



Twin Falls City Council Agenda

Monday, February 24, 2020, 5:00 PM

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

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

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) PROCLAMATION OF THE MAYOR
 - a) **PRESENTATION:** Sanctity of Human Life - Request made by Pastor Paul Thompson
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the Accounts Payable for February 6-19, 2020.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to hold the annual "Walk a Mile in Her Shoes" event.
By: Justin Dimond, Police Department
 - c) **ACTION ITEM:** Request to hold the Magic Valley Refugee Day.
By: Justin Dimond, Police Department
 - d) **ACTION ITEM:** Request to approve the Annual Saint Patrick's Day Parade Application and Special Event Celebration sponsored by Bev O'Connor and Jennifer Colvin of O'Duncans, to be held on Tuesday, March 17th, 2020.
By: Ryan Howe, Police Department
 - e) **ACTION ITEM:** Request to hold the Twin Falls Municipal Band Concerts.
By: Justin Dimond, Police Department
 - f) **ACTION ITEM:** Request to approve the Findings of Fact and Conclusions of Law for the following:
Rose Russell Subdivision Final Plat
Sundance Subdivision No. 2, a PUD Final Plat
North Haven Office Condominium No. 1, a PUD Final Plat
Compton BR Properties, LLC Vacation
LC Investment Holdings, LLC Vacation
Elizabeth Properties, LLC Zoning District Change and Zoning Map Amendment
By: Jonathan Spendlove, Planning & Zoning Director
 - g) **ACTION ITEM:** Request from the Twin Falls School District to waive building permit fees.
By: Mitch Humble, Deputy City Manager

5) ITEMS OF CONSIDERATION

- a) **ACTION ITEM:** Reappointment of Carolyn Bolton to the Planning and Zoning Commission for 2nd term.
By: Jonathan Spendlove, Planning & Zoning Director
- b) **ACTION ITEM:** Request to hold the Lights and Lasers at Shoshone Falls Event on May 15-25, 2020.
By: Justin Dimond, Police Department
- c) **ACTION ITEM:** Request to approve the contract with Mosaic Community Planning in the amount of \$46,480 for the completion and submission of a community Consolidated Plan and Analysis of Impediments to Fair Housing Choice.
By: Mandi Thompson, Grant and Community Relations Manager
- d) **ACTION ITEM:** Request to award a bid for the City Park restroom project.
By: Wendy Davis, Parks & Recreation Director
- e) **ACTION ITEM:** Request to adopt an ordinance for an Annexation with a Zoning District Change from M-1 to M-2 for property located at 594 & 616 Washington Street South c/o Idaho Department of Corrections. (PZ19-0147)
By: Jonathan Spendlove, Planning & Zoning Director
- f) **ACTION ITEM:** Request to adopt an ordinance for a Zoning Development Agreement Amendment for property located on the south side of the 1800 block of Elizabeth Blvd c/o Gerald Martens on behalf of Elizabeth Properties, LLC (PZ19-0131)
By: Jonathan Spendlove, Planning & Zoning Director

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154). On January 28, 2020 the Planning and Zoning Commission recommended approval of the proposed Vacation by a vote of 6 - 0.
By: Brock Cherry, City Planner
- b) **ACTION ITEM:** Request an Appeal of a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Robert Taylor (PZ20-0004). On January 14, 2020 the Planning and Zoning Commission approved the Special Use Permit (PZ19-0150) by a vote of 6 - 0.
By: Brock Cherry, City Planner

9) ADJOURNMENT

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

Public Input Procedures

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

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and 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. A City Staff Report shall summarize the application and history of the request.
4. 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.
5. 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.
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.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, 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, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.
8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & 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.

Proclamation

Of the Mayor

Sanctity of Human Life

Whereas, on January 13, 1984, President Ronald Reagan issued the first Presidential Proclamation regarding the sanctity of human life and designated the first National Sanctity of Human Life Day; and

Whereas, our Founding Fathers inscribed into the Declaration of Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness;" and without life there is no liberty or happiness; and

Whereas, every person, the born and the unborn, the poor and the downcast, the disabled, the infirm, and the elderly all have inherent value and no life is inconsequential or without worth; and

Whereas, The City of Twin Falls adopted a neighborly city resolution that calls for all to accept and respect the dignity and worth of every life, and the City of Twin Falls is committed to protecting life every day.

Now therefore, I Suzanne Hawkins, Mayor of the City of Twin Falls, do hereby call on all citizens of the City of Twin Falls to, civilly and legally, protect and defend the dignity of every human life, including those not yet born, and to care for women in unexpected pregnancies and to support adoption and foster care in a meaningful way. Further, I invite all citizens who believe in prayer to join on March 1, 2020, to pray for our City, State, and Nation.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the City of Twin Falls to be affixed.

Suzanne Hawkins
Mayor

Attest: Leila A. Sanchez
Deputy City Clerk

Date: February 24, 2020





Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Justin Dimond, Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to hold the annual “Walk a Mile in Her Shoes” event.

Time Estimate:

Staff requests this item be placed on the consent calendar.

Background:

Voices Against Violence has submitted a special events application requesting to hold the annual Walk a Mile in Her Shoes event at the Twin Falls Visitor’s Center and the Canyon Rim Trail on April 25, 2020. This event will take place from 11:00 a.m. to 3:00 p.m.

Voices against Violence is a non-profit community organization founded for providing shelter, support and hope to people victimized by domestic and sexual violence within Twin Falls, Jerome, Gooding and Lincoln Counties. The annual Walk a Mile in Her Shoes event is held to bring awareness to, and help stop, rape, sexual assault, and gender violence. As part of this campaign to raise awareness, this event will feature men walking a mile on the canyon rim trail while wearing women’s high-heeled shoes.

The event will have amplified sound in the form of public speakers and pre-recorded music. There will be food vendors at the event selling food.

The event organizers will be responsible for clean-up within any areas affected by the event. The Twin Falls Police Department Staff and other relevant City Staff members have reviewed the application and recommend its approval.

Approval Process:

Consent of the Council

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the City Council approve the Special Event Application submitted for the Walk a Mile in Her Shoes event based on the information provided.

Attachments:

None



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Justin Dimond, Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to hold the Magic Valley Refugee Day.

Time Estimate:

Staff recommends this item be placed on the consent calendar.

Background:

Tara McFarland, representing the College of Southern Idaho Refugee Programs, has submitted a special event application requesting to hold the 11th Annual Magic Valley Refugee Day. This event will take place at the Twin Falls City Park on Friday, June 19, 2020 from 12:00 p.m. to 8:00 p.m.

This event is intended as a community event to invite the citizens of Twin Falls to meet the members of our refugee community. This event will help people learn about the refugee community as well as about their cultures and customs. There will be free cultural food for the public to sample and performances by refugees in the band shell.

There will be amplified sound in the form of a public address system. There will also be music for performances in the band shell.

Based on previous years, the anticipated attendance at this event is 300-400 people.

There will be no alcohol served at this event.

Approval Process:

Consent of the Council

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Twin Falls Police Department Staff and several relevant City Staff members have approved this

application request. Staff recommends that the City Council approve the Special Event Application based on the information provided.

Attachments:

None



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Ryan Howe, Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to approve the Annual Saint Patrick's Day Parade Application and Special Event Celebration sponsored by Bev O'Connor and Jennifer Colvin of O'Duncans, to be held on Tuesday, March 17th, 2020.

Time Estimate:

Request this agenda item to be placed on the consent calendar.

Background:

In January of 2020, I received a Special Event Application and a Parade Application from Bev O'Connor and Jennifer Colvin for the annual Saint Patrick's Day Parade and Special Event Celebration.

The parade is to be held on Tuesday, March 17, 2020 at 4:00 p.m. on Main Avenue, beginning in the 600 block of Main Avenue East/South, the area of Krengle's True Value Hardware Store. The parade will travel west on Main Avenue to the 500 block of Main Avenue North/West, the area of the Magic Valley High School. The assembly for the parade participants will begin at 3:00 p.m.

Main Avenue will be closed from Murtaugh Street, where the staging area will be located, to Castleford Street, where the parade floats will disperse.

Due to safety concerns and prior parade activities, The Twin Falls Police Department has requested to block all downtown parking on Main Street from Idaho Street to Fairfield Street to allow pedestrians a safe area to watch the parade. Posting of signs will occur in the early morning hours of the scheduled parade. Main Street will be left open for traffic and parking until 1:00 p.m. Vehicles will be allowed to park on main, outside of the five-block area listed above during the parade.

There will be an estimated 30 floats in the parade. These floats will be decorated with a theme for Saint Patrick's Day. As with prior years, there will be an estimated 1,000 people in attendance to observe the parade based on the weather. The parade application fee has been paid and the required insurance for the event has been applied for.

Portable toilets and trash receptacles will also be provided for participants in the area of O'Duncans. There will be additional security required by the Police Department after the event because of alcohol service outside of the establishments. The cost of this security is to be paid by the event organizer. This security shall Twin Falls County Deputies or Twin Falls Police Officers. Main Avenue from Shoshone Avenue to Gooding Street will also remain closed from the end of the parade until 10:00 p.m. Catering permits will be required for each business serving alcohol outside of the business. Wristbands will be required for consumption and possession of alcohol on the sidewalk and street areas in the closed section of town. Bev O'Connor and Jennifer Colvin will be responsible for the cleanup in the immediate

area of the event and the surrounding area of downtown affected.

The Twin Falls Police Department handled multiple parking violations and calls during the 2019 event as well as a report of alcohol being left unattended and accessible by one of the businesses.

It will be the event Sponsor's responsibility to notify downtown business owners of the event and street closures 14 days before the event as per city code.

The Twin Falls City Street Department will provide the traffic cones and barricades for the parade.

The event organizer will be responsible for providing traffic control closing Main Avenue between Gooding Street and Shoshone Street after the parade and re-opening the street at 10:00 p.m.

Approval Process:

N/A

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Several relevant City Staff members have approved this Special Event and Parade Application. The Twin Falls Police Department has approved this Special Event Application and Parade.

Attachments:

None



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Justin Dimond, Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to hold the Twin Falls Municipal Band Concerts.

Time Estimate:

Staff recommends this item be placed on the consent calendar.

Background:

Sandra Hacking, President of the Twin Falls Municipal Band, has submitted a special event application requesting to hold the Twin Falls Municipal Band Concerts. The Twin Falls Municipal Band traditionally holds ten (10) summer concerts in the band shell located at Twin Falls City Park. This year they are once again requesting to hold these concerts on Thursday evenings from 7:30 p.m. to 10:00 p.m. The concerts will run from June 4, 2020 through August 6, 2020.

There will be a concert on July 4, 2020 held on the campus of the College of Southern Idaho as part of the Independence Day celebration.

The projected attendance for the concerts is 400 people each night. This estimate is based on past year's attendance.

Approval Process:

Consent of the Council

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Twin Falls Police Department Staff and several relevant City Staff members have approved this application request. Staff recommends that the City Council approve the Special Event Application based on the information provided.

Attachments:

None



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Rose Russell Subdivision</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for consideration of the final plat of the **Rose Russell Subdivision**, approximately **6.89 (+/-)** acres located at **2469 Addison Avenue East**, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the **Rose Russell Subdivision**, approximately **6.89 (+/-)** acres located at **2469 Addison Avenue East**.
2. The property in question is zoned **C-1** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **Addison Avenue East**; to the east, **Commercial**; to the west, **Vacant**.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the **Rose Russell Subdivision**, approximately **6.89 (+/-)** acres located at **2469 Addison Avenue East** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the **Rose Russell Subdivision**, approximately **6.89 (+/-)** acres located at **2469 Addison Avenue East** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

“EXHIBIT NO. A”

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>North Haven Office Condominium No. 1, a PUD</u>	)	
<u>c/o Gerald Martens</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for consideration of the final plat of the **North Haven Office Condominiums No. 1, a PUD**, approximately **1.12 (+/-)** acres located at **370 North Haven Drive**, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the **North Haven Office Condominiums No. 1, a PUD**, approximately **1.12 (+/-)** acres located at **370 North Haven Drive**.
2. The property in question is zoned **C-1 PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **Pole Line Road West**; to the south, **Vacant**; to the east, **Commercial/Medical Center**; to the west, **Hotel**.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the **North Haven Office Condominiums No. 1, a PUD**, approximately **1.12 (+/-)** acres located at **370 North Haven Drive** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the **North Haven Office Condominiums No. 1, a PUD**, approximately **1.12 (+/-)** acres located at **370 North Haven Drive** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

“EXHIBIT NO. A”

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>Sundance Subdivision, No. 2, a PUD</u>	)	
<u>c/o Gerald Martens</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for consideration of the final plat of the **Sundance Subdivision No.2, a PUD** approximately **18.25 (+/-)** acres located at **2945 E 3600 N**, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the **Sundance Subdivision No.2, a PUD** approximately **18.25 (+/-)** acres located at **2945 E 3600 N**.
2. The property in question is zoned **R-2 PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **School**; to the south, **Residential**; to the east, **Residential**; to the west, **Residential**.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the **Sundance Subdivision No.2, a PUD** approximately **18.25 (+/-)** acres located at **2945 E 3600 N** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the **Sundance Subdivision No.2, a PUD** approximately **18.25 (+/-)** acres located at **2945 E 3600 N** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

“EXHIBIT NO. A”

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,)

Compton B.R. Properties, LLC
c/o Gerald Martens)

Applicant(s)

)
) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
)
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for public hearing pursuant to public notice as required by law for Vacation of **the right of way on property located at 1643 Locust Street** and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Vacation of **the right of way on property located at 1643 Locust Street**.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **January 23, 2020**.
3. The property in question is zoned **C-1** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **Retail**; to the east, **Retail** to the west, **Transit Center**.

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

CONCLUSIONS OF LAW

1. The application for Vacation of **the right of way on property located at 1643 Locust Street** is consistent with the purpose of the **C-1** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1, Twin Falls City Code.

3. The proposed use is proper use in the **C-1** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. The application for Vacation of **the right of way on property located at 1643 Locust Street** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

DECISION

1. The application Vacation of **the right of way on property located at 1643 Locust Street** is hereby granted.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION #: **PZ19-0146**



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,)

LC Investment Holdings, LLC
c/o Gerald Martens)

Applicant(s)

)
) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
)
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for public hearing pursuant to public notice as required by law for Vacation of **the right of way on property located at 1629 Locust Street** and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Vacation of **the right of way on property located at 1629 Locust Street**.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **January 23, 2020**.
3. The property in question is zoned **C-1** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **Retail**; to the east, **Retail** to the west, **Transit Center**.

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

CONCLUSIONS OF LAW

1. The application for Vacation of **the right of way on property located at 1629 Locust Street** is consistent with the purpose of the **C-1** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1, Twin Falls City Code.

3. The proposed use is proper use in the **C-1** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. The application for Vacation of **the right of way on property located at 1629 Locust Street** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

1. The application Vacation of **the right of way on property located at 1629 Locust Street** is hereby granted.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION #: **PZ19-0145**



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Zoning District Change & Zoning Map Amendment,
Application,

Elizabeth Properties, LLC
c/o Gerald Martens)

)
)
)
)
)
)

FINDINGS OF FACT,

CONCLUSIONS OF LAW,

AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, February 10, 2020** for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from **R-4 to R-6 ZDA** and to amend the Elizabeth Estates Zoning Development Agreement for property located **on the south side of the 1800 block of Elizabeth Blvd.** and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from **R-4 to R-6 ZDA** and to amend the Elizabeth Estates Zoning Development Agreement for property located **on the south side of the 1800 block of Elizabeth Blvd.**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: **January 23, 2020**
3. The property in question is zoned **R-4 & R-4 ZDA** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **CSI PUD (No 223)**; to the east, **Residential**; to the west, **Residential**.

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

CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from **R-4 to R-6 ZDA** and to amend the Elizabeth Estates Zoning Development Agreement for property located **on the south side of the 1800 block of**

Elizabeth Blvd is consistent with the purpose of the **R-6 ZDA** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, **10-4-6, 10-6-1, 10-11-1 through 8, 10-14-1 through 7** of the Twin Falls City Code.

3. The proposed use is proper use in the **R-6 ZDA** Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. A rezone of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for a Zoning District Change and Zoning Map Amendment from **R-4** to **R-6 ZDA** and to amend the Elizabeth Estates Zoning Development Agreement for property located **on the south side of the 1800 block of Elizabeth Blvd** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from **R-4** to **R-6 ZDA** and to amend the Elizabeth Estates Zoning Development Agreement for property located **on the south side of the 1800 block of Elizabeth Blvd.**

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to all original conditions as set forth by City Council on May 8th, 2017.

APPLICATION #: **PZ19-0131**



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Mitch Humble, Deputy City Manager

ACTION ITEM

Request:

ACTION ITEM: Request from the Twin Falls School District to waive building permit fees.

Time Estimate:

As a consent agenda item, no presentation is planned for this item.

Background:

The Twin Falls School District has recently applied for three different building permits. Two of those permits are for small remodels to the entries of O'Leary Middle School and Canyon Ridge High School to improve security and student safety at those schools. The third permit is an electrical permit to install a new video scoreboard in the gym at Canyon Ridge High School. The scoreboard was a donation from Idaho Central Credit Union and is being installed with donated labor from a local contractor.

The District has requested that the City waive the fees for these three projects. The fee amounts are \$2,392.50, \$2,211.00, and \$1,100.00 respectively, for a total waiver request of \$5,703.50.

The City and the School District have always had a great working relationship. We share an understanding that we both collect our taxes from the same tax payers, and we often find ways to help one another save those tax payers money. For example, the District allows the City to use gym space for our youth recreation programs. Also, the City has a history of waiving small building permit fees, like these, for the District. Staff believes that it is important to maintain our strong relationship with the District, and that our residents benefit from this relationship. Therefore, staff recommends that the Council approve the request to waive the District's building permit fees for these three projects.

Approval Process:

A simple majority vote is needed to approve this request.

Budget Impact:

The permit fee for the O'Leary Middle School entry remodel is \$2,392.50. The fee for the Canyon Ridge High School entry remodel is \$2,211.00. The fee for the installation of the Canyon Ridge High School scoreboard is \$1,100.00. The total fee waiver request for all three projects is \$5,703.50.

Regulatory Impact:

Approval of this request will waive the building permit fees for the three small projects described. The School district will be able to proceed with the projects without paying the fees.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council waive the building permit fees for the School District as requested.

Attachments:

1. Letter to City - Permit Waiver for OLMS and CRHS 2020
2. Letter to City - Permit Waiver for CRHS Videoboard



Twin Falls School District #411
201 Main Ave. W
Twin Falls, ID 83301

P 208.733.6900
F 208.733.6987
www.tfsd.org

Ryan Bowman. Operations & Educational Technology Director

February 11, 2020

Mr. Jarrod Brodi
Certified Building Official
321 Second Avenue East
PO Box 1907
Twin Falls, ID 83303-1907

Dear Jerrod:

First, I want to thank you for your support of the Twin Falls School District. Few communities enjoy the high level of cooperation that exists between the City of Twin Falls and the Twin Falls School District #411. We have a shared facilities use agreement and have representation on the various committees within the city and school district. In addition, the city has faithfully waived building permit fees and other fees associated with building projects by the school district. This has allowed the district to maximize our taxpayer dollars to benefit the children of our community. On behalf of the TFSD #411 Board of Trustees, I want to thank the City of Twin Falls for that spirit of cooperation.

The purpose of this letter is to request a waiver of the building, mechanical, electrical & plumbing fees for our entrance remodel of O'Leary Middle School and Canyon Ridge High School. These remodels will provide additional security for these buildings. The fees for this project are \$2392.50 for O'Leary and \$2211.00 for Canyon Ridge. Although not a tremendous cost, our budget for this project is tight and all savings will be invested directly into the project.

Thank you for taking the time to consider this request. If you have any questions or require additional information, please call me.

Sincerely,

Ryan Bowman
Operations & Educational Technology Director



Twin Falls School District #411
201 Main Ave. W
Twin Falls, ID 83301

P 208.733.6900
F 208.733.6987
www.tfsd.org

Ryan Bowman. Operations & Educational Technology Director

February 13, 2020

Mr. Jarrod Brodi
Certified Building Official
321 Second Avenue East
PO Box 1907
Twin Falls, ID 83303-1907

Dear Jarrod:

I want to thank you for your support of the Twin Falls School District. Few communities enjoy the high level of cooperation that exists between the City of Twin Falls and the Twin Falls School District #411. We have a shared facilities use agreement and have representation on the various committees within the city and school district. In addition, the city has faithfully waived building permit fees and other fees associated with building projects by the school district. This has allowed the district to maximize our taxpayer dollars to benefit the children of our community. On behalf of the TFSD #411 Board of Trustees, I want to thank the City of Twin Falls for that spirit of cooperation.

The purpose of this letter, like the other letter I sent this week, is to request a waiver of the fees for our new video scoreboard for the Canyon Ridge High School gymnasium. This scoreboard was secured through a donation from Idaho Central Credit Union. The fees for this project is around \$1100. Although the cost of the scoreboard was donated, the waiving of the fees will be a tremendous help to use our dollars in other projects.

Thank you for taking the time to consider this request. The Twin Falls School District thanks the City of Twin Falls for your support and partnership. If you have any questions or require additional information, please call me.

Sincerely,

Ryan Bowman
Operations & Educational Technology Director



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

ACTION ITEM: Reappointment of Carolyn Bolton to the Planning and Zoning Commission for 2nd term.

Time Estimate:

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

Background:

Carolyn Bolton was originally appointed in 2018. She has reached the fulfillment of her first term and is up for possible re-appointment. Carolyn has been a great asset to the commission, bringing a variety of experiences and viewpoints on a number of topics.

Mayor Hawkins conducted an interview and has determined to re-appoint Carolyn for a 2nd, and final, 3 year term.

Approval Process:

Per City Code 10-17-3, members of the Planning and Zoning Commission shall be appointed by the mayor and confirmed by a majority vote of the full council.

Budget Impact:

NA

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

It is requested the council confirm the re-appointment of Carolyn Bolton to the Planning and Zoning Commission.

Attachments:

None



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Justin Dimond, Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to hold the Lights and Lasers at Shoshone Falls Event on May 15-25, 2020.

Time Estimate:

The presentation of this event will take approximately 5 minutes, allowing time for comments.

Background:

Melissa Barry, representing Southern Idaho Tourism, has submitted a special events application requesting to hold the Lights and Lasers Event at Shoshone Falls Park on May 15-25, 2020. This event will take place from 8:53 p.m. (official sunset) until approximately 11:00 p.m. on all eleven days.

Southern Idaho Tourism has requested to hold the Shoshone Falls Light Event. The event consists of a 20-25 minute light laser light show which is choreographed to family friendly DJ operated music. There will be bleachers brought into the park to allow for elevated seating for optimal viewing of the event. Platform viewing of the event will also be available for an additional cost. Attendance will be limited to 1,500 people each night of the event.

The event will be open to the general public May 15-17 and May 22-25. There will be private viewing of this event May 18-21, 2020.

There will be food and drink available for purchase from local vendors. Alcohol will not be served at this event.

To alleviate parking concerns, there will be no public parking allowed in Shoshone Falls Park for this event. Exceptions may be made for patrons with special needs. The organizers have arranged for attendees to use the church parking lot located at 4002 North and 3300 East. Buses will be utilized to transport attendees to and from the event from that location.

Organizers of the event will staff a booth for lost children where emergency medical services will also be stationed. In addition, the event organizers have contracted with a private security company to help monitor safety on the canyon rim trail. There will be two (2) Twin Falls Police Department Officers on location during the events open to the general public. There will also be a four-man rope, rescue team from the Twin Falls Fire Department. The organizers have agreed to pay for the expense of the city services. In addition to city personnel, a private security company has been hired to help maintain security and safety around the canyon edge. This company will be on location during the private events as well.

Approval Process:

A majority vote of the Council is needed to approve the event.

Budget Impact:**Regulatory Impact:**

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the City Council approve the Special Event Application submitted for the Lights and Lasers at Shoshone Falls event based on the information provided.

Attachments:

None



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Mandi Thompson, Grant and Community Relations Manager

ACTION ITEM

Request:

ACTION ITEM: Request to approve the contract with Mosaic Community Planning in the amount of \$46,480 for the completion and submission of a community Consolidated Plan and Analysis of Impediments to Fair Housing Choice.

Time Estimate:

10 minutes, including questions from Council.

Background:

On October 7, 2019, Council elected to accept CDBG (Community Development Block Grant) entitlement status. As a CDBG program recipient, the City of Twin Falls is required to construct a Consolidated Plan and an Analysis of Impediments to Fair Housing Choice. The Consolidated Plan must be submitted to HUD (Housing and Urban Development) prior to the beginning of the program year selected by the recipient (October 1, 2020 for Twin Falls).

The creation of a Consolidated Plan is complex and time consuming, requiring a robust citizen engagement plan to ensure residents have the opportunity to weigh in on the needs of the community as well as possible programs.

An RFP was released on January 6th, closing on January 24th. Eight proposals were submitted. A team of six city employees evaluated the proposals against the criteria outlined in the RFP. Of the eight proposals submitted, three were selected to participate in a Skype interview based on initial scoring. The three firms selected to interview were Mosaic Community Planning, Community Strategies Institute and Resource Consultants. While all were qualified firms, the unanimous decision of the staff participating in the selection process was that Mosaic Community Planning was the top choice. Their robust public engagement strategy and knowledge of local government and local planning practices were superior to the other applicants.

Upon selection, Mosaic provided the City with a contract to cover all services lined out in their proposal. The contract is for the amount of \$46,480.

Approval Process:

Majority vote to approve the contract between the City of Twin Falls and Mosaic Community Planning.

Budget Impact:

\$46,480. This is not a budgeted item, as the decision to accept entitlement status was made after the FY2020 budget was adopted.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

As a requirement of accepting entitlement status, the City of Twin Falls is required to produce a Consolidated Plan and Analysis of Impediments to Fair Housing Choice. Staff recommends approval of the contract for these services.

Attachments:

1. Mosaic Con Plan AI Contract



AGREEMENT

Consultant Agreement Between Mosaic Community Planning, LLC and The City of Twin Falls, Idaho for a

FIVE-YEAR CONSOLIDATED PLAN, ANNUAL ACTION PLAN, AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

This is to confirm that **Mosaic Community Planning, LLC** (hereinafter “Mosaic”) has agreed to provide consulting services to the **City of Twin Falls, Idaho** (hereinafter “Client”) as provided within the proposal by Mosaic dated January 24, 2020 (see attached proposal) and incorporated herein by reference.

In consideration of the promises and mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

I. COMPENSATION

Mosaic shall provide the services outlined in the above-mentioned proposal for a fee of **Forty-Six Thousand, Four Hundred Eight Dollars and Zero Cents (\$46,480.00)**. This fee includes all expenses incurred by Mosaic, including personnel, travel, printing, and other costs.

The Client agrees to pay Mosaic in monthly installments based on the percentage of work complete following Client’s receipt of a detailed invoice from Mosaic requesting payment. Payment of invoices shall be due within 30 days of Mosaic’s submission to the Client.

