

**CITY OF MARSING
SPECIAL CITY COUNCIL MEETING
CONTINUATION OF PUBLIC HEARING
MEADOW BROOK SUBDIVISION
March 21, 2017
7:00 P.M.**

Mayor James Ferdinand called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Roll Call: Mayor James Ferdinand (left at 7:43 p.m., returned at 9:25 p.m.), Councilman Cory Percifield, Councilman Marie Herman, Councilman Jolyn Green and Councilman Chris Even were present. Staff members present were City Clerk/Treasurer Janice Bicandi, Deputy City Clerk Doris Hayward-Roland, City Engineer Amy Woodruff and City Attorney Stephanie Bonney.

Others that were also present in the audience were Les Loucks (Applicant), Laveda Loucks (Applicant), Wendy Schrief (Horrocks Engineers), Fritz Brownell (Horrocks Engineers), Clint Boyle (Horrocks Engineers) and Tina Wilson (Western Alliance).

Mayor Ferdinand opened the public hearing for testimony from the audience. Nobody wished to speak and the Mayor closed the public hearing.

City Engineer Amy Woodruff presented her staff report and went through the findings.

Staff Findings and Notes

1. Staff reviewed the preliminary plat submittal and sent a comment summary to Horrocks Engineers (see letter of comments dated January 13, 2017). Staff had a subsequent meeting with Horrocks Engineering on January 25th and February 23rd to review the layout and discuss specific questions.
2. Staff finds a timeline for development should be submitted to the City identifying the probable project life. The project is planned to be developed in five phases as depicted on the preliminary plat.
3. Staff finds the application is generally supported by the City of Marsing Comprehensive Plan.
4. Lots and general configuration, as proposed, comply with relevant specifications of the residential zoning designation. Minimum lot size in the residential zone is 7000 ft². All lots appear to meet the minimum size.
5. The plat submitted does not conform with the Marsing Subdivision Ordinance:
 - a. MCC IV.B.1.g. The plat needs stamped and sealed.
 - b. MCC IV.B.1.i. Please eliminate duplicate road names. Street suffix is east/west. Avenue is north/south. Court is cul-de-sac. Only.
 - c. The existing 8-inch water main in Bruneau Highway shall be extended north past Simpkin Lane to the north project limits.

6. Staff finds there are nine (9) lots hatched on the preliminary plat as multi-family. Seven (7) lots are listed in the notes and two (2) lots will be used for multifamily parking for the multifamily lots.
7. Future applications for building permits on the property will be evaluated for compliance with relevant city code and design guidelines. Said review shall allow structures to comply with City requirements, including lot area, height, setback, and parking requirements.
8. Staff finds the improvements planned for Bruneau Highway should meet the City's ordinance and standards. The area is transitioning from rural to suburban and Bruneau Highway needs to be improved to support the increased use. The City is requesting a minimum 30 foot half section improved with 23 feet of pavement from centerline, curb/gutter and a concrete sidewalk - 7 foot if attached or 5 foot if detached, and storm water management facilities. A borrow ditch type of disposal is not recommended because of maintenance and trash/debris accumulation. MCC IV.B.1.h. and MCCVII.S
9. Staff finds the developer and the City of Marsing should coordinate and reach agreement regarding ownership of the pressurized irrigation system at build out and add a note to the plat regarding dedication of the system. The City owns and operates a City wide system per agreement with Gem Irrigation/South Board of Control MCC V.4.
10. Staff finds a TIS has been submitted which shows the SH55/Bruneau Highway intersection will function at LOS C after project buildout - with all lots in Meadow Brook on line. Staff finds the TIS did not contemplate Waterview Subdivision #2 with 21 residential lots and used a conservative growth estimate of 2% in the analysis. Staff finds Idaho Transportation Dept. was provided a copy of the TIS and has not submitted comments. Staff finds actual users of the intersection currently do not experience a LOS C with existing traffic only: not considering future background traffic increases and other factors.
11. Staff finds City of Marsing water right capacity under Water Right #57-11690 is 449 gpm or 1 cfs. The existing municipal water demand combined with the 226 EDUs at Meadow Brook will be 98 gpm average day demand and 162 gpm peak day demand. Sufficient water right is in place for the reasonably anticipated future demand.
12. In summary, the Marsing municipal water system appears to have capacity for at least 307 additional dwelling units. The City will use a declining balance spread sheet and after the City has issued 200 additional water hookups, planning should be started to develop a new well and a new source of supply should be developed. If a new source of supply is not brought on line before reaching system capacity, the City may be required to declare a building moratorium.

