Impact:

If the Council approves the waiver, the applicant would proceed with applying for a building permit

which is in conformance to the plan approved by the Council.

History:

N/A

Analysis:

N/A

Conclusion:

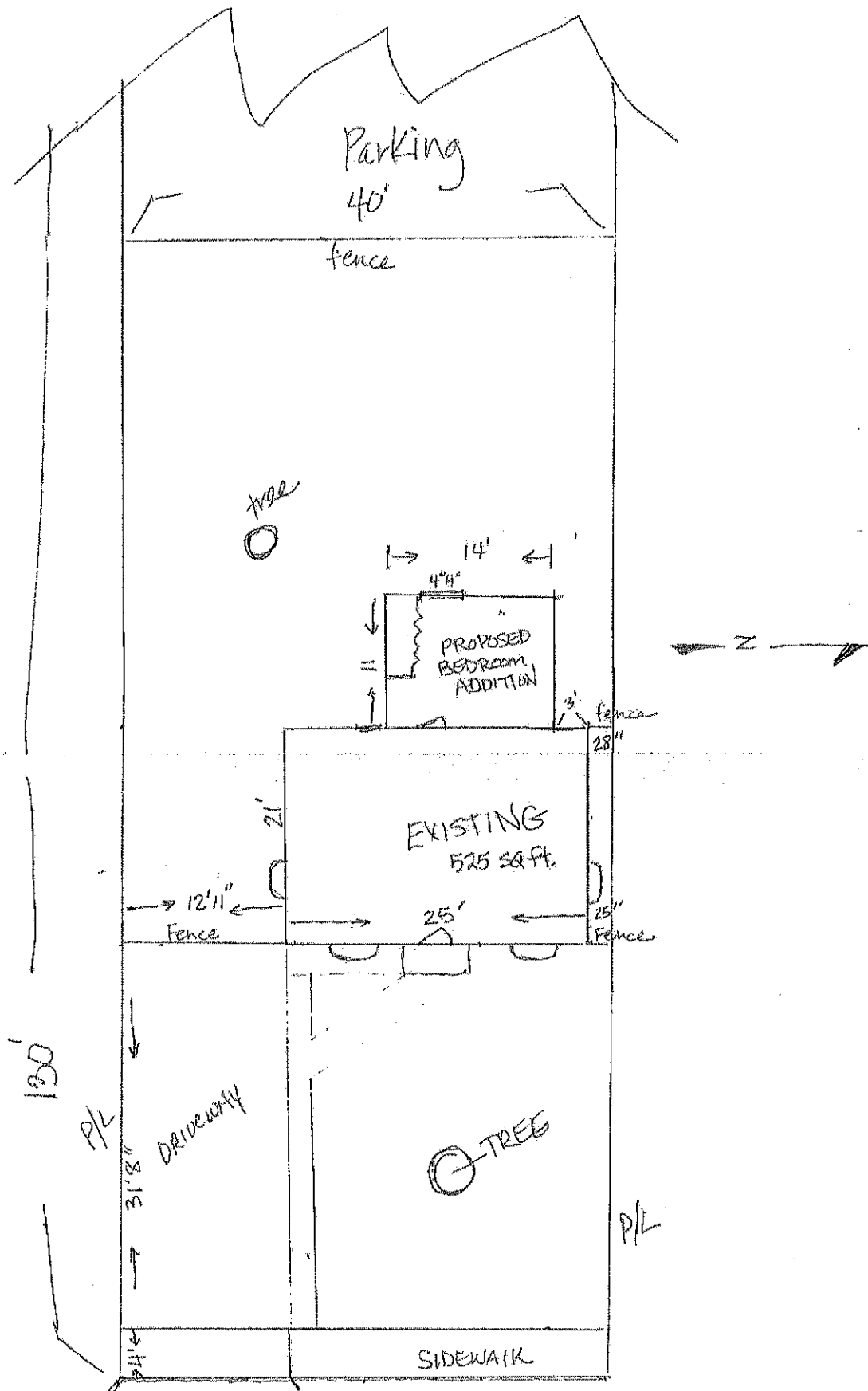
The Council is tasked with making a decision on this request. The Council may Approve the request as presented, Conditionally Approve the request, Deny the request, or Table the request in order to seek more information.

Attachments:

1. 1 - Applicant Narrative
2. 2 - Applicant Site Plan
3. 3 - Staff Exhibit

Item C. 2 is as follows:

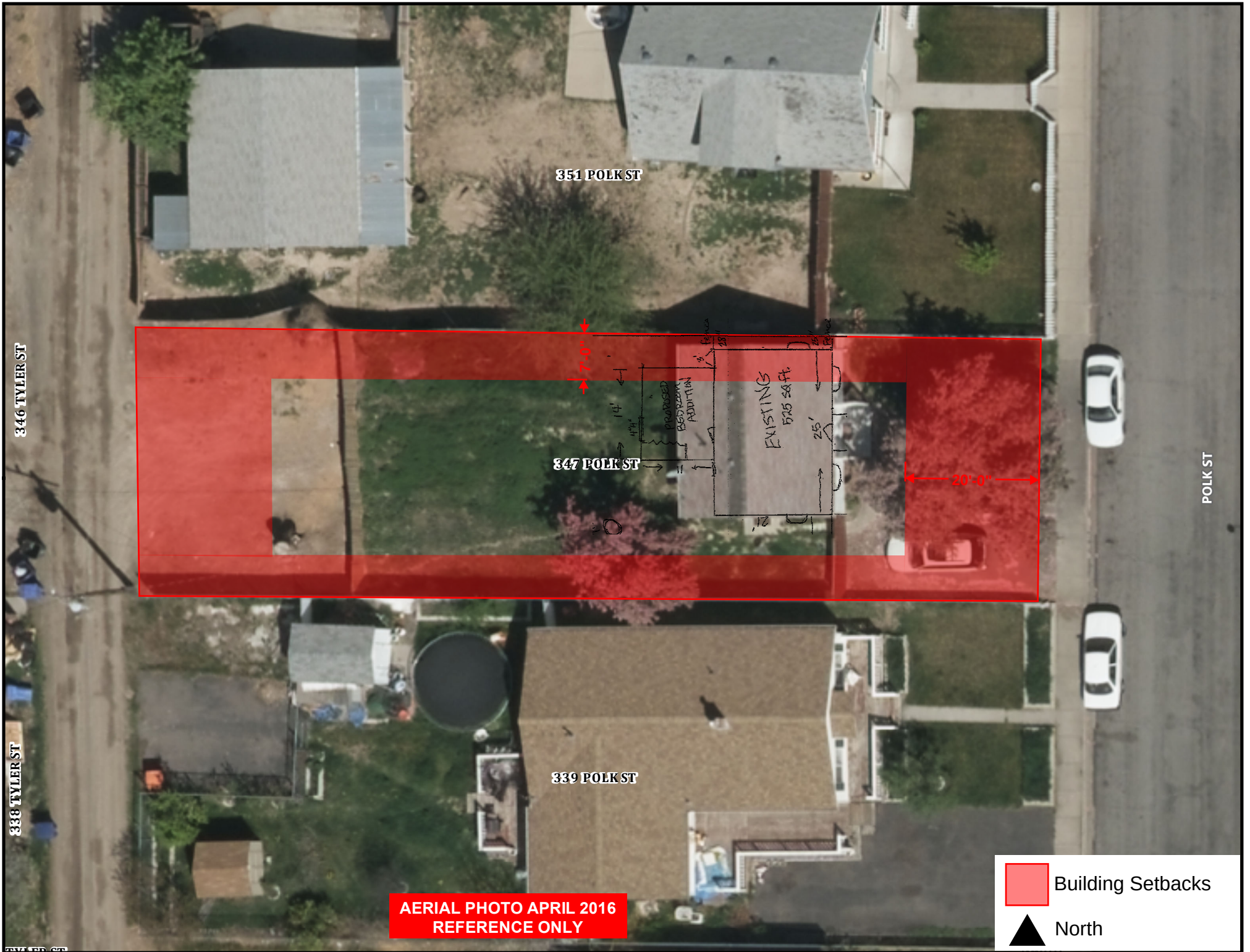
- a. We need to add a bedroom on the main floor as FHA and other lenders will not lend if there isn't a bedroom on the main level. Thus, we have had difficulty selling the property.
- b. The existing building is non-conforming as it is only 25" to 28" from the north property line.
- c. I believe the effects on adjoining property will be an increase to their current value.
- d. The proposed bedroom addition will be conforming as it will be set back 5' from the north property line.



$\frac{1}{8}" = 1 \text{ ft.}$

347 POLK
Residential SITE PLAN

EMMAJEAN HAKEN
8916W 1005
Paul, Idaho
83342
(208) 312-3531



346 TYLER ST

338 TYLER ST

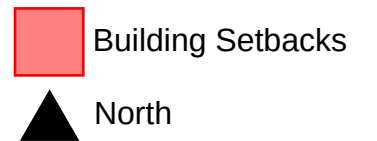
351 POLK ST

847 POLK ST

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POLK ST

AERIAL PHOTO APRIL 2016
REFERENCE ONLY





Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Kathy Markus, Information Services, Information Technology
Communications Manager

ACTION ITEM

Request:

ACTION ITEM: Request to approve Reserve Funds to Purchase a Public Safety Radio System and to Enter Into an Agreement with Federal Engineering for Consulting Services.

Time Estimate:

15 Minutes

Background:

In the 2017/18 Fiscal Year, \$562,840 was budgeted for an upgrade to our existing radio system to a Trunked P25 Digital System for police and fire services. We also had \$30,000 budgeted in professional services for radio consulting. Rather than pushing the purchases through without thorough investigation and discussions, these items were not purchased last year.

The City Manager, Public Safety Deputy City Manager, Police Chief, Fire Chief, Dispatch Communication Manager, ITC Manager, and Network Administrator have met and discussed the Radio system and the path that we are following. The group has determined that we do want to purchase the Trunked P25 Digital System upgrade this fiscal year and would like the assistance of Federal Engineering in the securing of the end vendor and negotiation of the vendor contract.

The digital system will remain on the 450 UHF system. The majority of our surrounding agencies use this frequency. For the past several years, all of the radios and repeaters that we have purchased are compatible with the analog system and with an upgrade they are compatible with the digital system. We will be using our existing towers, antennas, and combiners. This past preparation greatly reduces the cost of the Trunked P25 Digital System.

The proposed system will provide the following advantages:

- Radio users will be able to communicate with radio users on other towers without having to manually change channels
- Radios can be programmed with emergency button when reprogramming
- Radio users will receive a confirmation tone when connected
- An alert beep tells if the radio is not registered
- Radio users are identified, if an officer is requesting assistance, we will know who is in need of help
- If one repeater drops, connectivity is not dropped, there will be 1 less conversation
- Existing conversations do not allow interference
- No background noise
- Existing radios can be utilized
- Existing infrastructure can be repurposed

- Existing Quantar Repeaters can be used as cold backup equipment
- The system can easily integrate with SIRCOMM
- The radios can be programmed by our staff
- Talk groups and communication settings can be custom configured
- No yearly provider fees
- Easy to manage
- Channels can be added without having to add radios or antennas
- Technical radio problems are identified faster based on radio ID
- The system will have the same coverage and penetration as our existing system
- When coverage is added, the radios do not need to be reprogrammed
- Digital P25 scanners are required for the public to hear the conversations
- Encryption does not decrease the radio range as with analog.

Federal Engineering (FE) is an independent, nationwide systems engineering and consulting firm specializing in the planning, design and implementation of state-of-the-art communications systems. They have been assisting state and local governments for 33 years, consistently exceeding their clients' expectations. Because they are not affiliated with equipment manufacturers or service providers, their designs are not biased toward any particular technology, product or approach. They managed the City of Portland's radio upgrade and representatives from Portland were extremely happy with the services that were provided by FE.

The services that FE Engineering will provide for a total not to exceed \$30,000 are:

Procurement Assistance

FE will provide, memorandum form, a list of RFP shortcomings and the risks identified in and conduct a teleconference presentation on risk issues found and host a discussion clarifying any other open issues uncovered.