II. TIME SCHEDULE

Work on this assignment will begin within **7 days of receipt of an executed contract**. Mosaic will complete the scope of work outlined in the above-mentioned proposal by **August 14, 2020**. Interim project milestones and deliverables are outlined in the Proposed Timeline contained in Mosaic’s proposal and incorporated herein by reference.

III. TERMS FOR COMPLETION OF SCOPE OF WORK

Final documents entitled “2020-2024 Five-Year Consolidated Plan and 2020 Annual Action Plan” and “Analysis of Impediments to Fair Housing Choice” will be completed by Mosaic. Submission of the final documents to the Client will include six (6) bound hard copies of both documents and electronic copies of each in PDF and Microsoft Word formats.

IV. OWNERSHIP OF FINAL DOCUMENTS

Following delivery of the final document by Mosaic, the document will become the property of the Client. Accordingly, the Client as owner of the document will have the right to duplicate the master copy.

V. TERMINATION FOR CAUSE

This Agreement may be terminated for cause by either party upon written notice if the other party breaches any of its obligations hereunder and the breaching party fails to cure such breach within thirty (30) days after receipt of such written notice. Such termination shall be without prejudice to any of the Client's or Mosaic's rights or remedies by law.

VI. TERMINATION FOR CONVENIENCE

This Agreement may be terminated for convenience by either party upon thirty (30) days written notice to the other. In the event of termination of this Agreement, Mosaic will be paid for those services actually performed. Partially completed performance of the Agreement will be compensated upon a signed statement of completion submitted by Mosaic who will itemize each element of the performance.

VII. ASSIGNMENT

Mosaic shall not assign or subcontract, in whole or in part, its rights or obligations pursuant to this Agreement, or any monies due to become due hereunder, without prior written consent of the Client.

VIII. RESOLUTION OF DISPUTES

Any action concerning a breach of this agreement shall be resolved pursuant to the laws of the State of Idaho with venue in Twin Falls County, Idaho.

IX. AGREEMENT

Mosaic will base its conclusions and recommendations on estimates and assumptions developed in connection with this assignment. To the fullest extent possible, the analyses will be based on U.S. Census and regional planning agency data. Estimates prepared by Mosaic will conform to accepted standards of professional practice. By executing this Agreement, the Client acknowledges that it has fully read the Agreement and that it fully understands and agrees to all terms and conditions expressed herein.

AGREEMENT:

The undersigned signators hereto represent that they have authority to represent and bind the respective parties which they purport to represent.

MOSAIC COMMUNITY PLANNING, LLC

CITY OF TWIN FALLS, IDAHO

Signature

Signature

Title

Title

Date

Date



PROPOSAL FOR A FIVE-YEAR CONSOLIDATED PLAN, ANNUAL ACTION PLAN, AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Submitted to the City of Twin Falls, Idaho
January 24, 2020

Mosaic Community Planning, LLC

195 Arizona Ave NE, Suite 123
Atlanta, Georgia 30307
Phone: 470.435.6020
Fax: 404.698.1484

www.mosaiccommunityplanning.com



January 24, 2020

Ms. Mandi Thompson
Grant and Community Relations Manager
City of Twin Falls
203 Main Avenue East
Twin Falls, Idaho 83301

Dear Ms. Thompson:

Congratulations on Twin Falls' qualification as an entitlement community under the CDBG Program. As you know, it will bring valuable community development resources to the City, but with those resources come some challenging compliance and reporting requirements. Mosaic Community Planning is uniquely positioned to assist the City with its Consolidated Plan and other HUD compliance matters as your local CDBG program is established. We've worked with other new grantees, assisting Commerce City, CO and Lenexa, KS with their first Consolidated Plans and Hoboken, NJ with its first Analysis of Impediments to Fair Housing Choice.

Our principals bring over 30 years of combined experience assisting local governments with their planning and analysis needs related to HUD's CDBG and other formula grant programs. Additionally, one of our founders is a former deputy community development director for a large urban county entitlement in Georgia, and has firsthand experience administrating CDBG and HOME programs.

On behalf of Mosaic, I am pleased to offer this response to the City's Request for Proposals for a 2020-2025 Consolidated Plan, 2020-2021 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice (AI). Our team offers a breadth of experience related to fair and affordable housing, planning and economic development, community engagement, quantitative research and analysis, and GIS mapping. We are proficient with HUD's Integrated Disbursement and Information System (IDIS) and have successfully submitted more than 25 Consolidated Plans, Annual Action Plans, and CAPERs for our clients via the eCon Planning Suite.

As a principal of the firm, I am authorized to offer this proposal on behalf of Mosaic and all future correspondence concerning this procurement may be directed to me. Please feel free to contact me by phone at 770-366-7893, fax to 404-698-1484, email to melissa@mosaiccommunityplanning.com, or mail to 195 Arizona Ave NE, Suite 123, Atlanta, GA 30307. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads 'Melissa M. Mailloux'.

Melissa M. Mailloux, AICP
Principal

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1. EXECUTIVE SUMMARY

Mosaic Community Planning, LLC

CONTACT INFORMATION

195 Arizona Avenue, NE
Suite 123
Atlanta, GA 30307
Phone: 470-435-6020
Fax: 404-698-1484

EXPERIENCE OF PRINCIPALS

30 Years of combined experience in community development planning

FIRM SIZE

5 Employees

FIRM STRUCTURE

Limited Liability Company

YEAR FOUNDED

2015

FEDERAL TAX ID NUMBER

47-5615120

DUNS NUMBER

08-007-2553

CORE SERVICES

Consolidated Plans
Annual Action Plans
Fair Housing Analyses
Community Needs Assessments
Housing/Retail Market Analyses

MOSAIC'S HISTORY AND MISSION

Mosaic Community Planning, LLC is owned and managed by its principals, Jeremy Gray and Melissa Mailloux. Together we have 30 years of experience producing Consolidated Plans, Annual Action Plans, Assessments of Fair Housing, Analyses of Impediments to Fair Housing Choice, market analyses, and similar housing and community development plans.

In the last five years alone, Mosaic's principals have completed more than 25 Consolidated Plans, fair housing analyses, Annual Action Plans, Citizen Participation Plans, and CAPERs for over 20 client jurisdictions across the United States. Our staff's experience also includes housing market analyses, a housing planning study for the Texas General Land Office (GLO) regarding reconstruction of affordable housing lost to a natural disaster, community needs assessments, and disparate impact analyses related to the development of rental housing. Our clients have included single municipalities and counties, consolidated governments, and multi-jurisdictional bodies. We have developed plans for communities as small as 13,000 residents to more populous regions such as metro Minneapolis-Saint Paul, Minnesota (3 million residents).

With background as grant managers ourselves, we understand the importance of developing a Plan that accurately reflects local priorities, capabilities, and resources to direct housing and community development efforts. We are familiar with the linkages between project goals, funding, and outcome indicators in eCon know the importance of correctly linking between the Consolidated Plan and Annual Action Plan to ensure a smooth CAPER process down the road.

We formed Mosaic to help communities plan differently. We know that planning is as much about people as it is places, which is why our work focuses on the intersection between community residents and the places they inhabit. Successful strategies for using HUD funds must have as their basis a solid understanding of the needs of the people in the community, their abilities to access housing and services, and any related barriers.

At Mosaic, we envision community planning similar to completing a puzzle. We specialize in bringing to the table all the pieces needed for a truly collaborative process, including stakeholders diverse in income, race, ethnicity, language, age, gender, ability, and perspective. The effort is sometimes challenging, but the result is always a unique and essential building block for successful and sustained community improvement. As HUD calls for a higher standard of "active and meaningful engagement and participation," this approach is needed now more than ever.

WHERE WE'VE WORKED

30

years of combined
experience among
our two principals

16

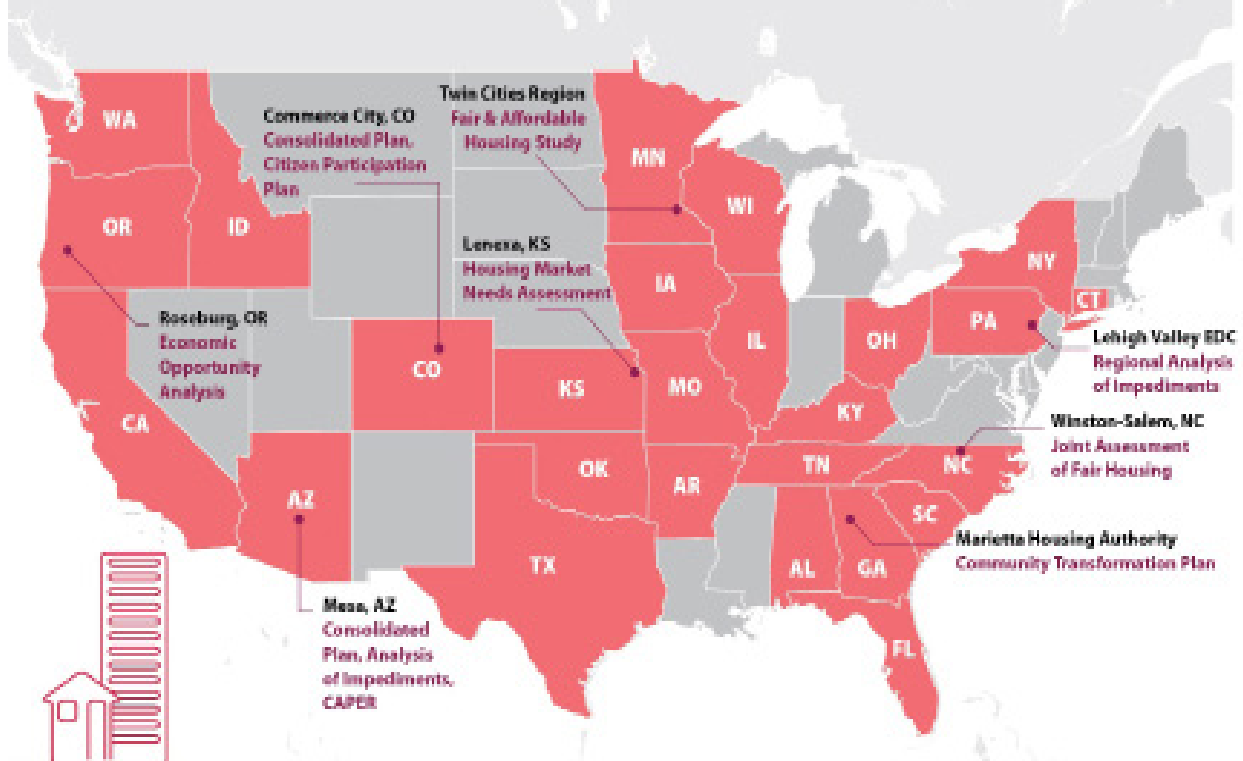
Unique clients
served by
Mosaic
last year alone

34

Fair Housing Studies
in the last 5 years
(26 AIs, 5 Regional AIs,
2 AFHs, 1 FHEA)

A firm of **AICP-certified**
planners ensures professionalism
and ethical standards of practice

Our principals have prepared **150**
community-based plans and studies
for nearly 100 client jurisdictions
since 2005



Client types: states, cities, counties, public housing authorities, developers, regional planning organizations, economic development commissions, downtown development authorities

NOTEWORTHY QUALIFICATIONS AND COMPETITIVE ADVANTAGES

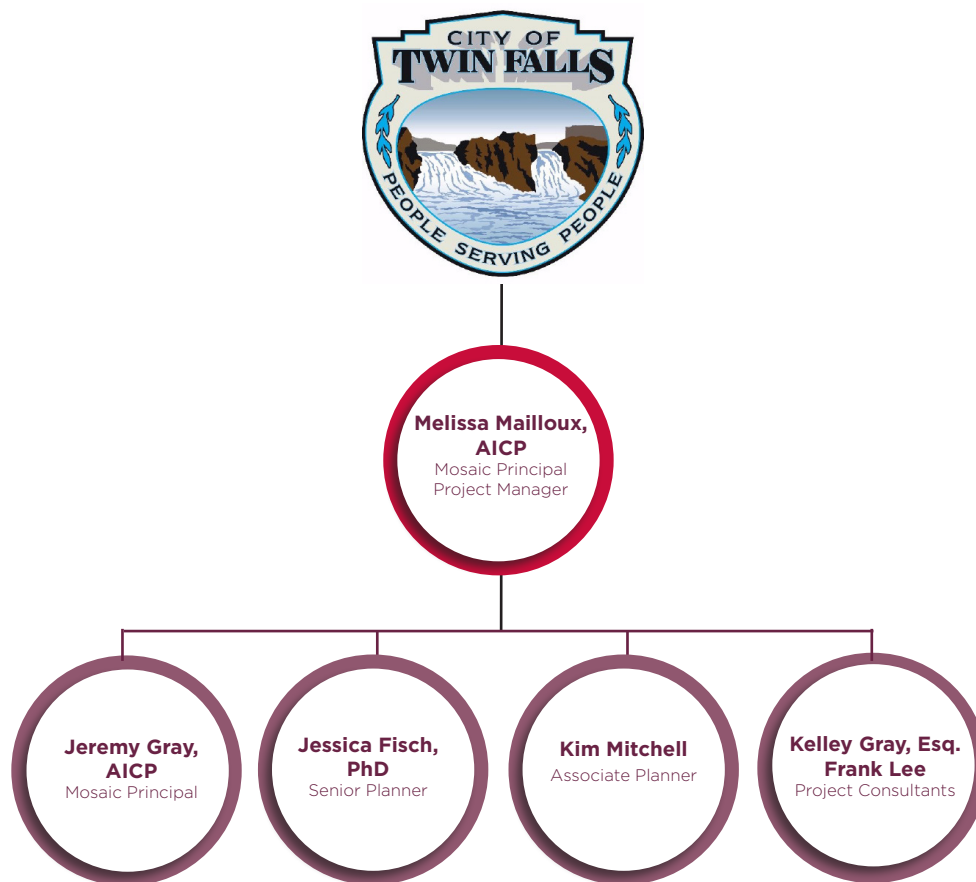
Mosaic Community Planning is uniquely qualified to prepare the City's Consolidated Plan, Annual Action Plan, and AI and is distinct from competitors in the following ways:

- **Grant Management Experience:** Mosaic principal Jeremy Gray served as Deputy Director of Community Development for a large urban county in metro Atlanta for 5 years, managing an annual budget exceeding \$10 million in CDBG, HOME, ESG, NSP, CSBG, JAG, and EFSP funds. He understands the importance of developing plans that are both responsive to local input and realistic in the goals and strategies they contains.
- **Community Analysis & Mapping Skills:** Mosaic principal Melissa Mailloux is skilled in GIS and uses mapping and other data visualization tools to present demographic data, housing trends, and other topics to broad audiences, including the public, government staff, and elected officials.
- **Experience working with New Grantees:** Mosaic is experienced in working with recent HUD grantees. In 2016, we assisted the Cities of Commerce City, CO and Lenexa, KS develop their first Consolidated Plans. Last year, we completed Hoboken, NJ's first Analysis of Impediments to Fair Housing Choice. We know new grantees may have questions about HUD regulations and are happy to help them navigate the changing fair housing landscape.
- **Familiarity with Online Platforms:** We frequently work in IDIS, having entered more than 25 plans and reports using the eCon Planning Suite. We understand the relationships between project goals, funding, and outcome indicators and know how important it is that these be correctly linked between the Consolidated Plan and Annual Action Plan.
- **Robust Public Engagement:** Mosaic has a strong history of conducting robust, meaningful public engagement – primarily with communities and populations that are difficult to engage. Our community outreach strategies typically involve participation by low-income residents, Housing Authority residents and voucher holders, persons with disabilities, speakers of languages other than English, and other groups often absent from community planning processes. Mosaic's expertise and experience with a wide variety of engagement tactics and techniques will ensure flexibility in designing an effective public engagement strategy to underlay the City's planning process.
- **Experience in Idaho:** Mosaic's team completed a Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice for Lewiston, ID in 2018. We're familiar with the roles the Idaho Housing and Finance Association, Intermountain Fair Housing Council, and Idaho Legal Aid play in affordable and fair housing throughout the state, along with the state's fair housing law in the Idaho Human Rights Act.
- **Knowledge of Fair Housing Laws:** Our team includes a fair housing and land use attorney who, since 2012, has provided fair housing consultation services for more than 30 city, county, and regional governments. We closely follow developments in our field and are versed in the content and impacts of HUD's AFFH Final Rule. As federal definitions of fair housing choice and affirmatively furthering fair housing continue to evolve, Mosaic's staff stand ready to help our clients navigate new regulations and maintain HUD-compliance while promoting equity in housing and access to resources for their residents.
- **Certified Planners:** Mosaic's principals are AICP-certified planners, demonstrating a commitment to the professional practice of planning and also to a code of ethical conduct.
- **Understanding of Community Equity Concerns:** Our team is able to see the bigger picture, understanding how public resource allocation fits into larger discussions of equity and equitable development. Mosaic's principals were presenters at Savannah State University's 2017 Urban Planning Conference regarding a national framework for equity planning and on a panel discussing equity issues in planning more broadly.

2. EXPERIENCE AND TEAM ORGANIZATION

The chart below identifies the proposed six-member project team and outlines communication and reporting relationships. Mosaic Principal Melissa Mailloux will serve as the Project Manager, providing oversight, administration, and day-to-day direction of the required work. She has led more than 30 community development and housing studies, all successfully delivered on-time to meet client and HUD deadlines. Melissa will oversee execution of the project approach and hold regular team meetings to ensure timely submission of all draft and final deliverables.

Our team members have successfully worked together on multiple past and current projects, including many Consolidated Plans and Analyses of Impediments to Fair Housing Choice. Mosaic is committed to providing each of the below-named team members to work on the project and will make no substitutions, including of the project manager, without the City's consent.



Qualifications and roles for all project staff are summarized in the chart below, with complete resumes and educational information following.

TEAM MEMBER	ROLES	EXPERIENCE
Melissa Mailloux Mosaic Principal AICP Certified Planner	- Project management - Community engagement - Housing market analysis - Mortgage lending analysis - Strategic and action planning - Plan entry in IDIS	14 years of community development and affordable housing planning experience - Project manager or team member 30+ HUD-related studies and 25+ residential market analyses - Data and GIS analyst with experience with Census, CHAS, HMDA, and similar data sets
Jeremy Gray Mosaic Principal AICP Certified Planner	- Community engagement - Best practices for CDBG program management - Public housing analysis - Fair housing planning and goal development - Plan entry in IDIS	16 years of community development and affordable housing planning experience - Project manager for 30+ successful HUD-related studies - Former deputy director for a large urban county community development office - Community leadership positions for affordable housing organizations
Jessica Fisch, PhD Senior Planner AICP Candidate	- Homeless and non-homeless special needs assessment - Community development needs assessment - Analysis of education, transportation, and employment access - GIS mapping	10 years of community research and planning experience, encompassing innovative GIS mapping and data presentation skills - Management background with Main Street and Habitat for Humanity organizations
Kimberly Mitchell Associate Planner AICP Candidate	- Community engagement - Demographic analysis - Housing needs assessment - Analysis of subsidized and accessible housing	9 years of diverse experience within the affordable housing sector - Background includes role as a supportive housing case manager and as a municipal land use planner - LIHTC application analysis for a state housing finance agency
Kelley Gray, Esq. Senior Consultant Fair Housing Attorney	- Affordable housing barriers - Fair housing enforcement and outreach analysis - Fair housing complaint analysis - Zoning and policy review	10 years of fair and affordable housing law experience - Team member for 17 HUD fair housing studies with analysis of 40+ local zoning ordinances - Litigation in fair housing, zoning, land use, and landlord/tenant cases
Frank Lee Consultant	- Data collection, presentation, and mapping - Demographic analysis - Document preparation	9 years of community planning experience in both municipal and nonprofit settings - Developed neighborhood-level plans for racially and ethnically diverse communities



MELISSA MAILLOUX, AICP

(770) 366-7893 | 195 Arizona Ave NE, Suite 123, Atlanta, GA
melissa@mosaiccommunityplanning.com

EDUCATION

Master of City & Regional Planning
 Georgia Institute of Technology,
 Atlanta, Georgia, 2006

Bachelor of Science in Mathematics
 Berry College, Rome, Georgia, 2003

AFFILIATIONS

American Planning Association
 Georgia Planning Association

PRESENTATIONS

Savannah's Assessment of Fair Housing: A Case Study in a New National Framework for Equity Planning, Savannah State University Urban Planning Conference

SELECTED PROJECT EXPERIENCE

City of Lewiston, ID, Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice

City of Hoboken, NJ, Analysis of Impediments to Fair Housing Choice

City of Commerce City, CO, 2016-2020 Consolidated Plan and 2016 Annual Action Plan

City of Lenexa, KS, Housing Market Analysis and Need Assessment

Collier County, FL, Consolidated Plan, Annual Action Plan, and Analysis of Impediments

Waukesha County, WI, Consolidated Plan, Annual Action Plan, Analysis of Impediments

Melissa has extensive experience in housing and community development research and analysis. She has prepared community development plans, economic revitalization strategies, housing studies, and market analyses for over 50 neighborhoods, municipalities, counties, and targeted sites for public and private sector clients throughout the country. Specific assignments have included commercial and residential market analyses, business development strategies, Analyses of Impediments to Fair Housing Choice, Housing Needs Assessments, Consolidated Plans, and contributions to master plans, comprehensive development plans, and corridor studies. Her background also includes stakeholder outreach, such as community workshops, focus groups and surveys.

Principal, Mosaic Community Planning, Atlanta, GA, 2015-Present

- Lead and serve on project teams for community development consulting engagements, including fair housing studies, affordable housing need studies, comprehensive plans, and other community development studies.

Senior Research Consultant, WFN Consulting, Marietta, GA, 2014-15

- Provided consultation services to assist public sector clients identify housing, community development, economic development, and fair housing needs through comprehensive plans, analyses of impediments to fair housing, fair housing equity assessments, consolidated plans, and market analyses.
- Analyzed demographic patterns to determine levels of segregation, areas of concentrated poverty, and access to opportunity factors by race/ethnicity.
- Examined mortgage lending patterns to identify access to home loans.
- Assessed schools, transit, transportation, and other public facilities for any fair housing and community development implications.
- Mapped community assets, demographic and economic data, assisted/ subsidized housing locations, and other data.
- Facilitated community workshops, public meetings, focus groups, interviews, and other public outreach efforts.

Senior Associate, Marketek, Inc., Atlanta, Georgia, 2005-2014

- Prepared market analyses, master plans, comprehensive plans, corridor studies, and downtown revitalization strategies for over 35 public and private sector clients throughout the U.S.
- Assessed fair housing, housing needs, and disparate impacts through analyses of Census, American Community Survey, and other data.
- Conducted community outreach via public workshops, project steering committee meetings, focus groups, interviews, and surveys.
- Presented findings and recommendations to clients, policymakers, and other community stakeholders in written, graphic and oral formats.



JEREMY D. GRAY, AICP

(404) 831-1395 | 195 Arizona Ave NE, Suite 123, Atlanta, GA
jeremy@mosaiccommunityplanning.com

EDUCATION

Master of Public Administration
Georgia College & State University
Milledgeville, Georgia, 2008

Bachelor of Arts in Environmental
Policy
Oglethorpe University
Atlanta, Georgia, 2003

CERTIFICATIONS

American Institute of Certified
Planners (AICP)

Accredited LEED Green Associate,
U.S. Green Building Council

Charrette System Certification,
National Charrette Institute

PRESENTATIONS

Panelist: Equity and Social
Justice Roundtable, Savannah
State University Urban Planning
Conference

SELECTED PROJECT EXPERIENCE

Commerce City, CO, Consolidated
Plan, Annual Action Plan, Citizen
Participation Plan

City of Albany, GA, Consolidated
Plan, Annual Action Plan, Analysis of
Impediments

City of Lewiston, ID, Consolidated
Plan, Annual Action Plan, Analysis of
Impediments to Fair Housing Choice

City of Hot Springs, AR, Analysis of
Impediments

Jeremy's background includes leadership in urban neighborhood revitalization efforts, management of regional and multi-state issue-based planning documents, and development of comprehensive plans. Other experience includes mayoral appointments to homelessness and housing policy-making bodies, a position as deputy director of the community development grant programs for a large urban county, and executive management of community research and planning engagements for a nationwide client base.

Principal, Mosaic Community Planning, Atlanta, GA, 2015-Present

- Lead project teams for community development consulting engagements, including fair housing studies, affordable housing need studies, comprehensive plans, and other community development studies.

VP - Consulting & Research, WFN Consulting, Marietta, GA, 2013-15

- Managed project teams for community development consulting engagements, including community development and affordable housing plans, market studies, fair housing and equity analyses, and program evaluations.

Deputy Director, WFN Consulting, 2009-2013

- Assisted with development and implementation of strategic vision and work program for an office of 11 staff, managing an annual budget exceeding \$10 million in CDBG, HOME, ESG, NSP, CSBG, JAG, and EFSP funds.

Director of Community Development, Centenary Church, Macon, GA, 2005-2008

- Planned and implemented a mixed-income neighborhood revitalization project using HOME, CDBG, and HOPE VI funds through regular collaboration with the City of Macon and other public, private, and non-profit community partners.

Community Organizer, Charis Community Housing, Atlanta, GA, 2002-2003

- Organized dissemination of information on homestead exemptions to senior citizens, protecting them from the negative effects of gentrification.

Community Leadership Roles

- Chairman, Emergency Food and Shelter Program Local Board, Cobb County, GA, 2012-2013
- Commissioner, College Hill Corridor Commission, Macon, GA, 2007-2008
- Advisory Team, Mayor's Housing First Task Force, Macon, GA, 2006



JESSICA FISCH, PHD, AICP CANDIDATE

195 Arizona Ave NE, Suite 123, Atlanta, GA
jessica@mosaiccommunityplanning.com

EDUCATION

PhD in City & Regional Planning
Georgia Institute of Technology,
Atlanta, GA, 2019

Master of Urban & Regional Planning
University of New Orleans, New
Orleans, LA, 2014

Bachelor of Arts in Geography,
Bachelor of Science in Journalism
University of Florida, Gainesville, FL,
2008

CERTIFICATIONS

AICP Candidate

AFFILIATIONS

American Planning Association

American Association of
Geographers

PRESENTATIONS

Does Green Infrastructure Promote
Equitable Development? The
Mediating Role of Social Capital
in Assessing Impacts. Association
of Collegiate Schools of Planning
conference.

SAMPLE PROJECT EXPERIENCE

City of Chino Hills, CA, Consolidated
Plan, Annual Action Plan, Analysis of
Impediments

Waukesha County, WI, Consolidated
Plan, Annual Action Plan, Analysis of
Impediments

Warner Robins, GA, Blight Study and
Reduction Plan

Jessica Fisch is an urban planner with a background in collaborative planning, land use and environmental planning, and community development. Her work has included community engagement processes, geospatial analysis and visualization, research design and qualitative and quantitative analysis, and program/project management and development. Prior to her work with Mosaic, Jessica worked in planning and neighborhood revitalization in New Orleans and Atlanta, and conducted research at the intersection of green infrastructure and equitable development. Jessica holds a PhD in City and Regional Planning from Georgia Tech, a Master's in Urban and Regional Planning from the University of New Orleans, and bachelor's degrees in geography and journalism from the University of Florida.