The Marsing municipal water system was analyzed from the standpoint of supply (largest well out of service) and booster station capacity i.e. - pumps, treatment and all components. Both capacities were analyzed at average day, max day and peak hour demand.

Fire flow was measured at two hydrants, in Morning Dove Subdivision and at the end of First St. Fire flow in the area was measured at greater than 1400 gpm.

13. Staff finds the capacity of the wastewater treatment plant was analyzed for hydraulic capacity and treatment capacity. The project preliminary plat should be reconfigured so all sewer flow is directed to the mains in 2nd Ave West and Mountain Ave. The existing main line in 1st Street to the bar screen has sufficient hydraulic capacity to handle the flow.

Treatment capacity was also analyzed for nutrient, TSS, and BOD5 removal. The limiting factor for the WWTP at this time is BOD5 removal. There are at least 50 hookups available at the WWTP with no plant or operational modifications needed. However, as the number of EDUs exceeds 50 additional, the BOD5 removal percentage can exceed the NPDES permitted BOD5 removal limit.

It is recommended the City keep a declining balance spreadsheet of the hookups remaining to date and issue not more than 25 hookups before undertaking a facility plan amendment identifying the needed operations and plant modifications to increase plant capacity.

It is also recommended the City develop and implement operational, plant equipment modifications and effluent management plans that may support and enhance the plant treatment function to better remove BOD and nutrients.

14. Park Level of Service

MCC Section XII. The City finds the existing levels of park service are low at 1.3 acres per 1000 people. Staff recommends the existing park be expanded by 0.75 acres to maintain the existing (low) service level.

The City of Marsing has 1.7 acres of public park space located near City center. Marsing Island Park (4.16 acres open space) will not be considered in the analysis because of Island park's location, the park development and amenities and because of State Highway 55 which in effect creates a barrier for children to cross.

Marsing's population in 2013 was estimated at approximately 1300 people. It is assumed the population now is approximately the same as 2013.

The size of the City park, 1.7 acres, is in line with a mini-park. However, the City park most closely fits the description of Neighborhood Park. A neighborhood park is typically defined as 5 - 10 acres in size. Most dwellings in the City are within 0.5 mile of the City park and all of the dwellings in the City are within one (1) mile. The City park is fully improved with grass, trees and landscaping. The City park has a playground area for children, picnic area with tables, restrooms, and a stage/band shell.

The existing level of service (LOS) for the Marsing City park is calculated at 1.3 acres per 1000 people. Planning guidance on the amount of park space (neighborhood park) desirable for a community varies from 1.0 -2.0 acres per 1000 people.

Meadow Brook Subdivision is scheduled to bring on 226 new dwellings. Statistics for the City of Marsing assume 2.51 people per dwelling for an additional 568 residents at build out. Given the existing park level of service is on the lower range of average, 1.3 acres per 1000 people,

without additional park area developed to accommodate the increased use, the park LOS will fall even further.

Using a LOS of service only calculation, the total park area for 1868 residents (population growth with Meadow Creek buildout only) should be 2.45 acres or an additional 0.74 acres just to maintain the existing low level of service.