Proposal Evaluations

- FE will assist the City with the review of Vendor proposal(s)
- FE will develop requests for clarification and provide to the City for transmittal to the vendors
- FE will assist the City in developing and applying scoring criteria
- FE will participate in two detailed proposal evaluation conference calls with the City to assist with evaluations
- FE will develop a Compliance/Evaluation memorandum for each proposal
- FE will assist the City with Contract/price negotiations (Contract/price negotiation support includes one day onsite negotiations)

The city employees involved in the decision believe that the services provided by Federal Engineering will be instrumental in the successful vendor selection and contract negotiations. FE claims that frequently, during contract negotiations, they are able to reduce fees to more than cover the expenses of the FE contract.

Selecting the correct vendor and having a complete contract is essential for this proposed radio system

update to improve communications in life threatening situations.

Please note, the FE contract date and the vendor signature will be updated after council approval.

Approval Process:

Approve the spending of the reserve funds set aside from last fiscal year for a total of \$592,840 for a 450 UHF Trunked P25 Digital System Upgrade.

Approve the contract with Federal Engineering for procurement assistance, proposal evaluation guidance, and contract negotiations for a price not to exceed \$30,000.

Budget Impact:

\$592,840 was budgeted for this project last year but not spent. Lorie Race, the Chief Financial Officer has indicated that the funds were transferred and are sitting in reserves in the Capital Improvement Fund.

Regulatory Impact:

Action Item

History:

N/A

Analysis:

N/A

Conclusion:

The city public safety employees are often involved in incidents that are life threatening. During these incidents, it is critical that communication is clear and that the end user is easily identifiable. A properly installed 450 UHF Trunked P25 Digital System Upgrade will enhance our existing system to provide a safer experience for our employees. Using new equipment and leveraging our existing equipment will minimize the total cost of the upgrade. Having an experienced and highly recommended consultant to help guide the process will help ensure the vendor selection and service contract meet the expectations of the City.

Attachments:

1. FE Basic Service Agreement w GSA Rates 09-26-18 for Twin Falls ID 2018-09-28 Signed
2. FE Task Lists - 1 & 2
3. FE PSMR



Federal Engineering, Inc.

10600 Arrowhead Drive

Fairfax, VA 22030

703-359-8200

BASIC SERVICE AGREEMENT

AGREEMENT made this 26 day of September 2018 by and between Federal Engineering, Inc., a Maryland corporation, having offices at 10600 Arrowhead Drive, Suite 160, Fairfax, Virginia 22030, (hereinafter called "**FE**") and The City of Twin Falls, ID a local government corporation, having offices at 203 Main Avenue Est, Twin Falls, ID 83301 (hereinafter called the "**Client**").

The period of performance of this Agreement, for the purpose of issuing task orders hereunder, is from 9/26/2018 to 9/26/2019. This agreement may be extended by mutual agreement by both parties, in writing.

Subject to the provisions herein, **FE** shall in accordance with task orders issued hereunder, perform tasks in the general area of telecommunications, information technology, and management consulting services.

1. **STATEMENT OF WORK:** The **Client** may, from time to time, issue written Task Orders under this agreement which will specify: (a) the statement of work to be performed; (b) security requirements, if any; (c) ceiling price or amount of the order including all charges and travel authorizations, if any; and (d) any other applicable instructions. Said Task Orders will incorporate this agreement by reference. Where a conflict exists between the terms of any Task Order and the terms of this Agreement the terms of this Agreement shall control.

2. **CLIENT OBLIGATIONS:** Nothing herein shall be construed as an obligation of the **Client** to issue any tasks hereunder and the limit of the **Client's** duties shall extend only to such task orders as it may issue. Task Orders, when issued, are subject to review and acceptance by **FE**, which shall accept by signing in the space so provided and returning a copy of the Task Order.

3. **COMPENSATION:** For fixed price Task Orders, **FE** will submit invoices in accordance with the agreed upon milestone schedule showing the tasks that have been completed. For time and materials Task Orders, **FE** will submit invoices in accordance with the rates and terms indicated in Schedules A attached hereto and made part of this Agreement indicating the number of days or hours worked and an itemized breakdown of other costs incurred. Unless stated otherwise in any Task Order, payment of all invoices shall be due within thirty (30) days of the invoice date. Late balances are subject to a finance charge of 1.5 percent per month or fraction thereof. Any and all taxes, except income taxes, imposed or assessed by reason of this Agreement or its

performance, including but not limited to sales or use taxes, will be in addition to the invoiced amounts and shall be paid by the Client.

4. **INDEPENDENT CONTRACTOR:** **FE** shall be deemed at all times to be an independent Contractor. Neither **FE** nor its personnel shall at any time, or for any purpose be considered employees or agents of the **Client**. **Client** is hereby contracting with **FE** for the services described in the Task Order and **FE** is not required to perform the services during a fixed hourly or daily time and if the services are performed at the **Client's** premises, then **FE's** time spent at the premises is to be at the discretion of **FE**; subject to the **Client's** normal business hours and security requirements. **FE** hereby confirms to the **Client** that the **Client** will not be required to furnish or provide any training to **FE** to enable **FE** to perform the services required hereunder. The services shall be performed by **FE** and the **Client** shall not be required to hire, supervise or pay any assistants to help **FE** perform the services under this Agreement. The management of the work, including but not limited to the order or sequence in which it is performed, shall be under the control of **FE** subject to compliance with the task order. Except to the extent that **FE's** work must be performed on or with **Client's** computer or **Client's** software, all materials used in providing the services shall be provided by **FE**. **FE** shall provide any insurance coverage that is required in the normal course of business as well as any specialized insurance that is specifically called for in this agreement. The **Client** understands and agrees that as an independent contractor, **FE** does not have any authority to sign contracts, notes, or obligations to make purchases, or to acquire or dispose of any property for or on the behalf of the **Client**.

5. **WARRANTY:** **FE** hereby warrants to the **Client** that the firm is not under any obligation, contract, or agreement, nor has the firm previously executed any documents whatsoever, with any person, firm, association, or corporation that would, in any manner, prevent **FE** from giving, and the **Client** from receiving, the full benefit of the firm's consulting services. **FE** makes no other warranties, whether written, oral or implied, including without limitation warranty of fitness for purpose or merchantability. In no event shall **FE** be liable for special or consequential damages, either in contract or tort, whether or not the possibility of such damages has been disclosed to **FE** in advance or could have been reasonably foreseen by **FE**, and in the event this limitation of damages is held unenforceable, then the parties agree that by reason of the difficulty in foreseeing possible damages, all liability to **Client** shall be limited to One Hundred dollars (\$100.00) as liquidated damages and not as a penalty.

6. **PROPRIETARY INFORMATION:** **FE** hereby agrees that at all times both during the term of this Agreement and three (3) years after termination thereof, **FE** will hold inviolate and keep secret all knowledge, information, data, trade secrets, inventions, and customer lists that have been clearly marked "PROPRIETARY" by the **Client**. **FE** under the terms of this agreement will not disclose such information to any competitor, or other individual, corporation, or firm except when authorized to do so by the **Client**, in writing. Nothing herein shall be construed as to preclude **FE** in engaging in any occupation or endeavor which will not directly or indirectly involve the proprietary information of the **Client**.

FE's obligations with respect to handling and using proprietary information as set forth in this agreement are not applicable to: (1) Information that at the time of

disclosure under this agreement is either known to **FE** or disclosed in existing literature or patents or is in any other way in the public domain; (2) Information that after disclosure under this agreement becomes known to **FE** by independent discovery or by casual observation or analysis of information provided by a third party; (3) Information that after disclosure under this agreement becomes known to **FE** from a source other than the **Client** without breach of any obligation by the disclosing party; (4) Information that is or has been furnished by the disclosing party to the Government with "unlimited" rights, and (5) Information available in the public domain

7. **RELEASE OF INFORMATION:** **FE** shall not make any public release of information in any medium concerning this agreement without prior review and approval by the **Client**, except as required by the Idaho Public Records Law. Requests for review of any materials proposed for public release in any medium shall be submitted in writing to an authorized representative of the **Client** for approval, which shall not be unduly withheld.

8. **TERMINATION FOR CONVENIENCE:** This Agreement may be terminated by either party at any time, for any reason, by giving written notice of such termination to the other party. Should the **Client** terminate this agreement while work is in progress, **FE**, upon receipt of the notice shall stop all work as quickly as practical. The **Client** shall be responsible for all labor and expenses incurred by **FE** up until work actually terminates.

9. **ASSIGNMENT:** Neither party shall assign or transfer this Agreement without written consent of the other party.

10. **GOVERNING LAW:** This agreement shall be interpreted and the rights of the parties shall be determined under the laws of the State of Idaho. The **Client** hereby agrees to pay all legal, court, and collection fees incurred by **FE** to collect any overdue invoices rendered to the **Client**. The **Client** agrees that the venue for any and all disputes shall be in the courts of Twin Falls County, Idaho.

11. **COMPLIANCE WITH APPLICABLE LAWS:** **FE** agrees to comply with all applicable laws, statutes, and orders of the United States Government and any State or political subdivisions thereof now in effect or hereafter enacted, and the same shall be deemed to be incorporated by reference.

12. **SET OFF:** The **Client** agrees that **FE** shall have the right to set off, against any amounts which may become due and payable to the **Client**, any amount which the **Client** may owe to **FE**, whether arising under this Agreement or otherwise.

13. (Deleted)

14. **NON-SOLICITATION:** **Client** hereby agrees that for the term of this Agreement, and for a period of one (1) year thereafter, that the **Client** shall not directly or indirectly, orally, in writing, or by other method of communication, solicit any employee, agent, or consultant of **FE**, nor encourage any employee, agent, or consultant to terminate his or her employment or relationship with **FE**. **Client** further agrees that for the term of this Agreement, and for a period of one (1) year thereafter, should the **Client** hire any

employee, agent, or consultant of **FE**, that **FE** is entitled to a finder's fee equal to seventy percent (70%) of the employee, agent, or consultant's first year total compensation package.

15. **WAIVER:** The failure of **FE** to insist on strict performance of any of the terms and conditions hereof shall not constitute a waiver of any other provisions.

16. **FORCE MAJEURE:** Neither party shall be responsible for failure to fulfill its obligations due to causes beyond its reasonable control, including without limitation, acts or omissions of government or military authority, acts of God, materials shortages, transportation delays, fires, floods, labor disturbances, riots, wars, terrorist acts or any other causes, directly or indirectly beyond the reasonable control of the non-performing party, so long as such party is using its best efforts to remedy such failure or delays.

17. **ATTORNEYS FEES:** If the **Client** should breach any term, condition or obligation created by this Agreement, then **FE** shall be entitled to be reimbursed for all of its reasonable attorneys' fees, court costs, litigation fees, transcript costs, deposition costs, and other related litigation and non-litigation costs incurred by **FE**. If **FE** should breach any term, condition or obligation created by this Agreement, then **Client** shall be entitled to be reimbursed for all of its reasonable attorneys' fees, court costs, litigation fees, transcript costs, deposition costs, and other related litigation and non-litigation costs incurred by **Client**.

18. **CONSTRUCTION:** Paragraph numbers and headings are for convenience only and shall not affect the interpretation of this agreement. If any term or condition of this Agreement is in conflict with local, state, or federal law and becomes null and void, the remainder of the Agreement shall survive and remain in effect. If the scope of any of the provisions of the Agreement is too broad in any respect whatsoever to permit enforcement to its full extent, then such provisions shall be enforced to the maximum extent permitted by law, and the parties hereto consent and agree that such scope may be judicially modified accordingly and that the whole of such provisions of this agreement shall not thereby fail, but that the scope of such provisions shall be curtailed only to the extent necessary to conform to law. This Agreement shall be construed as having been negotiated between the parties and not drafted by a particular party.

19. **ENTIRE AGREEMENT:** This Agreement supersedes all previous agreements both oral and in writing and contains all the terms and conditions of this transaction. All modifications to this agreement must be reduced to writing as amendments and duly executed by both parties hereto.

20. **EFFECTIVE DATE:** This Agreement shall become effective when executed by both parties and shall be binding upon the parties hereto, their successors and permitted assigns.