Associate Planner, Mosaic Community Planning, Atlanta, GA, 2019-Present

- Serve on project teams for community development consulting engagements, including fair housing studies, affordable housing need studies, comprehensive plans, and other community development studies.

Lab Instructor, Georgia Tech School of City and Regional Planning, Atlanta, Georgia, 2017-2019

- Instructed students in R software, SPSS, Excel, and Microsoft Access for use in quantitative and analytic methods, including descriptive statistics and plots, multivariate regression and diagnostics, and difference in means tests in weekly lab sessions
- Graded quantitative methods assignments and exams
- Assisted students during office hours on quantitative methods assignments and questions

Urban Planning Consultant, Reuter Strategy

- For the Ball Ground, GA, Livable Centers Initiative Study, used GIS and Adobe InDesign to develop maps to display zoning, community resources, historic district, proposed urban design transects, and recommended transportation improvements

Urban Planning Consultant, Thadani Architects + Urbanists, 2016

- Planned and implemented community workshop events for the development of Westside Atlanta neighborhoods' Land Use Action Plan
- Used ArcGIS to analyze neighborhood-level data for use in community workshops

Research Intern, Research and Analytics Department, Atlanta Regional Commission, 2015

- Used Tableau program to visualize data about housing, employment, education, and health trends in the Atlanta Metro
- Created presentations and infographics displaying economic, health, and education data for web communication



KIMBERLY MITCHELL, AICP CANDIDATE

Associate Planner
470-435-6020 x109
kim@mosaiccommunityplanning.com

EDUCATION

Master of City and Regional Planning
 Georgia Institute of Technology
 Atlanta, GA, 2016

Bachelor of Arts in History
 Tufts University
 Medford, MA, 2007

CERTIFICATIONS

AICP Candidate

AFFILIATIONS

American Planning Association

SAMPLE PROJECT EXPERIENCE

Fulton County, GA, Consolidated Plan, Annual Action Plan, Analysis of Impediments

County of San Bernardino, CA, Consolidated Plan, Annual Action Plan, Analysis of Impediments

Waukesha County, WI, Consolidated Plan, Annual Action Plan, Analysis of Impediments

Associate Planner, Mosaic Community Planning, Atlanta, GA, 2019-Present

- Serve on project teams for community development consulting engagements, including fair housing studies, affordable housing need studies, comprehensive plans, and other community development studies.

Junior City Planner/GIS Analyst, City of Fairburn, GA, 2017-2019

- Conducted text amendment research and produced draft amendments to the City's zoning ordinance
- Approved administrative use permits, administrative modifications, sign permits and film permits
- Developed GIS maps for several city departments, including planning and zoning, economic development, engineering, utilities and police
- Provided logistical support for events related to the City's Creative Placemaking process, Lightning Neighborhood Redevelopment Study and Georgia Initiative for Community Housing (GICH) team

Planning Intern, City of East Point, GA, 2016

- Researched text amendment language for the City's zoning ordinance
- Assisted with the management of bid documents and public notifications for the City's engineering department

Affordable Housing Intern, Department of Community Affairs, 2015

- Conducted environmental site assessment review for all proposed Low-Income Housing Tax Credit (LIHTC) sites during the 2015 application year
- Created a report analyzing applicant scores from the 2014 funding round, helping staff improve the scoring process

Case Manager, CUCS & Catholic Charities, New York, NY 2010-2013

- Provided supportive case management for 17-21 clients with mental illness, chemical addiction and/or HIV
- Met with clients at least once per month to provide life skills assistance, such as money management sessions, medication monitoring (daily) and educational and medical referrals as needed



KELLEY B. GRAY, Esq.

Senior Consultant

(404) 831-1397 | 879 Confederate Ave SE, Atlanta, GA

kelleybgray@gmail.com

EDUCATION

Juris Doctor, *cum laude* Managing Board, *Journal of the Legal Profession* The University of Alabama Law School, Tuscaloosa, AL, 2008

Bachelor of Science in Business Administration, *summa cum laude* Oglethorpe University Atlanta, Georgia, 2003

SELECTED PROJECT EXPERIENCE

City of Lewiston, ID, Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice

City of Savannah, GA, Assessment of Fair Housing

City of Hoboken, NJ, Analysis of Impediments to Fair Housing Choice

City of Lenexa, KS, Housing Market Analysis and Need Assessment

City of Albany, GA, Consolidated Plan, Annual Action Plan, Analysis of Impediments

Town of East Hartford, CT, Analysis of Impediments to Fair Housing Choice

Collier County, FL, Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice

Westchester County, NY, Analysis of Impediments to Fair Housing Choice

St. Louis County, MO and Cities of Florissant and O'Fallon, MO, Analysis of Impediments to Fair Housing Choice

PROFESSIONAL EXPERIENCE

Fair Housing Law/Land Use & Zoning

- Provided legal review, research, and narrative for the fair housing/land use and zoning portions of over 12 city, county, and regional HUD Analysis of Impediment documents (AIs), including:
 - Research and analysis of the nature, extent, and disposition of significant state and federal housing discrimination lawsuits and HUD ALJ decisions and consent decrees which could impact future legislation and litigation or fair housing choice within the relevant study areas.
 - Review of zoning ordinances/land use codes, building codes, and state zoning laws for the relevant study areas and analysis and discussion of findings regarding how such codes, statutes, and local policies impact housing affordability and fair housing choice.
 - Recommendations for amendments to land use regulations that would expand housing affordability and support the municipality's commitment to affirmatively further fair housing.
- Represented clients in all stages of applications for land use zoning and permitting, including presenting at public hearings before city and county zoning authorities.
- Co-authored an article on recent developments in Zoning and Land Use Law, which was published in the Mercer Law Review in 2009.

Litigation

- Federal fair housing litigation, including representation of a provider of community housing for persons with disabilities against a county government following denial of a conditional use permit, and representation of a developer of senior housing against a city following denial of rezoning/development applications; assisted in negotiation of successful settlements for clients.
- Commercial litigation representing clients in contract disputes, debtor/ creditor litigation claims, and landlord/tenant disputes.

EMPLOYMENT HISTORY

- *Solo Practitioner*, **Kelley B. Gray, Esq.**, Atlanta, GA (2012-Present)
- *Associate Attorney*, **Smith, Gambrell & Russell, LLP**, Atlanta, GA (2008-2011)

AFFILIATIONS

Board of Directors, **Enduring Hearts** – a nonprofit that funds innovative medical research to increase the longevity of pediatric organ transplants and improve the quality of life for transplant recipients.



FRANK LEE

Associate Consultant

frank@mosaiccommunityplanning.com

EDUCATION

Master of Urban and Regional Planning

California State Polytechnic University
Pomona, CA, 2016

Bachelor of Arts in Urban Studies and Sociology

University of Pittsburgh
Pittsburgh, PA, 2010

TRAINING

Affordable Housing Development Training Institute
Local Initiatives Support Corporation
Los Angeles, CA, 2017

QUALIFICATIONS SUMMARY

Versatile planner with 3 years of community development experience in municipal and nonprofit sectors

Strong research, writing, and presentation skills to complement practical planning experience

Passionate about supporting communities through planning to address racial and ethnic inequalities

SAMPLE PROJECT EXPERIENCE

City of Hoboken, NJ, Analysis of Impediments

City of Columbus, OH and Franklin County, OH, Analysis of Impediments

DeKalb County, GA, Consolidated Plan, Annual Action Plan, Analysis of Impediments

Associate Consultant, Mosaic Community Planning, Atlanta, GA, 2018 - Present

- Serve on project teams for community development consulting engagements, including fair housing studies, affordable housing need studies, comprehensive plans, and other community development studies.

Associate Planner, City of East Point, GA, 2017 - 2018

- Analyze and prepare staff recommendations for rezoning, variance, and ordinance amendment requests
- Present zoning cases and staff recommendations at monthly Planning and Zoning Commission meetings
- Review potential development projects and advise customers on zoning and land use ordinances

Community Planner, Little Tokyo Service Center Community Development Corporation, Los Angeles, CA, 2016-2017

- Develop neighborhood-level planning documents in collaboration with community leaders and city agencies
- Facilitate community engagement workshops and meetings to implement community planning initiatives
- Create and maintain GIS database of small businesses in the community for spacial analysis

Planning Intern, City of Pico Rivera, CA, 2016

- Advised the public on zoning code and land use regulations at the planning counter and by phone/e-mail
- Conducted zoning compliance reviews for commercial and residential development proposals

Economic Development Specialist, Koreatown Youth and Community Center, Los Angeles, CA, 2015

- Managed and administered 4 separate grant contracts for community and economic development programs
- Administered small business assistance program and provided bilingual business counseling services

Planning Intern, Community Design Center of Atlanta and DeKalb County Board of Commissioners, Atlanta, GA, 2009

- Assisted City of Atlanta Bureau of Planning in developing the Cleveland Avenue Corridor Study
- Assisted policy advisor in organizing and preparing documents for TAD (Tax Allocation District) development projects

3. PAST PERFORMANCE

Mosaic's principals have completed more than 25 Consolidated Plans and Annual Action Plans, 40 fair housing analyses, and several other HUD-related planning documents, such as Community Participation Plans and CAPERs for client jurisdictions across the United States. Our staff's experience also includes housing and commercial market analyses, a housing planning study for the Texas General Land Office (GLO) regarding reconstruction of public housing lost to a natural disaster, neighborhood plans, and disparate impact analyses related to the development of rental housing. Our clients have included single municipalities and counties, consolidated governments, and multi-jurisdictional bodies spanning multiple counties and states. We have developed plans for communities as small as 13,000 residents to more populous regions such as metro Minneapolis-Saint Paul, Minnesota (3 million residents).

Clients for whom Mosaic Community Planning staff have prepared Consolidated Plans and fair housing studies over the last five years is shown below.

PROJECT TYPE	CLIENT LIST
Consolidated Plans and Annual Action Plans	• City of Fresno, CA (expected completion 2020) • Mobile County, AL (expected completion 2020) • Gastonia, NC (expected completion 2020) • City of Chino Hills, CA (2020) • San Bernardino County, CA (2015 & 2020) (with Needs Assessment, Citizen Participation Plan, and two CAPERs) • Waukesha County, WI (2015 & 2020) • City of Atlanta, GA (2020) • Fulton County, GA (2020) • DeKalb County, GA (2019) • City of Gainesville, GA (2019) • City of Lewiston, ID (2018) • City of Commerce City, CO (2016) (with Citizen Participation Plan) • City of Albany, GA (2016-2020) (with Environmental Review Records and two CAPERs) • Collier County, FL (2016 and 2018) (with Needs Assessment & Citizen Participation Plan) • City of High Point, NC (2015) • City of Mesa, AZ (2015) (with three CAPERs)
Assessments of Fair Housing	• City of Rome, GA (2018) • Cherokee County, GA (2018) • City of Anniston, AL (2017) • City of Winston-Salem and Forsyth County, NC and the Housing Authority of Winston-Salem, NC (2017) • City of Savannah, GA (2017)

PROJECT TYPE	CLIENT LIST
Analyses of Impediments to Fair Housing Choice	• City of Fresno, CA (expected completion 2020) • Mobile County, AL (expected completion 2020) • City of Dothan, AL (2016 and 2020) • San Bernardino County, CA (2015 & 2020) • City of Atlanta and Fulton County, GA (2020) • DeKalb County, GA (2019) • City of La Crosse, WI with La Crosse County and Monroe County (2019) • City of Hoboken, NJ (2019) • City of Hot Springs, AR (2019) • City of Gastonia, NC (2019) • City of Columbus and Franklin County, OH (2019) • City of Lewiston, ID (2018) • City of Edmond, OK (2016) • City of Albany, GA (2016) • Lexington-Fayette Urban County, KY (2016) • Collier County, FL (2016) • City of Mesa, AZ (2015) • Town of East Hartford, CT (2015)
Regional AIs/Fair Housing and Equity Assessments	• Davenport, IA Region (2019) • Twin Cities, MN Region (2017)
Housing Market Analyses or Needs Assessments	• Central Oregon Region (2019) • City of Lenexa, KS (2016) (including Consolidated Plan Housing and Homeless Needs Assessment and Housing Market Analysis)

PROJECT PROFILE

Five-Year Consolidated Plan, 2018 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice

CLIENT: City of Lewiston, Idaho

The City of Lewiston's five-year Consolidated Plan builds on Needs Assessment, Housing Market Analysis, and an integrated public participation process to identify the community's affordable housing, homeless, community development, and economic development needs, as well as to outline a comprehensive and coordinated strategy for implementation of programs. The Consolidated Plan promotes a coordinated approach to housing and community development needs using U.S. Department of Housing and Urban Development (HUD) grant funds. It provides guidance on the investment of HUD dollars, and outlines priorities for using the City's Community Development Block Grant (CDBG) funds over 2018-2022 period.

Based on the Needs Assessment and Housing Market Analysis conducted by Mosaic, the City's top priority needs were determined to be housing affordability and homelessness prevention. In this small city with a booming economy but a stagnant housing supply, housing scarcity had been forcing costs to unattainable levels. Mosaic prepared for the City a companion Action Plan containing goals, outcome indicators, and funding information to guide the community's initial steps toward the Consolidated Plan's objectives, including strategies related to new housing development and the preservation of existing affordable units.

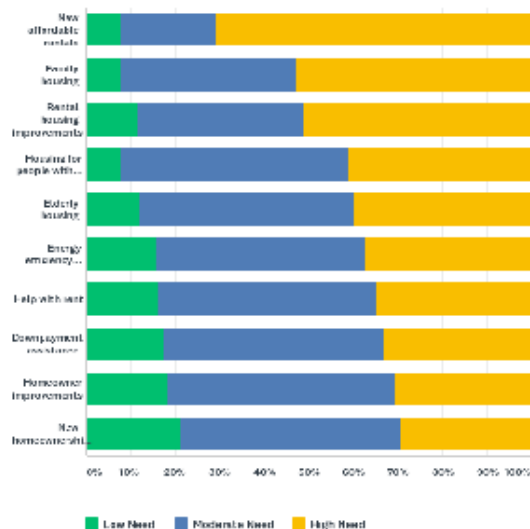
Central to the entire planning process was not only quantitative analysis of housing market data, but the meaningful participation of residents and stakeholders within the community, including groups with unique housing challenges, but who are often difficult to engage. Mosaic's team coordinated with local community partners to create these opportunities, which included a series of interviews with people experiencing homelessness at a day shelter and a focus group with people with disabilities and their caregivers at a workforce training facility. These interactions ensure the participation of critical groups of residents in the Plan's development.

LINK TO REPORTS:

https://www.cityoflewiston.org/filestorage/850/1066/1160/Lewiston_ConPlan_FINAL_with_Appendix.pdf

https://www.cityoflewiston.org/filestorage/850/1066/1160/Lewiston_AI_Draft2.pdf

Q13 Please rank the following housing needs in Lewiston.



COMMUNITY SIZE

Population 32,000

PROJECT TIMELINE

Start date of January 2018

End date of September 2018

9 months to complete

PROJECT TEAM MEMBERS

Jeremy Gray

Melissa Mailloux

Kelley Gray

PUBLIC ENGAGEMENT

4 focus groups with 29 total participants

55 survey responses

19 stakeholder interviews

POINT OF CONTACT

Tanya Brocke

Community Development Specialist

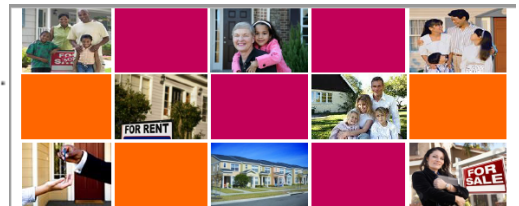
City of Lewiston

215 D Street

Lewiston, ID 83501

208-746-1318 x 7265

tbrocke@cityoflewiston.org



Share your Thoughts About Housing & Community Needs in Lewiston

The City of Lewiston is working to identify community development priorities, affordable housing needs, and factors that shape equal access to housing as part of the City's

5-Year Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice

You're invited to share your thoughts on these topics as part of a focus group. Your input will help shape community development in the City for years to come.

As an active resident, we need your opinion!

Community Action Partnership Focus Group

Thursday, March 22 at 10:00 AM
Community Action Partnership for Low-Income Households
124 New 6th Street, Lewiston
Light Refreshments Served

Take the Survey

Share your input by taking the survey at www.surveymonkey.com/r/LewistonNeedsSurvey

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access to the facility within which this meeting is being held, please contact Community Development Specialist, Tanya Brocke at least forty-eight hours in advance of the meeting at (208) 746-1318 x 7265 or tbrocke@cityoflewiston.org



PROJECT PROFILE

2016-2020 Consolidated Plan and 2016 Annual Action Plan

For the City of Commerce City, Colorado

Beginning with the 2016 program year, the City of Commerce City, CO became a direct recipient of U.S. HUD funding through the Community Development Block Grant (CDBG) program. While the City previously received a CDBG allocation through Adams County, this was the first year Commerce City would prepare a Consolidated Plan, Annual Action Plan, and Citizen Participation Plan for the program. To assist in that process, the City hired Mosaic to prepare the plans, guide them through adoption, and submit them via HUD's eCon Planning Suite.

Being that this was the first Consolidated Plan prepared by the City, a clear and comprehensive understanding of local needs was crucial. To that end, Mosaic held three community-wide needs assessment workshops, a senior citizen focus group, and a youth focus group. We interviewed representatives from 29 local and regional organizations, including City and County Housing Authorities, the Mayor and other elected officials, affordable housing providers, and several non-profit and community agencies. Given the City's significant Latino population, we held one community meeting with Spanish interpretation at a local church with a large Latino congregation. In total, nearly 300 residents provided input for the Plans.

Based on public input, the housing need assessment, and the market analysis, Mosaic and City staff identified five priorities for the next five years: neighborhood revitalization, preservation and expansion of affordable housing, public services for low-income and special needs population, affirmatively furthering fair housing choice, and program administration. Mosaic then assisted local staff in identifying eligible activities to address these priorities in the one-year and five-year planning horizons. Activities included sidewalk repair and ADA improvements, job training, economic development through a revolving loan fund and business incubator, public service grants, a minor home repair program, demolition of blighted properties, and fair housing education.

LINK TO PLAN: www.c3gov.com/home/showdocument?id=1822



PROJECT TIMELINE

Start date of April 2016
End date of September 2016
6 months to complete

PROJECT TEAM MEMBERS

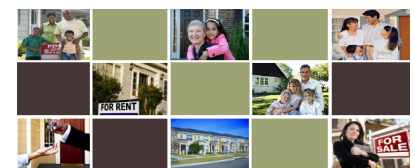
Jeremy Gray
Melissa Mailloux

PUBLIC ENGAGEMENT

297 stakeholders engaged
Multi-language outreach
Community surveys, focus groups,
needs assessment workshops, and
interviews

POINT OF CONTACT

Steve Timms, Planning Manager
City of Commerce City
7887 E. 60th Avenue
Commerce City, CO 80022
303-289-3683
stimms@c3gov.com



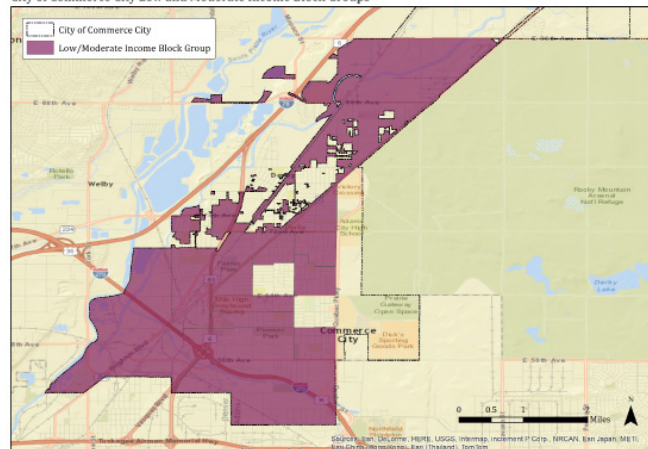
Encuesta de las necesidades de vivienda y el desarrollo de la comunidad

La ciudad de Commerce City
Está trabajando para identificar las prioridades en el desarrollo de la comunidad, las necesidades de vivienda que se requieren para incorporar a los siguientes planes de la ciudad:
el Plan Quinquenal Consolidado y el Plan Anual de Acción
Por favor, comparta su aporte, el cual informará y ayudará a determinar el desarrollo comunitario en Commerce City durante años venideros.

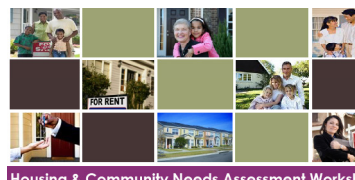
Tome la encuesta en línea
En español: https://es.surveymonkey.com/r/Commerce_City_Espanol
En inglés: https://www.surveymonkey.com/r/Commerce_City
Si usted prefería llenar una encuesta en papel o desea solicitar varias copias para distribuir a otros, por favor contáctenos usando los datos al final.
Fecha límite para responder la encuesta: 10 de junio de 2016

Como ciudadano activo, su aporte es necesario!

City of Commerce City Low and Moderate Income Block Groups



Source: 2006-2010 U.S. Census Bureau American Community Survey Low and Moderate Income Summary Data from <https://www.hudexchange.info/manage-a-program/aci-low-mod-summary-data-block-groups-places/>



Housing & Community Needs Assessment Workshop

The City of Commerce City is working to identify community development priorities and affordable housing needs for incorporation into the City's

5-Year Consolidated Plan and Annual Action Plan

Please plan to attend one of the Needs Assessment Workshops for a discussion of these important issues. Your input will inform and help shape community development in Commerce City for years to come.

As an active citizen, your input is needed!

You may also participate by taking the survey: https://www.surveymonkey.com/r/Commerce_City
En Español: https://es.surveymonkey.com/r/Commerce_City_Espanol

Meeting Schedule

Tuesday, May 3
5:30 - 7:30 pm

Our Lady Mother of the City
School Room 4
6690 East 72nd Avenue

Wednesday, May 4
6:00 - 7:30 pm

Council Chambers
Commerce City Civic Center
7887 E. 60th Avenue

Thursday, May 5
6:00 - 7:30 pm

Commerce City
Recreation Center
6060 E. Parkway Drive



For more information, to request information in languages other than English, or to request assistance for someone with a disability, contact: Steve Timms, Planning Manager, 303-289-3683, stimms@c3gov.com or Jeremy Gray, Mosaic Community Planning, 404-631-1398, gray@mosaiccommunityplanning.com



REFERENCES

We are proud of the high quality of research, analysis, stakeholder engagement, and client communication that goes into every one of our projects. In addition to the references identified in the project profiles, those listed below can each attest to recent work Mosaic's team has performed with a scope comparable to that requested in the City's RFP.

CLIENT AND PROJECT	CONTACT
Consolidated Plans (2015-2019 and 2020-2024), Annual Action Plans (2015 and 2020), and Analysis of Impediments to Fair Housing Choice (2015) for Waukesha County, WI	Kristin Silva, Community Development Manager Waukesha County Parks and Land Use Department 515 W. Moreland Boulevard, Room AC320, Waukesha, WI 53188 Phone: 262-896-3370 Email: KSilva@waukeshacounty.gov
2019-2023 Consolidated Plan, 2019 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice for Gainesville, GA	Jessica Tullar, AICP Neighborhood Development Manager Gainesville Community Development Department PO Box 2496, Gainesville, GA 30503 Phone: 770-531-6570 Email: jtullar@gainesville.org
2019 Analysis of Impediments to Fair Housing Choice for the City of Hot Springs, AR and the Housing Authority of the City of Hot Springs	Michelle Sestili CDBG Administrator City of Hot Springs 133 Convention Boulevard, Hot Springs, AR 71901 Phone: 501-276-7934 Email: msconsulting@outlook.com
2019 Regional Analysis of Impediments to Fair Housing Choice for La Crosse, WI	Caroline Gregerson, Community Development Administrator City of La Crosse Community Development and Housing Department 400 La Crosse Street, La Crosse, WI 54601 Phone: 608-789-7393 Email: gregersonc@cityoflacrosse.org
2016-2020 Consolidated Plan, 2016 Annual Action Plan, Analysis of Impediments to Fair Housing Choice, Environmental Review Records, and 2016 CAPER for Albany, GA	Shelena Hawkins, Director City of Albany Department of Community and Economic 230 S. Jackson Street, Suite 315, Albany, GA 31701 Phone: 229-483-7650 Email: shawkins@dougherty.ga.us
2020-2024 Consolidated Plan, 2020 Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and Citizen Participation Plan for San Bernardino County, CA	Bryan Anderson, Supervisor County of San Bernardino Department of Community Development and Housing 385 N. Arrowhead Avenue, 3rd Floor, San Bernardino, CA 92415 Phone: 909-387-4351 Email: banderson@cd.sbcounty.gov

4. PROJECT APPROACH

Mosaic's proposed approach to the City of Twin Falls's 2020-2025 Five-Year Consolidated Plan, 2020 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice is based on collection of broad community input and thorough synthesis of quantitative and qualitative data. Our comprehensive research will inform priority housing, community development, and homeless needs and strategies to address them. Internal and public review periods will allow for refinement of the documents prior to approval by the City and subsequent submission to HUD via IDIS.

This proposed scope of work outlines Mosaic's approach from project initiation through Plan approval by HUD. Understanding that Twin Falls has limited staff availability, our approach is comprehensive and includes on-site support at several stages during the project.

The Five-Year Consolidated Plan will provide a unified and comprehensive framework for the City's housing and community development program over the next five years. The Annual Action Plan will outline the City's plans to spend HUD grant funds over the first year of the five-year period, in coordination with the overarching priorities identified in the Consolidated Plan.

The Analysis of Impediments to Fair Housing Choice (AI) will provide a detailed fair housing analysis for Twin Falls. The analysis will inform strategic, actionable fair housing goals and priorities that are tailored to be specific to the City.

As required by the *Fair Housing Planning Guide*, the AI will:

- Serve as the substantive, logical basis for local fair housing planning;
- Provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates about housing market conditions as well as fair housing efforts and opportunities; and
- Assist in building public support for fair housing

principles both within the local entitlement jurisdictions' boundaries and beyond.

Our consulting team will approach this project in four phases, beginning with project kickoff and collection of community input and other data. Based on this data and public input, Mosaic will draft and assemble the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice. Once drafts of the documents are ready, Mosaic will coordinate public presentations of the draft Plans, receive comments, and facilitate the approval and submission to HUD.

PHASE

1

Data Collection and Review of Community Input

PHASE

2

Analysis of Impediments Analysis and Drafting

PHASE

3

Consolidated Plan and Annual Action Plan Analysis and Drafting

PHASE

4

Plan Presentation and Approval



PLANS are about PEOPLE

In our planning and analysis work, we collect enormous amounts of data that informs and underlies our plans and strategies.

But we know that plans are about people, not about data. When data is presented, we take care to provide it in a format that is accessible and relevant to the public.

