



City of Donnelly

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Planning & Zoning Commission Meeting

Monday, June 6, 2016 at 6:00 pm

AT

Donnelly Community Center
MINUTES

Roll Call: 6:02p.m. Commissioners Sally Gilbert, Maggie Bryant, George Dorris, Chairman Larry Mangum were present. Gene Tyler was absent. Quorum exists. Clerk Cami Hedges and Administrator Delta James were present.

Visitors: Jason Berquist, Steve Watts, Matthew Castrigno, Melvin Lytle

PUBLIC HEARING:

Variance application received from Stinker Station to request a variance in signage square footage and grandfathered free standing sign.

Chairman Mangum recuse himself from all decisions due to personal conflict.

Chairman Mangum requested Steve Watts representing Stinker Station to summarize the variance request for signage. They are asking to mark the Subway and the Stinker Store for the signage of the building. Would like to have the building marked for people who recreate in the area and visitors to see the building. Mel is here from Lytle signs.

Staff P&Z Administrator: Existing free-sign remain the same and that the signage square footage be allowed as requested as being over the allowed footage. Definition section does state signage but the variance chapter does not. Criteria for Variance remains the same. A change was made to the foot print which requires the signage to come into compliance. Applicant is asking for a variance of this code. Applicant is stating that the trees on the street were obscuring the signage of the business. The current signage is not pedestrian in scale but more directed toward the oncoming traffic.

Chairman opened the public hearing at 6:13 p.m. Anyone that would like to speak for, against or would like to make comments please make sure that you have indicated on the sign in sheet.

Matthew Castrigno - 150 W Roseberry Road, reside in Eagle, Idaho. Owner and would like to express his very strong opposition to the sign variance. He is a business person and is not against commerce. He stated that the Staff recited the exact variance procedures. The non-conforming free standing sign causes financial harm to his business in addition to the new canopy. He has done wonderful things for the community and has created jobs, etc. The P&Z Commission will present a precedence if this variance application is approved. The signage will be out of compliance and will remain out of

compliance. Ordinance will be balanced. Feels like that the business that come into his building will be sufficiently advertised but will be hindered by the current Stinker signage. Please do not approve or at least present a solution. This is Donnelly and not another community.

Melvin Lytle - 1925 Kimberly Road, Twin Falls (Lytle signs) trying to compete with the communities around town. Several different businesses trying to compete. Trying to capitalize in what you can do. Any draw is going to help out all businesses around not just them. More visibility you get through your signage or someone else's would be a benefit. The main thing is not to create a problem and there is not another competing business just trying to work.

Steve Watts - worked very hard with the architects and looked at everything with traffic flow parking ingress and egress. It was never intended to hurt business around us but to help the business promote in town. The canopy is a trademark sign and branded by Sinclair. Brand the building as Stinker and Subway. There is open discussion as hardship can be excess to 100% depending on the research done. Request the consideration. Asking what other convenient stores have in other areas. Feel that they scaled the size down to fit the building. Variance or code change looking for a vehicle to put signage on the building. Work together to find a solution.

Administrator - applicant added a few things. Occasion to work with McCall that there are a few businesses that are out of compliance. If they change their business they would be required to come into compliance. Would like to ask the city attorney if the city can differentiate between businesses. Leave to attorney to advise. Signage equaling marketing money, visibility yes, but when they are all in conformance that there is overall economic impact in signage is viewed. The comprehensive plan talks about recreation, people, etc. Canopy is included and was installed prior to the sign permit was applied for.

Chairman Mangum Closed public hearing at 6:30 p.m.

General Business:

Variance Application Decision / Discussion:

Commissioner Dorris - was told that it was the largest producing Stinker Station in the area. Steve Watts stated that historically they are one of the highest. Dorris indicated that after research on different sign codes in the area McCall is more stringent than Donnelly. He asked the Administrator if both frontages were considered. She stated that by the zoning definition that only the frontage that is along Roseberry Road is considered in the calculations. Dorris stated that Cascade is very relaxed. Emmett is about the same as us. He believes that our ordinance is not out of line. The speed limit is 25 mph and the signs does not need 2 ft. of prices. State and Federal Highway usually allow bigger and higher signs. Not a view obstruction from him. Comments - canopy signs logo and Sinclair is redundant for the free standing, stinker sign is redundant. Cannot see the building until you get pretty close to the building. Do not need stinker on the building and on the corner.