21. This agreement is for Tasks 1 and 2 on page 3 of this document for any expected total of \$29,616 and a total not to exceed \$30,000.

FEDERAL ENGINEERING, INC.

CLIENT

By: Ronald F. Bosco
(Signature)

Ronald F. Bosco
(Print Name)

Ronald F. Bosco
(Title)

September 28, 2018
(Date)

By: _____
(Signature)

(Print Name)

(Title)

(Date)

SCHEDULE A – GSA SCHEDULE
GSA SCHEDULE 70
CONTRACT NUMBER: GS-35F-0159Y
FEDERAL ENGINEERING, INC. RATES

Effective January 23, 2012 through January 22, 2022

Labor Category	Off-site Price w/ IFF
Principal	\$265.40
Director/Chief Consultant	\$207.78
Project Manager	\$159.29
Senior Communication Systems Engineer	\$164.43
Communication Systems Engineer	\$135.87
Senior Radio Engineer (RF Eng. II)	\$159.29
Radio Engineer (RF Engineer I)	\$128.56
Senior Subject Matter Expert II	\$164.43
Subject Matter Expert I	\$140.25
Senior Systems Engineer II	\$159.29
Systems Engineer I	\$135.87
Senior Network Analyst	\$168.46
Network Design Engineer	\$122.42
Senior Quality Assurance Specialist	\$159.29
Senior Analyst	\$112.44
Analyst	\$ 84.33
LAN Applications Analyst	\$ 91.69
Security Specialist	\$ 95.72
Field Technician	\$ 82.46
Network Technician	\$ 70.28
Communications Equipment Tech	\$ 62.22
Administrative/Computer Services	\$ 57.43

TERMS AND CONDITIONS

1. GSA rates do not include state or local taxes.
2. Hours expended for travel in support of any time and materials task orders are billable hours.
3. Invoices will be rendered monthly. All invoices are due and payable 30 days from issuance. Late balances are subject to a finance charge of 1.5 percent per month (or fraction thereof).

Kathy Markus

From: Neil Horden <nhorden@fedeng.com>
Sent: Friday, September 21, 2018 11:04 AM
To: Kathy Markus
Cc: Ron Bosco; Scott Wiggins; Patti D'Andrea; Laura Cross; Chuck Hnot
Subject: Twin Falls, ID; Radio System Procurement assistance Proposal

Kathy:

Thank you again for the time you have spent with Scott and me on our previous conversations. Based on those conversations we have adjusted the tasks we will perform and associated pricing to ultimately get the City's first responders a new land mobile radio system. **FE** will work as your trusted advisor and make this process "easy" for you. We have been providing these services for 35 years and have a proven methodology to successfully get this project completed for the city. Here are the tasks:

Procurement Assistance

Task 1 RFP and Q&A Review

- 1.1. To establish a solid basis for vendor proposal evaluations, **FE** will review the RFP documents created and distributed by the City in addition to other relevant documents.

The review will include Questions received from the Vendors and Answers provided by the City

The review will highlight any soft areas in the RFP that may result in risks, and make recommendations for risk minimization and mitigation

Note: Due to the structure and content of the RFP written by the City and the fact that **FE** is entering this project after the vendors have provided their proposals;

Some risks may not be able to be minimized or mitigated

Some risks may not be able to be identified

If the risks are too great, it may be necessary to issue a revised RFP and obtain new vendor proposals. **FE** can assist in the process on an optional basis

- 1.2. Deliverable: **FE** will provide, memorandum form, a list of RFP shortcomings and the risks identified in and conduct a teleconference presentation on risk issues found and host a discussion clarifying any other open issues uncovered.

Task 2 Proposal Evaluations

- 2.1. **FE** will assist the City with the review of Vendor proposal(s) (up to 3)
- 2.2. **FE** will develop requests for clarification and provide to the City for transmittal to the vendors
- 2.3. **FE** will assist the City in developing and applying scoring criteria
- 2.4. **FE** will participate in two detailed proposal evaluation conference calls with the City to assist with evaluations
- 2.5. **FE** will develop a Compliance/Evaluation memorandum for each proposal (up to 3)

Note: Due to the fact that **FE** is entering this project after the vendors have provided their proposals;

FE's role in the process is to evaluate the vendors' proposals for compliance to the RFP requirements as written and/or amended by the City.

FE cannot determine if the proposed system will meet the City's expectations or underlying user functional requirements.

2.6. **FE** will assist the City with Contract/price negotiations

Contract/price negotiation support includes one day onsite negotiations

The **FE** price for Tasks 1 and 2 is \$29,616. This cost is a fraction of the value, piece of mind and cost savings we will achieve for you during the vendor negotiation. It is not uncommon for us to save clients more through contract negotiation than the cost of the service we are providing.

FE has also developed a price estimate for the implementation assistance tasks we would recommend for the timely and successful completion of your system from contract acceptance through final system acceptance. This price estimate is based on previous experience with systems of similar size and complexity to the City's. It is possible that more or less support may be needed depending on a number of factors which remain unknown at this time such as the vendor contract, duration of the project, and division of responsibilities among the vendor, City, and **FE**.

Implementation Assistance

Task 3 Implementation

- 3.1. **FE** will provide the following Project Management tasks from contract acceptance through system acceptance (assuming a 6-month project)
 - a. **FE** will organize and manage status calls as required (monthly to weekly depending on project activity)?
 - b. **FE** will maintain an independent punch list of issues requiring resolution

Task 4 Detailed Design Review (DDR) Completion

- 4.1. **FE** will review/edit and provide comments on DDR documentation from the vendor
- 4.2. **FE** will attend one on-site DDR meeting with the vendor (1 day)
- 4.3. **FE** will provide guidance for revision of DDR documentation
- 4.4. **FE** will follow-up with the vendor and City as needed for completion of DDR (Limited to 2 weeks)
- 4.5. **FE** will provide guidance on acceptance of final DDR design

Task 5 Staging

- 5.1. **FE** will review the Staging Acceptance Test Plan (SATP) prior to staging, and provide guidance on acceptance
- 5.2. **FE** will attend staging tests (2 days)
- 5.3. **FE** will assist the City with follow-up for issues found in SATP as needed
- 5.4. **FE** will provide guidance on SATP acceptance

Task 6 On-call Technical Support

- 6.1. **FE** can provide Fleetmapping assistance as requested (Limited to 8 Hours)
- 6.2. **FE** can provide FCC license review as requested (Limited to 8 Hours)

Task 7 Coverage Testing

- 7.1. **FE** will review the Coverage Acceptance Test Plan (CATP)

The CATP is typically developed in concert with the DDR

- 7.2. **FE** will attend the coverage testing kick-off meeting (process review) (1 day)
- 7.3. **FE** will review vendor coverage test results
- 7.4. **FE** will provide guidance on acceptance

Note: The non-typical nature of the coverage requirement called out in the City's RFP and hence the CATP is identified as an area of significant project risk

Due to the wording of the coverage requirements as written in the RFP, only DAQ measurements at specified locations are anticipated. DAQ alone is not a sufficient indicator of performance for digital systems.

Should a more thorough CATP be required, additional resources and costs may apply.

Task 8 Acceptance Testing - features/functions

- 8.1. **FE** will review the vendor proposed test plans
- 8.2. **FE** will provide guidance and suggested revisions to the Vendor
- 8.3. **FE** will attend the acceptance testing (2 days)
- 8.4. **FE** will review the vendor's test results and provide guidance and recommend on acceptance

Task 9 Cutover

- 9.1. **FE** will review the vendor's cutover plans
- 9.2. **FE** will coordinate with the City to provide guidance and propose recommendations for cut-over plan revisions
- 9.3. **FE** will attend the system cutover, assisting with monitoring for plan compliance and acceptability

Task 10 Final System Acceptance

- 10.1. **FE** will review vendor System Acceptance plans
- 10.2. **FE** will verify system documentation is complete and meets requirements
- 10.3. **FE** will verify that provided training is complete and meets requirements
- 10.4. **FE** will verify that all system issues have been addressed and punch-lists are clear
- 10.5. **FE** will verify the results of the 30-Day Performance Test Period
- 10.6. **FE** will make recommendation on Final System Acceptance, or the requirement for additional testing

The **FE** price for Tasks 3 to 10 is estimated at \$49,000. These tasks, their level of effort, and costs will be more fully defined after **FE** has had the opportunity to review the vendors proposals.

If the proposed scope and pricing for the Procurement Assistance tasks is agreeable to the City, **FE** will develop a formal statement of work describing those above tasks in more detail for attachment to a contract. This SOW will include:

- Detailed description of each task
- Deliverables
- Milestone schedule
- Cost including invoicing milestones
- Assumptions/Basis

We look forward to getting started and assisting you to improve communications for the City's first responders and the residents they serve. Should you have any questions, please feel free to contact me by responding to this message or at the number below.

Best regards,

Neil

Neil Horden, Chief Consultant,
602 Willow Drive
Kannapolis, NC 28083
Direct: 703.349.5704
Email: NHorden@FedEng.com

Federal Engineering, Inc.
10600 Arrowhead Drive
Fairfax, Virginia 22030
Phone: 703.359.8200
Website: www.FedEng.com



Company Proprietary Information: This e-mail and any attachments may include Company sensitive and/or proprietary information and are for the exclusive use of the intended recipient. If you have received this email in error, please do not read, distribute, or take any action regarding its contents. Instead, please notify me immediately by return email and promptly delete this message and its attachments from your computer system. Federal Engineering does not waive any privilege by the transmission of this message nor is it intended that any Company sensitive or proprietary information contained herein that is owned by Federal Engineering or its clients be received or viewed by anyone other than the intended recipient.



"Unleashing the Power of Technology"

Federal Engineering

Public Safety Mobile Radio Communications Consulting

You rely on your communications system. It's your lifeline.

Federal Engineering consultants have a collective, in-depth knowledge of public safety land mobile radio technologies unsurpassed in the industry. Our public safety specialists have worked on virtually every type of system and in hundreds of situations as consultants, manufacturer employees, first responders, and as public officials. These experts will craft the most cost-effective solution based on your communications needs.



Federal Engineering is an independent, nationwide systems engineering and consulting firm specializing in the planning, design and implementation of state-of-the-art communications systems. We have been assisting state and local governments for 33 years, consistently exceeding our clients' expectations. Because we are not affiliated with equipment manufacturers or service providers, our designs are not biased toward any particular technology, product or approach.

Federal Engineering's services cover all phases of your system's lifecycle; from Needs Assessment and Strategic Planning through Procurement Support and Independent Validation and Verification of an installed system.

Federal Engineering Services

- | | |
|---|-----------------------------|
| ◆ Needs Assessment | ◆ Interoperability Analysis |
| ◆ Strategic Planning | ◆ Mobile Data |
| ◆ Total Communications Network Design | ◆ RFP Development |
| ◆ Dispatch Center Design | ◆ Procurement Support |
| ◆ Coverage & Capacity Analyses | ◆ FCC License Applications |
| ◆ Spectrum Planning & Interference Analyses | ◆ Program Management |
| ◆ Site Planning & Selection | ◆ Implementation Management |
| ◆ Governance | ◆ Independent Validation |

Federal Engineering, Incorporated • 10600 Arrowhead Drive • Fairfax, Virginia 22030
For more information www.fedeng.com • Email info@fedeng.com • Call 703-359-8200



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Mitch Humble, Deputy City Manager

ACTION ITEM

Request:

ACTION ITEM: Request to amend City Code section 2-5-3 to allow the Planning and Zoning Commission to be appointed to fulfill the duties of the City's Traffic Safety Commission.

Time Estimate:

The staff presentation will take about five minutes. Additional time may be needed for questions and discussion.

Background:

Earlier in the year, a member of our Traffic Safety Commission questioned City staff regarding the content of that Commission's agendas. He suggested that the Commission was not really working on the long term, city-wide traffic planning issues that the City Code suggested they should be working on. The question caused us to perform an evaluation of the Commission and their workload. What we found was that the Commission was spending most of their time reviewing very specific requests for changes to traffic control devices, like crosswalks, stop signs, or speed limit changes in a specific location. We also found that the larger, city-wide traffic planning efforts were happening, but by different groups, like the Planning & Zoning (P&Z) Commission with large development review and approval, of the ad-hoc Master Transportation Plan Committee with their work on the Plan update.