PHASE 1: DATA COLLECTION AND REVIEW OF COMMUNITY INPUT

Task 1.1 - Initial Meeting

The consulting team will hold an initial meeting with City of Twin Falls staff to review and finalize project expectations, scope of work, and data needs. We will specifically discuss the City's goals for its Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice, along with preliminary planning related to citizen participation for the project.

Task 1.2 - Citizen Participation Plan

For a typical grantee, the Citizen Participation Plan (CPP) guides the process by which the public is engaged and stakeholders are consulted during the consolidated planning process. As Twin Falls is a new grantee without an existing CPP in place, Mosaic will draft one as a first step in the project. While the CPP will be formally approved and submitted to HUD along with the Consolidated Plan in August, developing the draft early in the process will provide an accountable framework for the engagement to be conducted around this first set of plan documents.

The CPP will outline the specific steps, strategies, and timelines to be employed in the engagement of the public, both in our immediate planning process and in future years' planning cycles. Supplementing the draft CPP, Mosaic will also supply additional details pertaining just to the current planning process to include a meeting schedule; a list of stakeholders to be engaged and consulted; and a bank of interview, focus group, and public meeting questions. Mosaic will develop a public survey (available electronically and in hard copy) and copy for newspaper notices, flyers, press releases, City website, Facebook, and other advertisement for the project.

Task 1.3 - Review of Previous Plans and Studies

The team will review the City's current Strategic Plan, Comprehensive Plan, and Master Transportation Plan, along with any other relevant community or regional plans, such as housing affordability strategies, neighborhood revitalization plans, and any other applicable small area plans.

Task 1.4 - Data Gathering

Mosaic will download the City's Consolidated Plan and Annual Action Plan templates from the eCon Planning Suite in IDIS. We will review all pre-populated data and check for accuracy. While most of the data required for a Consolidated Plan is supposed to be pre-populated by eCon, in our experience, that data is frequently incorrect, stale, or missing altogether. Mosaic's team will source Twin Falls's Consolidated Plan data from the best available resources, supplementing where possible with local or regional data.

During this step, we will also generate the AI data tables and maps for the city and region through HUD's online Fair Housing Data and Mapping Tool. In addition to the HUD provided data, Mosaic will gather relevant local data such as fair housing complaints, zoning and related ordinances, Home Mortgage Disclosure Act data, information on homelessness, and public school data, and data from other state or local sources.

Should HUD discontinue its Data and Mapping Tool during this project, Mosaic will gather all relevant demographic and housing data from sources including the Census, American Community Survey, Comprehensive Housing Affordability Strategy (CHAS), and Picture of Subsidized Households, as well as create necessary maps using GIS.

Task 1.5 - Gather Public Input

Mosaic's IMPACT Stakeholder Engagement Model (detailed on the next page) is designed to bring together interested parties in an intentional way and to engage them meaningfully in development of the Consolidated Plan, Annual Action Plan, and AI.

This model will serve as the backbone for Mosaic's community outreach effort, encouraging input from residents and neighborhood associations, community development practitioners, affordable/subsidized housing providers, health and human/social service agencies, state or local health and child welfare agencies, local governments, businesses, and others. The process will pay particular attention to low- and moderate-income persons, including those living in low/moderate income areas, seniors, non-English speakers, persons with disabilities, and residents of affordable and assisted housing developments.

While ultimately to be determined in consultation with City staff, Mosaic anticipates a community outreach process that includes:

- **Facilitating up to two (2) community-wide needs assessment meetings** at various locations throughout the city and at times so as to be accessible to the general public;
- **Facilitating up to four (4) resident focus groups** through local social service organizations or housing providers targeted to key demographic segments relevant to the Con Plan and/or AI;
- **Individual or small group interviews** with housing and community development stakeholders, identified with input from City staff;
- **Needs assessment survey** for residents and other stakeholders, including non-profit organizations and community advocates. The survey will be available online and in hard copy, and publicized via email, social media, and local organizations; and
- Development of **website copy** to be placed on the City of Twin Falls's website and social media or development of an **external website** dedicated to the project.

Mosaic will prepare presentation materials for all meetings, along with agendas, handouts, questions/activities, meeting notes, and summaries of results. Public input will be used identify key themes and findings for inclusion in the Consolidated Plan and AI and will inform priorities and goals. Accommodations for people with disabilities and those with limited English proficiency will be offered as needed.

After community outreach events, we will debrief as a team and with client staff to assess turnout and identify any areas where there may be a need to broaden participation. Meeting styles will vary from meeting to meeting to respond to unique circumstances or group dynamics that may arise.



Our community engagement process will include, but will not be limited to:

- City staff and elected officials
- Housing Authority staff
- Twin Falls County staff
- Local social service organizations
- Housing providers and developers
- Homeless service providers
- Business and economic development organizations
- Advocacy groups
- Local school district
- IHFA / Balance of State Continuum of Care
- Organizations serving low- income families
- Major employers
- Neighborhood groups
- Seniors
- Residents of subsidized housing
- Members of the general public



Primary Stakeholders:

Essentially the project's steering committee, this group includes all key decision-makers.

Secondary Stakeholders:

Persons or organizations with experience or perspectives that will provide crucial input into or feedback on the plans.

General Stakeholders:

Members of the public with a general interest in the project.

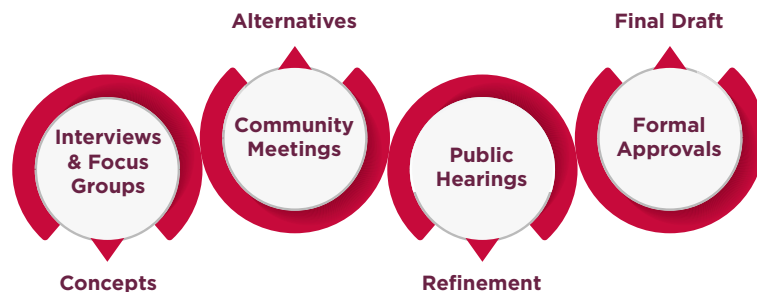
IMPACT COMMUNITY ENGAGEMENT MODEL

Mosaic's consulting team will apply its IMPACT Community Engagement Model to ensure a broad and representative cross section of the community is involved in the plan development process. The IMPACT Model combines innovative, industry-leading techniques from multiple disciplines into a methodology uniquely suited to fair housing and community-based planning.

I Identify the Stakeholders - We know how important it is to have the right people at the table. An initial step in every client engagement is to identify stakeholders and categorize them as primary, secondary, or general, determining their level of participation and the best method to reach them.

M Market the Process - We conduct outreach through nonprofit partners, public notices, and press releases, including foreign language and/or special interest papers. Other forms of marketing may include a project website, social media, listings on online community calendars, presentations at existing meetings, flyers, and information tables in high traffic areas.

P Public Participation - We understand that participants may need education and other support to participate fully and meaningfully. We design public meetings to facilitate informed discussion and allow every voice to be heard. Because our process uses three feedback loops, there are many opportunities for refinement and course correction rather than solely during the public comment period. When possible, we coordinate with existing community meetings to reach as large an audience as possible.



A Active Listening - We employ active listening techniques to ensure greater accuracy and accountability when collecting residents' perceptions and comments. These techniques also hold potential for conflict resolution and consensus-building.

C Collaborative Review - Before a draft is published for public comment, it is internally reviewed in a collaborative process with key stakeholders. Verification of facts and research ensures the legitimacy of conclusions and findings and provides opportunity for corrections prior to public review.

T Transition the Momentum - Over the course of each project, we develop a substantial stakeholder engagement portfolio, which includes lists of stakeholders and their affiliations, spreadsheets containing contact information for participants, and web resources specifically constructed for the project. At the conclusion of our role, these resources are carefully compiled and transitioned into the client's hands to enhance future local stakeholder engagement efforts.



PHASE 2: ANALYSIS OF IMPEDIMENTS ANALYSIS AND DRAFTING

Task 2.1 - Introduction, Community Engagement, Past AI Goals and Demographic Profile

During this phase, Mosaic will analyze data collected in Phase 1 and draft all sections of the AI, beginning with the introduction, community engagement summary, discussion of past fair housing efforts, and a demographic summary.

Introduction

- Provides contemporary context for fair housing, background on the AI requirements, and the methodology and data sources employed.

Community Engagement

- Summarizes the community engagement process, including a list of participating stakeholder organizations, public outreach and advertising methods, and the results of each type of engagement.

Assessment of Past Fair Housing Goals

- Reviews any plans or studies identifying potential fair housing needs or goals for the City and activities undertaken to address them.

Demographic Summary

- Analyzes residents and households by race/color, ethnicity, national origin, familial status, gender, and disability status, including changes since 1990, with comparisons to the region where appropriate. Maps showing residential patterns across the city and region.
- Discussion of income levels, household income by race, and poverty rates in Twin Falls as compared to the region.

Task 2.2 - RECAPs, Segregation, Opportunity and Fair Housing Activities

This step includes drafting of the analytical components of the report:

Racially and Ethnically Concentrated Areas of Poverty

- Identifies and maps racially and ethnically concentrated areas of poverty (RECAPs).
- Analyzes demographic and housing characteristics in RECAPs, including discussion of revitalization efforts, if any.

Segregation and Integration

- Maps population by race, ethnicity, national origin, LEP status, and familial status to show neighborhoods with highest levels of segregation and integration.
- Assesses levels of racial and ethnic segregation in the city and region using dissimilarity indices. Discusses changes in segregation levels since 1990.

Access to Opportunity

- Analyzes access to opportunity by race and ethnicity using indices developed by HUD that score census block groups on education, employment, transportation, exposure to poverty, and exposure to environmental health hazards as well as other measures of opportunity based on stakeholder input.
- Maps opportunity index scores by census block group to identify areas with the most and least access to these opportunity factors.

Fair Housing Activities

- Identifies public and private sector agencies offering fair housing services in the city.
- Presents information on recent fair housing lawsuits filed in the area and data on housing discrimination complaint filings.
- Discusses state and local fair housing laws.



Task 2.3 - Housing Profile, Public and Accessible Housing, and Zoning and Land Use

This step will include drafting of the following elements, representing a general analysis of housing needs and types and the policies affecting them:

Housing Profile

- Overview of existing housing supply in terms of vacancy, tenure, structure type, and age for the city, RECAPs, and the region.
- Analyzes housing needs and severe housing needs by race and ethnicity, with maps of disproportionate housing need data.
- Analysis of renter affordability, including the locations of affordable housing with regard to measures of segregation.
- Analysis of homeownership rates, mortgage lending policies, and Home Mortgage Disclosure Act (HMDA) data.

Publicly Supported Housing

- Analyzes the demographic composition of publicly supported housing in and out of RECAPs relative to that of the region.
- Identifies locations of subsidized housing and housing choice vouchers, specifically relative to RECAPs and areas of opportunity.
- Research and review PHA policies related to tenant selection, HCV programs, and site selection for fair housing impacts.

Housing for People with Disabilities

- Analyzes and maps the population of people with disabilities by disability type.
- Discusses the general availability of housing for people with disabilities and the disabled population living in publicly supported housing.
- Identifies fair housing issues related to disability, including disparities in access to opportunity, such as jobs, education, and transportation linkages.
- Considers effects of local policies and ordinances (i.e. zoning codes and building codes) on housing availability for people with disabilities.

Land Use and Zoning Code Review

- Review the City's zoning ordinance and land use plans for analysis of potential barriers to fair housing and determination of the degree to which they may contribute to fair housing issues.

Task 2.4 - Impediments, Recommendations, and Executive Summary

Finally, Mosaic will identify impediments to fair housing choice, propose recommendations to overcome the impediments, and prepare an Executive Summary.

Identification of Impediments

- Each impediment identified in the report will be described in detail and be prioritized for action based on its potential to limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.
- A Recommendations Matrix will be provided that links the identified impediments with their associated recommendations, metrics, implementation timeframes, and responsible parties. The content of the Recommendations Matrix will be subject to refinement with input from City staff.

Executive Summary

Summarizes key aspects of the report in a brief, engaging format, with particular focus on the resulting impediments and recommendations.



Task 2.5 - Provide AI Draft to the City

After drafting the Analysis of Impediments, Mosaic will provide Word and PDF versions of the draft to City staff for internal review and comment by June 8, 2020. With input from City staff, Mosaic will refine the drafts and prepare them for public comment by June 22, 2020.

PHASE 3: CONSOLIDATED PLAN AND ANNUAL ACTION PLAN ANALYSIS AND DRAFTING

Task 3.1 - Data Analysis to Develop Priorities

To help City leaders set priorities, Mosaic will outline five-year priorities recommendations, based on the following:

- Key themes identified by residents and stakeholders during community meetings, focus groups, interviews, and the community survey;
- Analysis of Census, American Community Survey, Comprehensive Housing Affordability Strategy (CHAS), and public housing authority data, and other pre-populated data provided by HUD;
- Analysis of point-in-time homeless counts and the existing supply of emergency, transitional, and permanent supportive housing;
- Assessments of public infrastructure and public improvement needs;
- Analysis of Impediments to Fair Housing Choice findings; and
- Existing barriers to affordable housing.

Task 3.2 - Preparation of the Consolidated Plan

Based on public input, quantitative research, and other findings, Mosaic will prepare a draft of the Consolidated Plan, including the elements outlined below:

Executive Summary: A concise Executive Summary will serve as an introduction to and summary of the Plan. It will highlight the Plan's priorities and describe how those priorities will be addressed. While included as a required component of the overall Consolidated Plan, the Executive Summary will be written such that it can stand alone as its own document and be a simplified version of the plan more easily accessible to the general public.

The Process: This section of the Consolidated Plan will name the Lead Agency overseeing development of the Consolidated Plan and responsibility for administration of the City's CDBG funds. This section will also outline the process by which the Plan was prepared and citizens were engaged in their creation, including a description of the required consultations with other agencies and organizations.

Needs Assessment: Mosaic will research and draft the Needs Assessment section of Twin Falls's Consolidated Plan. This section will provide an analysis of the affordable housing, special needs housing, community development, and homelessness needs in the city. It will analyze data concerning housing conditions and housing problems and how those housing problems may disproportionately affect various population groups. A discussion of specific housing problems, including cost-burdened, severe cost-burdened, lacking facilities, and overcrowding will be included.

The section will assess the housing needs of the homeless, elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents. The narrative will include characteristics and needs of low-income and extremely low-income individuals and children who are currently housed but at imminent risk of homelessness.



Non-housing community development needs will also be analyzed, including the need for public facilities, public improvements, and public services. As of January 1, 2018, grantees submitting a Consolidated Plan must address two additional areas: (1) availability of broadband access; and (2) vulnerability of housing occupied by low- and moderate-income households to natural hazard risks. Accordingly, Mosaic will discuss broadband needs for low- and moderate-income households, as well as the availability of broadband service in Twin Falls, including consideration of the possible need for increased competition by having more than one internet service provider. To address environmental resiliency, Mosaic will discuss possible risks faced by low- and moderate-income households and any policies or programs intended to minimize those risks.

Market Analysis: Mosaic will research and draft the Market Analysis section of Twin Falls's Consolidated Plan. This section will lay out the context in which the City will administer its community development programs over the course of the Consolidated Plan period.

This section of the Plan will analyze the local housing market, including present conditions for supply and demand by tenure, as well as an assessment of local housing prices, market activity, and areas of the city that have recently seen price increases.

This section will also assess lead-based paint hazards, the supply and demand for public and assisted housing/Section 8 vouchers, facilities and services for the homeless, and housing and services for people with disabilities or other special needs. The Market Analysis will conclude with an assessment of barriers to affordable housing and a comparison of the needs assessed in the prior component to the market conditions present in the city.

Strategic Plan: Mosaic will draft the Strategic Plan, which will provide a summary of the goals and objectives the City plans to address, including performance measurements for accomplishments and outcomes. This Plan component also offers the City an opportunity to set any geographic priorities and to prioritize needs in general. The strategy will also reflect strategic plans of other City departments, to the extent they overlap with Community Development priorities.

Task 3.3 - Preparation of the Annual Action Plan

Mosaic will draft the First Year Action Plan, which will describe the specific actions, activities, and programs the City will implement during the first year of the Consolidated Plan period to address the priority needs and goals. The Action Plan will specify the City's goals for affordable housing, homelessness, and other special needs and indicate the resources anticipated to be available to address them. GIS maps will be used to identify low- and moderate-income areas and geographies that will receive direct assistance during fiscal year 2020. Grant-specific requirements, such as accounting for CDBG program income, are also contained in the Action Plan.

Mosaic will incorporate project information as provided by City staff, linking each to appropriate goals and priorities in the Five-Year Plan to facilitate tracking in IDIS and CAPERs.



Task 3.4 - Provide Draft Consolidated Plan and Annual Action Plan to the City

Mosaic will provide drafts of the complete Consolidated Plan and Annual Action Plan to City staff for internal review and comment by June 8, 2020. With input from City staff, Mosaic will refine the drafts and prepare them for public comment by June 22, 2020. We will provide electronic copies in Microsoft Word and PDF formats for the public comment period.

PHASE 4: PLAN PRESENTATION AND APPROVAL

Task 4.1 - Hold 30-Day Public Comment Period and Public Hearing

Public versions of the draft Consolidated Plan, Annual Action Plan, and AI will be published for public review and comment for a period of 30 days. During the public comment period, Mosaic's team will make up to two (2) presentations of the drafts to the public and elected officials. Mosaic will work with City staff to publicize the comment period, the public hearing, and how the public may access draft plans.

Task 4.2 - Plan Finalization and Approval

At the conclusion of the 30-day public comment period, Mosaic will make any necessary revisions to the Plans based on comments received. Mosaic will prepare final Word and PDF versions of each document for delivery to the City of Twin Falls for final approval. We will also prepare appendices including any relevant raw data, copies of flyers and other ads, survey results, and other relevant items. Mosaic will prepare required Certifications for signature and present the final Plans to elected officials for approval.

Task 4.3 - Electronic Entry of Plans in IDIS

Following approval, Mosaic will complete entry of the Consolidated Plan and Annual Action Plan into IDIS via the eCon Planning Suite, upload all required attachments, and run a quality check, leaving the plans ready for one-click electronic submission to HUD by City of Twin Falls.

Mosaic will be responsible for any revisions required by HUD after submission, and, if necessary, will troubleshoot with HUD relative to any IDIS/eCon Planning Suite issues. We will also be available to answer any questions HUD may have regarding the City's Consolidated Plan or Annual Action Plan.

Task 4.4 - Submission of Printed Plans to City of Twin Falls

If desired by the City of Twin Falls, Mosaic will provide up to six printed, bound hard copies of the final Consolidated Plan, Annual Action Plan, and Analysis of Impediments. Electronic copies in Word and PDF will also be provided. These deliverables will each include a resource appendix with supporting documents such as raw data tables, lists of interview and meeting participants, copies of flyers and other ads, summaries of stakeholder comments, survey results, and other relevant items.



A Note about Working in IDIS and the eCon Planning Suite

Because our consulting team's background includes work in CDBG grant administration, we know how important the Consolidated Plan and Action Plan setup in eCon is to the overall success of the planning function. The configuration of priorities, projects, goals, and outcomes will be the basis for the City's subsequent Action Plans and CAPERs for the next five years. If it's not right, problems are created for future documents. We have experience in how these plans work together in eCon, avoiding these possible roadblocks in future planning processes and submissions.

The eCon Planning Suite cannot and will not provide all of the data required for the successful completion of a Consolidated Plan or Action Plan. Our experience has shown us that eCon frequently populates stale or incorrect data. We are able to audit the data populated by eCon for accuracy and, when there are problems, to source more accurate or more current data from the Census or elsewhere.

Since we began utilizing the system, Mosaic's staff have developed new methodologies for successfully analyzing areas where additional research and data must be assessed and incorporated in order to meet minimum requirements. Our methods have been tested over time with our other clients. Our resulting documents include supplemental data and maps that go above and beyond the basic eCon requirements.

5. SCHEDULE

Milestones for completion of the project are shown below, assuming a February 15, 2020 contract start date. They include delivery of the draft Consolidated Plan, Annual Action Plan, and AI by **June 8, 2020**. Following review and comments by the City staff, Mosaic will prepare public drafts for a comment period later in June and July, with all documents in final form and ready for local approval by **July 31, 2020**. This timeline accommodates electronic submission to HUD via IDIS by the City's **August 14, 2020** deadline.

PROPOSED TIMELINE FOR TWIN FALLS'S CONSOLIDATED PLAN, ANNUAL ACTION PLAN AND AI							
TASKS	2020						
	Feb	Mar	Apr	May	Jun	Jul	Aug
PHASE 1: COMMUNITY INPUT AND DATA COLLECTION							
1.1 Initial Meeting							
1.2 Citizen Participation Plan							
1.3 Review of Previous Plans and Studies							
1.4 Data Gathering							
1.5 Gather Public Input							
PHASE 2: ANALYSIS OF IMPEDIMENTS ANALYSIS AND DRAFTING							
2.1 Intro, Engagement, Past Goals, Demographics							
2.2 RECAPS, Segregation, Opportunity, FH Activities							
2.3 Housing Profile, Public and Accessible Housing, Zoning							
2.4 Impediments, Recommendations, Exec Summary							
2.5 Provide Draft AI to the City							
PHASE 3: CONSOLIDATED PLAN AND ANNUAL ACTION PLAN ANALYSIS AND DRAFTING							
3.1 Data Analysis to Develop Priorities							
3.2 Preparation of the Con Plan							
3.3 Preparation of the Annual Action Plan							
3.4 Provide Draft Con Plan & Annual Action Plan to the City							
PHASE 4: PLAN PRESENTATION AND APPROVAL							
4.1 Hold 30-Day Public Comment Period & Public Hearing							
4.2 Plan Finalization and Approval							
4.3 Electronic Plan Entry in IDIS							
4.4 Submission of Printed Plans to the City							

6. BUDGET

For the preparation of the Consolidated Plan, first-year Action Plan, and AI as described in this proposal, **Mosaic proposes an all-inclusive fee of \$46,480** as shown below. This price includes all personnel, supply, travel, and other costs associated with the project.

COST BREAKDOWN BY TASK					
	PERSONNEL HOURS AND HOURLY RATES				COST
	Principal \$150/hr.	Senior Planner \$135/hr.	Associate Planner \$85/hr.	Consultant \$110/hr.	
1.1 Initial Meeting	3	3			\$855
1.2 Citizen Participation Plan	3		8		\$1,130
1.3 Review Previous Plans and Studies	4	2	2	2	\$1,260
1.4 Data Gathering			16	5	\$1,910
1.5 Gather Public Input	16	16	16		\$5,920
Phase 1 Subtotal	26	21	42	7	\$11,075
2.1 Intro, Engagement, Past Goals, Demographics		4	6	4	\$1,490
2.2 RECAPS, Segregation, Opportunity, FH Activities	2	6	9	4	\$2,315
2.3 Housing Profile, Public/Accessible Hsg, Zoning	2	10	8	14	\$3,870
2.4 Impediments, Recommendations, Exec Summary	8	8	6	1	\$2,900
2.5 Provide Draft AI to the City	1	4			\$690
Phase 2 Subtotal	13	32	29	23	\$11,265
3.1 Data Analysis to Develop Priorities	4	6	2		\$1,580
3.2 Preparation of the Con Plan	12	18	20	5	\$6,480
3.3 Preparation of the Annual Action Plan	8	8	8	3	\$3,290
3.4 Provide Draft Con Plan and Action Plan to City	1	4			\$690
Phase 3 Subtotal	25	36	30	8	\$12,040
4.1 Hold 30-Day Public Comment Period & Hearing	8		4		\$1,540
4.2 Plan Finalization and Approval	2	4			\$840
4.3 Electronic Plan Entry in IDIS		4	10		\$1,390
4.4 Submission of Printed Plans to the City	2		4		\$640
Phase 4 Subtotal	12	8	18	0	\$4,410
Total Personnel Costs	76	97	119	38	\$38,790
	Other Direct Costs				
Travel (Airfare, Lodging, Meals)					\$6,590
Translation, Interpretation & Meeting Supplies					\$500
Printing & Shipping					\$600
Total Direct Costs					\$7,690
GRAND TOTAL					\$46,480



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Wendy Davis, Parks & Recreation Director

ACTION ITEM

Request:

ACTION ITEM: Request to award a bid for the City Park restroom project.

Time Estimate:

Presentation will take approximately 5 minutes. Staff recommends allowing some time for discussion and questions.

Background:

On November 11, 2019, council approved a request to put the City Park Restroom project out for bid. No money was committed and the council has the opportunity to review the bids and award a contract if deemed prudent. Bid documents were prepared and bids were received in January. Four sealed bids were submitted and the bids were opened on January 23. Please see the attached bid tabulation.

Low bid was submitted by Hayes Construction for \$458,115. (See the attached bid). In addition to the restroom bid documents, an add on bid was requested to replace the asphalt that connects Hansen to the bandshell. That path has been cut several times and damaged by events. The project will have to repair asphalt adjacent to the restroom project anyway, this add on would extend that to the concrete pad for an additional \$2,184. Also, the installation of surveillance cameras on the new restroom building was discussed park security purposes. That would be an additional \$11,000.

The complete project, as bid, with the asphalt pathway add-on and the surveillance cameras brings the total project cost to \$462,000. Adding a 5% contingency would make the total \$485,100.

Capital Improvement Fund reserves would be used to fund this project if approved.

Approval Process:

A simple majority will approve this request.

Budget Impact:

If approved, funds would be allocated from capital improvement fund reserves, and reflected in the budget amendment at the end of the year.

Regulatory Impact:

Approval of this request will dedicate funds to the project and allow staff proceed with a contract.

History:

N/A

Analysis:

N/A

Conclusion:

Bids came in higher than architect estimate, and trends indicate that project cost may continue to rise.

Attachments:

1. Bid Tabulation - TF Restroom
2. Hayes Construction
3. City of Twin Park Project- (3) 360 Cameras .pdf_091019

BID REPORT

TWIN FALLS CITY RESTROOM

1/23/2020

CONTRACTOR	ADDENDUM			BID BOND	BID AMOUNT	ALTERNATE BID(s)	HVAC	PLUMBING	ELECTRICAL
	#1	#2	#3				SUBCONTRACTOR	SUBCONTRACTOR	SUBCONTRACTOR
Don Anderson Const. Inc.	Yes	Yes	Yes	Yes	503,929.00	No. 1: 12,313.00 No. 2: 5,763.00	Terry's Heating & AC	Paige Mechanical Group	Heglar Creek Electric
Hayes Constructionn Co. Inc	Yes	Yes	Yes	Yes	458,115.00	No. 1: 2,184.00 No. 2: 6,491.00	Element Heating & Cooling	Paige Mechanical Group	Electrical Cont. of ID
Petersen Bro. Construction, Inc	Yes	Yes	Yes	Yes	541,250.00	No. 1: 2,150.00 No. 2: 3,100.00	Element Heating & Cooling	Paige Mechanical Group	Heglar Creek Electric
Stanley Associates, Inc	Yes	Yes	Yes	Yes	476,950.00	No. 1: 2,255.00 No. 2: 6,700.00	Brizee Heating & AC	Paige Mechanical Group	Heglar Creek Electric

R. Colby Ricks / Laughlin Ricks Architecture

1/23/2020

DATE

BID PROPOSAL

To: Twin Falls Parks & Recreation Department:

Proposal of, Hayes Construction Co., Inc.
(hereafter called the "Bidder"), organized and existing under the
laws of the State of Idaho, doing business as a Corporation
(Insert corporation, Partnership, or Individual.)