There are also other factors that support additional park development:

- The community is currently underserved by park space and over all OPEN space. Guidance developed for small, rural communities in Colorado identifies open space needs as 14 acres/1000. Marsing has approximately 4.5 acres/1000 of open space.
- There are currently no public soccer fields, softball fields, bike trails or other. The City park is improved for use by residents, including families and children, but does not support sports activities or accommodate many other types of park users.
- The City park is very heavily used now. Marsing is approximately 70% low to moderate income, and there is need and growing demand for affordable and safe outdoor activity and recreation opportunities. City park is booked by private parties for most weekends throughout the spring and summer, City park is used for summer food distribution programs to children, BLM uses the park extensively for meetings and outreach, and overall the community relies on the City park for outdoor recreation and open space not available other places.
- The close proximity and relative density of Meadow Brook Subdivision. The City park is in very close proximity (easy walking distance) which supports heavy use of the park by the Meadow Brook neighborhood.

It is recommended the existing City park be expanded by 0.75 acres, minimum, to maintain the existing low LOS.

It is recommended the City of Marsing and developer work together to identify other areas where public open space, soccer/sports fields or other park area could be developed that would serve the whole community.

Staff Recommended Conditions of Approval

Should the Council vote to approve the Preliminary Plat, staff recommends the following conditions of approval:

1. In conformance with Marsing City Code (MCC) Council reserves the right to modify and/or add conditions to the final plat(s) to conform to adopted policies and/or ordinance changes for each phase submitted after one year following the preliminary plat approval.
2. Any and all requirements set forth by Idaho Transportation Department shall be met by the developer. The Traffic Impact Study submitted shall be updated prior to final plat application for phase 3 and phase 4.
3. The existing 8-inch water main in Bruneau Highway shall be extended north past Simpkin Lane to the north project limits with the development and construction of applicable future phases.

4. The City will issue 25 sewer system hook ups and will undertake a Facility Plan addendum to identify the plant improvements required to increase treatment capacity and BODs removal. The developer shall be required to pay a proportional share of wastewater treatment plant improvements identified and required to increase capacity as needed to serve Meadow Brook Subdivision.
5. The improvements planned for Bruneau Highway are required to meet the City's ordinance and standards. The City is requiring a minimum 30 foot half section improved with 23 feet of pavement from centerline, curb/gutter and a concrete sidewalk - 7 foot if attached or 5 foot if detached, and storm water management facilities.
6. The Developer is required to add at least 0.75 acre of park to the City park.
7. A plan to mitigate and manage the existing runoff from ongoing farming operations is required. The water runoff from irrigation impacts neighbors and lots in the Morning Dove Subdivision.
8. The City requires dedication of the lot (C-1, Block 13) which is the C-line canal and a note be added to the plat.
9. The City requires a typical section of the pathway planned for construction to be submitted for review and approval. The pathways are required to be public.
10. A note or clarification is required stating the common lots used for storm water management and pathways will be subject to a blanket City utility easement.
11. The easement width on the back of lots bordering Morning Dove Subdivision is required to meet the Marsing City Code.
12. The need for a third access to Bruneau Highway when Phase 4 is brought on line is required to be analyzed through an updated Traffic Impact Study or other means identified by the City.
13. All construction shall be in strict conformance with Idaho Standards for Public Works Construction, current edition.
14. The preliminary plat depicts the development in phases. It is anticipated the phase line(s) may be adjusted slightly to facilitate construction, however, the number of lots actually developed in the subject phase(s) shall not be increased by more than 10% from the number of lots approved with the preliminary plat phasing layout. The phases shall be constructed in numerical order or the developer shall request City approval for an amended phasing plan.
15. The applicant shall request annexation into the City of Marsing municipal irrigation system so the City of Marsing may own and maintain the irrigation system after construction. It is anticipated the pump station to service the development will be designed in conformance with City standards. The pump station may be modified, improved, or expanded as additional phases are developed. The pump station shall be serviced by three (3) phase power, if necessary, and the pump shall be equipped with a

variable frequency drive, or approved equivalent. The applicant agrees to make the pump station improvements or modifications necessary to serve future phases of the development, as determined by

the City Engineer. The surface irrigation water rights appurtenant to the parcel are not to be sold, transferred or reduced and shall be included in the City's irrigation system for management and control.