In addition to the distribution of duties, we also found that we have traditionally had a very hard time keeping the Traffic Safety Commission at full membership. It is not a Commission that generates a lot of applicant's when there is a vacancy. Currently, the Commission only has three members appointed to the seven positions. That is not even a quorum. The Commission has traditionally had to cancel many of its meetings each year. They have one meeting a month on the schedule. Several meetings are cancelled due to a lack of agenda items, and many have been cancelled due to a lack of a quorum being available.

A couple of months ago, several City staff members from the City Manager's office, the Police Department, and the Engineering Department met with the Mayor and Council liaison to the Commission to discuss these issues and try to come up with a solution. In that meeting, it was agreed that it is important to have a Council advisory commission that is tasked with the long term, large impact traffic planning duties. It is also important to have a commission that can assist the Engineering Department when needed to help make politically difficult decisions regarding traffic control issues in specific locations. There was a consensus that the City still needs a Traffic Safety Commission.

However, the group also agreed that keeping a stand-alone Traffic Safety Commission at full membership was going to remain difficult. A proposal was suggested that perhaps another standing commission, already in place, could be appointed to also act as the Traffic Safety Commission, similar to how we

assigned the Parks & Recreation Commission to also be the Tree, Pool, and Golf Commissions maybe five years ago. Since the P&Z Commission is already considering traffic safety concerns with their regular development review and approval duties, and they already have to be involved in the Transportation Master Plan adoption process, maybe the P&Z Commission could be appointed to act as the Traffic Safety Commission as well.

The group discussed the idea and believed it to be one worth pursuing. Historically, we have not had a hard time finding residents willing to serve on the P&Z Commission. Earlier this year, we had 12 applicants for two vacancies on the P&Z Commission. Additionally, the P&Z Commission meets three times a month already, and rarely has to cancel a meeting due to lack of agenda items or lack of a quorum. The frequency of their meetings will actually provide a much more timely response for location specific traffic control change requests that need to be considered by the Traffic Safety Commission. For the reasons, the group decided to move forward with this plan.

The Mayor and I then met with the remaining three members of the Traffic Safety Commission to discuss the plan and get their input. All three of them, knowing that it meant they would not be continuing to serve on the Commission, fully supported the idea, agreeing that it was a much better solution for the Commission. One of those three was the one that started this whole process with his questions about the Commission's duties. The Mayor and I then met with the P&Z Commission to discuss the plan. The P&Z Commission fully supported the idea as well, welcoming the additional duties. They voted unanimously to recommend that the Council approve the subsequent Code amendment and appointment.

Therefore, the City Attorney's office has prepared an ordinance amending City Code 2-5-3 to add a new subsection (I), which allows the Mayor to appoint and the Council to approve the Planning & Zoning Commission to fulfill the duties of the Traffic Safety Commission. That ordinance is attached for your review. Staff and the Planning & Zoning Commission recommend that the Council adopt the attached ordinance as presented.

Approval Process:

Should the Council wish to adopt the attached ordinance at tonight's meeting, the Council must, by motion and super-majority vote, suspend the rules and place the ordinance on third and final reading, by title only. Following that successful motion, a simple majority vote is needed to adopt the ordinance.

Budget Impact:

There will be a small cost associated with the publication of the attached ordinance, if adopted. There is no other significant budget impact associated with this request.

Regulatory Impact:

Approval of this request will amend City Code 2-5-3 as discussed above. The following item on tonight's agenda, is a request from the Mayor to have the Council approve his appointment of the Planning & Zoning Commission to fulfill the duties of the Traffic Safety Commission, in accordance with the Code amendment being proposed.

History:

N/A

Analysis:

N/A

Conclusion:

The Planning & Zoning Commission and City staff recommend that the Council adopt the attached ordinance as presented.

Attachments:

1. Traffic Safety Commission 2-5-3 Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE 2-5-3 TO ADD A NEW SUBSECTION (I) ALLOWING THE MAYOR AND CITY COUNCIL TO APPOINT THE PLANNING AND ZONING COMMISSION TO FULFILL THE DUTES OF THE TRAFFIC SAFETY COMMISSION.

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

Section 1: That Twin Falls City Code 2-5-3 is amended as follows:

“2-5-3: MEMBERSHIP:...

(I) With approval from the city council, the mayor may appoint the Planning and Zoning Commission to fulfill the duties of the Traffic Safety Commission.”

PASSED BY THE CITY COUNCIL _____, 2018

SIGNED BY THE MAYOR _____, 2018

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 2018



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Shawn Barigar, Mayor

ACTION ITEM

Request:

ACTION ITEM: Request to appoint the Planning and Zoning Commission to fulfill the duties of the Traffic Safety Commission.

Time Estimate:

The presentation will take about 2 minutes. Additional time may be needed for discussion.

Background:

With the adoption of the ordinance on the previous agenda item, I would like to appoint the Planning & Zoning Commission to fulfill the duties of the Traffic Safety Commission, for all the reasons discussed during that deliberation.

In addition, I would like to offer the Mayor and Council's sincere appreciation to past members of the Traffic Safety Commission for their dedicated service to the City and its residents in trying to make our streets as safe as possible. It is an important duty and we thank you for your service.

Particularly to the last three standing members, Ryan Bowman, John Kapeleris, and Ken Wiesmore, we thank you for your dedication to safer streets and your selfless support of this process by agreeing to step back from the Commission to allow a more sustainable process to be put into place.

Finally, I would like to thank the Planning & Zoning Commission for their support of this change and their willingness to accept additional responsibilities to their already busy schedule.

Approval Process:

A simple majority vote of the Council is needed to approve the appointment of the Planning & Zoning Commission to fulfill the duties of the Traffic Safety Commission.

Budget Impact:

There is no significant budget impact associated with this request.

Regulatory Impact:

Approval of this request will appoint the Planning & Zoning Commission to fulfill the duties of the Traffic Safety Commission, getting that Commission back to full membership and able to again begin addressing traffic safety issues.

History:

N/A

Analysis:

N/A

Conclusion:

I recommend that the Council approve my appointment as presented.

Attachments:

None



Date: Monday, November 5, 2018
To: Honorable Mayor and City Council
From: Steve O'Connor, City Planner

ACTION ITEM

Request:

ACTION ITEM: Request for a Special Use Permit to construct a maximum of (8) four plex units, on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North. c/o EHM on behalf of Kaitlyn Court (app. PZ18-0059)

Time Estimate:

Applicant may take up to 10 minutes and staff may take 5 minutes.

Background:

The Planning & Zoning Commission denied this request at the September 25th, 2018 public hearing. The Applicant sent an appeal letter to the Planning & Zoning Director on October 10th, 2018.

Approval Process:

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The P&Z Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

Budget Impact:

N/A

Regulatory Impact:

The decision of the Council will determine the allowable Land Use on the property. If the Council upholds the decision of the Commission (denying the Special Use Permit), the request of 4-Plex Dwelling Units will not be allowed.

If the Council reverses the decision of the Commission (approving the Special Use Permit), the request of 4-Plex Dwelling Units will be permitted and the applicant may proceed with applying for Building Permits.

History:

There is very limited history on this property other than it was Farmland in the '50's and '60's. No further

zoning history is known at this time.

Analysis:

This is a request to construct eight (8) four-plexes on individual lots, on property SW of the Borah Ave and Rose St intersection. The Property is zoned R-4, therefore a SUP is required to construct a four-plex.

Currently the land is not subdivided into the eight lots, however, the Engineering and P&Z departments have reviewed a preliminary plat which was approved by the P&Z commission on October 9th, 2018.

On September 25th, 2018 the Planning & Zoning Commission denied the request by a vote of 4 to 3. Staff received an appeal letter from the applicant on October 10th, 2018.

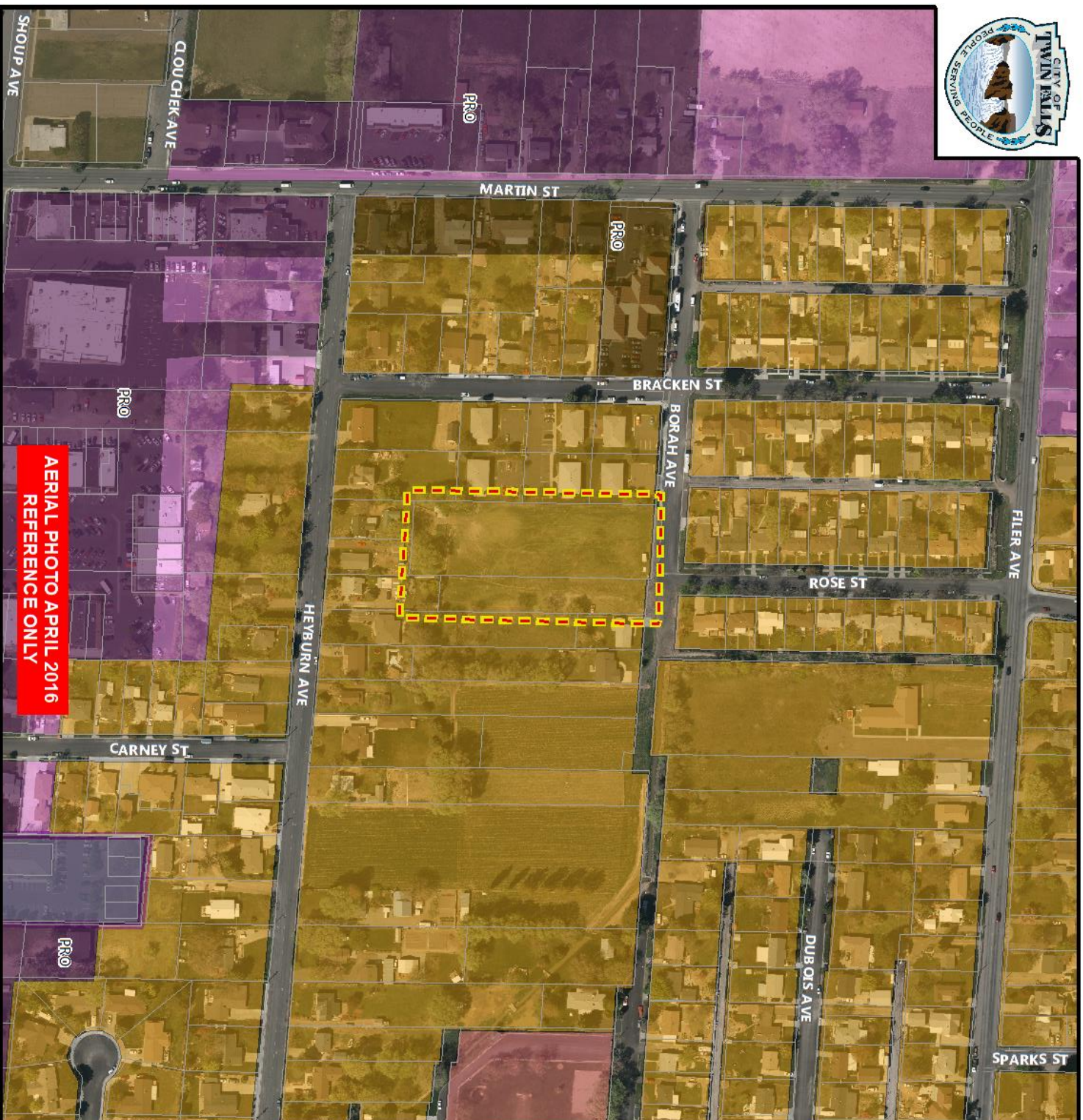
Conclusion:

The Council is tasked with reaching a decision on this appeal. The Council may uphold, conditionally uphold or overrule the decision of the Commission. Should the Council overrule the decision of the Commission, staff recommends approval of the request as presented and recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to the approval of a Final Plat for Kaitlyn Court Subdivision.