The Bidder, in compliance with your invitation for bids for the new Restroom Facility of approximately 1,265 sq feet at 500 Shoshone St. N, Twin Falls, Idaho, and having examined the plans and specifications, with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the constructions of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials and supplies, and to provide the service and insurance in accordance with the Contract Document, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents of which this proposal is a part.

Bidder hereby agrees to commence work under this contract on or before February 20, 2020 and specified in written "Notice to Proceed" of the Owner and to substantially complete the new Restroom Facility on or before Friday July 24, 2020. Bidder further agrees to pay liquidated damages, the sum of \$ 500.00 (Five Hundred Dollars) for each consecutive calendar day thereafter as hereinafter provided in Paragraph 9.11.1 of the Supplementary General Conditions.

Bidder acknowledges receipt of addendum(s):

No. One, Two, Three

BID PROPOSAL: Bidder agrees to perform all of the work described in the contract document of

Fourty five hundred fifty-eight thousand one hundred fifteen Dollars ^{USD}
\$ 458,115.00 (Amount shall be shown
in both words and figures. In case of discrepancy, the amount shown in words will govern.)

ALTERNATE BIDS:

The following Alternates may be selected by the Owner and considered with the Total Base Bid in accordance with the provisions of the Bidding Documents. Refer to drawings for additional information.

Alternate Bid No. 1: ADD to remove and replace asphalt drive.

Two thousand One hundred eighty-four ^{USD} Dollars
\$ 2,184.00 (Amount shall be
shown in both words and figures. In case of discrepancy, the amount shown in words will
govern.)

Alternate Bid No. 2: ADD or DEDUCT to provide epoxy system for CMU walls at Restroom 1 & 2.

ADD: Six thousand four hundred ninety-one ^{USD} Dollars

\$ 6,491.00

DEDUCT: _____ Dollars

\$ _____

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

BID PROPOSAL

To: Twin Falls Parks & Recreation Department:

Proposal of, Hayes Construction Co., Inc.
(hereafter called the "Bidder"), organized and existing under the
laws of the State of Idaho, doing business as a Corporation
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No. One, Two, Three.

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ADD: Six thousand four hundred ninety-one ⁰⁰ Dollars
\$6,491.00
DEDUCT: _____ Dollars
\$ _____

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Bidder understands that the Owner reserves the right to reject any or all bids and to waive any informalities in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of 45 calendar days after the scheduled closing time for receiving bids. Upon receipt of written notice of the acceptance of this bid, Bidder will execute to formal contract attached within 10 days and deliver a Surety Bond or Bonds as required by Article 7 of the Instructions to Bidders including paragraph 7.1.1 of the Supplementary Instructions to Bidders.

The bid security attached in the amount of 5% of the bid amount is to become the property of the Owner in the event the contract and bond are not executed within the time set forth, all liquidated damages for the delay and additional expense to the owner caused thereby.

Pursuant to Section 67-2310, IDAHO CODE commonly known as the naming law, the names and addresses of the entities that will perform the plumbing, heating and air conditioning, and electrical work, subject to approval of the Owner and Architect, if Undersigned is awarded the Contract, are as follows:

Plumbing (name) Paige Mechanical Shop
Address PO Box 170360 Boise, ID 83107
Idaho Plumbing Contractor's License No. 028373

Electrical (name) Electrical Contractors of Idaho, Inc
Address PO Box 673 Jerome, ID 83338
Idaho Electrical Contractor's License No. 023674

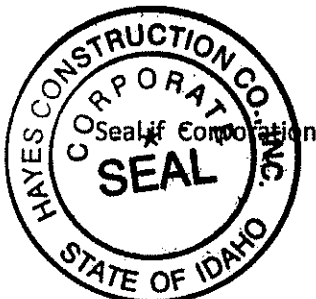
Heating, Air Conditioning (name) Element Heating & Cooling
Address 347 Locust St S Twin Falls, ID 83308
Idaho H.V.A.C Contractor's License No. 003949

Dated at Bull this 23 day of Jan, 2020.

Respectfully Submitted, Hayes Construction Co., Inc.
By: (Company)

PO Box 209 Bull, ID. 83316
(Address)

(Signature)



Claude L. HAYES Jr
(Title)

Pres



BID BOND

023017733

KNOW ALL BY THESE PRESENTS, That we, Hayes Construction Co., Inc.

of 1616 Main Street Buhl, ID 83316

(hereinafter called the Principal), as Principal, and The Ohio Casualty Insurance Company

(hereinafter called the Surety), as Surety are held and firmly bound unto Twin Falls City Park

(hereinafter called the Obligee) in the penal sum of ***** Five Percent (5%) of Bid *****

Dollars (*****)

for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has submitted or is about to submit a proposal to the Obligee on a contract for Restroom Facility in Twin Falls, Idaho

NOW, THEREFORE, If the said Contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing, and give bond, if bond is required, with surety acceptable to the Obligee for the faithful performance of the said Contract, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and sealed this 16th day of January, 2020.

Mik Dalt

Witness

Hayes Construction Co., Inc.

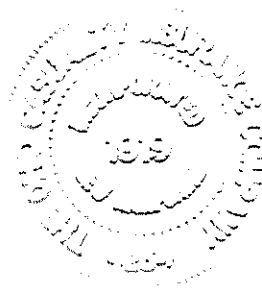
(Seal)

Principal

Claude J. HAYES II Pres Title

The Ohio Casualty Insurance Company

By Aaron Crocker Attorney-in-Fact





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8201414

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Sharon Brenden, Leslie Mashak, Matt Trevino, Sharon Welch

all of the city of Buhl state of ID each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 14th day of June, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By:

David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 14th day of June, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By:

Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of January, 2020.



By:

Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Proposal

Modified: 9/10/2019
Revision: 0
Proposal #: APEX-4898
Account Rep: Chris Kelley

City of Twin Park Project- (3) 360 Cameras

City of Twin Falls

Presented By:



Apex Integrated Security Solutions, Inc.

187 E. 50th Street
Garden City, Idaho 83714
208-378-9650
www.apexintegratedsecurity.com

This document is proprietary and confidential and is not to be copied or distributed without prior written approval from Apex Integrated Security Solutions (AISS). This document is submitted with the understanding that it will be kept confidential between the Client and AISS and will be returned to AISS within 30 days if an agreement is not reached.

Scope of Work

THIS PROPOSAL IS FOR QTY. 3 HANWHA 8MP (4X2MP) CAMERAS AND MOUNTS.

INCLUDED

- * 3- HANWHA 8MP (4X2MP) 360 CAMERAS
- * 3- WALL MOUNTS WITH PENDANT ACCESSORY
- * 3- POLE MOUNTS (CAN BE EXCLUDED IF NOT MOUNTING CAMERAS TO A POLE).
- * CABLE AND CABLING
- * INSTALLATION AND PROGRAMMING

EXCLUDED

- * CAMERA LICENSES
- * SALES TAX
- * FIRE PENETRATIONS
- * PREMIUM TIME (BEFORE OR AFTER NORMAL WORKING HOURS)
- * NETWORK SWITCHES, ROUTERS, HUBS, RACKS, ETC. UNLESS NOTED IN PROPOSAL.
- CONNECTIVITY TO THESE DEVICES TO BE SUPPLIED BY OWNER.
- * ANY PC'S OR SERVERS.
- * ALL 120 VAC
- * CONDUIT OR RACEWAYS
- * LIFT RENTAL
- * PATCHING AND PAINTING
- * ANY MATERIAL OR LABOR NOT SPECIFICALLY LISTED AS PART OF THIS PROPOSAL
- * IP/LAN ADDRESS
- * TROUBLESHOOTING AND REPAIR
- * DOOR RECERTIFICATION IS EXCLUDED
- * NETWORK POE SWITCH.
- * AFTER NORMAL HOURS, WEEKENDS, OR HOLIDAYS

PROJECT MOBILIZATION:

THE STANDARD LEAD TIME FOR PROJECT MOBILIZATION IS FOUR (4) WEEKS FROM THE DATE OF RECEIPT OF THE SIGNED ACCEPTANCE OF THIS PROPOSAL OR NOTICE TO PROCEED. THIS PROVIDES FOR THE ALLOCATION OF LABOR RESOURCES; ENGINEERING AND SUBMITTALS; AND THE ORDER AND RECEIPT OF NECESSARY EQUIPMENT FOR THE EFFICIENT COMPLETION OF THE INSTALLATION. IN THE EVENT AN EXPEDITED SCHEDULE REQUIRES UTILIZATION OF PREMIUM TIME LABOR AND/OR RUSH MATERIALS DELIVERY, THESE COSTS ARE NOT INCLUDED IN THIS SCOPE OF WORK AND WILL REQUIRE ADDITIONAL CHARGES. PRICING FOR THIS PROPOSAL IS PREDICATED ON FREE ACCESS TO THE AFFECTED WORK AREAS DURING NORMAL WORKING HOURS (8:00AM TO 5:00PM MONDAY THRU FRIDAY). IN THE EVENT ACCESS IS NOT AVAILABLE PER THE CONSTRUCTION SCHEDULE DUE TO THE REQUEST OF THE TENANT, OWNER AND/OR GENERAL CONTRACTOR, APEX INTEGRATED SECURITY SOLUTIONS. INC. WILL CHARGE FOR RE-DEPLOYMENT OF THE INSTALLATION CREW.

Proposal

Qty	Description	Installed Price
Unassigned		
1	Apex APEX SERVICE TRAVEL Travel	
3	Hanwha Techwin PNM-9080VQ 8MP (2MP x 4 Cameras) 360° multi-directional camera. It features advanced video analytics and memory card slot that helps for storage. The camera also supports a host of video and audio analytics functions such as tampering, defog, privacy masking as well as motion detection.	
3	Hanwha Techwin SBP-300PM Wall Mount Accessory, Ivory	
3	Hanwha Techwin SBP-329HM Hanging Mount (Outdoor)	
3	Hanwha Techwin SBP-390WM1 Wall Mount Accessory, 2x knock out built-in, compatible with all full size outdoor PTZs and all caps, Ivory color	
500	Windy City Wire NJ446100 Access Control Cables -Plenum. Individual lock power, door contact, card reader, and request to exit cables into a single convenient jacketless bundle	
Unassigned Total:		\$9,950.25
Project Subtotal:		\$9,950.25

Miscellaneous Items

Qty	Description	Total Price
1	Shipping and Handling	\$72.00
Miscellaneous Total:		\$72.00

Project Summary

Total Installation Price:	\$9,950.25
Misc. Costs:	\$72.00
Grand Total:	\$10,022.25

* Price Includes Accessories

Presented By: Apex Integrated Security Solutions, Inc.

Project: City of Twin Park Project- (3) 360 Cameras

APEX-4898

9/10/2019

Page 3 of 5

Standard Terms and Conditions of Sale

1. Agreement. The sale and provision of equipment and services (the "Project") described in the proposal, to which this document makes reference below (the "Proposal"), are sold and provided by Apex Integrated Security Solutions, Inc. ("Apex") upon the following terms and conditions. These terms and conditions are integral and shall govern all transactions with the customer identified below (the "Customer") relating to the Project, as if the same were fully set forth in the Proposal. This document, together with the Proposal and the applicable Software Support Agreement, shall constitute the entire agreement ("Agreement") between Apex and the Customer relating to the Project. Any attempt to amend or otherwise modify the terms and conditions of the Agreement by oral representations or agreements, course of dealing or Customer documents, including without limitation any purchase order or similar document, is hereby rejected and shall have no legal effect. Customer acknowledges that the Agreement was received and reviewed by Customer in advance of any document generated by Customer.

2. Price and Terms. Prices quoted by Apex in the Proposal shall be binding for thirty (30) days from date of the Proposal. Payment terms are net thirty (30) days from the date of invoice. Upon receipt of Customer's signature on the Agreement, Apex may immediately invoice Customer for an amount equal to fifty percent (50%) of (a) the cost of the entire Project, or (b) the cost of the equipment included in the Project, whichever is greater. Apex may delay commencement of work, unless and until such initial invoice is paid in full. Upon completion of the Project, Apex shall prepare a final invoice; provided, however, that if the Proposal provides for progress billing, Apex shall prepare interim invoices, in which case such interim invoices must be paid in full prior to Apex commencing the next phase of the Project. Apex hereby expressly reserves the right to deactivate or otherwise disable software installed as part of the Project, unless and until all outstanding invoices are paid in full.

3. Taxes. Prices quoted in the Proposal exclude sales, use, excise and all other taxes, licenses, permits and other fees, unless otherwise expressly stated in the Proposal. Any such taxes or fees imposed by local, state or federal taxing authorities shall be added to quoted prices in all cases, except where Customer provides an appropriate tax exemption certificate. Customer shall be ultimately responsible for the payment of all applicable taxes and fees relating to the Project, irrespective of whether the same are included in Apex's invoice or not.

4. Limited Warranties and Limitations of Liability.

a. Equipment and Software. Equipment and software installed by Apex as part of the Project may be warranted by the manufacturer of such equipment or software. Apex shall convey all such factory warranty information to Customer and, in the event of a claim, shall assist Customer to a commercially reasonable extent in communicating with the applicable manufacturer and resolving such claim; provided, however, Apex offers no warranty with respect to any equipment or software included in the Project and shall not be liable for the payment of any amount with respect thereto. In addition, there shall be no warranty with respect to consumable items, including without limitation fuses, batteries and cards, used in connection with the Project.

b. Services. Apex warrants to the original Customer that all services provided by Apex in connection with the Project shall be free from defects in workmanship for a period of one (1) year from the date such services are provided.

c. Notice. Customer shall provide Apex with written notice of any warranty claim not more than ten (10) days from Customer's discovery of the defect relating to such claim.

d. Remedies. Customer's sole and exclusive remedy for equipment and software warranty claims shall be the remedy set forth in writing by the applicable manufacturer and as may be performed by such manufacturer upon submission of a claim by Customer. Customer's sole and exclusive remedy for service warranty claims shall be, at Apex's option and in its sole discretion, either (a) correction of the defective work by Apex, or (b) refund of that portion of the Project cost directly attributable to the defective work.

* Price Includes Accessories

Presented By: Apex Integrated Security Solutions, Inc.

Project: City of Twin Park Project- (3) 360 Cameras

APEX-4898

9/10/2019

Page 4 of 5

e. **Limitations and Exclusions.** The limited warranties set forth above are not transferable and shall not cover normal wear and tear, or damage resulting from shipping, storage, abuse, neglect, accidents, alterations, work performed by other service providers or improper operation. THERE SHALL BE NO WARRANTIES THAT EXTEND BEYOND THE DESCRIPTION OF EXPRESS WARRANTIES ON THE FACE HEREOF AND IN THE APPLICABLE MANUFACTURER'S WRITTEN WARRANTIES RELATING TO EQUIPMENT AND SOFTWARE. APEX HEREBY DISCLAIMS ANY AND ALL OTHER EXPRESS OR IMPLIED WARRANTIES INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE.

FURTHERMORE, THE CUSTOMER HEREBY ACKNOWLEDGES AND AGREES TO THE EXCLUSIVE REMEDIES SET FORTH ABOVE AND HEREBY WAIVES ANY CLAIMS TO DAMAGES, INCLUDING WITHOUT LIMITATION, ANY PUNITIVE, DIRECT, INDIRECT, GENERAL, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR LOST PROFITS, WHETHER ARISING FROM TORT, CONTRACT OR ANY OTHER LEGAL OR EQUITABLE THEORY.

5. General.

- a. The Agreement shall not be assigned by Customer without the prior written consent of Apex. Any attempt by Customer to assign any of the rights, duties or obligations hereunder without such consent shall be void.
- b. Customer acknowledges that it has not been induced to enter into the Agreement by any representation or warranty not set forth in the Agreement.
- c. If any portion of the Agreement is found to be invalid or unenforceable, the parties agree that the remaining portions thereof shall remain in effect.
- d. If either party fails to enforce any right or remedy available to it under the Agreement, such failure shall not be construed as a waiver of any right or remedy with respect to any other breach or failure by the other party.
- e. The parties agree that the Agreement was negotiated and executed in the state of Idaho. Idaho law shall govern the Agreement and the parties hereby submit to the jurisdiction of the state and federal courts located in Idaho.
- f. The Agreement is for the benefit of the parties hereto only and is not intended, and shall not be construed, to create any third-party beneficiaries.

The undersigned Customer hereby accepts and agrees to the terms and conditions set forth above, to the Proposal and to any applicable Software Support Agreement and/or Full Service Agreement entered into by the parties in connection with the Project:

Client Signature: City of Twin Falls

Date

Printed Name

Phone Number

Title

Billing Address

Billing Contact

Billing Address

Phone Number

Contractor Signature: Apex Integrated Security Solutions, Inc.

Date

* Price Includes Accessories

APEX-4898

Presented By: Apex Integrated Security Solutions, Inc.

9/10/2019

Project: City of Twin Park Project- (3) 360 Cameras

Page 5 of 5



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Planning & Zoning Department

ACTION ITEM

Request:

ACTION ITEM: Request to adopt an ordinance for an Annexation with a Zoning District Change from M-1 to M-2 for property located at 594 & 616 Washington Street South c/o Idaho Department of Corrections. (PZ19-0147)

Time Estimate:

Approximately five (5) minutes for the presentation and questions.

Background:

On December 10, 2019 the Planning & Zoning Commission sent a positive recommendation to the City Council for this property to be rezoned to M-2; Manufacturing zone, if annexed by the City Council.

On January 13, 2020 City Council heard, deliberated and approved the Annexation with Zoning District Change and Zoning Map amendment to an M-2 zoning designation.

Approval Process:

In order to enact this ordinance today, Council would need to suspend the rules and place it on third and final reading by motion, a majority consent.

Budget Impact:

NA

Regulatory Impact:

The passing of this ordinance will change the zoning district of the property and annexation will bring this property into City jurisdiction for all Titles listed in City Code.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Annexation and Zoning District Change and Zoning Map Amendment process.

Attachments:

1. 2020-001 PZ19-0147 IDDC Annx & ZDA

ORDINANCE NO. 2020-001

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

WHEREAS, State of Idaho c/o Department of Corrections has made application for annexation of property located at 594 & 616 Washington Street South; and,

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 10th day of December, 2019, to consider the Zoning Designation and necessary Area of Impact and Zoning District Maps amendment upon annexation of the real property below described; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 13th day of January, 2020, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

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

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

"Exhibit A"-Legal Description

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

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned M-2.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. The Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

SECTION 5. The City Clerk immediately upon the passage and publication of this Ordinance is required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: _____, _____ day of _____, 20____
Weekday

Exhibit A

TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 20: PARCEL OF LAND LOCATED IN THE N1/2 SE1/4, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20, FROM WHICH THE EAST ONE QUARTER (E1/4) CORNER OF SAID SECTION 20 BEARS N01°15'53"W 2702.00 FEET; THENCE N01°15'53"W ALONG THE EAST BOUNDARY OF THE SE1/4 OF SAID SECTION 20 FOR A DISTANCE OF 1814.96 FEET; THENCE S88°44'07"W FOR A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74 AND BEING THE TRUE POINT OF BEGINNING:

THENCE S88°44'07"W FOR A DISTANCE OF 311.45 FEET;

THENCE N01°04'55"W FOR A DISTANCE OF 402.42 FEET;

THENCE N84°00'52"E FOR A DISTANCE OF 311.22 FEET TO A POINT ON THE WEST RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74;

THENCE S01°15'53"E ALONG THE WEST RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74 FOR A DISTANCE OF 14.65 FEET;

THENCE N88°44'07"W ALONG THE RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74 FOR A DISTANCE OF 7.00 FEET;

THENCE S01°15'53"E ALONG THE WEST RIGHT-OF-WAY BOUNDARY OF THE STATE HIGHWAY #74 FOR A DISTANCE OF 382.89 FEET;

THENCE S88°44'07"E ALONG THE RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74 FOR A DISTANCE OF 7.00 FEET;

THENCE S01°15'53"E ALONG THE WEST RIGHT-OF-WAY BOUNDARY OF STATE HIGHWAY #74 FOR A DISTANCE OF 30.49 FEET TO THE TRUE POINT OF BEGINNING.



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Planning & Zoning Department

ACTION ITEM

Request:

ACTION ITEM: Request to adopt an ordinance for a Zoning Development Agreement Amendment for property located on the south side of the 1800 block of Elizabeth Blvd c/o Gerald Martens on behalf of Elizabeth Properties, LLC (PZ19-0131)

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On December 10, 2019, the Planning & Zoning Commission recommended approval of this request.

On February 10, 2020 the City Council approved the request to amend the Zoning Development Agreement for Elizabeth Estates.

Approval Process:

In order to enact this ordinance today, Council would need to suspend the rules and place it on third and final reading by title only.

Budget Impact:

NA

Regulatory Impact:

The passing of the ordinance will amend the Zoning Development Agreement for this property in regards to land use and other development criteria.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by City Council staff has prepared an ordinance to finalize the Zoning District Change and Zoning Map Amendment process.

Attachments:

1. 2020-002 PZ19-0131 Elizabeth Estates Rezone_ZDA Ord Draft

ORDINANCE NO. 2020-002

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

WHEREAS, Elizabeth Properties, LLC has made application for rezoning of property located along the south side of the 1800 block of Elizabeth Boulevard; City of Twin Falls, and an amendment of the revised Area of Impact and Comprehensive Plan Land Use Map; and

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 10th day of December, 2019, to consider the Zoning Designation and necessary Zoning & Planning Map amendment upon a rezone of the real property below described, and an amendment to the revised area of Impact and Comprehensive Plan Land Use Map; and,

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

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 10th day of February, 2020.

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

SECTION 1. The following described real property located along the south side of the 1800 block of Elizabeth Boulevard is the subject of a Zoning District Change and Zoning Map amendment from R-4 to R-6 ZDA.

"Exhibit A"-Legal Description

"Exhibit B"-Zoning Development Agreement

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

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or

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

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: _____, _____ day of _____, 20____
Weekday

Exhibit A
Legal Description
Elizabeth Property ZDA
Twin Falls, Idaho

Being a portion of Lots A, B, C and 6 as shown on that certain map entitled "PLAT OF SNYDER TRACT", recorded November 4, 1907 as instrument no. 0000-001949, of official records, in the office of the county recorder of Twin Falls County, more particularly described as follows:

Commencing at the East quarter corner of Section 15, Township 10 South, Range 17 East, Boise Meridian, said corner lies South 89°46'40" East 2651.47 feet from the center quarter corner of said Section 15;

Thence, North 89°46'40" West 1980.12 feet along the North Boundary of SE ¼ of said Section 15;

Thence, leaving said North Boundary, South 00°12'42" East 30.00 feet to the Northeast corner of said Lot 6 and being the REAL POINT OF BEGINNING;

Thence, South 00°12'42" East 452.47 feet along the East Boundary of said Lot 6;

Thence, leaving said East Boundary, North 89°50'40" West 330.09 feet to a point on the West Boundary of said Lot 6;

Thence, North 00°11'39" West 86.97 feet along said West Boundary to the Southeast corner of said Lot C;

Thence, North 89°49'21" West 112.00 feet along the South Boundary of said Lot C;

Thence, leaving said South Boundary, North 00°11'39" West 365.97 feet along a line parallel with and Westerly of said West Boundary of Lot 6 to a point on the North Boundary of said Lot A;

Thence, South 89°46'40" East 441.96 feet along said North Boundary and along said North Boundary of said Lot 6 to said REAL POINT OF BEGINNING.

Containing approximately 4.37 acres.



Date: Monday, February 24, 2020
To: Planning and Zoning Commission
From: Planning & Zoning Department

ACTION ITEM

Request:

ACTION ITEM: Request to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154). On January 28, 2020 the Planning and Zoning Commission recommended approval of the proposed Vacation by a vote of 6 - 0.

Time Estimate:

Five (5) minutes for Staff and Applicant presentation; Two (2) minutes for public hearing; Five (5) minutes for Council questions, discussion, and decision.

Background:

NA

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

NA

Regulatory Impact:

NA

History:

The North Park #1 Subdivision was platted in 1976. The easement in question was part of that original plat.

Analysis:

This is a request to vacate a platted utilities, irrigation, and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle. The purpose of the proposed vacation is to have a greater building envelope for a detached garage.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

On January 28, 2020 the Planning and Zoning Commission recommended approval the proposed Vacation (PZ19-0154) by a vote of 6 - 0.

Conclusion:

Should the City Council choose to approve the action as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments:

1. PZ19-0154 VAC Staff Report
2. Vicinity Map
3. Narrative
4. Vacation Exhibit
5. Photos
6. Utility Company Letters
7. 01-28-20 PZC Minutes



Comprehensive Staff Report

To: Planning & Zoning Commission
 Presenter: Brock Cherry, City Planner
 Request: To **Vacate** a platted utilities, irrigation and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle.
 Application: PZ19-0154
 Applicant & Representative:
 Dustyn Brownlee
 430 Parkway Circle
 Twin Falls, ID 83301

Public Hearing: January 28th, 2020

Analysis

This is a request to vacate a platted utilities, irrigation, and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle. The purpose of the proposed vacation is to have a greater building envelope for a detached garage.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

Approval Process

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood. The request complies with City Comprehensive Plans.

