



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
January 28, 2014 6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo “Tato” Munoz Chuck Sharp Jolinda Tatum
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods

Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

<u>Present</u>	<u>Absent</u>
Derricott	Boyd
Frank	Sharp
Grey	Tatum
Munoz	

AREA OF IMPACT MEMBERS

<u>Present</u>	<u>Absent</u>
Woods	DeVore

CITY COUNCIL LIAISON(S):

CITY STAFF: Spendlove, Strickland

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:26 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): [January 14, 2014-Public Hearing](#)
2. Approval of Findings of Fact and Conclusions of Law:
 - Pickett (SUP 01-14-14)

Motion:

Commissioner Woods made a motion to approve the consent calendar, as presented. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

UNANIMOUSLY APPROVED

III. ITEMS OF CONSIDERATION:

1. A Preliminary Presentation for the Commission to consider a request for a PUD Agreement Amendment to amend the Magic Valley Mall PUD Agreement to allow a modification to the sign criteria on property located at 1485 Pole Line Road East c/o David Thibault, EHM Engineers on behalf of Magic Valley Mall, LLC (app. 2612)

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc., representing the applicant stated this PUD Amendment includes a modification of their sign criteria for monument signs and exterior advertisement at the Magic Valley Mall the proposal is to amend the current PUD and allow for the pennant signs which are kind of place holder and place identification signs out at the mall. They have built monuments

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that are approximately 3-4 feet tall and about 3-4 feet square with a pole that has a pennant sign that has the word food displayed on it, they have different themes. The amendment would allow for 30 of those signs to be built on the property and it currently allows for those 30 to be there, the amendment is to negate the rest of the sign criteria that is established in the rest of the PUD and adopt the current City signs ordinance and follow that regulation with the exception of the pennant signs that are currently allowed. The poles are similar to the fancier light poles that are downtown with the hanging baskets. The mall has developed a theme in hopes to maintain their sense of place, they want to conform with the current City regulations for future signage.

Commissioner Questions/Comments:

- Commissioner Frank: Would the signs be strictly internal to the mall property and not along the frontages of the property.
- Mr. Thibault: The signs would be on the property included in the PUD and it would include portions of the frontage. There is a big sign by the Taco Bell and one located at Pole Line & Blue Lakes Boulevard that would fall under this change.

Staff Presentation:

- Planner I Spendlove stated this is a request to amend the PUD Agreement to refer back to the City Code which has been updated since some of these PUD Agreements were adopted with the allowance for the pennant signs described in the presentation. Tonight is just a preliminary presentation only there will not be a staff analysis presented or recommendations. The public hearing for this item will be scheduled for February 11, 2014.

Commissioner Questions/Comments:

- Commissioner Woods stated the sign code for the City of Twin Falls is probably very different than the MV Mall PUD criteria. He was wondering if this change will create a bad picture or present a problem with lighting in an open area like the mall, will that be evaluated.
- Planner I Spendlove explained at the next presentation these types of things will be reviewed. If the question is about existing signs, if the sign code applies to them and they don't meet the current City Code requirements the signs become non-conforming signs, until the times comes that the applicant wants to change them or take them down they can continue to be there.
- Commissioner Woods asked if there is anything in the City sign code that would allow the businesses in the mall to put up new signs that would be bolder and create light problem.
- Planner I Spendlove stated any new signs will have to comply with the current City Code requirements.

Public Comment: [Open & Closed](#)

Planner I Spendlove reminded the Commission that the public hearing for this requested is scheduled for the February 11, 2014 meeting.

Planning & Zoning Public Hearing Is Scheduled For February 11, 2014

2. A Preliminary Presentation for the Commission to consider a request for a PUD Agreement Amendment to amend the WS&V PUD Agreement #263-A to allow a mixed use development; consisting of professional office and residential uses, on the remaining undeveloped lots within the WS&V First Amended Subdivision-A PUD, consisting of lots 2-5 Block 1 and totaling 16 (+/-) acres, located west of the 1000 block of Fieldstream Way and southwest of Cheney Drive West, extended c/o John O Fitzgerald, II on behalf of WS&V, LLC (app. 2614)

Applicant Presentation:

John Fitzgerald, II representing the applicant stated he knows this request has been in front of the Commission and Council on several occasions. He wants to emphasize that he is not here to rehash things but he is here to address some of the issues that have been addressed previously and to clarify the objectives are to meet the previously stated objections. In the staff report there is a comment under the analysis that this request is to allow for the development of an apartment complex on 5 (+/-) acres of property. That is not what the applicant is requesting; the applicant wants to correct errors, conflict and ambiguity in the PUD Agreement and to amend the development approval process without diminishing the intended governmental oversight. In the packet is included a letter dated Nov. 4, 2013 articulating what the application is for and what the objectives are for the request. For example, the PUD agreement had doctor's offices as a permitted use and as a use that required a special use permit. They would like to correct that and place doctor's offices under permitted uses. Another clarification is to define accessory buildings as being detached. One of the big items is the multi-family dwelling units set at 6 as a permitted use, the applicant would like to change that to 8 units as a permitted use, the 8 units is consistent with the original application by WS&V with the Devon Project located at the corner of Locust Street and North College Road, that was part of the concept presented by WS&V. The other portion of the request would allow through a special use permit process dwellings of more than 8 units up to a maximum of 12 units. The next items to address the approval process; any time the project moves forward and wants to change the applicant has to come back through for an amendment. What the applicant is proposing is that rather than having to go through an amendment is that the special use permit process be built into the PUD Agreement allowing the governmental oversight as well as the public input through the public hearing process. The comment was made that WS&V is looking for carte blanche to do whatever they want to do with the property, this is not the intention. The development is interesting because it was set up as a PUD but the traditional PUD Agreement states this is the concept and it is concrete. This particular project is not concrete it is intended to be fluid and flexible relative to what potential buyers want to do with the property. WS&V does not want carte blanche; they want the flexibility to have the proposed projects come in through the Special Use Permit process to allow for public input and review.

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Staff Review & Analysis:

Planner I Spendlove reviewed the exhibits on the overhead and some of the history. He stated a preliminary PUD presentation is required for an amendment prior to the public hearing. The purpose of this presentation is to allow both the Commission and the public to hear from the developer what type of development is being planned. Staff will provide further analysis at the public hearing scheduled for February 11, 2014.

Public Comment: [Open & Closed](#)

Planner I Spendlove reminded the Commission that the public hearing for this requested is scheduled for the February 11, 2014 meeting.

[Planning & Zoning Public Hearing Is Scheduled For February 11, 2014](#)

IV. PUBLIC HEARINGS: [NONE](#)

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

VI. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session- [Wednesday, February 5, 2014 P.M.](#)
2. Public Hearing-[Tuesday, February 11, 2014 6:00 P.M.](#)

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 6:48 PM