Attachments:

1. 1 - Vicinity Map
2. 2 - Narrative
3. 3 - Site Plan
4. 4 - Elevations
5. 5 - PZ Minutes 09-25-18
6. 6- Findings & Conclusions
7. 7 - Appeal Letters
8. 8 - Photos



Vicinity Map

- PRO:** Professional Office
 - PUD:** Planned Unit Development
 - C-1:** Community Center
 - OS:** Office Space
 - R-4:** Residential
 - R-6:** Residential

Current Zoning & Land Use:

 - R-4, Medium Residential

Comprehensive Plan:

 - Neighborhood Commercial

Adjacent Zoning & Land Uses:

 - North:** Borah Ave.; R-4; Residential
 - South:** R-4; Residential
 - East:** R-4; Residential
 - West:** R-4; Residential



KAITLYN COURT

Special Use Permit Statement

4.a Reason For Request:

Kaitlyn Court, LLC purchased the property to construct a multi-family development in the R-4 zoning district. The property is 2.01 acres in size and large enough to house the 8 proposed structures and provide adequate parking. The owners are initially planning to rent the units although they are proposing to plat the property with each four-plex being on an individual lot for the possibility of future sale.

4.b.i.

No set hours of operation. This is a residential development.

4.b.ii.

Traffic anticipated would be the standard trips generated out of a 2 bedroom household. This development will have 32 total units within the eight buildings. It is anticipated that the traffic will be similar to the existing four-plex development to the west of this property.

4.b.iii.

Only landscaping personnel are anticipated as employees maintaining the property on a weekly basis or as needed.

4.c.i.

Noise is anticipated to equal that of other residential development within the area.

4.c.ii.

Any site lighting will be directed internal to the site and no unreasonable glare is anticipated.

4.c.iii.

Being a residential development no increase in odor is anticipated.

4.c.iv.

No fumes or vibration is anticipated on adjoining property.

4.c.v.

This development is anticipated to be generally compatible with the surrounding neighborhood. An existing four-plex development exists to the west. Colored elevations are included showing the basic earth tones that will be utilized. The colors may vary slightly from those depicted but will maintain the general intent to maintain an aesthetically pleasing appearance with earth tone, subdued colors. The owners wish to develop an upscale residential development that will blend harmoniously with the neighborhood.

**Legal Description
Property
Twin Falls County, Idaho**

Being a portion of Lot 16 as shown on that certain map entitled "DE LONG ADDITION", recorded March 2, 1908 as instrument no. 0000-003071, of official records and a portion of Lot 1 as shown on that certain map entitled "CASEY SUBDIVISION", recorded May 25, 1939 as instrument no. 0000-300947, of official records, in the office of the county recorder of Twin Falls County, more particularly described as follows:

Beginning at the Northwest corner of said Lot 1 and being the REAL POINT OF BEGINNING;

Thence, South 86°37'49" East 138.32 feet along the North Boundary of said Lot 1 to the Northeast corner thereof;

Thence, South 00°30'38" West 5.33 feet along the West Boundary of said Lot 16;

Thence, leaving said West Boundary, South 86°05'25" East 65.52 feet;

Thence, South 00°30'29" West 383.96 feet;

Thence, North 86°07'50" West 65.53 feet to a point on said West Boundary of Lot 16;

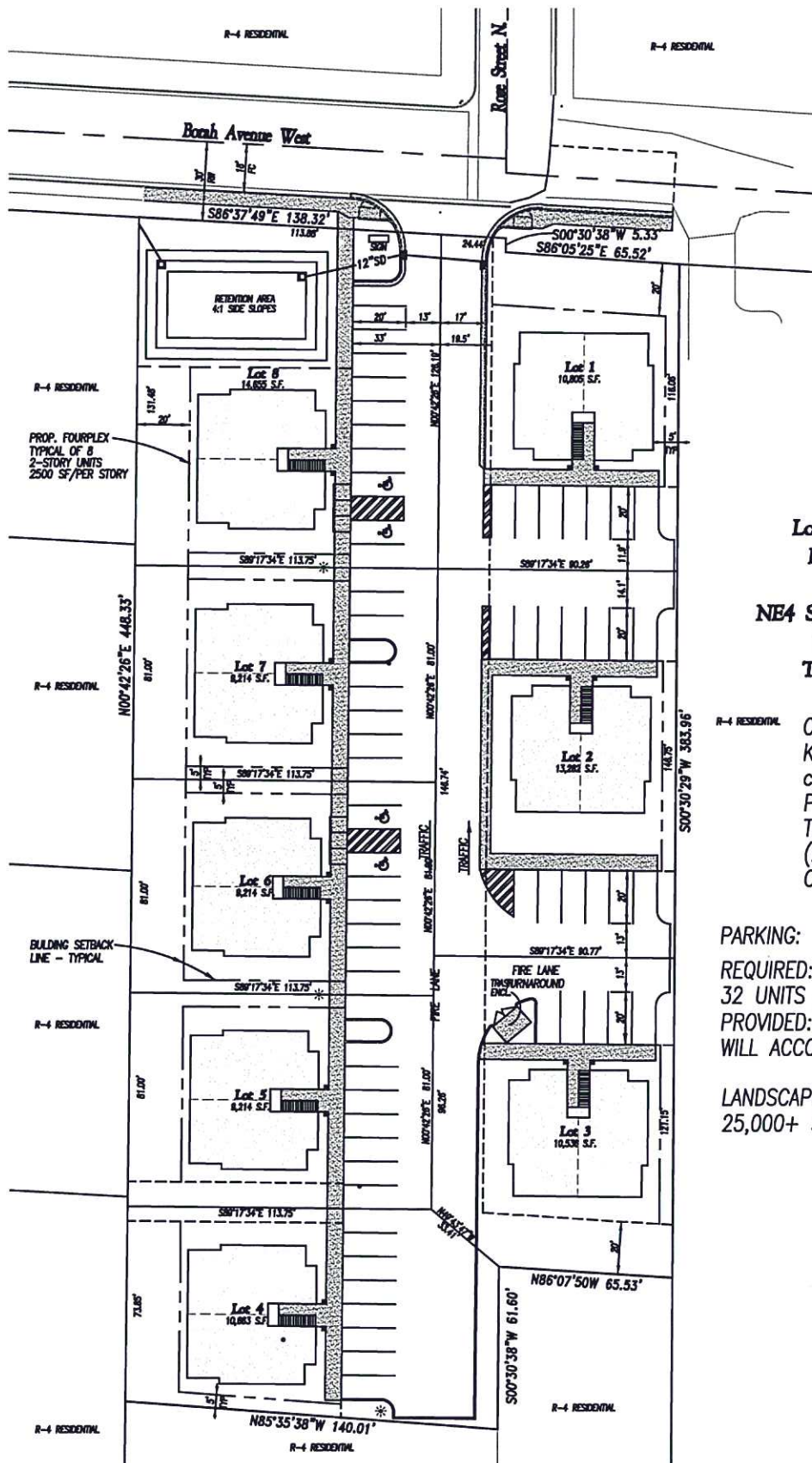
Thence, South 00°30'38" West 61.60 feet along said West Boundary;

Thence, leaving said West Boundary, North 85°35'38" West 140.01 feet to a point on the West Boundary of said Lot 1;

Thence, North 00°42'26" East 448.33 feet along said West Boundary to said REAL POINT OF BEGINNING.

Containing approximately 2.01 acres.

End of Description



Located In
A Portion of
Lot 16, Delong Addition &
Lot 1, Casey Subdivision
In
NE4 SW4 & NW4 SE4, Section 8
T. 10 S, R. 17 E, B.M.
Twin Falls County, Idaho

OWNER:
KAITLYN COURT, LLC
c/o GARY N. NELSON
P.O. BOX 6004
TWIN FALLS, ID 83303
(208) 731-5030
CONTACT: GARY N. NELSON

PARKING:

REQUIRED: 8 4-PLEXES (MAX. 2 BEDROOM)
32 UNITS x 2 = 64 REQUIRED SPACES
PROVIDED: 68 TOTAL SPACES (4 OF WHICH
WILL ACCOMMODATE VAN ACCESSIBLE PARKING)

LANDSCAPING:

25,000+ S.F. LANDSCAPING/LAWN PROVIDED.

Special Use Exhibit For
Kaitlyn Court



KAITLYN COURT 4 PLEX

PRELIMINARY NOT FOR CONSTRUCTION

South Fork Design Group, LLC 1066 North Yellowstone Hwy Rexburg, ID 83440 www.southforkdesigngroup.com 208-852-6236 Copyright 2016 South Fork Design Group, LLC All Rights Reserved		ENGINEER: RAYMOND G. LEE DRAWN BY: YMS CHECKED BY: RLS PLOT DATE: 6/20/2016
KAITLYN COURT 4 PLEX		SOUTH FORK DESIGN
SHEET TITLE: COVER SHEET REVISION DATE: _____ DESCRIPTION: _____	PROFESSIONAL ENGINEER STATE OF IDAHO 11173 RAYMOND G. LEE	
G-101 SHEET 1		



Twin Falls Planning & Zoning Commission Minutes

Tuesday, September 25, 2018, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Members -

City Limits: Danielle Dawson, Vice-Chair; Craig Hawkins; Gerardo "Tato" Muñoz, Chairman; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

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

Members Present: Higley, Hansen, Bolton, Musser, Kelley, Detweiler, Hawkins

Staff Present: Cherry, Nope, O'Connor, Spendlove, Strickland, Vitek

2) Consent Calendar

a) Approval of minutes from the following meeting: 09-11-18

b) Approval of Findings of Fact and Conclusions of Law:

- Wells Fargo Bank (SUP PZ18-0028)
- Mel Moeller (SUP PZ18-0054)
- PMT (SUP PZ18-0055)

Motion:

Commissioner Bolton moved to approve the consent calendar, as presented.

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

Unanimously Approved

3) Items of Consideration - None

4) Public Hearings

a) Request for a Special Use Permit to construct a detached accessory building larger than 1500 sq. ft. on property located at 3365 E 4028 N in the City's Area of Impact. c/o Al Gamache (app. PZ18-0058)

Applicant Presentation:

Al Gamache, the applicant stated he is here for a special use permit to build an detached accessory building to house his trailer.

Staff Presentation:

City Planner Cherry reviewed the request on the overhead and stated this a request for a Special Use Permit to construct a detached accessory building larger than 1500 sq. ft. on property located at 3365 E 4028 N in the City's Area of Impact.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application. The Commission shall make a decision on the request within thirty (30) days after the public hearing. The Administrator if conditions are placed on the permit, shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

The primary residence on the subject property is currently under construction. Prior to construction of the primary residence the land was vacant/undeveloped. This is a request to construct a detached accessory building (approx. 1760 sq. ft.) on property located within the SUI Zone at 3365 E. 4028 N. The SUI Zone requires an SUP for all detached accessory buildings exceeding 1,500 sq. ft. The applicant has stated the structure will be utilized for storage of personal recreational vehicles, trailers, and other garage type items. Further, the applicant has stated that their neighborhood/subdivision covenants require that recreational vehicles and trailers be out of site from public right of way.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to personal use only – no commercial activity.

Public Hearing: Opened & Closed Without Testimony

Discussions Followed:

- Commissioner Bolton asked if there is a residence associated with this accessory building.
- City Planner Cherry stated yes the home is under construction.
- Commissioner Bolton asked if there will be any plumbing or living quarters planned for the space.
- Mr. Gamache stated not the building is solely being built to house is trailer,

because the CCNR's do not allow for trailers to be parked on the street or keep in plane site.

Motion:

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

Approved, As Presented, With Conditions As Follows

1. Subject to site plan amendments as required by City Code Standards
 2. Subject to personal use only-no commercial activity
- b) Request for a Special Use Permit to construct a maximum of (8) four-plex units, on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North. c/o EHM on behalf of Kaitlyn Court (app. PZ18-0059)

Applicant Presentation:

Tim Vawser, EHM Engineers, Inc. representing the applicant explained this is a 2.01 acres property located along Borah Avenue West south of the Rose Street North intersection. The developers wish is to put 8 four-plexes on this property. The layout will be 5 four-plexes placed along the west boundary and 3 four-plexes along the east boundary. The development will be on City services, have storm water retention and has been approved for a parks-in-lieu by City Council September 24, 2018.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and a stated this is a request for a Special Use Permit to construct a maximum of (8) four plex units, on individual lots on property located south of the intersection of Borah Avenue Wet and Rose Street North.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the

Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

There is very limited history on this property other than it was Farmland in the '50's and '60's. This is a request to construct eight (8) four-plexes on individual lots, on property SW of the Borah Ave and Rose St intersection. The Property is zoned R-4, therefore a SUP is required to construct a four-plex.