Regulatory Impacts

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

Conclusion

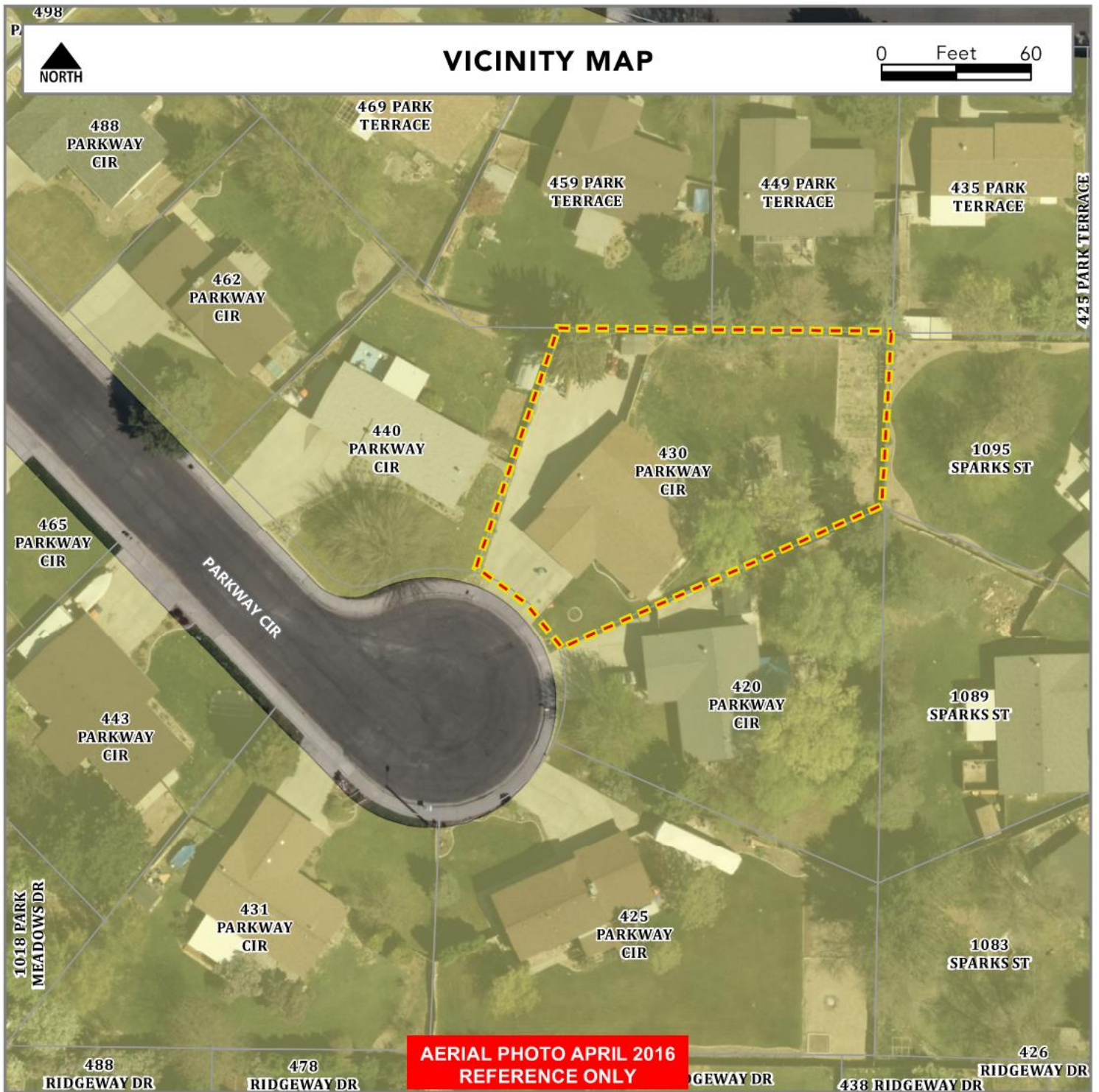
Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Attachments

1. Vicinity Map
2. Narrative
3. Vacation Exhibit
4. Photos
5. Utility Company Letters

Public Hearing: January 28th, 2020

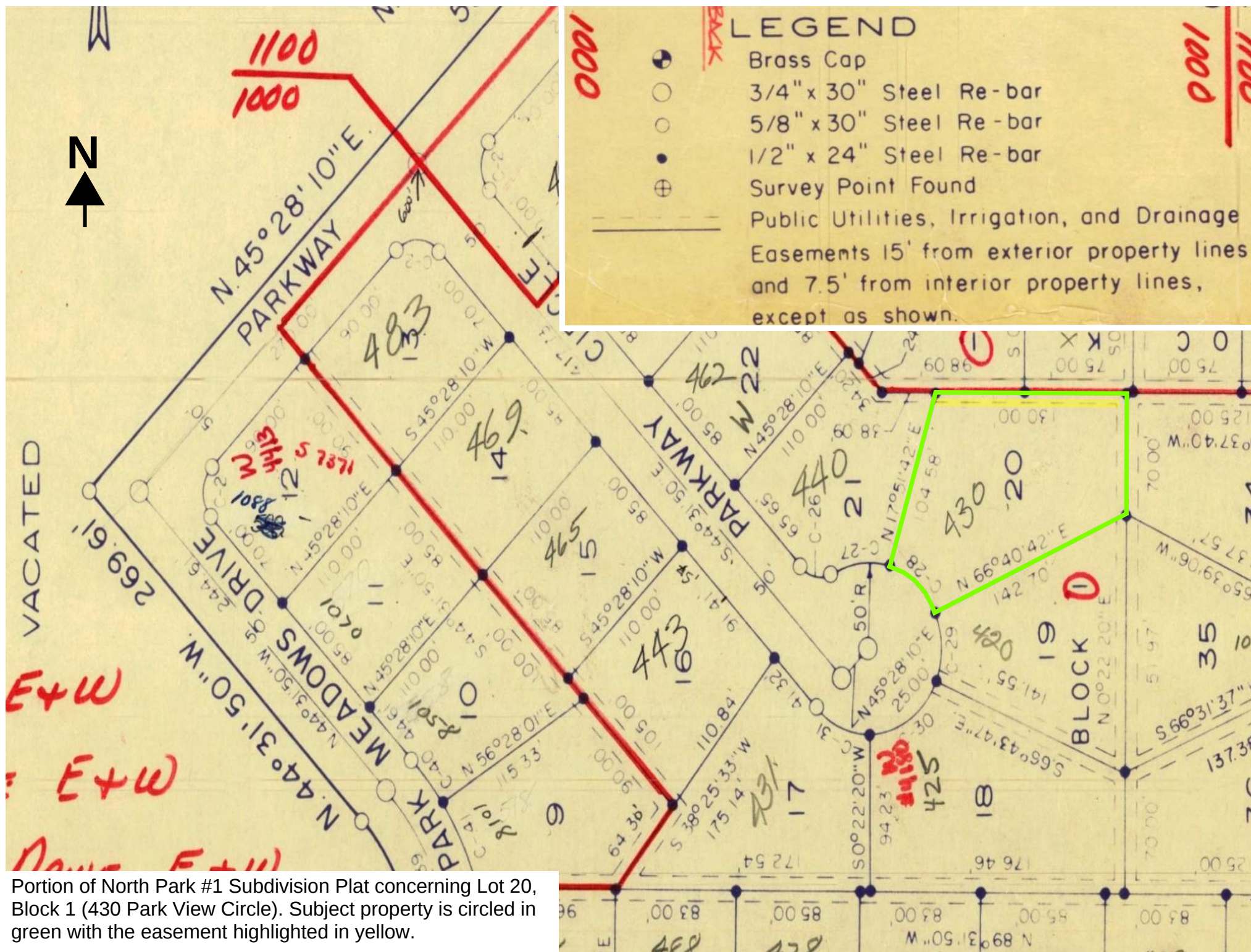


	R-2	Current Zoning: R-2	Existing Land Use: Residential
		Comprehensive Plan: Commercial	Proposed Land Use: Residential
Surrounding Zoning Designations & Land Use(s)			
North: R-2, Residential		East: R-2, Residential	
South: R-2, Residential		West: R-2, Residential	
Applicable Regulations			
10-1-4, 10-1-5, 10-16-1			

Twin Falls City Vacation Application

#4a - The reason for the request is to build a detached garage.

#4b - The effects of the vacation on all adjoining properties would be minimal.





NW Corner Looking SE



Approximate Easement Location

Northern Property Boundary



451 Alan Dr., Jerome, Id 83338-5505
Office: (208) 737-6300 (800) 548-3679
Fax: (208) 737-6342
www.intgas.com

November 27, 2019

To Whom It May Concern:

We, the undersigned public utility company, Intermountain Gas Company, release rights for the utility easement that is located in rear of property at ~~430~~ Parkway Circle, Twin Falls, ID legally described as Lot 20, Block 1 of the North Park Subdivision No. 1.

Brack McMurtrey, District Operations Manager
Intermountain Gas Company
451 Alan Dr.
Jerome, Idaho 83338



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



MEMO OF UNDERSTANDING

APPLICANT: Dustyn Brownlee

ADDRESS: 430 Parkway Circle Twin Falls

LEGAL DESCRIPTION

SECTION: 5 TOWNSHIP: 10 RANGE: 17

DESCRIPTION: Lot 20 Block 1 North Park #1
NW 1/4 NE 1/4

The maps and records of the Twin Falls Canal Company have been reviewed and the following water distribution facilities and/or drainage facilities are shown as being located on the above described property.

Building Detached Garage

No laterals No tiles

To the best of our knowledge the above are the only water distribution facilities and/or drainage facilities on the described property. If other water distribution facilities and/or drainage facilities exist on the above-described property, they shall be considered as being included in the listing.

The rights-of-way for any water distribution facilities are to be accessible to employees and agents of the Twin Falls Canal Company at all times. Impediments and obstructions on the rights-of-way are prohibited.

No change shall be made in the facilities of the Twin Falls Canal Company without the written approval of the Twin Falls Canal Company.

No trees shall be planted or allowed to grow within fifty feet (50') of any underground drainage facilities.

Existing facilities for conveying wastewater from adjacent property must be maintained by the applicant.

TF Canal Co. rights of way for operating canals is a 50 foot strip from the outer toe of the embankment on the main canals, 30 feet on the main laterals and a 16 foot width along the smaller laterals per each side.

DATE: 11/06/19 APPLICANT: [Signature]

BY: [Signature]
Twin Falls Canal Co.

CenturyLink
Brad McNew
Construction Project Administrator
216 South Park Ave
Twin Falls, Id. 83301

Office (208) 736-8760

Facsimile (208) 736-8755

October 8, 2019

Dustyn Brownlee
621 North College Rd.
Twin Falls, Id. 83301

RE: North Park Subdivision No.1
Lot 20 Block 1 Easement Vacation
Section 5, T10S, R17E

To whom it may concern:

Reference is made to your request for CenturyLink to vacate said easementt located in North Park Subdivision No.1, City of Twin Falls, County of Twin Falls, State of Idaho. CenturyLink has no facilities in said easement along the North side of lot 20 Block 1 and easement can be vacated.

If existing utilities need to be relocated construction charges would apply for relocation of facilities.

Please call me if you have any questions.

Sincerely,

Brad McNew



October 15, 2019

Dustyn Brownlee
430 Parkway Cir
Twin Falls, ID 83301

Re: Partial relinquishment of Public Utility Easement (PUE) located in North Park No. 1
Subdivision block 1 lot 20.

Dear Dustyn:

This is in response to the relinquishment application request submitted to Idaho Power Company dated October 9, 2019, regarding the possible relinquishment of the above noted PUE. The area to be relinquished is the portion of the public utility easement located on the eastern boundary of Lot 20, Block 1 in North Park No. 1 Subdivision as recorded in the records of Twin Falls County Idaho, known as the "easement area".

Idaho Power's review of the relinquishment request indicated that there are no facilities within the above noted easement area. As such, Idaho Power agrees to relinquish the public utility easements within area described above.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

Chris Jacky
Associate Real Estate Specialist
Land Management and Permitting Department
Corporate Real Estate
Idaho Power Company

208-388-2699
cjacky@idahopower.com



August 9, 2019

RE: North Park No. 1 Easement Vacation Request

Dustyn Brownlee.

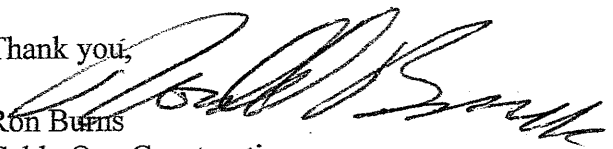
430 Parkway Circle

Twin Falls, Idaho 83301

Dear Sir,

We Agree to your Request For the vacation of the existing Utility Easement located along The North Side Of The Property known as Lot 20, Block 1 of the North Park No. 1 Subdivision in Twin Falls, Idaho as shown on the Attachment. We Have no active lines located there, nor see no need to place any lines there in the future

Thank you,


Ron Burns

Cable One Construction

261 Eastland Dr.

P.O. Box 1946

Twin Falls, Idaho 83301

208-733-6877 Ext. 7150

208-539-9886



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 28, 2020, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301
Council Chambers

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Vice Chair Kelley called the meeting to order at 6:00 pm
A quorum was present.

Members Present: Higley, Bolton, Kelley, Perez, Detweiler, Hansen

Staff Present: Spendlove, Cherry, Ebersole, Nope, Vitek

2) Consent Calendar

Commissioner Hansen made a motion to approve the consent calendar, as presented.
Commissioner Perez seconded the motion.

Consent Calendar approved by a vote of 4-0-2

- a) Approval of Minutes from the following meeting: January 14, 2020

3) Items of Consideration

- a) Preliminary Presentation for a Zoning District Change and Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at 2746 E 4200 N c/o EHM Engineers, Inc. on behalf of Steve Shotwell, Molivia, LLC (PZ19-0165)

Staff Presentation:

PZ Director Spendlove presented the Preliminary Presentation for a Zoning District Change and Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at 2746 E 4200 N c/o EHM Engineers, Inc. on behalf of Steve Shotwell, Molivia, LLC (PZ19-0165)

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

This is a preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at ParcelsRP09S17E300660, RPO23010000010 & RP09S17E310610.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public.

This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting February 11th, 2020. Further staff analysis will be provided at that time.

Staff makes no recommendation at this time.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the preliminary presentation for a Zoning District Change and Zoning Development Agreement from SUI & CRO PUD to Molivia SUI & CRO ZDA for property located at 2746 E 4200 N c/o EHM Engineers, Inc. on behalf of Steve Shotwell, Molivia, LLC (PZ19-0165). This is a proposed development with a subdivision of 80 residential lots.

PZ/Questions & Comments:

- Commissioner Higley asked if this property is hooked to city water and sewer.
- PZ Director Spendlove stated this property is not on city services as it is still outside city limits.

- b) Preliminary Presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at 650 Addison Ave West. c/o Bob Beer on behalf of Twin Falls County. (PZ19-0167)

Staff Presentation:

City Planner Cherry presented the Preliminary Presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at 650 Addison Ave West c/o Bob Beer on behalf of Twin Falls County. (PZ19-0167)

Per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District requires a preliminary presentation to the Planning and Zoning Commission for a review of the proposed changes. The Commission is allowed, and may grant the public the ability, to ask questions and give suggestions to applicant about the proposed project during the preliminary presentation. A public hearing shall be held before the Commission for a

recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

This is a preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at Parcels RPT00107086001, RPT2641000007D & RPT2921003010B.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting February 11th, 2020. Further staff analysis will be provided at that time.

Staff makes no recommendation at this time.

Applicant Presentation:

Bob Beer, representing applicant, presented the preliminary presentation for a request for a Zoning District Change & Zoning Development Agreement from C1 & CRO PUD to Twin Falls County West Annex C1 & CRO ZDA for property located at 650 Addison Ave West. c/o Bob Beer on behalf of Twin Falls County. (PZ19-0167)

4) Public Hearings

- a) Request for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154)

Staff Presentation:

City Planner Cherry presented the Request for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The North Park #1 Subdivision was platted in 1976. The easement in question was part of that original plat.

This is a request to vacate a platted utilities, irrigation, and drainage easement within the northern portion of Lot 20, Block 1 in the North Park #1 Subdivision located at 430 Parkway Circle. The purpose of the proposed vacation is to have a greater building envelope for a detached garage.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Dustyn Brownlee, applicant, presented the request for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle. He would like to build a detached garage on the property.

PZ/Questions & Comments:

- Commissioner Perez asked how the utilities are contacted and asked if all were contacted.
- City Planner Cherry stated the utilities are contacted by letter, and all approval letters have been received.

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION: Carolyn Bolton moved for a recommendation to City Council to vacate a portion of a public utility, irrigation, and drainage easement on property located at 430 Parkway Circle c/o Dustyn L. Brownlee. (PZ19-0154).

Commissioner Detweiler seconded the motion.

Unanimously Approved

- b) Request for a Special Use Permit to allow a Home Occupation on property located at 435 Fillmore Street c/o Darcy Thomas. (PZ19-0157)

Staff Presentation:

City Planner Cherry presented the Request for a Special Use Permit to allow a Home Occupation on property located at 435 Fillmore Street c/o Darcy Thomas. (PZ19-0157)

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.

Per County Records the primary residence on this property was constructed in 1947.

This is a request to establish a home occupation for a professional dog grooming business on the property located at 435 Fillmore Street within the R-2 Zoning District.

The applicant will operate her business inside her shed just to the west of her residence.

The applicant intends to be with the dogs at all times. All waste will be disposed of promptly. The applicant intends to regularly operate 7 A.M. to 5 P.M. Monday through Friday with an occasional Saturday. The applicant intends to serve approximately two (2) clients every hour.

Letters submitted in favor, none in opposition.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to no more than (4) dogs being on the subject property at one time.

Applicant Presentation:

Darcy Thomas, applicant, presented the request for a Special Use Permit to allow a home occupation on property located at 435 Fillmore Street. She stated she has 20 years of experience and is ready to start own business.

PZ/Questions & Comments:

- Commissioner Hansen asked the applicant the number of dogs she owns. If city code only allows four (4) dogs at a time, how will applicant comply?
- Applicant Thomas stated she has three (3) dogs. She will only service one (1) dog at a time. She stated she will keep in contact with customers to comply with city code requirements.
- Commissioner Detweiler asked the location of grooming business.
- Applicant Thomas stated the business will operate in the shed on the property.

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION: Commissioner Higley moved to approve the request for a Special Use Permit to allow a Home Occupation on property located at 435 Fillmore Street c/o Darcy Thomas. (PZ19-0157)

Commissioner Detweiler seconded the motion.

Unanimously Approved

- c) Request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South c/o Kate Hahn on behalf of Chad Babcock. (PZ19-0158)

Staff Presentation:

City Planner Cherry presented the Request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South c/o Kate Hahn on behalf of Chad Babcock. (PZ19-0158)

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. Per County Records the building housing the proposed use was built in 1995. The subject property was issued a special use permit (SUP #853) for the retail sale of alcoholic beverages when consumed on the premises where sold on property before in 2003. However, because SUP #853 has been inactive for more than a year the use was discontinued.

The current indoor recreation facility (JumpTime), which the proposed use would be accompanying, has been in place since 2017.

This is a request to allow the retail sale of alcoholic beverages when consumed on the premises where sold on property located at 302 3rd Avenue South. The subject property is within the Old Town (O-T) Zoning District.

Per the applicant the purpose of the requested special use permit is to sell beer and wine on the subject property.

The hours of operation for the proposed use are Monday 10:00 AM – 8:00 PM, Tuesday 4:00

PM – 8:00 PM, Wednesday 4:00 PM – 8:00 PM, Thursday 10:00 AM – 8:00 PM, Friday 10:00 AM – 10:00 PM, Saturday 10:00 AM – 10:00 PM, and Sunday 10:00 AM – 10:00 PM.

500 to 1000 customers visit the subject property on a normal week.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Kate Hahn, Facility Manager, representing applicant, presented the request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South. They are asking for this SUP to grow company and increase revenue. She stated this is a way to help get the parents involved. She stated the Meridian location has not had issues. Wristbands will be worn by customers drinking alcohol, and all customers ordering alcohol will be ID'd.

PZ/Questions & Comments:

- Commissioner Bolton asked if there is food service at the facility.
- Applicant stated there is currently food service.

Public Hearing: Opened and Closed without input

Discussions Followed: without concerns

MOTION:

Commissioner Hansen moved to approve the request for a Special Use Permit to allow alcohol beverage sales and consumption on property located at 302 3rd Avenue South c/o Kate Hahn on behalf of Chad Babcock. (PZ19-0158)

Marilu Perez seconded the motion.

Unanimously Approved

- d) Request for a Special Use Permit to allow a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue c/o Jeff Jones on behalf of Joni Schwertfeger-Jones. (PZ19-0161)

Staff Presentation:

City Planner Cherry presented the Request for a Special Use Permit to allow a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue c/o Jeff Jones on behalf of Joni Schwertfeger-Jones. (PZ19-0161)

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.

Per County records the primary building on the property was built in 1948. The building was most recently used as professional office.

This is a request to for a special use permit to establish a commercial daycare facility and preschool on property located at 733 Addison Avenue. The subject property is located in the R-2 (Residential Single Household) Zoning District with PRO (Professional Office) Overlay.

The applicant plans to operate from 6:00am to 6:00pm Monday through Friday. Two (2) staff members will be present during operating hours.

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

1. Subject to all State and Federal requirements pertaining to the proposed use.

Applicant Presentation:

Jeff and Joni Jones, applicants, presented the request for a SUP a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue. Denise Johnson, building owner, also presented for the applicant.

The applicants stated they have been in business for nine (9) years serving over 100 children in the Magic Valley. The applicants need to move to a new location as the current building they are in on Addison Ave. is being sold. They stated the hours of operation are Monday-Friday from 6:00 am -6:00 pm. The students are dropped off at various times. They stated the main entrance is off of Addison Avenue, with no entrance on Pierce St. There is now a six foot (6') wooden fence along back of property to block headlights from neighbors. The applicants stated they will landscape per code and put in a fenced area for children to play for 15-30 minutes at a time. The exterior of the building to remain the same.

Denise Johnson, building owner, owns the Fillmore Inn and the property at 733 Addison Avenue. She stated that she is not worried about decrease in the value of neighboring properties, with a day care nearby. She stated the applicants have had no complaints from neighbors during their years in business. She addressed parking off of Pierce St. stating that parking is not allowed. She has no concern of additional noise pollution as there is a school across Addison nearby. She believes this will be a great addition to neighborhood.

PZ/Questions & Comments:

- Commissioner Higley asked how many children will be at the daycare. Does the State set the maximum number of students allowed?

- The applicant stated there are 27 children enrolled at this time.
- Commissioner Higley asked about the location of the playground area.
- The applicant stated they are planning to have playground area in the back of the building, but are not opposed to putting in side yard.
- Commissioner Perez asked if people walk to day care to drop off students.
- The applicant stated they are not aware of how the students are dropped off.
- Commissioner Hansen asked about maximum capacity.
- The applicant stated with the building size and remodel, believes not over 20 students at one time.

Public Hearing: Opened

- Citizen Jan Leutel, 115 Pierce St., stated her opposition to the proposed SUP. She stated she submitted list of 11 neighbors that she is representing. She stated the neighbors are concerned with public safety and that the traffic on Pierce St. and the public alley will be affected. She stated there is no parking allowed on Pierce St. and there is a concern with parents parking in front of their homes. She also stated she has a concern for safety of the driveway on Addison Ave. She stated she does not believe there is not adequate fencing on property for play area. She feels there is a pollution issue for the children with dangerous emissions from Hwy. 93. She also stated a concern for proper sleep for the children, and does not believe this building is good fit for school. She stated that there is a website for the business that states they also have after school care.

Ms. Leutel also stated the neighbors have a concern of loss of property value if there is a day care next door. The neighbors would like to see a business commiserate with the area.

- Citizen Kristen Baker, 102 Fillmore Street, is in favor of this request. She stated she believes the applicant is following all of the rules. She stated that Pierce St does not touch the parking lot and there should be no issue as there is no parking allowed. She addressed the pollution concern: currently there is a school 5 blocks away and there does not seem to be an issue. She addressed real estate value concern by stating she believes this is great for prospective buyers with children and easy to walk to if family lives nearby.

Applicant closing statement:

Applicant Jones addressed the citizens' concerns. They stated they have not had a website since 2011, and there is no afterschool care. The oldest child they serve is six (6) years old. Regarding the noise concerns, there is a city park at end of Pierce St. where children play nearby, so the noise from the children playing will be similar to what is already in the area.

Public Hearing: Closed

Discussions Followed:

- Commissioner Higley stated his concerns. He does not believe the Professional Overlay was not meant for daycare. He does not believe there is a sufficient area for a playground. He does not believe this is a good fit for the area.
- Commissioner Hansen stated there is a reasonable expectation to follow the law regarding no parking on Pierce St. He stated he is in favor of the request.

- Commissioner Bolton stated she believes there is always a need for good child care. She stated she is in favor of the request.
- Commissioner Perez stated she understands the neighbors' concerns. She is not concerned with additional noise. She compared the traffic to the equivalent of having two additional houses on the street. She does not think there is concrete evidence to prove the property value decrease with the day care.
- Commissioner Detweiler stated his concern is with the parking. He is not sure if this location is the best fit for the business or applicant. He has safety concerns and is worried about traffic back up on Addison Ave. He is not in favor of this request.
- Commissioner Perez stated she believes there will be fencing around side of property and there is no access from the side on Pierce St.
- Commissioner Bolton stated the check in sheet shows the children are dropped off at different times, so that should help with traffic.
- Commissioner Hansen stated applicant's business is currently on Addison Ave. and is not aware of any complaints brought forward. He believes staggered drop off times will help with traffic. He stated that the commission has never been brought proof of a property value drop with a daycare nearby.
- Commissioner Kelley stated he is in favor of the request and asked if they can put in a condition for parking.
- Commissioner Perez stated the applicant stated they are going to put in landscaping per building code.
- Commissioner Kelley stated the landscaping is already a requirement.
- PZ Director Spendlove stated that the parking concern on Pierce St. is covered in Condition #1. He stated that the commission can condition landscaping.
- City Planner Cherry stated the commission would have to put a condition for the location of the landscaping.
- Commissioner Detweiler stated his biggest concern is the front area on Addison Avenue. He would like a buffer of landscaping along front or fencing.
- Commissioner Higley does not want anything to obstruct view.
- City Planner Cherry stated he has spoken to applicant about landscaping.
- Commissioner Bolton stated she does not see the space available to dictate noise buffers.

MOTION: Commissioner Hansen moved to approve the request for a Special Use Permit to allow a Commercial Daycare Facility and Preschool on property located at 733 Addison Avenue c/o Jeff Jones on behalf of Joni Schwertfeger-Jones. (PZ19-0161)
 Marilu Perez seconded the motion.

Request Approved by a vote of 4 to 2.

5) Upcoming Meeting(s)

- a) Worksession: Wednesday, February 5, 2020
 Tuesday, February 11, 2020
 Monday, February 24 - joint worksession with City Council at 5:00 pm to give update during first hour.

6) Adjournment

The meeting adjourned at 07:28 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant



Date: Monday, February 24, 2020
To: Honorable Mayor and City Council
From: Planning & Zoning Department

ACTION ITEM

Request:

ACTION ITEM: Request an Appeal of a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Robert Taylor (PZ20-0004). On January 14, 2020 the Planning and Zoning Commission approved the Special Use Permit (PZ19-0150) by a vote of 6 - 0.

Time Estimate:

Five (5) minutes for staff and applicant presentation; Ten (10) minutes for the public hearing; Ten (10) minutes for commission questions, deliberation, and decision.

Background:

During the Public Hearing input portion of this request, Mr. Taylor made a statement to the Planning Commission outlining his concerns and issues with this request on January 14th 2020. As a result, Mr. Taylor has standing in the case of an appeal.

Mr. Taylor approached City Staff in the weeks following the Planning and Zoning Commission meeting to discuss a possible appeal. On January 27th 2020, City Staff received his application to appeal the decision of the Commission. His application was received within the 15 Day appeal period as prescribed in City Code.

After receiving the appeal application City Staff worked to place the item on the next available City Council Agenda (which would meet the requirement to hear the item within 30 days), while still following notification requirements outlined in City Code.

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 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 six (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:

Regulatory Impact:

NA

History:

Per County records the primary residence on the subject property was built in 2018.