16. All storm drainage shall be held on site for each phase to be developed.

17. Grading and erosion control plans, prepared by a Registered Professional Engineer, shall be submitted to the City Engineer and/or Building Inspector prior to construction on any lot with slopes greater than 7%. No building permit shall be issued for the lot until the grading plan is approved by City Engineer and or Building Inspector. Grading plan shall detail all slopes, both existing and proposed, stormwater retention plans (including roof drains), easements and infrastructure needed for storm water disposal, and erosion control during grading and construction. Individual lot grading shall be in conformance with overall grading plan prepared by developer.

18. The Development shall form a Home Owner's Association. Pursuant to the CC&R's the Home Owner's Association shall be responsible to maintain all common areas and assure they are in compliance with local laws and ordinances. The Association may not be dissolved regarding these responsibilities for the common areas without the prior express written permission of the City.

STANDARD CONDITIONS OF APPROVAL

1. The applicant shall comply with all requirements of City of Marsing Zoning Ordinance and Subdivision Ordinance.

2. Correct street name shall be placed on the plat prior to City Engineer signing the final plat.

3. Complete construction plans, including, but not limited to, water, sewer, storm drainage, and irrigation

shall be reviewed and approved by City Engineer prior to commencing construction.

4. Per Idaho Code, Section 31-3805, concerning irrigation water rights, transfer and disclosure, the water rights appurtenant to the lands in said subdivision; the subdivider shall provide for underground tile or other like satisfactory underground conduit or system to permit the delivery of water to those landowners within the subdivision who are also within the irrigation entity and entitled to irrigation water. Plans showing the irrigation delivery system must be prepared by a Registered Professional Engineer and shall be approved by the City Engineer prior to City Engineer signature on final plat.

5. The applicant shall submit a letter from the appropriate drainage entity approving the drainage system and/or accepting said drainage; or submit a letter from a Registered Professional Engineer certifying

that all drainage shall be retained on site prior to the City Engineer signing the final plat. A copy of the construction drawings shall be submitted with the letter.

6. Storm water retention and treatment plans shall be submitted for review and approval by the City Engineer prior to City Engineer signing the final plat. The plans will clearly show how the storm water will be treated and the infrastructure will be constructed. The system must be constructed prior to City Engineer signing the final plat. Lots must be graded so stormwater runoff is contained on site. No runoff shall cross any lot line onto another lot.

7. Street light plans shall be submitted and approved prior to City Engineer signature on final plat. The plans shall detail location, height, and wattage of street lights. If street light construction is not in the

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dedicated public right of way, an easement for the installation and maintenance of the street light, including fixtures, conduit and wiring, shall be depicted on the final plat.

8. All utilities necessary to service the development shall be extended 'to and through' the development,

as may be necessary to provide for the orderly expansion of services in the City. The applicant shall provide all easements, as required, for installation of all utilities necessary to service the subject development.

9. An approval letter from the Marsing Rural Fire Protection District shall be submitted to the City prior to City Engineer signing the final plat.

10. Covenants, restrictions, homeowners association bylaws, or other similar deed restrictions which provide for the use, control, and mutual maintenance of all common areas, storage facilities, recreational facilities, street lights, or all open spaces shall be reviewed by the City Attorney prior to the City Engineer signing the final plat.

11. A note shall be placed on the final plat stating "Minimum building setback lines shall be in accordance with the applicable zoning and subdivision regulations at the time of issuance of the building permit, or as specifically approved and/or required."

12. If the development has any impact on wetlands or other natural waterways, the applicant shall obtain approval from the Corps of Engineers and the Idaho Department of Water Resources, and/or any other jurisdictional agency prior to the City Engineer signature on the final plat.

13. Marsing City Code, International Building Code, and all applicable County, State, and Federal Codes and Regulations shall be met. All design and construction shall be in conformance with City of Marsing codes and Idaho Standard for Public Works Construction.

14. Any changes to the approved plans and specifications will require an application for the modification be submitted to the City. The application must be approved prior to the change. Any change in the planned use of the property under this application shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions applicable at the time the applicant (or its successors) submits an application to the City of Marsing for a change in the planned use of the property.