Currently the land is not subdivided into the eight lots, however, the Engineering and P&Z departments have reviewed a preliminary plat that this body will see at a future public meeting.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to the approval of a Final Plat for Kaitlyn Court Subdivision.

Public Hearing: Opened

- Susan Salazar, 498 Heyburn Avenue West, stated she has concerns. There are four plexes to the west of her that has created flooding issues because of the canal. The noise pollution, it is a dead end street, the traffic down Heyburn is immense, people speed on Heyburn and it will only get worse with this development. She is also concerned with the four-plexes invading her privacy and people looking into her windows and back yard. She realizes growth is needed she would like to suggest duplexes instead of four-plexes to reduce the number of families.
- Louise Heranic, 435 Rose Street North, this is a very narrow street. She has several neighbors that have children that drive who park their cars along the street, making it a one-way street. You can't pass with two cars because of the parked cars. There are problems with people raising up and down the street with little children that end up running out into the street. This development will double the amount of traffic on her street.
- Randy Steel, 447 Bracken Street, he stated he agrees with the previous citizens. Rose Street North is a one-way, Bracken Street is another one-way street because of all the cars parked along the street. These are the two may northbound accesses for this development. There is a concern for emergency vehicles being able to turn around on the narrow street. As for the canal on the east of this project, there is an underground pipe that has so much water coming through it they had to sealed shut the lid in the street to keep it from coming up, so there is an existing water issue with the property also.

Public Hearing: Closed

Closing Statement

Mr. Vawser, stated the hope of the developer is to build four-plex units that will draw a little higher rent and better clientele. There are not as many bedrooms as usual so it will not create as much of an impact as a four-plex with more bedrooms per unit. He is not sure where people are going to travel, it seems that most people will travel the direction that gets them where they want to go the fastest and in this situation Martin Street would be the best route. As for the irrigation issues the canal is not on this property, there is irrigation on this property they will be maintaining and they will also be using a private irrigation system to water the lawns for this development. They will not be adding any water downstream and won't be taking more than their share either. The neighbors may need to contact to canal company for the issues they have brought up tonight. As for the neighbors privacy, the homes on the west boundary face towards the four-plexes the most southerly unit faces south, to try and keep the orientation of the development facing inward and not out at the surrounding properties. This is a four-plex development in an R-4 Zone, it is proper to be there it fits zoning. While there is some inconvenience due to new developments they feel it fits within the area.

PZ Questions/Comments

- Commissioner Bolton asked if there will be any fencing between this development and the other properties.
- Mr. Vawser explained that there will be a fence between this developments and the adjacent properties, and most likely 6' tall to give the people in this development a sense of security as well as the neighboring properties.
- Commissioner Hansen asked about the parking in the development and fire truck turn around concerns.
- Mr. Vawser showed on the overhead an area on the plan that has been reviewed by fire that will accommodate a fire truck turnaround, and explained that the parking for this development has been designed to be contained within this development without extending over onto Borah Avenue.
- Commissioner Higley asked about the width of Borah Avenue and if there is any requirement for that to be widened by this development.
- Mr. Vawser explained it is 36' wide they will be replacing a portion of the street to centerline as required but it will not be widened.
- Commissioner Detweiler asked about storm water retention.
- Mr Vawser explained yes the retention area is located on the northwest corner of the development.
- Commissioner Bolton asked if there is a history of flooding for this property.

- Mr. Vawser explained this was pasture and they did do some flood irrigation on this property.
- Commissioner Kelley asked about landscaping on the site and will it be used for privacy mitigation.
- Mr. Vawser explained they could use some of the landscaping around the fence area to assist in the privacy concerns, but it has not been discussed.
- Commissioner Bolton asked if these will be rentals, and if there will be any limitation to the number of vehicles each tenant can have.
- Mr. Vawser that limitations have not been considered but could be if it became a problem.
- Commissioner Musser asked for clarification on the types of homes surrounding the property.
- Mr. Vawser explained there is a single family home to the west of this development on a rather larger lot, on the west side there is a four-plex development, there are larger lot off of Heyburn Avenue that are single family.
- Commissioner Hansen asked for some clarification on the parks in lieu process.
- Mr. Vawser explained a parks in lieu is a donation based on units to assist the Parks and Recreation Department make improvements to a park that is located with the same one mile square as the development. City Council approve the donation in lieu of putting a park in this development.
- Commissioner Detweiler asked about plans for Rose Street to be developed all the way through.
- Mr. Vawser explained that the lots along Heyburn Avenue are fully developed and Rose Street is not identified on the Transportation Master Plan for it to be developed.

Discussion Followed:

- Commissioner Bolton stated she is a big supporter for affordable housing, this is a positive, but she also sympathizes with neighbors on Rose Street North. She stated she is not sure how you have development without having these concerns.
- Commissioner Higley explained it is part of growth and it is in compliance with zoning and something the community needs.
- Commissioner Hansen agreed he does understand the concerns for traffic but if there is a problem with cars parking on a street that turns it into a one-way some action needs to be taken. He recommended the citizens take the parking concern to the Traffic Safety Commission.
- Commissioner Detweiler explained there are limitations to how people get in and

out of the development, the roads are narrow in this area and he does see the traffic as being a concern. He does think it fits the comprehensive plan, but doesn't know how to resolve the issue with people being allowed to park on both sides of the street.

- Commissioner Bolton explained the Traffic Safety Commission could be approached with the traffic concerns along Rose and Bracken Street. She also stated that the role of the Planning & Zoning Commission is to ensure that the request meets the Comprehensive Plan. She does think other factors have been brought to light but it meets the Planning & Zoning requirements.
- Commissioner Musser asked if there is any City Code violation for all of the cars being parked on the street.
- City Planner O'Connor explained that cars can be parked within the right of way not more than 24 hours. If there is a concern for the amount of vehicles on the road that have not moved, the citizen can contact dispatch at 311 and report the concern.
- Commissioner Higley asked about future plans to have Borah Avenue all the way west.
- Assistant City Engineer Vitek explained that is not on the Master Transportation Plan and will not be extended.
- Commissioner Hawkins asked about the concerns with traffic impacts with this proposed development.
- City Planner O'Connor explained the issue is that these neighborhoods are older and different development standards for roads applied at the time they were constructed. As City's goes, standards change, needs change and there is no change required. If however Rose Street North was on the Master Transportation Plan as a collector any new development would trigger bringing the road into compliance.

Motion

Commissioner Kelley made a motion to approve the request, as presented, with staff recommendation. Commissioner Higley seconded the motion. Members Kelley, Higley and Hansen voted in favor of the motion, while Commissioners Hansen, Detweiler, Bolton, and Hawkins voted against the motion.

Motion Failed 4-3

- c) Request for a Special Use Permit to operate an indoor recreation facility on property located at 163 Cheney Drive West, Ste 200. c/o Gerald Martens on behalf of Core Cycle (app. PZ18-0063)

Applicant Presentation:

Gerald Martens representing Core Cycle to request a Special Use Permit for an indoor recreation facility, The building is being constructed across from Walmart and Core Cycle will be one of the 6 tenants for this building. It will be an exercise facility that will provide stationary bikes for people to use for exercise as well as other exercise opportunities. The activities will be inside preventing any noise and disturbance to the surrounding neighbors. This is an appropriate use for this space, conveniently located and compatible to the area.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for a Special Use Permit to operate an indoor recreation facility on property located at 163 Cheney Drive West, Ste 200.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

The property is part of the Canyon Ridge PUD #247, recorded in January 2008.

This is a request to establish an indoor recreation facility as a health club on property located at 163 Cheney Dr. The applicant is looking to establish a health club type operation at this location and this land use has been classified as "indoor recreation" and in the C-1 Zone a SUP is required for an indoor recreation facility.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject amendments as required by City Code Standards.

Public Hearing: Opened & Closed Without Testimony

Discussions Followed:

- Commissioner Hansen asked if it is going to be open 24/7
- Mr. Martens stated no, it will be open early for people that want to work out prior to work but will not be a 24/7 facility.

Motion:

Commissioner Bolton made a motion to approve the request, as present, with staff recommendation. Commissioner Detweiler seconded the motion. All members present voted in favor of the motion.

- d) Request for a Special Use Permit to operate a drive through on property located at 326 Blue Lakes Boulevard North. c/o Kyle Cooper (app. PZ18-0064)

Applicant Presentation:

Kyle Cooper, the applicant representing Dutch Bros, he is here to present a request for another location located at 326 Blue Lakes Boulevard North. They have been search for a second location for quite a long time, and they feel this property fits within their business model and will be a great location. He reviewed on the overhead the proposed site plan showing the stacking that would allow for up to 25 cars. This will allow them to handle their customer volume. There has been some feedback from the neighbors which has resulted in a modification to the site plan. The new site plans shows the drive thru isle moved approximately 12' from the east property line and they will be using this area to for landscaping to provide a buffer between the business and the townhomes on the east boundary. They want to be a good neighbor.

Staff Presentation:

City Planner Cherry reviewed the request on the overhead and stated this is a request for a Special Use Permit to operate a drive through on property located at 326 Blue Lakes Boulevard North.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information,

testimony and minutes of the previous hearing to reach a decision on the appeal.

Most recently Threads, a retail business that provides screen printing and embroidery services, has occupied the subject property.

This is a request to construct a drive-through at 326 Blue Lakes Boulevard North. The subject property is located in the C-1 Zoning District. The C-1 Zone requires a special use permit (SUP) for drive-through services.

The proposed drive-through will be used to facilitate the delivery of food and beverage to customers. The proposed drive-through provides approximately twenty-five (25) stacking spaces before the first stopping point and an escape lane which is nine feet (9') wide.

Staff does acknowledge that to the east of this location is a residential development that will be susceptible to more noise and any impacts from this type of use. Prior to this use it was a screen printing shop this change will have a lot bigger impact. The applicant has proposed that they will put more landscaping along the east boundary and has indicated they will plant trees that are greater than 3' tall approximately 50' apart and that should be approximately 10' tall within 6 years of planting. This should provide better mitigation for noise and impacts to the residential property.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.

PZ/Questions & Comments:

- Commissioner Musser asked why the applicant would not plant larger trees in the beginning.
- City Planner Cherry explained code requires screening between a residential use and a commercial/industrial use. The screen can be a vinyl fence, chain link with slats, and there is also a provision for vegetative screening. The vegetative screen code states the minimum size for a tree is 3' and the minimum size the tree should be after 6 years is 6' tall.
- Commissioner Bolton clarified that the Commission can require more than the minimum standard.
- Commissioner Kelley asked if the proposal include vegetative screening and a fence.
- City Planner Cherry stated there is a vinyl fence already in place and is owned by

the residential property.

- Commissioner Musser asked if there is going to be a condition that requires people to turn right only when exiting the drive-thru.
- Assistant City Engineer Vitek explained this will not be a requirement, the cars will stack and if people turn left out of the exit. The customers will be able to enter the drive thru quickly, and there may be some frustration by the customer behind the person trying to head south onto Blue Lakes Boulevard but that impact the business not the roadway.
- Commissioner Higley explained there is another business further north of this property that has a wider exit with a right and left turn lane for people to get out onto Blue Lakes and they still have traffic problems. He has seen the business send employees out to direct traffic to turn right and restrict the cars from turning left. It is an issue even though they can stack a lot of cars. He asked for clarification on the curves shown on the site plan.
- Assistant City Engineer Vitek explained that they are there to accommodate existing utility poles.
- Commissioner Bolton asked if they are only going to have one window.
- Mr. Cooper explained yes one window is much more efficient than two.
- Commissioner Bolton asked about the stacking and the approximate time it would take someone that is number 20 in the line to be served.
- Mr. Cooper explained it takes approximately 45 seconds per car, so someone in the 20th spot would wait approximately 13 minutes.
- Commissioner Bolton asked if the applicant considered making the stacking lane shorter, because it is so close to the residential property to the east.
- Mr. Cooper explained that they wanted to provide room for as much stacking as possible, 25 is probably an overkill and will most likely not be full all the time. On average when cars are stacked it averages around 7 vehicles.
- Commissioner Bolton explained she is trying to consider all of the information so an informed decision can be made to prevent the applicant from having to come back because of unforeseen issues.
- Mr. Cooper explained he understands and clarified the trees they are proposing to plant will be approximately 2.5" caliber 6' tall tree from the beginning. They are not going to plant starter trees 3' tall. They would most likely use a mix of autumn blazes, pines and some taller shrubbery to help buffer the residential property. The screening will be nice.
- Commissioner Higley asked if they are going to modify the existing building or

start new.