Analysis:

The original request which was approved by the Planning & Zoning Commission was to allow a Home Occupation for a Med Spa Business located at 850 Cambron Avenue. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to provide med spa services including facials, botox, hair removal, and hair restoration. The services will be provided in an approximate ninety (90) square foot room in the applicant's home.

The applicant will serve one (1) to two (2) customers at a time. Hours of operation will be Monday through Friday from 9:00 AM to 6:00 PM and Saturdays by appointment only.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

On January 14, 2020 the Planning and Zoning Commission approved the Special Use Permit (PZ19-0150) by a vote of 6 - 0.

Conclusion:

The Council is tasked with making a decision on this request. The Council may:

1. Reaffirm the Planning and Zoning Commission Approval of the Special Use with its original conditions;
2. Reaffirm the Planning and Zoning Commission Approval of the Special Use Permit with modified conditions as determined by the Council;
3. Reverse the Planning and Zoning Commission Approval of the Special Use Permit.

Attachments:

1. Appealing Applicant's Letter - Narrative
2. SUP Staff Report PZ19-0150
3. Vicinity Map
4. Original Applicant's Narrative & Site Plan
5. Photos
6. 01-14-20 PZC minutes

Robert J. Taylor
775 Drayton Ave.
Twin Falls, ID 83301

Twin Falls City Planning & Zoning Commission
203 Main Ave. East
Twin Falls, ID 83301-1907

RE: Appeal to Special Use Permit APP. PZ19-0150 (Maricruz Davis), 850 Canbron Ave., Twin Falls, ID 83301)

I respectfully request that the decision by the Planning and Zoning Commission regarding the above listed Special Use permit be appealed based on the following:

1. As of January 21, 2020, Idaho Bureau of Occupational licenses has no record of any current license, certification, registration or application thereto for the occupation of esthetician under the name of Maricruz Davis. (Simple and advanced search).
2. Idaho law requires the licensure of all persons who practice or offer to practice barbering, barber styling, cosmetology, nail technician, hair cutting, esthetics or electrology in the state of Idaho. The holder of a current license in another state may be eligible for licensure. (54-5826 Idaho code)
3. Idaho law requires the licensure of all barber and cosmetology establishments and schools, a home occupation is not exempt. (54-5826, 54-5803, 54-4804 Idaho code).

Ms. Maricruz Davis' application, she identified herself as "FNP-C". The Idaho Board of Nursing lists her as an "AP Registered Nurse". Use of a Class II medical device designed for care of skin may only be used as directed and supervised by an authorized and licensed health care practitioner. (54-5802 10, c. Idaho code). This provision does not apply to a licensed esthetician practicing esthetics under the supervision of a licensed nurse practitioner, which the Idaho Board does not recognize Ms. Davis. (54-58-4, 2 b).

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5. In Ms. Davis' application, she stated that there will be one employee. Employees are prohibited in home occupations.
 6. In Ms. Davis' application, she states that she will serve one to two customers at a time. This would be an unethical as well as impossible task given the stated dimensions (90 square feet) of the work space. (HIPPA regulations)
 7. Home occupations must provide a separate outside entrance directly into the "establishment" and substantial partitions or walls shall extend from the floor to not less than seven feet high, separating the establishment from adjoining rooms used for business or domestic purposes. All doors to an establishment from adjacent rooms shall be closed. (IDAPA 24.28.01 325.03 under Chapter 58, Title 54, Idaho Code, 54-5804 i,c, 325.01 under Chapter 58, Title 54).
 8. Idaho code also requires hot and cold running water source and drainage within the perimeters of the licensed establishment and separate from the toilet facilities. Restroom facilities are required to be conveniently located and accessible from the primary area and contain an approved hot and cold running water source and approved drainage system. The water source shall be in addition to the work area facilities.
 9. These last two items are also outlined Section 851 under Chapter 58, Title 54 of Idaho Code and do not appear in the floor plans of the home. (attached, please find a diagram of the floor plan of 850 Cambron Ave.)
 10. Broadmoor Subdivision Covenants, Conditions and Restrictions (3), Amendment to Section 5.16 states the primary purpose of the garage required on each lot is for the parking and storage of auto mobiles. No other use of a garage shall be permitted.

ATTACHMENTS:

- (a) Idaho Statutes: Title 54 (Professions, Vocations, and Businesses)
Title 58 (Barber and Cosmetology Services Act)
 - (b) Floor Plan - 850 Canbron Ave., Twin Falls, Id. 83301
 - (c) Copy of Broadmoor Subdivision Covenants, Conditions and Restrictions.
-

02. Hold a Current License and Have Experience. The applicant must be the holder of a current active license or certificate of qualification in the profession and at the level for which a license is being sought, issued by the authorized regulatory entity in another state, territory, possession, or foreign country. The certification of licensure must be received by the Board from the issuing agency; and (4-1-19)

a. Must show that the state, territory, possession, or foreign country has licensing requirements substantially equivalent to or higher than those required for new applicants in Idaho; or (4-1-19)

b. Document at least one (1) year of actual practice under certification or licensure in the three (3) years immediately prior to application in the profession for which a license is being sought. (4-1-19)

314. -- 324. (RESERVED)

325. LICENSURE AND OPERATION OF PRIMARY AND CONTIGUOUS ESTABLISHMENTS.

Except as otherwise provided in statute and these rules, a licensed individual must practice within a licensed establishment. An establishment may be licensed as a primary establishment or a contiguous establishment that operates within a primary establishment. (4-1-19)

01. Primary Establishment License. A primary establishment license may be issued and annually renewed only under the following conditions: (4-1-19)

a. Application for establishment license shall be made on forms furnished by the Board and shall include plans and specifications complying with the Board's safety and disinfection requirements. The fully completed application form, with the required fees, must be submitted to the Board and a license issued prior to the opening or operation of any barber or cosmetology primary establishment; and (4-1-19)

b. There is a clearly defined and designated working floor space of adequate dimension to allow the safe and sanitary practice of any one (1) or combination of defined practices of cosmetology or barber-styling for all individual stations that may be in operation in addition to any restroom and access areas; and (4-1-19)

c. There is an approved hot and cold running water source and drainage system that is available to any contiguous establishment or other establishment or facility that may exist; and must be within the perimeters of the licensed establishment and separate from the toilet facilities; and (4-1-19)

d. There are restroom facilities conveniently located and accessible from within the building in which the primary establishment is located and which shall be accessible from the primary area and to all areas designated for the operation of contiguous establishments. Restroom facilities shall contain an approved hot and cold running water source and approved drainage system. The water source shall be in addition to the work area facilities; and (4-1-19)

e. Any areas designated by the primary establishment for the operation of contiguous establishments shall be clearly defined and fixed, and shall provide adequate dimension to allow the safe and sanitary practice of any one or a combination of the defined practices of cosmetology or barber-styling for all stations that may be operated in that area. (4-1-19)

f. The holder of the primary establishment license is responsible for complying with the safety and disinfection requirements and all other applicable statutes and rules for the designated licensed area of the primary establishment, including areas that are cooperatively or jointly used as "common areas" such as shampoo bowls, restrooms, entrance or reception areas. (4-1-19)

02. Contiguous Establishment License. A contiguous establishment license may be issued and annually renewed only under the following conditions: (4-1-19)

a. Application for establishment license shall be made on forms furnished by the Board. The fully completed application form, with the required fees, must be submitted to the Board and a license issued prior to the opening or operation of any barber or cosmetology contiguous establishment; and (4-1-19)

b. The contiguous establishment is associated with a currently licensed primary establishment and a holder of the primary establishment license provides proof that the primary shop is equipped to meet the safety and disinfection requirements and rules of the Board; and (4-1-19)

c. The contiguous establishment shall only operate in the contiguous establishment designated areas within the associated primary establishment. (4-1-19)

d. The holder of the contiguous establishment license will be responsible for complying with the safety and disinfection requirements and all other applicable statutes and rules for the contiguous designated area where it operates. (4-1-19)

03. Businesses Other Than a Licensed Establishment or Facility. Businesses other than one licensed under Chapter 58, Title 54, Idaho Code, and living quarters shall be separate and apart. Home establishments must provide a separate outside entrance directly into the establishment and substantial partitions or walls shall extend from the floor to not less than seven (7) feet high, separating the establishment from adjoining rooms used for business or domestic purposes. All doors to an establishment from adjacent rooms shall be closed. (4-1-19)

04. Conditions for Issuance. No primary establishment license may be issued which includes or overlaps all or any portion of an existing establishment license. (4-1-19)

326. ESTABLISHMENT CHANGES IN OWNERSHIP OR LOCATION.

Whenever a change of ownership or fixed location of an establishment occurs, an original license fee must be paid and compliance with all rules concerning a new establishment must be met before a new license will be issued. Establishment licenses are not transferable. (4-1-19)

01. Board Must Be Informed of All Changes. The Board must be informed in writing of any and all changes of ownership and location of establishments. (4-1-19)

02. Deletion of an Owner. Deletion of an owner in a multiple ownership may be effected by filing a written statement with the Board signed by the person withdrawing and the remaining owner(s). (4-1-19)

03. Transfer of Ownership. If the transfer involves change of corporate structure or deleting one (1) or more owners, a written notarized statement signed by all former owners as registered with the Board shall be accepted. (4-1-19)

04. Addition of an Owner. Addition of an owner to a multiple ownership constitutes a change in ownership and the requirements for a new establishment apply. (4-1-19)

05. Out of Business. Whenever any establishment ceases operation at the licensed location, the owner(s) or authorized agent of the establishment shall notify the Board by submitting: (4-1-19)

a. A signed letter by the owner(s) or authorized agent advising that the establishment is out of business; or (4-1-19)

b. The establishment license bearing the signature of the owner(s) or authorized agent and marked out-of-business; or (4-1-19)

c. For a contiguous establishment license, a signed statement by the associated primary establishment advising that the contiguous establishment is out of business. (4-1-19)

d. In the event that the Board has not been notified about the cessation of operations pursuant to this rule and documentation or evidence has been obtained that an establishment has ceased operation at the licensed location, the Board may cancel the establishment license upon a thirty (30) day written notice to the owner(s) or authorized agent of the establishment. (4-1-19)

06. License Status. A new primary establishment license will not be issued for any location that is currently licensed as a primary establishment at the time of application. (4-1-19)

08. Safety and Disinfection. All licensees and certificants must comply with the safety and disinfection rules applicable to the services being performed, regardless of the location where the services are performed. (4-1-19)

711. -- 799. (RESERVED)

800. UNPROFESSIONAL CONDUCT.

A licensee shall not engage in unprofessional conduct in the course of his/her practice. Unprofessional conduct is conduct which has endangered or is likely to endanger the health, welfare, or safety of the public and includes, but is not limited to, the following: (4-1-19)

01. Use of MMA. Use of Methyl Methacrylate acid (MMA); (4-1-19)

02. Use of Skin Cutting Instruments. Use of skin cutting instruments, including razor-type callus shavers, credo blades, microplane, or other rasps or graters designed to remove corns or calluses by cutting below the skin surface. The presence of such instruments creates a presumption of the instrument's use; (4-1-19)

03. Use of UV Sterilizers. Use of ultraviolet (UV) sterilizers for disinfection. This does not prohibit the use of ultraviolet dryers or lamps used to dry or cure nail products; (4-1-19)

04. Use of Roll-on Wax. Use of roll-on wax, except that single-use roll-on wax cartridges are acceptable when they are disposed of immediately after use; (4-1-19)

05. Double-Dipping. Placing an item or instrument that has been used on a person into a wax pot or other container that holds wax, a compound, solution, or other cosmetic preparation that will be used for more than one (1) than patron. This prohibited practice is commonly referred to as double-dipping; (4-1-19)

06. Reuse of Single-Use or Porous Items. Use of single-use or porous items on more than one (1) patron. The presence of used single-use or porous items, which have not been disposed of, creates a presumption of the item's use or intended use on more than one patron. (4-1-19)

07. Apprentices. Failure to adequately supervise, instruct, or train an apprentice; (4-1-19)

08. Inspections and Investigations. Interference with an inspection or investigation conducted by or on behalf of the Board; (4-1-19)

09. Disease Transmission Prevention. Performing a service on a patron who has an open sore or a known contagious disease of a nature that may be transmitted by performing the procedure, unless the licensee takes medically-approved measures to prevent transmission of the disease; or (4-1-19)

10. Practice Outside Scope of Training. Performing services or using machines or devices outside the licensee's area of training, expertise, competence, or scope of practice for the license held. (4-1-19)

801. -- 849. (RESERVED)

850. INSPECTION OF ESTABLISHMENTS, SCHOOLS AND FACILITIES.

All establishments, schools, and facilities shall be subject to inspection by the Board or its agents during business hours without notice to ensure the safe operation of each establishment, school, or facility and to ensure continued compliance with Chapter 58, Title 54, Idaho Code, and these rules. (4-1-19)

01. Form. The Board may adopt a form which identifies those general items that will be inspected and a level of compliance necessary for issuance or renewal of a license and for which a failure to meet that level is grounds for discipline. Violations of the Chapter 58, Title 54, Idaho Code, or these rules that are not listed on the form but that are found during inspection are also grounds for discipline. (4-1-19)

02. Classification Card. Following an inspection, each establishment, school, and facility, except for

retail thermal styling equipment dealers, will receive classification as follows: 100%–90% = “A”; 89%–80% = “B”; 79% and below = “C.” The “C” classification denotes an unacceptable level of compliance and a reinspection is required. (4-1-19)

03. Reinspection. A facility, school, or establishment not found to be at an acceptable level of compliance must make improvements within thirty (30) days. The Board may allow an establishment, school, or facility to continue to operate during that period. The Board may take action prior to any reinspection when the circumstances represent an immediate danger to the public health, safety, or welfare. (4-1-19)

851. SAFETY AND DISINFECTION FOR ESTABLISHMENTS AND SCHOOLS.

All establishments and schools must take every precaution to prevent the transfer of disease-causing pathogens between people and comply with Chapter 58, Title 54, Idaho Code. At a minimum the establishment or school must meet the following requirements: (4-1-19)

01. Premises. Establishments and schools must be separated from living areas by substantial walls and/or closable doors. All establishments and schools must be maintained in an orderly manner and shall be heated, lighted, and ventilated so as to be safe and comfortable to the operators and patrons. Floors, walls, ceilings, furniture, and all other fixtures shall be kept clean and in good repair at all times. (4-1-19)

02. Instrument Cleaning. All instruments and items used by operators shall be thoroughly cleaned after each use and prior to disinfection. (4-1-19)

03. Instrument Disinfection or Sterilization. All instruments and items used by operators shall be disinfected or sterilized after cleaning and prior to use on each patron, with a disinfectant or sterilant as defined in these rules. All disinfectant must be mixed and changed according to the manufacturers’ instructions. Disinfection methods such as immersion, sprays, and wipes may be used. Contact time listed on the disinfectant’s label must be adhered to in all circumstances. Items or surfaces must remain completely immersed in disinfectant, or visibly wet if using sprays or wipes, for the full amount of contact time. (4-1-19)

04. Single-Use and Porous Instruments. Instruments and items that are intended for single use or that are porous shall be immediately disposed of in a waste container after each use on a patron or given to the patron to take home for personal use, provided that the instruments may not be brought back to the establishment for future use. (4-1-19)

05. Waxes and Waxing Services. Paraffins, waxes and all other solutions or compounds shall be covered and maintained free of any foreign contaminants. Only disinfected or unused, single-use items may be placed into a container that holds wax or paraffins. Waxes and paraffins must be dispensed for use on a patron in the following manner: (4-1-19)

a. Wax may be removed from a multi-use wax pot for use on a patron by one of the following methods: (4-1-19)

i. Single-use spatula disposed of after a single dip/application; (4-1-19)

ii. Disinfected plastic spatulas with one disinfected spatula used for each dip into the wax pot; or (4-1-19)

iii. Placement of all wax needed for entire service in a single-use, disposable cup or a container that can be properly cleaned and disinfected, such as a stainless steel bowl. The cup, any remaining wax, and all single-use applicators must be immediately disposed of at the conclusion of the service. This is the only instance in which a single applicator may be used for an entire service. (4-1-19)

b. Paraffin wax must be portioned out for each patron in a bag or other container, or dispensed in a manner that prevents contamination of the unused supply. All portions used on a patron must be disposed of immediately following use. (4-1-19)

06. Makeup Services. All makeup and makeup services must follow the requirements in Section 852

of these rules. (4-1-19)

07. Nail Services. A licensee must comply with the following disinfection procedures between every patron: (4-1-19)

- a.** All pedicure bowls, basins or tubs must be cleaned and disinfected prior to each use as follows: (4-1-19)
 - i.** Empty pedicure bowl. (4-1-19)
 - ii.** Remove all removable parts, including screens, foot plates, impellers and fans. (4-1-19)
 - iii.** Clean removable parts with soap or detergent and water, rinse, and immerse parts in disinfectant following manufacturer's directions for proper contact time. (4-1-19)
 - iv.** Scrub bowl with soap or detergent and rinse with clean water. (4-1-19)
 - v.** Replace removable cleaned and disinfected parts. (4-1-19)
 - vi.** Fill bowl and add disinfectant to achieve proper concentration. (4-1-19)
 - vii.** Allow disinfectant solution to sit, or run through system for bowls with circulating water for the manufacturer's recommended contact time. (4-1-19)
 - viii.** Drain the tub, rinse and air dry or wipe dry with clean paper towel. (4-1-19)
- b.** Metal drill bits may be soaked in acetone to remove nail product. When removed from the acetone, they must be cleaned using soap, water, and a brush, and then rinsed prior to immersion in disinfectant. Drill bits must remain in disinfectant for the full contact time. (4-1-19)

08. Water Supply and Hand Washing. Water supplies shall be from an approved source. Sufficient basins with hot and cold running water, approved drainage systems, soap and single-use towels shall be conveniently located within the work area. Operators and students shall wash their hands with running water and soap prior to providing service to any patron. When hand washing is not practicable, hand sanitizer of at least seventy percent (70%) alcohol may be used. (4-1-19)

09. Restroom Facilities. Clean, adequate and convenient restroom facilities, located and accessible from within the building where the shop or school is located, shall be available for use by operators and patrons. A basin with hot and cold running water, approved drainage systems, soap and single-use towels shall be provided within said facilities. All operators and students must wash their hands with running water and soap and then dry their hands with a single-use towel after using the restroom. (4-1-19)

10. Safety. Clearly identifiable first-aid kit must be readily accessible on the premises. No animals are allowed in shops or schools except service dogs trained to do work or perform tasks for persons with disabilities. The definition of service animals and disabilities shall be as set forth in U.S. Department of Justice Regulations at 28 C.F.R. Section 36.104 effective August 11, 2016. (4-1-19)

11. Licenses and Classification Cards. All establishments and schools must be licensed prior to their operation and must be under the direct supervision of a licensed operator. A current establishment and/or school license, valid operator license(s), a copy of these safety and disinfection rules, and a valid classification card shall be conspicuously displayed in the work area of each establishment or school for the information of operators, Board agents, and the public. (4-1-19)

852. SAFETY AND DISINFECTION FOR RETAIL COSMETICS DEALER FACILITIES AND MAKEOVER OR GLAMOUR PHOTOGRAPHY BUSINESSES.

All retail cosmetic dealers and makeover or glamour photography businesses must take every precaution to prevent the transfer of disease-causing pathogens between people and must comply with Chapter 58, Title 54, Idaho Code. At



A4

Lance LeBaron Homes
LOT-18, BLK-2, BROADMOOR SUBDV.
CAMBRON AVE., TWIN FALLS, IDAHO

Plans and Rendering by Owens Design

BRACED WALL PANEL
SUPPORT LENGTH

BRACKET TYPE	BRACKET VALLEY DEPTH	REQUIRED BRACKET LENGTH	REQUIRED BRACKET LENGTH
A	30	6	12
B	30	6	18
C	30	9	12
D	30	6	18
E	30	6	6
F	30	6	7
G	40	6	10

WALL BRACING SYSTEMS
SEISMIC CATEGORY - B
WIND CATEGORY - 90 MPH
STRUCTURE HEIGHT - 1 STORY
BWP METHOD - CONTINUOUS

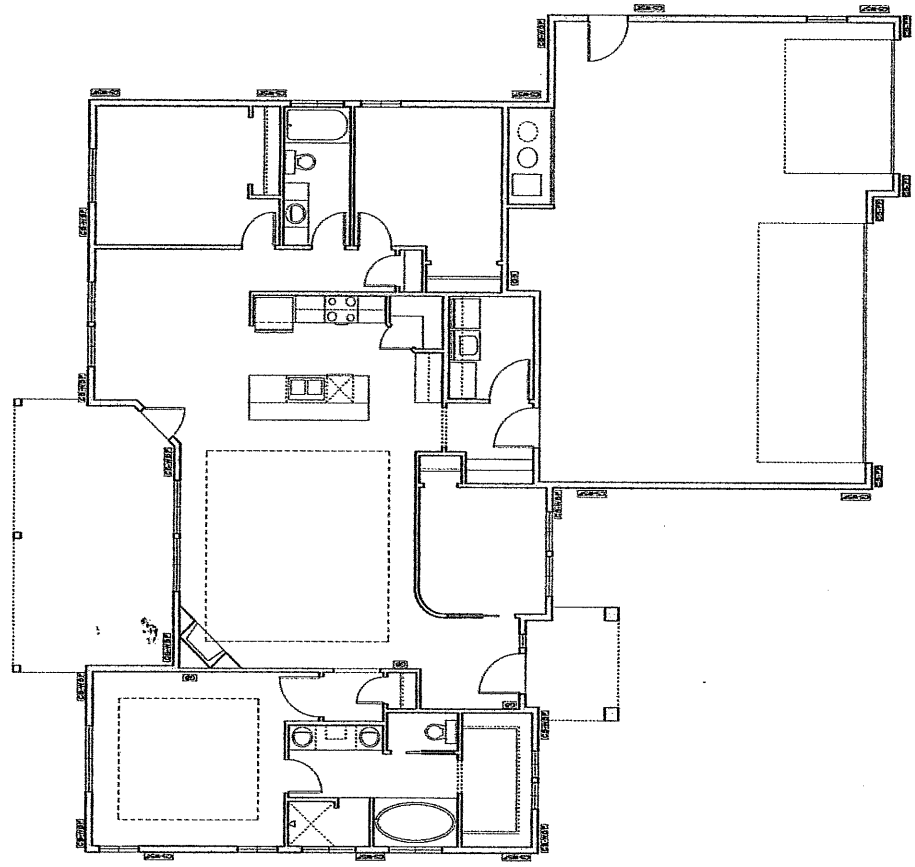
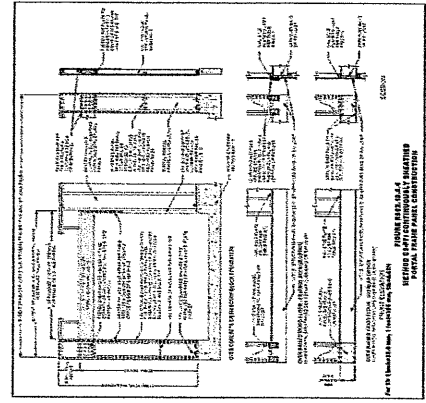
25357
PIMOTOS MED-OC CR-WIP CONTAINERS WOOD
STRUCTURE PANEL SHEATING, 418 WOOD
STRUCTURE, PANEL SHEATING WITH TIGERBARS
NOT LESS THAN 21/8 INCHES FOR 30X60 BTU/D
BYPASS, MAKING 64 DEMONSTRATION 6" O.D. ALL
EXILES AND 6" O.D. IN FIELD
CONSTRUCTION TO THE CODE WITH 64
CONSTRUCTION TO THE CODE WITH 64
AND 6" O.D. IN ALL PLACES (BTU/D 412
5515) 177

[32] DEMOLISH WETWORKS (OFFSHORE BOARD PANELS) AND OFFSHORE BOARD PANEL WITH ANCHORS NOT LESS THAN 1/2" PCH AT 2' O.C. EXPOSE AND TRIM INLAND SCREWS AT 2' O.C. EXPOSE AND TRIM INLAND SCREWS INCLUDING TOP AND BOTTOM PLATES FOR ALL BRACKED WALL PANELS LOCATED FOR OFFSHORE BOARD PANELS ON BRACKED WALL BEING TABLE TOPS.

[illegible]

DATE	TIME	NAME	NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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UNIT NO.	UNIT LENGTH OF FACED WALL PANELS			
	LEFT SIDE	WALL PANELS PER TOTAL L.F.	RIGHT SIDE	UNIT
C3-0	34'	16	27'	16
C3-11	16'	8	18'	9
TOTAL				
IN FIELD				
2400 IN. CIRC.				



TWIN FALLS COUNTY
RECORDED FOR:
PIONEER TITLE COMPANY OF TW
09:48:42 AM 07-02-2018
2018010178
NO. PAGES 10 FEE: \$37.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SW
Electronically Recorded by Simplifile

**Recording Requested By and
When Recorded Return to:**

Jon Bauer
HAWLEY TROXELL ENNIS & HAWLEY LLP
P.O. Box 1617
Boise, Idaho 83701

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**FIRST AMENDMENT TO AMENDMENT AND PARTIAL RESTATEMENT OF THE MASTER
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
BROADMOOR SUBDIVISION
(THE FALLS AT BROADMOOR)**

THIS FIRST AMENDMENT TO AMENDMENT AND PARTIAL RESTATEMENT OF THE MASTER DELCARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BROADMOOR SUBDIVISION (FALLS AT BROADMOOR) ("First Amendment") is an amendment to the AMENDMENT AND PARTIAL RESTATEMENT OF THE MASTER DELCARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BROADMOOR SUBDIVISION (FALLS AT BROADMOOR), recorded in Twin Falls County on May 10, 2017, with instrument number 2017007286 (the "Declaration"), and is made, adopted and approved by the undersigned.

RECITALS:

A. Section 14.02 of the Declaration provides most provisions of the Declaration may be amended by a written instrument, signed and acknowledged by the President and Secretary of the Association, certifying that such amendment has been approved by a majority of the total of the Class B votes cast by the Class B Member(s), or after the Class A Members become entitled to voting rights, by a majority of the total of the Class A votes cast by the Class A Members either in person or by proxy at a meeting of the Class A Members duly held for such purpose and/or by the approval in writing by the Class B Member(s) or a majority of the Class A Members, as the case may be.

B. Pursuant to the terms of Section 6.03 of the Declaration, the Class A Members are not yet entitled to vote.

C. Jade Development, LLC, a California limited liability company ("Declarant") which holder all of the Class B votes in the Association.

D. As set forth in the Declaration, the amendments contained in this First Amendment are of the type that may be implemented in the manner described in Recital A above.

NOW, THEREFORE, the undersigned do hereby further amend the Declaration as set forth hereafter:

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Declaration.

2. **Amendment to Section 5.01.** The following sentences shall be added at the end of the existing Section 5.01 of the Declaration:

The minimum size of the primary residential structure constructed on any Lot shall be One Thousand Three Hundred (1,300) square feet exclusive of the garage. This criteria shall apply to all phases.