15. In conformance with City of Marsing Code, failure to file the final plat with the County Recorder within two (2) years after written approval from the City shall cause this approval to be null and void. A time extension submitted prior to the expiration date of the final plat approval may be granted.

Requested Actions: Special Use Permit to develop nine (9) multifamily lots in the residential zone.

Location: Southeast corner of the project near 1st Ave West, Live Oak Avenue, and Mountain Avenue. See preliminary plat shading.

Development Data:

Zoning: Residential

Lot Size: 9991 minimum

Required Setbacks: As defined in the zoning ordinance at time of building permit submittal.

Prior Development: None.

Public Notice:

Notice of public hearing was published on January 25 and February 1, 2017 in the Owyhee Avalanche.

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Notice was sent to political subdivisions on January 27, 2017s

Notice was sent to property owners within 300 feet on January 31, 2017

Code Analysis:

City of Marsing Comprehensive Plan. See staff finding, below.

City of Marsing Zoning Ordinance, attached.

Staff Findings and Notes:

Finding 1.

Staff finds the existing zoning of the parcel is Residential. The Comprehensive Plan generally supports the application. The property does not include annexation and is for property located in city limits and zoned appropriately.

Staff finds the requested Special Use, Multifamily Housing, is a Special Use in the Residential zone.

Finding 2.

Staff finds the Commission may require, per Article X Section F, prior to granting a Special Use Permit, studies from planning authorities or public agencies concerning social, economic, fiscal, and environmental effects of the proposed Special Use when there is an operation, material or activity which constitutes a potential threat to public health, safety and welfare or to the quality of the environment. In this specific case, the Commission may find the Special Use applied for is multifamily dwellings. The Commission may require provision for on-site and off-site public facilities or services; The Commission may require more restrictive standards than those generally required in an Ordinance.

Finding 3.

Per Marsing City Code, Staff finds that, if the Special Use Permit were authorized, then the applicant will be issued a Special Use Permit for the request.

Commission Code-directed Actions

Action 1.

The Hearing is to be conducted according to Article X, Section E and Section F, (provided under 'Applicable Code')

Action 2.

Per Article X, Section C, the Council is to deliberate and make findings upon at least the following criteria:

The City Council shall review the particular facts and circumstances of each proposed Special Use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Will, in fact, constitute a Special Use authorized in the zoning district involved.
2. Will be harmonious with and in accord with the general objectives and with any specific objectives of the comprehensive plan and/or the Zoning Ordinance.
3. Be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or likely character of the neighborhood, and that such use will not

change the essential character of the surrounding area.

4. Not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such proposed use.

5. Be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

6. Not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

7. Not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors or other forms of pollution.

8. Have vehicular approaches to the property so designed as not to create a detrimental interference with traffic on surrounding public or private thoroughfares, or adversely affect the pedestrian environment.

9. Not result in the destruction, loss or damage of an important natural, scenic or historic feature.

10. Be on a site of sufficient size to accommodate the proposed use, including the yards, open spaces, walls, fences, parking areas, loading zones and design standards applicable.

Action 3.

The Commission shall direct the Administrator to provide the City Council with written notice of the action on the requests within 10 days after the public hearing, with criteria set Article X (provided under 'Applicable Code')

Staff Recommended Conditions of Approval

Staff had no suggested conditions of approval.

Applicant Les Loucks stated he had three people from Horrocks Engineering to speak to Council. He said that they agreed with most of what had been presented. He stated there were a couple items that they would like to discuss.

Wendy Schrief said there was an error in the number of residential lots. Changes have been made. There are 214 total residential lots; eight multi-family lots (fourplex lots) and one garage lot.

Clint Boyles said that 214 was the grand total and then the eight multi-family and the garage lots are subtracted out.

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Wendy Schrief discussed Condition of Approval #3 in Woodruff's staff report. If they were going to extend the 8-inch water line in Bruneau Highway past Simpkin Road, they would like a late-comers agreement and would like to get paid back.