- Mr. Cooper explained the existing buildings will be demolished.
- Commissioner Higley clarified that by demolishing the buildings that allows them to place a new building anywhere on the site.
- Mr. Cooper explained that is correct; however there are some limitations due to the location of utility easements on the site. They were trying to provide as much stacking area as possible and move the noise from the business closer to Blue Lakes Boulevard.
- Commissioner Higley asked about altering the accesses.
- Mr. Cooper explained he will be working with the Idaho Transportation Department in relation to the approaches.
- Commissioner Higley asked if the exit could be widened to allow for a left turn.
- Mr. Cooper explained after looking at the traffic pattern most of the customers will head right out of the exit. It could be possible but he will still need to work with ITD on the approaches.
- Commissioner Kelley asked what the hours of operation are and if there is going to be an outside seating area.
- Mr. Cooper explained the hours are 5am -11pm, 7 days a week. The building design does accommodate walk up traffic with outdoor seating.
- Commissioner Kelley explained 11pm is late for a residential area, and asked if they had any concerns with walk up traffic creating addition noise concerns.
- Mr. Cooper explained he doesn't foresee this being an issue, walk up traffic is minimal. After 10pm the town is fairly quiet, they will make sure any audio is directed away from the residential property.
- Commissioner Bolton asked the new location they just opened in Idaho Falls and what the stacking number is for that location.
- Mr. Cooper stated that location has the ability to stack 17 cars.
- Commissioner Hansen stated there were changes made to the other location here in town to accommodate for special events that increased traffic beyond what was normally expected. What is the plan when this happens at this location.
- Mr. Cooper explained having two locations should help alleviate this issue, but if it were to be an issue they would have to work with the local highway officials to make sure traffic keeps moving on Blue Lakes if they can't turn in they will need to keep moving past the business.

Public Hearing: Opened

- Greg Lanting, 355 Elm Street North, he explained that he is excited to hear the applicant is planning to do landscaping. He would ask that conditions on the Special Use Permit provide more protection to the neighbors than just promises at the meeting. There is a little cause for concern related to this business because there have been issues at their other location. The development to the east is not a rental property, these are condominiums people have purchased to live in permanently or until they are no longer able to stay in their home. He showed on the overhead pictures of the Rocket Express landscaping along their property boundary that abuts residential homes. The landscaping is made up of mature mostly evergreen plants and trees along with a 5' masonry wall. They would hope that the applicant would install a masonry fence along with mature landscaping. He requested that the Commission place conditions on the Special Use Permit to protect the neighbors. The trees really help block the noise. The last request is that lighting be turned off when the business is not operating and that the lights be downward facing to keep the light from infiltrating onto the adjacent properties.
- Mark Beams, 1442 Heyburn Avenue East, he stated that he is excited to see this request, he main concern is the turn from the exit onto Blue Lakes Boulevard. He used Sonic on Blue Lakes as an example stating that everyone the exits their business must turn right. He would like to see a condition that requires a right turn only.
- Jo Kirchner, 355 Elm Street North, he would ask that they provide landscape and screening to provide a noise barrier between the business and the residential property.
- Tyler Ready, 284 Taylor Street, he is opposed to the request, because of the traffic that it will generate.
- Wiley Dobbs, 355 Elm Street North, he lives in the condominiums and he would like to request that there be a buffer between the business and residential. Possibly a 20' barrier and taller trees. He would like to see the lighting facing down so it doesn't feel like a football field.
- Christina Dobbs, 355 Elm Street North, she would like the trees to be mature and evergreen to provide a year round buffer.
- Jim Thorpe, owner of the property that is being discussed stated there is not nearly the traffic load on Blue Lakes at this end compared to the other end where Rocket Express is located. He is sure that the applicant will do his best to make the neighbors happy.

Closing Statement

- Mr. Cooper explained they want to be good neighbors and they are willing to

work with the neighbors. The design of the site is negotiable for the landscaping, he typically plants the trees 10'-15' apart depending on the canopy size of the tree and type. If they plant all evergreen the distance is probably reduced to 8' apart staggered so they look nice. As for the approaches and how traffic flows in and out of the site is dependent upon what ITD requires of him. Lighting will be downward facing and included on the plans as such.

- Commissioner Musser asked if the applicant is opposed to a right turn only out of the exit.
- Mr. Cooper explained he thinks that a left turn out of the exit is traffic violation.
- PZ Director Spendlove explained that legal people are not allowed to turn left out of this approach. The person operating the vehicle is the person violating the law, however if the Commission was inclined they could put a condition that a right turn only sign be posted at the exit. Blue Lakes is owned, operated and maintained by the State of Idaho. The signage would have to be on the property, the applicant would have to work with the state if they want to post a sign in the state right of way.
- Commissioner Higley explained that we need to be proactive, and a sign may assist the customers.
- Commissioner Hansen suggested a painted right turn only arrow on the exit may also be beneficial for people to understand it is a right turn only exit.
- Commissioner Bolton explained she still has concerns about the number of cars stacked on the site. She asked if the applicant would be will to collaborate on the sound buffer.
- Mr. Cooper explained he is willing as long as it is feasible and within reason.
- Commissioner Detweiler explained he likes the narrower exit, people will most likely make a left turn when they are tired of waiting. As for the time, if the customers are there early or late at night making an illegal left turn is probably not difficult. He thinks if the stacking lane is shorter it will impact Blue Lakes. His biggest concern for the back wall is the exhaust from the vehicles and the headlights facing into the homes.
- Commissioner Musser explained he thinks the trees that get planted should be mature from the beginning, the neighbors should not have to wait for the trees to grow.
- Commissioner Kelley explained Rocket Express does have a nice barrier but if you ask the residents that live behind there, they are still impacted by the noise, the headlight, the smell every diesel. He is still concerned for the neighbors, the barrier has to be right and has to be good, what is being proposed now is not enough.

- PZ Director Spendlove explained that generally, the condition should not leave the approval in the hands of the neighbors, it should come back the Commission for review and approval prior to final inspection and encourage collaboration. The commission could then ask the neighbors about the plan and it does not preclude the applicant from receiving his building permit, it would only prevent the business from opening prior to approval. The applicant is not prepared to create a plan tonight, but by adding a condition that requires the Commission's approval would give him time to collaborate, and prepare a plan. The other condition about the lighting could also be added requiring that the lighting source being shielded from infiltrating onto adjacent properties.
- Commissioner Higley stated he thinks something general could be added as a condition on the permit that gives guidelines and encourage the applicant to collaborate with the neighbors, but allows him to proceed.
- Commissioner Hansen explained that a shortened stacking lane would allow for more buffering, but he wanted to know how often the drive thru located on Pole Line Rd has had to use the extra stacking lane to handle the customer load.
- Mr. Cooper explained they have not had to use it yet.
- Commissioner Hansen explained he does not want to shorten the stacking lane but the landscaping needs to be addressed.

Discussion Followed:

- Commissioner Musser asked if the commission wants to condition the permit so that the landscape plan comes back for approval or try to come up with a solution this evening.
- PZ Director Spendlove explained it can be discussed and there can be some clarification made if necessary.
- Commissioner Higley stated the Commission has heard testimony, the concerns of the neighbors and the Commission he thinks they can define the conditions and they can bring back the plan. It is obvious that the 3' trees is not going to cut it and the trees need to be evergreens that will give them some general guidelines to consider.
- Commissioner Kelley explained it probably needs to be stated as a percentage to help.
- Commissioner Higley explained the stacking lane could remain like it is and plant taller trees, or the stacking lane could be reduced to allow for a berm and shorter trees.
- Commissioner Bolton explained she would like to make an attempt at a motion and then have discussion based on the information we have heard.

- Commissioner Hansen explained without being arborist and understanding completely landscaping methods he thinks it would be better to have the applicant design a plan and bring it back for approval.
- PZ Director Spendlove explained that if the applicant given time they can bring back a plan without the Commission has to list specific criteria.
- Commissioner Higley stated that in the past when the applicant has been told to bring back a plan for approval, it does not meet the expectation and the applicant ends up asking the Commission for criteria. He is trying to avoid the applicant bringing back a plan with 3' tree that is not going to meet the expectation.
- PZ Director Spendlove explained if the plan is not satisfactory when the applicant brings it back for approval the Commission can deny the plan delaying their time.
- Commissioner Higley stated he does not think it will hurt to put some guidelines with minimum tree heights and clarify that 3' trees are not enough. The stacking lane does not back directly up to the backyards of homes like the Rocket Express so the situation is not exactly alike but they do need to create a buffer. Specifying the tree height and types of trees would not be a bad thing to add to the permit.
- City Planner Cherry explained the applicant has stated he is willing to plant 6' trees in the beginning.
- Commissioner Kelley explained he is a horticulturalist and trees that are 10'-12' tall is difficult to acquire, he does not want to make it too difficult to get the business started. Providing guidelines with percentages, mixed sizes and types it give the applicant some option. He wants to see taller trees but it is very difficult to plant large trees.

Motion:

Commissioner Bolton made a motion to approve the request, as presented with staff recommendations and additional conditions

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to a landscape plan being designed through collaboration with the neighbors.
3. Subject to installation of a masonry fence
4. Subject to a burn, with mature trees to be planted in the beginning
5. Subject to the lighting sources being shielded to prevent infiltration to adjacent properties.

Commissioner Detweiler seconded the motion.

Discussion on the Motion:

Commissioner Higley asked for signage for right turn only be added as a condition. He also would like the minimum starting height for the trees should be 6' with a majority of them being evergreens.

Commissioner Bolton made a second amendment to the conditions after discussion.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to a landscape plan being designed through collaboration with the neighbors to be reviewed and approved by the Commission prior to any final inspections being done.
3. Subject to the installation of a masonry fence
4. Subject to a burm with the majority of evergreen trees to be planted with a starting minimum height of 6' to provide year round buffer.
5. Subject to the lighting sources being shielded to prevent infiltration to adjacent properties.
6. Subject to a right turn only arrow being painted on the exit and if allowed a right turn only to be place near the exit.

Discussion on Second Amendment to Motion:

- Commissioner Kelley thinks majority is to subjective and that a percentage should be used as a guide for how many trees to be planted.
- Commissioner Hansen stated that he can support the second amendment to the motion.
- Commissioner Bolton explained she feels like the applicant needs to come up with a plan and it is not the Commissions job to design the plan for the applicant.
- Commissioner Higley explained in his experience it never comes back without the Commission having to design the plan.

Final Motion:

Commissioner Bolton made a motion to approve the request, as presented with staff recommendations and additional conditions

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to a landscape plan being designed through collaboration with the neighbors to be reviewed and approved by the Commission prior to any final inspections being done.
3. Subject to the installation of a masonry fence
4. Subject to a burm with the majority of evergreen trees to be planted

- with a starting minimum height of 6' tall to provide year round buffer.
5. Subject to the lighting sources being shielded to prevent infiltration to adjacent properties.
 6. Subject to a right turn only arrow being painted on the exit and if allowed a right turn only to be place near the exit.

Commissioner Detweiler seconded the motion. Members Hawkins, Detweiler, Bolton and Musser voted in favor of the motion, while Members Hanse, Higley and Kelley voted against the motion.

Motion Approved 4-3

Approved, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to a landscape plan being designed through collaboration with the neighbors to be reviewed and approved by the Commission prior to any final inspections being done.
3. Subject to the installation of a masonry fence
4. Subject to a burm with the majority of evergreen trees to be planted with a starting minimum height of 6' tall to provide year round buffer.
5. Subject to the lighting sources being shielded to prevent infiltration to adjacent properties.
6. Subject to a right turn only arrow being painted on the exit and if allowed a right turn only to be place near the exit.