3. **Amendment to Section 5.16.** Section 5.16 of the Declaration is hereby deleted in its entirety and replaced with the following:

SECTION 5.16. Storage of Vehicles, Equipment and Automobiles. Trailers, mobile homes, trucks larger than standard-size pickups, boats, tractors, campers, garden or maintenance equipment and vehicles other than automobiles, including, but not limited to, other recreational vehicles, motorcycles or other motorized means of conveyance (hereafter "**Vehicles or Equipment**"), when not in actual use, shall be kept Properly Screened (define below) at all times except for a temporary period not to exceed twenty-four (24) hours. At no time shall any such Vehicles or Equipment be parked or stored on a public or private right-of-way within the Falls at Broadmoor Property. No operative automobile or standard sized or smaller pickup (hereafter collectively referred to as "**Automobiles**") shall be parked or stored for a period in excess of seventy-two (72) consecutive hours on any portion of a Lot between the front of a Building and the abutting public right-of-way. No inoperative Automobiles shall be parked or stored at any time on a Lot unless Properly Screened. The primary purpose of the garage required on each Lot is for the parking and storage of Automobiles. **No other use of a garage shall be permitted.** The Owner shall provide sufficient garage space or other enclosed parking approved by the ACC for all Automobiles used by the Occupants of a Lot, which Automobiles shall be kept within the garage, and the parking thereof in the driveway on the Lot or in a public right-of-way within the Falls at Broadmoor Property, other than for temporary purposes (as determined by the ACC), is prohibited. As used herein "**Appropriately Screened**" shall mean that the applicable item is parked or stored (a) on either the side or back portion of the Lot (not in the front portion) and (b) screened from the street and adjacent residential lot using an enclosed structure or screening with a minimum height of six feet (6'). Regardless of whether or not clauses (a) and (b) above are complied with, whether or not Vehicles or Equipment or Automobiles are Appropriately Screened and what constitutes Appropriate Screening in a given situation shall be determined by the ACC.

4. **Amendment to Section 5.18.** Section 5.18 of the Declaration is hereby deleted in its entirety and replaced with the following:

SECTION 5.18. Exterior Materials and Colors. All exterior materials and colors shall must be approved by the ACC and be compatible with other Buildings on the Lot and on neighboring Lots to the end that all such Buildings will present a unified and coordinated appearance. Unless



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Brock, City Planner

Request: A **Special Use Permit** to allow a Home Occupation located at 850 Cambron Avenue.

Application: PZ19-0150

Applicant:

Maricruz Davis

850 Cambron Avenue

Twin Falls, ID 83301

Public Hearing: January 14th 2019

Analysis

This is a request to allow a Home Occupation for a Med Spa Business located at 850 Cambron Avenue. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to provide med spa services including facials, botox, hair removal, and hair restoration. The services will be provided in an approximate ninety (90) square foot room in the applicant's home.

The applicant will serve one (1) to two (2) customers at a time. Hours of operation will be Monday through Friday from 9:00 AM to 6:00 PM and Saturdays by appointment only.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

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 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.

History

Per County records the primary residence on the subject property was built in 2018.

Applicable Regulations or Codes

Per City Code 10-4-4.2, a Special Use Permit is required in the R-2 Zoning District for a Home Occupation.

Per City Code 10-2-1, the home occupation area cannot be larger than 400 square feet.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as both "Town Neighborhood" (southern portion) and "Neighborhood Commercial" (northern portion). The Town Neighborhood designation allows for residential home occupations and the Neighborhood Commercial

allows for small-scale and supporting neighborhood services.

The 2009 Master Transportation Plan designates the subject property's surrounding immediate surrounding roadway as a residential street (Cambron Avenue) the subject property also has access to arterial (Grandview Drive) and collector roadways (North College Road) nearby. It is anticipated that the existing transportation infrastructure will accommodate the proposed use.

Potential Impacts

The applicant and staff do not anticipate a significant increase of detrimental impacts from this request on the surrounding properties

Conclusion

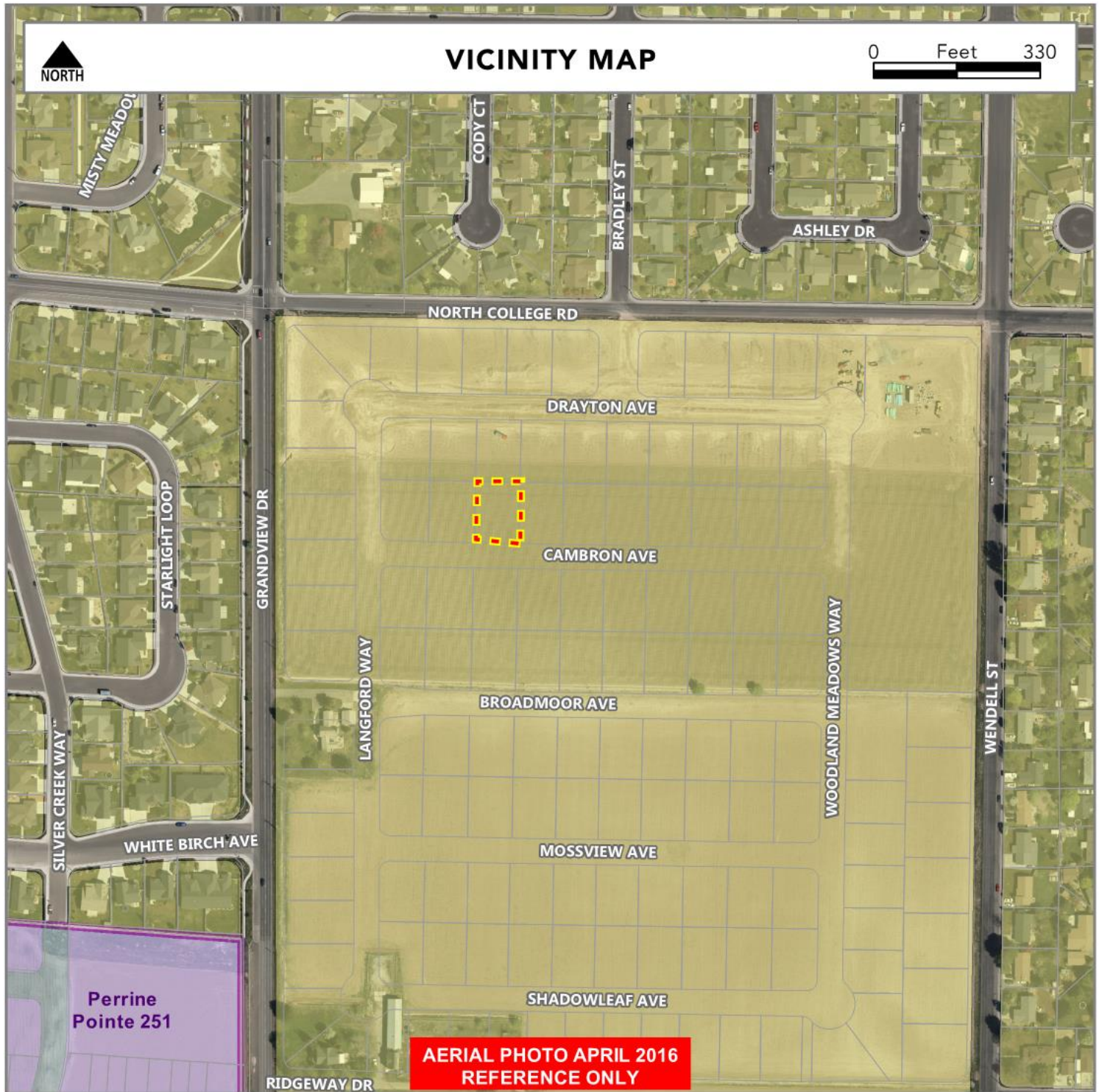
If the Commission approves this request as presented, then staff recommends the following conditions.

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Public Hearing: January 14th 2019

Attachments

1. Vicinity Map
2. Narrative
3. Site Plan
4. Photos



	PUD		R-6
	R-2		

Current Zoning: R-2

Comprehensive Plan: Town
Neighborhood

Existing Land Use: Residential

Proposed Land Use: Home
Occupation

Surrounding Zoning Designations & Land Use(s)

North: R-2, Residential

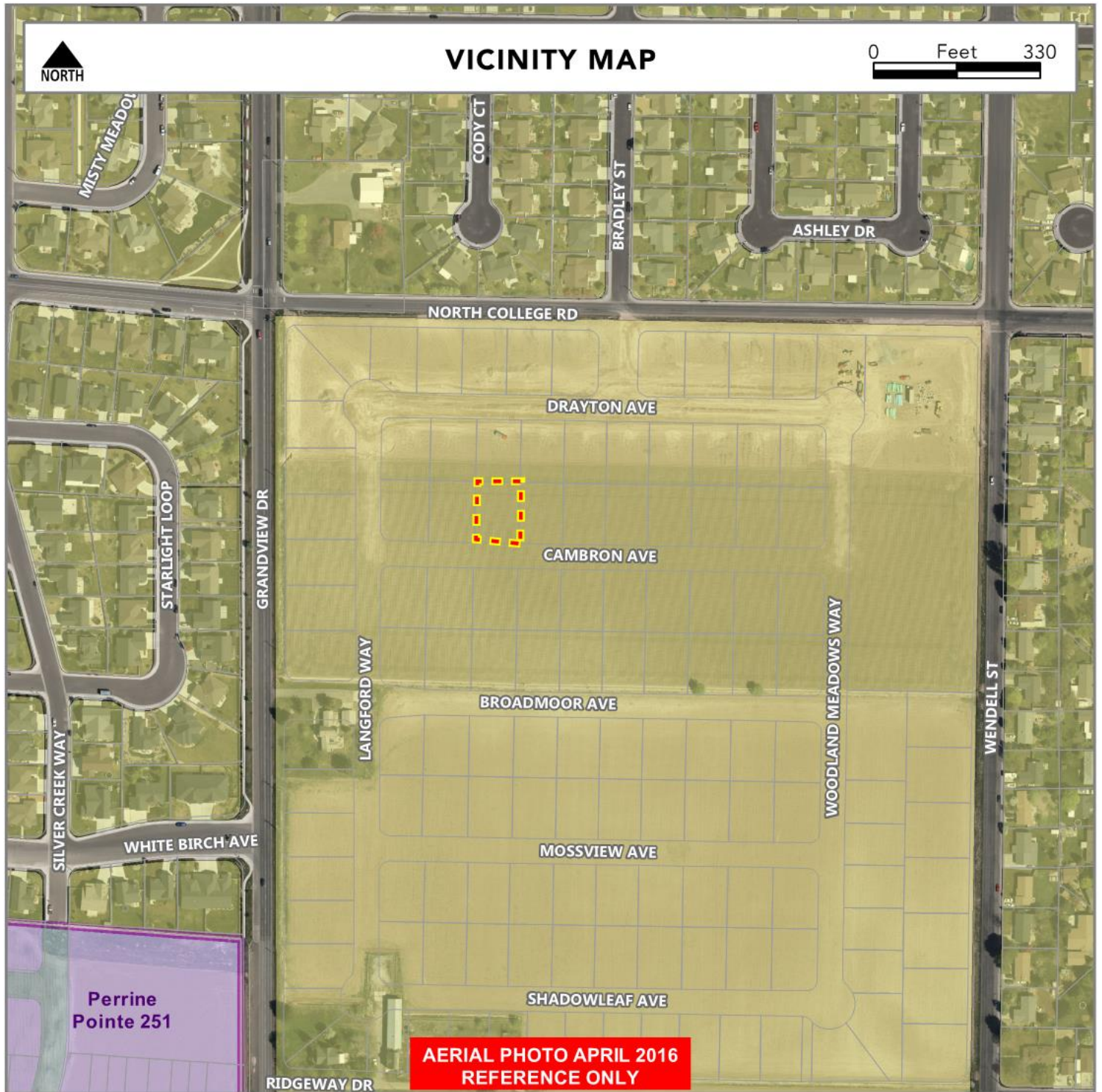
East: R-2, Residential

South: R-2, Residential

West: R-2, Residential

Applicable Regulations

10-2-1, 10-4-4.2, 10-11-1 to 8, 10-13-2-2



	PUD		R-6
	R-2		

Current Zoning: R-2

Comprehensive Plan: Town
Neighborhood

Existing Land Use: Residential

Proposed Land Use: Home
Occupation

Surrounding Zoning Designations & Land Use(s)

North: R-2, Residential

East: R-2, Residential

South: R-2, Residential

West: R-2, Residential

Applicable Regulations

10-2-1, 10-4-4.2, 10-11-1 to 8, 10-13-2-2

Med Spa M-F 9:00am to 6:00pm
Sat by appt. only

Facials (see below)

Chemical Peels-Facial

Botox

Fillers

Hydrofacials-Facial

Microneedle-Facial

Hair Removal

Hair Restoration

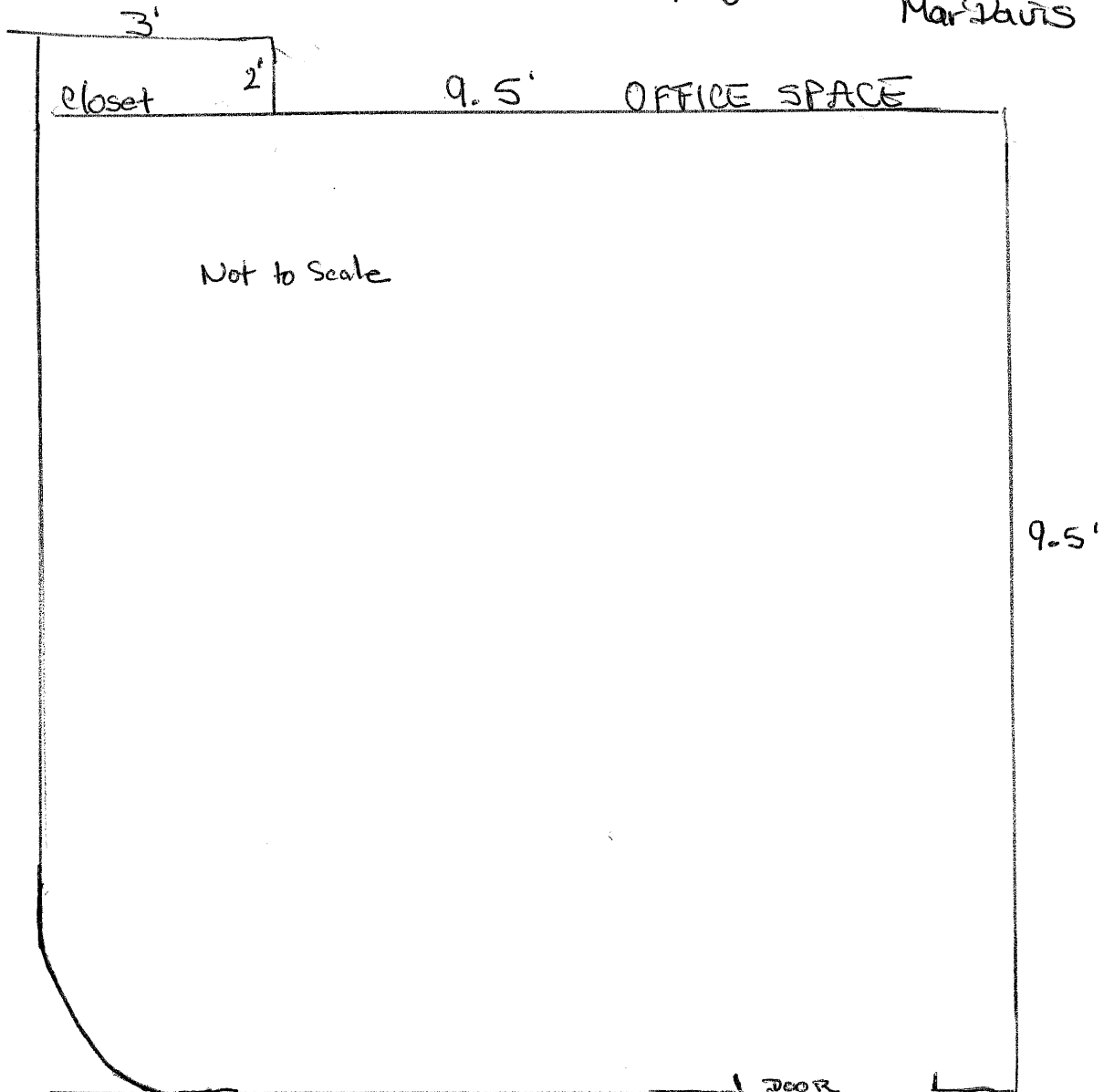
Maricruz Davis, FNP-C
(Mar)

850 Cambron Ave

Twin Falls ID 83301

703-867-8343

I am a licensed NP and highly trained.
I will only have one or two customers
at one time, so parking will not be an
issue. Thank you for your consideration.
There is one employee. Mar Davis





Subject Property - Home Occupation Site



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 14, 2020, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: Ryan Higley; David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 6:00 pm
A quorum was present.

Members Present: Titus, Kelley, Perez, Musser, Higley, Hansen

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

2) Consent Calendar

Commissioner Kelley made a motion to approve the consent calendar, as presented.
Commissioner Hansen seconded the motion.

Unanimously approved

- a) Approval of Minutes from the following meeting: November 19, 2019
- b) Approval of Minutes from the following meeting: December 10, 2019
- c) Approval of Minutes from the following meeting: January 8, 2020 WS

3) Items of Consideration

- a) Request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

Staff Presentation:

City Planner O'Connor presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision, approximately 8.95 (+/-) acres consisting of one lot located at 1122 Washington Street South c/o Civil Science on behalf of Community Council of Idaho, Inc. (PZ19-0155)

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.

Should the Commission approve this request 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.

Applicant Presentation:

Steven Anderson, representing applicant, presented the request for the approval of the preliminary plat for El Milagro Phase 1 Subdivision. He stated the roadway approaches will line up with El Camino Avenue across the street.

PZ/Questions & Comments:

- Commissioner Hansen asked what has been approved on this property recently.
- City Planner O'Connor clarified when this property came before the commission previously.

Public Hearing: Opened and Closed without input

Discussions Followed: without concern

Motion:

Commissioner Kelley made a motion to recommend approval of the request, as presented, with staff recommendations.

Commissioner Musser seconded the motion.

Unanimously Approved

4) Public Hearings

- a) Request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

Staff Presentation:

City Planner Cherry presented the request for Vacation of the Right of Way on property located at 1629 and 1643 Locust Street c/o EHM Engineers, Inc. on behalf of Compton B.R. Properties, LLC and LC Investment Holdings, LLC. (PZ19-0145 and PZ19-0146)

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation,

or it may recommend that the vacation be denied.

This is a request to vacate right of way within a portion of Lots 1 & 2, Block 1 of the Locust Grove North Subdivision located at 1629 & 1643 Locust Street North. Per the applicant the purpose of the proposed vacation is put the surplus of right of way back into private ownership, which would allow the subject property more landscaping, parking, and signage.

The applicant has provided approval letters from all appropriate utility providers, with no objections.

Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Gerald Martens, representing applicant, presented the request for a vacation of the right of way on property located at 1629 and 1643 Locust Street. He stated the owners would like use of the right of way for parking, landscaping, and signage. He presented the benefits to the City.

PZ/Questions & Comments:

- Commissioner Hansen asked if the land has been landscaped.
- City Planner Cherry clarified what is in the right of way currently. There is a desire to build signage in the right of way.
- Commissioner Musser asked if this occurs further along the street.
- PZ Director Spendlove clarified where the right of way exists.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to City Council of the request, as presented, with staff recommendations.

Commissioner Higley seconded the motion.

Unanimously approved

- b) Request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Davis. (PZ19-0150)

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.

Per County records the primary residence on the subject property was built in 2018.

This is a request to allow a Home Occupation for a Med Spa Business located at 850 Cambron Avenue. The subject property is located within the R-2 (Residential Single Household) Zoning District.

The applicant intends to provide med spa services including facials, Botox, hair removal, and hair restoration. The services will be provided in an approximate ninety (90) square foot room in the applicant's home.

The applicant will serve one (1) to two (2) customers at a time. Hours of operation will be Monday through Friday from 9:00 AM to 6:00 PM and Saturdays by appointment only.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant Presentation:

Maricruz Davis, applicant, presented her request for a Special Use Permit to allow a Home Occupation. She stated she would have clients come to her residence for medspa services. She stated this is a temporary situation, as she wants to open a store front eventually. Clients would be seen by appointment only and she would service one customer at a time. She stated she is licensed with all agencies necessary. There will be no signage.

PZ/Questions & Comments:

- Commissioner Hansen asked for the maximum customers the applicant would see in a day.
- Applicant Davis stated 10 customers would be the maximum number of customers in a day, but not at this time as she is establishing clientele.
- Commissioner Perez asked for the timeline for her to move to storefront.
- Applicant Davis stated she is hopeful that she can be in a storefront in six months or less, as that is still in the early stages.

Public Hearing: Opened

HOA president, Robert Taylor, stated the concerns of the neighbors in the development. He

stated these residents purchased their homes as retirement homes, intentionally away from commercial development. He stated there is a concern that more home businesses will follow, increasing noise and traffic to the area. The neighbors are concerned that home occupations in the neighborhood will increase traffic, create parking issues, and change the quality of life in the upscale development. There is also a concern that she will expand her business in her home past the stated square footage. He stated the development is currently 1/3 and there is much construction going on now. He stated the neighbors understand the desire to have business, but don't want to be burdened with traffic or other businesses in neighborhood. There is a concern with the proper licensing and disposal of bio-hazard materials (chemicals/needles). He concluded that the neighbors would like to request strict limitations for future exemptions that would change quality of life, such as hours of operation, length of time allowed to operate out of the home.

Applicant closing statement:

Applicant Davis stated she realizes there are concerns by her neighbors. She stated that her property is not in a high traffic area and as the traffic from construction will subside as home are completed. She stated the only the people on her block would be affected. She stated there are three parking spots at her property to accommodate customers. The room size will accommodate her services. There is no plan for expansion. She stated she cannot speak to other business coming in to the neighborhood. She addressed the medical waste concern, as she is licensed and will dispose of the medical waste properly. She is willing to work with the hours of operation.

Public Hearing: Closed

Discussions Followed:

- Commissioner Higley stated he understands concerns, but feels there are ways to find a happy medium.
- Commissioner Perez stated she would be okay with restrictions, and believes the applicant is motivated to comply and move to store front out of house.
- Commissioner Hansen asked how the CCR's come into play.
- City Attorney Nope stated the city has no bearing on CCR's, and if the SUP is approved, does not supersede the CCR's.
- Commissioner Hansen asked if the roads are private or public.
- PZ Director Spendlove stated the roads are public.
- Commissioner Higley suggested putting a limit to a one year SUP, no more than four (4) customers a day, and no employees.
- Commissioner Hansen asked if 10 cars a day would be excess. He stated he does not believe it is excessive with construction going on now.
- Chairperson Titus stated she does not believe as 1/3 complete, ten (10) cars is not excessive with the current construction going on and does not believe limiting to four (4) customers is reasonable.
- PZ Director Spendlove stated studies on trip generation and 9.44 trips per each single family dwelling a day is the average. The impact would be as of one extra home habitable in the neighborhood.
- PZ Director Spendlove stated they can bring SUP to reevaluate in one year.
- Commissioner Perez agreed limiting the number of customers would inhibit business and is okay with a reevaluation.

Motion #1:

Commissioner Hansen made a motion to approve the request for a Special Use Permit to allow a Home Occupation on property located at 850 Cambron Avenue c/o Maricruz Diaz, as presented with staff recommendations.

Commissioner Musser seconded the motion.

Motion #2:

Commissioner Higley made a motion add a condition to reevaluate the Special Use Permit one year from the date of approval.

Commissioner Musser seconded the motion.

Vote on Motion #2:

Unanimously Approved

Vote on Motion #1:

Unanimously Approved

- c) Request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

Staff Presentation:

City Planner Cherry presented the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)

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.

Per City and County records the initial Special Use Permit was approved on March 31st 1981 for the Head Start (daycare) Center. The initial Head Start Facility was constructed in 1983. Since that time the subject property has been operated as a school/daycare facility. This is a request to allow the expansion of an existing school/daycare facility located at 296 Falls Avenue West (or per County Records 308 Falls Avenue West). The subject property is located within the R-4 (Residential Medium Density) Zoning District.

Per the applicant the expansion includes a new 6,257 square foot building, 47 space parking

lot, a new fenced playground, and a reconstructed driveway entrance.

The expansion will continue to serve the approximately 100 children already enrolled in CSI Head Start programs. Upon completion of the project 40 children will be moved to the new building and the other 60 will remain in the existing facilities. The applicant employs approximately 27 employees. The applicant intends to operate from 8:00 AM to 5:00 PM Monday through Friday.

Staff determines that the applicant's request is in accordance with City Code and City Comprehensive Plans.

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

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

Applicant presentation:

Mr. Wayne Thowless, LKV Architects, representing app, presented the request for a Special Use Permit to allow the expansion of an existing school/daycare for CSI Head Start/Early Head Start. The facility now services 100 students with a 1/2 day program. With the new building, they would be able to offer a full day program for those students. Mr. Thowless explained the layout of the property. There will be screening around the complete property, with landscaping to city code.

PZ/Questions & Comments:

- Commissioner Perez asked staff about the proposed screening material and would chain link be sufficient.
- PZ Director Spendlove stated code states required between residential and manufacturing/trade use, but it may be required with a SUP process at the commissions discretion to dictate type and if required.
- City Planner Cherry stated there are a variety of fencing in the area.
- Mr. Thowless stated most of the surrounding residences have their own fencing, and they are not relying on that screening. He is proposing chain link with slats around the property.
- Commissioner Kelley asked is proposed screening is within compliance of current code.
- PZ Director Spendlove gave commission their three choices on how they could go with the screening: require screening and certain material, require screening, or approve as presented.
- Chairperson Titus asked applicant if the existing playground is fenced.
- Applicant Ruby Allen clarified the current screening around the playground.
- Commissioner Musser asked if existing SUP required fencing.
- City Planner Cherry clarified what is on the current SUP. There was no screening requirement.

Public Hearing: Opened and closed without input

Applicant Final Statement:

The applicant stated they are excited to expand their services within facility.

Discussions Followed:

- Commissioner Kelley stated he is content with proposed screening.
- Commissioner Hansen he agreed and would vote to accept as presented.
- Commissioner Perez stated her concern is the parking lot goes to back of property and headlights shining into residences. She would be okay with a screening requirement.
- Commissioner Kelley stated being on Falls Ave, he believes landscaping and parking is required by code and is good as presented.
- Chairperson Titus agreed the additional foliage will help, and this will be a vast improvement to site.

Motion:

Commissioner Kelley made a motion to approve the request for a Special Use Permit to allow the expansion of an existing school/daycare on property located at 296 Falls Avenue West c/o LKV Architects on behalf of CSI Head Start/Early Head Start. (PZ19-0152)
Commissioner Higley seconded the motion.

Unanimously Approved

5) Upcoming Meeting(s)

- a) Tuesday, January 28, 2020.

6) Adjournment

The meeting adjourned at 7:15 pm.