Councilman Green said she wanted a "rebuttal" from the City Engineer regarding extending the line "to and through."

Woodruff said what the applicant is willing to do is acceptable. She said the request for a late-comers agreement was not unique and was in line.

Schrief next discussed Condition of Approval #4 in the staff report. She said this item came up relatively recently. She said it was difficult to determine what the cost was to be because of the way that it was worded. She asked if this could be addressed with the final plat. This would give them some time to work through it. She asked if the condition could be removed or if they could have a general condition.

Attorney Bonney recommended that the condition be removed.

Schrief said they didn't know how the proportional shares would be determined.

Woodruff said they had some preliminary numbers. It is not a new mechanical plant. We need to get under way with a Facility Plan addendum.

Bonney said the City could not afford to pay for everything and then let the developer pay them back over time. They cannot "lend credit".

Councilman Even said that Marsing residents pay some of the highest water bills in the state of Idaho. He said that the citizens of Marsing are subsidizing the Loucks' project.

Woodruff said the sewer hook-up fees were an equity buy-in to the existing plan. It is based on the cost of the existing plan. The hook-on fees could be used for a system up-grade but that wasn't what those fees were intended to be used for. She said she hoped the City was collecting that money and setting it aside to build a new plant.

Bonney said that Council needed to deliberate as to how many EDUs it was willing to allow at this point and what proportion of the payment of the facility plan should be apportioned to the developer.

Regarding Condition #5, Shrief said they were going to be doing a detached pathway along Bruneau Highway. Shrief said the City of Nampa requires an asphalt pathway, not concrete sidewalk. Asphalt is lower impact, easier to maintain and there are no expansion joints. Asphalt is the norm in the Treasure Valley.

Woodruff said the reason the City requests concrete sidewalks is because it has a whole different life cycle than asphalt paths. Asphalt degrades a lot quicker. The City Code contemplates concrete sidewalks.

Schrief said they weren't putting in a detached sidewalk, it is a detached pathway. It is a recreational pathway for City use. It has a different function than just a sidewalk. Pathways have bicycles on them.

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Les Loucks said snow will melt quicker on asphalt than on a sidewalk.

The City of Marsing will maintain the pathway.

There will be sidewalks throughout the neighborhood and this would be more of a recreational use into town. Asphalt is more forgiving. Concrete will not be forgiving during a freeze, asphalt will.

Schrief said that Condition #6 was a new condition that was added. This is a difficult condition (adding at least .75 acres of park to the City Park) as their client doesn't have any control over prices of land and the City Park is not a part of the Meadow Brook development. She suggested another proposal. There are approximately 2.38 acres of common areas and open space in the development. There are two common areas that they are proposing for the project, one in phase II and one in phase V, for a total of 1.03 acres. Their client is more than willing to put some picnic benches and amenities in one open space area and put playground equipment in phase V. They would be willing to put in sprinklers and turn over the areas over to the City. They understand why parks are important but there is nothing in the City Code or the subdivision ordinance regarding parks.

Councilman Green said she liked that they were willing to do the two spaces but was not convinced that the rest of the City, especially the kids and people from the west end of town would not go to that park.

Boyles said it was unusual to place a requirement on a developer to where they have to obtain a site or add onto a site that they don't have control of.

Councilman Green said it has been done where developers have said they are putting a burden on existing City services, Parks & Rec included and said to help out, they would build a park. It may be adjacent, it may be across the road or it may be a mile down the road but it has been done. She thought both Middleton and Nampa had both done it recently.

Schrief said typically it is part of an annexation. The City Code does not reference a developer purchasing land outside of the subdivision. But it does talk about the City coming in and acquiring land.

Les Loucks said that if the City wants to require land and they want to make a bigger park, he would gladly sell the City more land right there.

Bonney said she would feel more comfortable if the City gave the developer a choice. The developer could do a five acre neighborhood park within the subdivision which had complete amenities or they could choose to add on to the existing park.