Commissioner Gilbert - Does not feel that the City is out of line with our ordinance and the applicant is redundant with their signage.

Commissioner Bryant - when walking by, it makes it look like Las Vegas as it is.

Commissioner Tyler – Sent an email. Clerk read for the record. Stinker has been a good business for Donnelly. It probably singularly brings in the most revenue. I believe it employees the most people. I also believe it has tried to comply with our laws and regulations. The facility is modern and spacious and its signage is not unreasonable. I personally believe our sign Ordinance is unreasonable and we should move to change our ordinance. To immediately resolve the issue, we should approve any variance Stinker submits to resolve this issue. From my perspective the signage ordinance is unreasonable, unrealistic, and should be changed. It is not conducive to business and government harmony and in the long run could be detrimental to business growth and job creativity. This one ordinance causes more detrimental emotion and friction between businesses and our city government.

Commissioner Dorris - before a motion is made, he doesn't know what options that we have available. Believes that there are more amicable resolutions for this issue. What kind of solution can we come too? The free standing sign could come into compliance. Not excited to rewrite the sign ordinance right now.

Commissioner Gilbert - doesn't want to look like Garden City. When coming South all you see is the Stinker Station and does not believe that their lights are in compliance. As with needing to draw attention to the business believes this is already being done. Doesn't see a hardship. Maybe size could be changed or see a revised proposal. Does not see any basis to grant this variance.

Motion by Gilbert, 2nd by Bryant that the variance be denied and that the applicant have the ability to come back to this body with a solution. Discussion added.

Commissioner Dorris asked if a date was set they would be more amicable to come into compliance with their signage?

Gilbert changed the motion, 2nd by Bryant that the variance be denied and that the applicant has 90 days to come into compliance of the sign ordinance. Dorris yes, Gilbert Yes, Bryant Yes. Motion Carried.

Ordinance Violation Recommendation to City Council

How do we go about fixing these violations? Clerk suggested to go around get addresses and give them to her. Commissioner Gilbert stated that there was a broken down log home on the alley off of Halferty Street that looks as though it is hazardous. Also the trailer park on State Street and Front Street should also see some cleaning up. Dorris asked that maybe the City apply for Local Option tax funds to help construct fences around the eye sores. Clerk stated that they Council will address the items once a list is made.

Previous Minutes

Motion by Gilbert, 2nd by Mangum to approve the Planning & Zoning Minutes from April 4, 2016 as corrected. Motion carried.

Motion by Dorris, 2nd by Bryant to approve the Planning & Zoning Minutes from May 9, 2016 as corrected. Motion carried.

Staff Reports

Clerk - Janet Weir from Roseberry Cabins said that they are wanting to build a residence and asked if they had to go into design review. Administrator indicated that they would have to since it was a

different use that originally proposed. The City will receive a Bus Kiosk through the ABC Committee. Administrator indicated that it must be ADA accessible with the ramp being at a 2% incline and must have a 48" turn around for wheelchairs.

Administrator James – does not have anything to add but is willing to answer any questions that commission has. Administrator will not be here for the next meeting on July 11, 2016.

Commissioner Sally Gilbert – The commission asked the Food Bank to design the parking and they did as planned and it is not conducive to traffic flow. Creating more congestion than before they put the barriers down. In addition to the congestion had to wait in the street for cars. Submit a revised parking plan to be reviewed by this body. Requests commission to drive by and see what is happening. Friend has offered a root system of the tree would like to make a display somewhere along Main Street. Clerk will discuss with Council.

ADJOURN

Motion by Gilbert, 2nd by Bryant to adjourn until the next regular scheduled meeting at 6:00 p.m. July 11, 2016. Motion carried.

Adjourned: 7:18 p.m.