The Commission took a 7-minute break.

- e) Request for a Special Use permit to operate an indoor recreation facility on property located at 834 Blue Lakes Boulevard North. c/o Tayler Chapin (app. PZ18-0065)

Commissioner Detweiler stepped down for this item.

Applicant Presentation;

Tayler Chapin, the applicant stated she is here for a special use permit to operate one of the first hot yoga facilities.

Staff Presentation:

City Planner O'Connor reviewed the request on the overhead and stated this is a request for a Special Use permit to operate an indoor recreation facility on property located at 834 Blue Lakes Boulevard North.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

This area has been commercially developed since the early 1980's and has had various tenants since.

This is a request to establish an indoor recreation facility as a health club on property located at 834 Blue Lakes Blvd. N. The applicant is looking to establish a yoga studio at this location and this land use has been classified as "indoor recreation" and in the C-1 Zone, a SUP is required for an indoor recreation facility.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.

Public Hearing: Opened

Dave Detweiler, this building has a hard time with tenants and believes this would be a compatible for the area and is in favor of the request.

Public Hearing: Closed

Discussions Followed:

- Commissioner Hansen asked about hours of operation.
- Ms. Chapin explained she will most likely provide 3-4 classes daily for people that work starting at 6am with a final class at 7pm Monday-Friday and maybe one or two classes on the Saturday and Sunday.

Motion:

Commissioner Hansen made a motion to approve the request, as present, with staff recommendation. Commissioner Kelly seconded the motion. All members present voted in favor of the motion.

Approved, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by City Code Standards.

Commissioner Detweiler returned to his seat.

- f) Request for a Special Use Permit to construct a storage unit rental facility and automobile/recreation vehicle storage yard on property located at 240 Eastland Dr. c/o Eastland Storage Solutions, LLC-Tyler Davis-Jeffers (app. PZ 18-0066)

Applicant Presentation:

Tyler Davis-Jeffers, representing Eastland Storage Solutions, the office would be located off of 4th Avenue East, the project will be constructed in two phases, each phase is approximately 2.5 acres each. Office hours will be between 8am-6pm but the site will be accessible to customers from 6am-10pm. A living space will be above the office so there will be 24-hour on-site management. All of the exterior of the development will be buildings providing a screening for the facility and security. They believe this will be a quiet neighbor and provide a good service for the surrounding residential areas that have CCNR's that don't allow outside storage of recreational vehicles and multi-family developments that don't provide storage for their tenants.

Staff Presentation:

City Planner Cherry reviewed the request on the overhead and stated this is a request for a Special Use Permit to construct a storage unit rental facility and automobile/recreation vehicle storage yard on property located at 240 Eastland Dr.

The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall make a decision on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

The subject property was developed as a Drive-In Movie facility in 1967 per Twin Falls County Records. Drive-In Movie facility operations ceased in 2015. Currently the subject property is considered vacant (however some equipment/structures from the prior Drive-In Movie facility remain on the subject property).

This is a request for a Special Use Permit to construct a storage unit rental facility and

automobile /recreational vehicle storage yard on property located at 240 Eastland Drive.

The subject property is located within the Commercial Highway (C-1) Zoning District.

If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to the applicant dedicating right of way on 4th Ave. prior to receiving final occupancy. (Dimensions to be determined by the City Engineer.)

Public Hearing: Opened & Closed Without Testimony

Discussions Followed:

- Commissioner Hansen asked if 4th Avenue East is a through street and if not is it planned to be extended.
- PZ Director Spendlove stated not is it not a through street and it is not on the Master Transportation Plan to be extended.
- Commissioner Detweiler asked about paving the site.
- City Planner Cherry explained that because this property is zoned C-1 hard surfacing will be required.

Motion:

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

Approved, As Presented, With the Following Conditions

1. Subject to site plan amendments as required by City Code Standards.
2. Subject to the applicant-dedicating right of way on 4th Ave. prior to receiving final occupancy. (Dimensions to be determined by the City Engineer.)

- g) Request for a Zoning Title Amendment to repeal and replace City Code 10-11-19 Floodplain Regulations (A through E). c/o City of Twin Falls-Troy Vitek, Assistant City Engineer

Staff Presentation:

Assistant City Engineer Vitek, replace the existing ordinance, is required to be able to pass the flood plain audit, for funding. It will also allow for better enforcement, better definitions. This is a recommendation to Council from Planning & Zoning because it is

part of Title 10 Zoning & Subdivision Regulations.

City Planner reviewed the request on the overhead and stated this is a request for a Zoning Title Amendment to repeal and replace City Code 10-11-19 Floodplain Regulations (A through E). c/o City of Twin Falls-Troy Vitek, Assistant City Engineer.

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

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

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

City Code 10-11-9(A-E) was adopted in 1982. There has been no significant changes to this portion of code since then.

This is a request to amend Title 10 of the Twin Falls City Code by repealing and replacing City Code 10-11-9 "Flood Plain Regulations" in its entirety.

The City Engineering Department has submitted the proposed Zoning Title Amendment to comply with best management practices and state and federal requirements.

Further, the proposed Zoning Title Amendment will be easier to enforce, provide more clarity, and provide better protection to residents who reside in flood prone areas. The Commission may:

- Recommend modifying the proposed Zoning Title Amendment (which may require another public hearing before the Commission).
- Recommend approval of the proposed Zoning Title Amendment to the City Council.
- Recommend denial of the proposed Zoning Title Amendment.

PZ Questions/Comments:

- Commissioner Kelley asked if this is not approved would it impact the citizens.

- Assistant City Engineer Vitek explained this amendment is required so that the City qualifies for funding if there were to be a flood. If it is not current the citizens would not be able to purchase flood insurance or make any claims related to flooding. It also protects people that purchase property in flood zones.

Public Hearing: Opened and Closed Without Testimony

Motion:

Commissioner Higley made a motion to recommend approval o the request, as present. Commissioner Detweiler seconded the motion. All members present voted in favor of the motion.

5) Upcoming Meeting(s)

PZ Director Spendlove- explained there are only 2 items on the upcoming agenda. He stated there will be training at the October 3, 2018 work session on motions, conditions and voting procedures. As for the Dutch Bros request, that decision is not finished, please do not discuss amongst yourselves or anyone else because there is still a pending item related to the request.

- a) October 3, 2018 Work Session
October 9, 2018 Public Hearing

6) Adjournment

Commissioner Musser adjourned the meeting at 8:24 pm.

Lisa A. Strickland, Administrative Assistant



Handwritten signatures and initials in blue ink, including 'H.A.', 'CML', and others.

BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re:)
)
Special Use Permit, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
Kaitlyn Court, LLC)
EHM Engineers, Inc.) AND DECISION

Applicant(s) _____

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on September 25, 2018, for public hearing pursuant to public notice as required by law for a Special Use Permit for constructing a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for constructing a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North
2. All legal requirements for notice of public hearing have been met.
3. The property in question is zoned R-4 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Neighborhood Commercial in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-5, and 10-13-2.2, Twin Falls City Code.
5. The existing neighboring land uses in the immediate area of this property are: to the north, Borah Avenue West/Residential; to the south, Residential; to the east, Residential; to the west, Residential.

6. The submitted site plan for the (8) fourplex units provides for a single point of access onto Borah Avenue West at the north of the proposed development. Borah Avenue West is a standard residential street, thirty-six (36) feet wide. Immediately to the east of the point of access Borah Avenue West ends. Vehicular traffic wishing to travel eastbound from the development have three options: 1. Drive north on Rose Street; 2. Drive north or south on Bracken Street; or 3. Drive north or south on Martin Street. Vehicular traffic will likely take the shortest distance, utilizing Rose and Bracken Streets as thoroughfares.

7. Rose and Bracken Streets are overburdened with vehicular traffic, due in part to the narrow lanes of travel and on-street parking. The addition of (8) fourplex units in this area will detrimentally increase the burden on these and surrounding streets.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The proposal to construct a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North will be disturbing to existing neighboring uses.

2. The proposed construction of a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North will not be served adequately by highways and streets.

3. The proposal to construct a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North will involve uses and activities that will be detrimental to neighboring properties by reason of excessive noise and traffic.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

The application for a Special Use Permit to construct a maximum of (8) fourplex units on individual lots on property located south of the intersection of Borah Avenue West and Rose Street North is hereby denied.



CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

10-3-2018

DATE

APPLICATION # PZ19-0059



RECEIVED

OCT 10 2018

CITY OF TWIN FALLS
ENGINEERING DEPT.

October 10, 2018

Jonathan Spendlove, Planning and Zoning Director
City of Twin Falls
203 Main Avenue East
Twin Falls, Idaho 83301

Re.: *Kaitlyn Court Subdivision*
Special Use Permit Appeal

Dear Sir,

Please find attached correspondence from the owners of Kaitlyn Court, LLC requesting an appeal of the Planning and Zoning Commission's decision regarding the special use permit that was denied at their meeting on September 25th. The owners would like the Council to reconsider the Commission's decision and request approval of the original application to allow four-plex units within the development.

Please place this item on the earliest available Council agenda and please feel free to call me if you have any questions.

Sincerely,

Tim Vawser
EHM Engineers, Inc.

Attachment: Request for Appeal

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049
3501 W. Elder St., Suite 100 • Boise, Idaho 83705 • [208] 386-9170 • Fax [208] 386-9076

Kaitlyn Court, LLC
P.O. Box 6004
Twin Falls, ID 83303

September 27, 2018

Honorable Mayor and City Council Members
203 Main Avenue East

Re: Kaitlyn Court, Special Use Permit
Appeal of Planning and Zoning Commission Decision

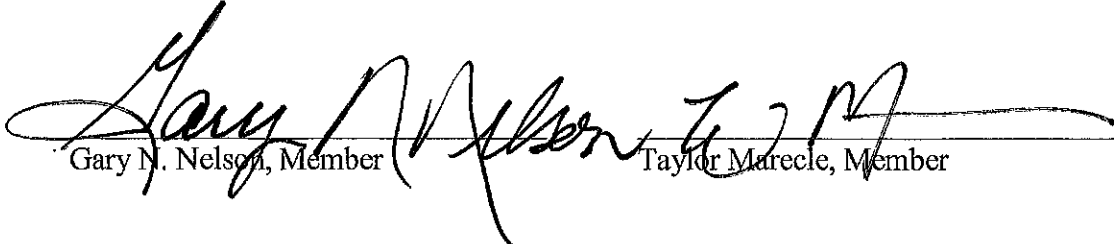
Dear Mayor and Council,

On September 25, 2018 our application for a Special Use Permit was heard before the Planning and Zoning Commission. After presentation and public hearing, the Commission denied the request by a 4 to 3 vote. That decision did not appear to us to be made out of any form of noncompliance to code or the comprehensive plan. Please let this correspondence serve as our official appeal to the City Council to reverse the Planning and Zoning Commission's decision. The following being our reasons for appeal:

1. Our application as submitted is for a four-plex development in conformance with the R-4 zoning designation and the special use permit process. The lots, parking layouts, densities, and all other information depicted meet or exceed the requirements of City code.
2. The use proposed is in conformance with the City's comprehensive plan. City staff placed no conditions other than typical comments regarding compliance with code within their staff report and concluded that this application was in compliance with the comprehensive plan.
3. The project is an in-fill project on vacant land directly adjacent to a similar use/development.
4. Notifications were mailed to adjacent property owners within 500 feet of the property and only 3 owners from that area addressed the Commission with their major area of concern being traffic related. The development is in conformance with the City's master transportation plan for street requirements. This was addressed in the staff report to the Commission as well.

In conclusion, we believe the Planning and Zoning Commission allowed other factors to enter into their decision other than compliance with the requirements set forth by code that were all met. Please schedule us for the first available Council meeting to allow us to address our concerns in regards to the Commission's decision and request approval of our project.

Respectfully,
Kaitlyn Court, LLC


Gary N. Nelson, Member Taylor Marecie, Member



NE Corner Looking SW



SE Corner Looking NW