Les Loucks said they spent some time looking at the City Park. He thought it looked like an unsafe situation for kids if they built a park across the road from the main City Park as they would be running back and forth through traffic. He thought it would be better if the park was inside his facility. He felt responsible for a park within the subdivision but not adding on to something that had been done previously.

Bonney asked Woodruff for a minimum size recommendation if the developer chose to do a neighborhood park within their development.

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Woodruff said that the guidance for a neighborhood park was five acres. The challenge is having two less than half acre sized areas when there is a nice City Park a few blocks away. She didn't think it was realistic to think that the kids would use open space area as much as they would the City Park.

She also said that the City may be able to vacate the street next to the current City Park.

Bonney said she recommends to the Council that they give the developer two options.

Councilman Green asked if it had to be next to the current City Park. Could it service the west end of town? Could it be a five acre lot elsewhere?

Bonney said the Council could do a couple of things. They could say they needed to put in a three acre neighborhood park, a two acre stand-alone park within city limits or add .75 acres to the current park. She also said that it needed to be tied to a certain phase.

Councilman Even asked how Condition #11 was going to work. (The easement width on the back of lots bordering Morning Dove Subdivision is required to meet the Marsing City Code.)

Schrief said they would make sure that they meet it.

Woodruff said there was an existing easement in Morning Dove

Councilman Even asked how far into each property it went.

Woodruff said it would be ten feet on the Meadow Brook side, the back ten feet. It was also ten feet on the Morning Dove side.

Schrief said if a motion was to be made concerning the parks condition, they did want to have several options.

Bonney said that Woodruff had mentioned the turn lane off of Bruneau Highway.

Councilman Even said that would be conditional with ITD.

Woodruff said that would be a City condition. Any ITD conditions would be separate. It would be a little bit of pavement and some striping which could be tied to a certain phase.

Councilman Even asked if the intersection was big enough to have three lanes.

Woodruff said she didn't know that.

Woodruff said she just referred to a simple modification to N Bruneau Highway at the intersection of Highway 55 that would make it function much better than it currently does with not much of an investment by getting the right turn lane people out of the que.

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Councilman Even asked the Council if they were ready to deliberate and make a decision or if they needed more time.

Bonney said that basically there were five different items that Council needed to come to a determination on.

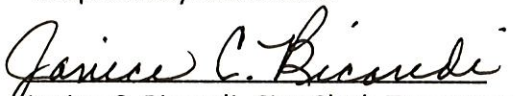
Councilman Green said that they need to discuss Staff Recommended Conditions of Approval items 2 – 6.

Councilman Percifield moved and Herman seconded to approve the Special Use Permit for the multifamily dwellings. Motion carried.

Councilman Green motioned and Percifield seconded to approve Meadow Brook Subdivision with the Standard Conditions of Approval and with the Staff recommended conditions of approval with the following amendments: #2 – Include a Right Hand Turn Lane at the Corner of N Bruneau Highway and Highway #55 Provided There is Existing Right-of-Way Space; #3 – To Allow the Developer to Stub Out the Main Line at the Northeast Corner of the Project to Bruneau Highway; #4 – Amended to Allow 32 Sewer System Hook-Ups and the Developer with be Responsible for 30% of the Facility Plan Study to be Reimbursed to the City of Marsing; #5 – Concrete will be Amended to Asphalt and Add the Language “As Referenced by the Plat”; #6 – Additional Options Will be Included to Allow the Developer to Choose to Add on to the Existing .75 City Park OR Use the Common Areas in Phase II and Phase V Within Meadow Brook Subdivision and Add Benches and Playground Equipment to Both Areas AS Well as Lighting with Glare Guard OR Donate a Two to Five Acre Unimproved Lot Located at Least Within the Marsing Impact Area. MOTIONED CARRIED.

Councilman Even moved and Green seconded to adjourn the meeting at 9:27 pm. Motion carried.

Respectfully submitted:


Janice C. Bicandi, City Clerk-Treasurer


James Ferdinand, Mayor

Date: May 10, 2017