

## CITY OF GARDEN CITY

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~ Minutes ~

### Planning & Zoning Commission

6:30 PM

Wednesday, July 17, 2019

City Hall – Council Chambers

6015 Glenwood Street, Garden City, Idaho

**I. CALL TO ORDER** The meeting was called to order at 6:30 pm.

#### II. ROLL CALL

Commissioners Present: Chuck Kennedy, James Page, L. Kent Brown, L. Joe Nunley

Commissioners Absent Kent Rasmussen

Staff Present: Jenah Thornborrow, Chris Samples

#### III. CHANGES TO AGENDA - ACTION ITEM

**A. ZONFY2019-1:** was moved to the consent agenda after the applicant, Victor Ferral, did not object to the draft findings of fact, conclusions of law and decision, no one from the public wished to testify on the matter, and no commissioner had an objection to the proposal.

#### IV. CONSENT AGENDA – ACTION ITEM

**A.** June 19, 2019 Minutes

**B. ZONFY2019-1:** Victor Ferral with BRS Architects is requesting approval of a rezone application for 5320 N. Sawyer Ave.; Ada County Parcel R1055420071. The 1.978 acre site is proposed to be rezoned from General Commercial (C-2) to Light Industrial (LI). APPROVED

- i. Commissioner Page moved to approve the consent agenda.
- ii. Commissioner Brown seconded.
- iii. The motion was approved unanimously.

#### V. OLD BUSINESS – ACTION ITEM

**A. CUPFY2019-5:** Teri Aslett and d'Andra Cahill with Pooch Professionals Idaho, LLC are requesting Conditional Use Permit approval of a dog training school at 4601 W. Chinden Blvd; Ada County Parcel R2734510020, Fairview Acres Sub. #2. The 0.550 acre site is located in the highway commercial (C-1) zoning district and the Light Industrial designation of the Comprehensive Plan. **The applicant is requesting clarification of the sidewalk requirements.**

- i. Staff Jenah Thornborrow requested discussion to clarify the sidewalk requirements for this application in light of unexpected site-specific issues that impact sidewalk design.
- ii. Commissioner Page noted that during his tenure on the Commission, only three projects were allowed a modified sidewalk.

- iii. Chairman Kennedy noted that the sidewalk condition was consistent with the ordinance requirements, but there was discretion for a more specific pathway.
- iv. Commissioner Brown moved to clarify that a painted pathway on asphalt would be consistent with this condition.
- v. Commissioner Pelton seconded the motion.
- vi. The Chairman noted that the appeal period on the application already expired.
- vii. Commissioner Brown noted that the proximity of the pathway to parking will not change if motion is approved. Brown also noted that the Commission did not require parking stop blocks.
- viii. The motion passed unanimously.

## **VI. PUBLIC HEARINGS – ACTION ITEM**

**A. SAPFY2019-1/PUDFY2019-1:** Sherry McKibben with McKibben + Cooper Architects and Urban Design are requesting approval of Specific Area Plan and Planned Unit Development Applications for the 34th Street Area. The scope of the plan includes 34th Street, Carr Street, Clay Street, Chinden Boulevard, Osage Street, and 33rd Street.

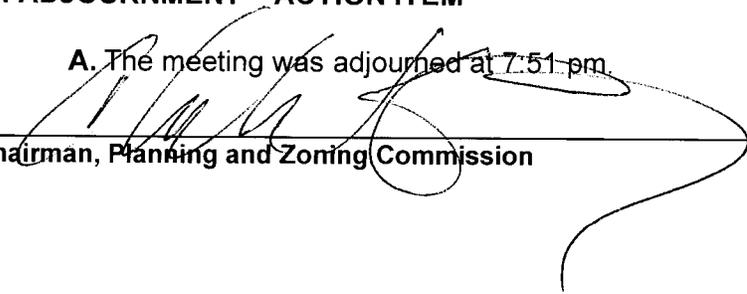
- i. Applicants Hannah Ball and Sherry McKibben presented the application. The applicants noted the following in their presentation:
  - 1. No additional uses are being requested.
  - 2. The farmer's market use will not be included in the PUD but will instead be expanded through an amended CUP.
  - 3. The applicants objected to the proposed condition nullifying the decision if a portion of the property was developed outside of the decision.
- ii. Staff Chris Samples presented the staff report.
- iii. Public testimony was heard from Louis Landry and Jerry Ahlberg in favor of the application.
- iv. Applicant Hannah Ball presented a rebuttal and reiterated her opposition to the condition that could nullify the decision. Ball also reiterated that the farmer's market use would be expanded through an amended CUP.
- v. Public testimony was closed.
- vi. Commissioner Brown supported maintaining the 70' setback condition noted in the draft conditions. Brown felt that this condition was supported by flood plain regulations and the uncertainty of the 2017 proposed FIRM map.
- vii. Commissioner Pelton raised concerns about the implication of the condition that nullifies the PUD due to out of scope development.
- viii. Chairman Kennedy indicated that property owners can do their own PUD outside of the approval of an existing PUD.
- ix. Commissioner Page indicated he agreed with Commissioner Brown regarding the 70' setback condition. Page felt that the nullification condition is not necessary and is attempted to solve problems that may not exist. He felt the best approach would be to address issues as they arise.
- x. Commissioner Page moved to recommend approval of the application to include an amendment to the draft conditions to strike site specific condition #7 on page 15 of the draft conditions.
- xi. Commissioner Brown seconded.
- xii. The motion passed unanimously.

## **V. DISCUSSION**

A. The Commission discussed repetitive public testimony and concerns with the SAP process.

**VI. ADJOURNMENT – ACTION ITEM**

A. The meeting was adjourned at 7:51 pm.

  
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Chairman, Planning and Zoning Commission

  
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Date