

## CITY OF GARDEN CITY

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### **MINUTES** **Design Committee** 3:00 PM

Monday, November 18, 2019  
City Council Chambers – City Hall  
6015 Glenwood Street, Garden City, Idaho

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#### **I. CALL TO ORDER**

- A. The meeting was called to order at 3:00 pm.

#### **II. ROLL CALL**

- A. Appointed Members: Derek Hurd, Brett Labrie (via phone), Maureen Gresham
- B. Planning Official: Jenah Thornborrow
- C. Planner: Chris Samples
- D. Attorney: Charles Wadams (joined during consent agenda)

NOTE: The above items were not captured in the recording of the meeting. During the roll call Thornborrow was noted that Commissioner Labrie was on the phone in order to provide for quorum for the consent agenda and after the consent agenda he would be recusing himself. He verified that this was correct and that he could hear. Prior to moving on to the consent agenda it was noted that because Committee Member Hurd would need to recuse himself from DSRFY2019-4, that two separate motions would be needed.

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

#### **IV. CONSENT AGENDA- ACTION ITEM**

- A. October 21, 2019 Minutes
- B. November 4, 2019 Minutes
- C. DSRFY2019 - 10: Decision
- D. DSRFY2019 - 24: Decision
  - I. Committee member Gresham moved to approve the consent agenda.
  - II. Committee member Labrie seconded the motion.
  - III. The motion carried unanimously.
- E. DSRFY2019 - 4: Decision
  - I. Committee member Hurd recused himself from this part of the consent agenda.

- II. Applicant Derek Hurd requested clarification of the condition of the decision concerning the view tower, view tower access, and view tower height.
  - III. The Committee clarified that the condition regarding the view tower to state: "Pedestrian access within the view tower is limited to three stories. This can be achieved by lowering the view tower to three stories or limiting pedestrian access within the four-story tower to three stories."
  - IV. Committee member Gresham moved to approve the consent agenda.
  - V. Committee member Labrie seconded the motion.
  - VI. The motion carried unanimously.
- F. Committee member Labrie recused himself for the remainder of the meeting.

**v. OLD BUSINESS-ACTION ITEM- NONE**

**vi. NEW BUSINESS-ACTION ITEM**

- A. Chairperson Thornborrow identified hearing and testimony procedures for the public.
- B. Chairperson Thornborrow noted that any decision rendered at this meeting would have the decision documents brought back before the Design Review Committee on December 9, 2019 for their review and approval of the decision document. She noted that the decision would be final within 10 days unless there is written objection submitted to the city stating code that has been misinterpreted or misapplied.
- C. **DSRFY2019-23:** Dave Eadie with Kennedy Wilson/The Architects Office PLLC is requesting Design Review Approval of a multi-family dwelling unit development. The proposal is located at 6265 N Strawberry Glenn Rd., Garden City, 83714; Ada County Parcel # R8191505455. The property is within R-3 zoning district and the Residential Medium Density Comprehensive Plan Land Use Designation.
  - I. Thornborrow noted that the notice of hearing indicated 'intent to approve' and it should have said 'intent to approve or deny'. She clarified that the application is not a predetermined matter and the committee will consider all evidence and applicable codes prior to rendering its decision.
  - II. Thornborrow noted that written testimony provided questioned whether the City's code is valid. She clarified that the committee is tasked with reviewing the application with regards to the current adopted code. The matter of the Code's validity would be a matter that would need to be adjudicated and is outside of the parameters of the Design Review Committee's authority.
  - III. Dave Eadie and Keith Heron presented the application. Their presentation centered on:
    - a. Noting that there had been changes made since a previous application to accommodate concerns of the neighborhood.

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- b. A review of the project as submitted.
  - c. Clarification that the colors are not final and might be slightly amended.
  - d. Clarified that there will not be a fence adjacent to Strawberry Glenn.
- IV. Staff Chris Samples presented the staff report.
- a. Samples identified late exhibits.
  - b. GCC 8-2C-15: Code is silent on whether shared amenities between two jointly owned, but separate multi-family developments are allowed.
- V. Written comment was received during the hearing was read into the record. Written testimony was received from:
- a. In support:
    - a. Hannah Ball
  - b. In neutral:
    - a. Ester O'Lessy
    - b. W. M. Howell
  - c. In opposition:
    - a. Rex Beaumont
    - b. Darcy Beaumont
- VI. Oral testimony was received from Wendy Carver-Herbert in opposition:
- a. Carver-Herbert requested to be a spokesperson.
  - b. The Committee approved 15 minutes for Mrs. Carver-Herbert to speak as a spokesperson
  - c. Martha Howell, Susan Mahoney, and Charles Colon deferred their comments to Wendy Carver-Herbert as their spokesperson.
  - d. Her testimony generally:
    - i. Disputed the zoning ordinance validity;
    - ii. Noted concerns with neighborhood compatibility;
    - iii. Requested amendments to heights and parking;
    - iv. Stated concerns related to school district overflow and reduced property values.
- VII. Applicant Dave Eadie presented rebuttal testimony:
- a. Relied on governing statutes of city to guide project
  - b. Capacity exists for school and infrastructure. City capacity exists and are not pushing envelope
  - c. Is not amenable to changes proposed in Mrs. Carver-Herbert's letter due to construction costs vs. cost recovery concerns
- VIII. Public testimony was closed.
- IX. Discussion:
- a. The angle, landscaping, and distance to adjacent home were discussed in relation to building 1.
  - b. It was clarified that the roof condenser units are recessed.

- c. Committee members Hurd and Gresham noted appreciation for the design, applicant's efforts, and public comments.
- d. Committee member Gresham iterated that land use is outside the Committee's purview.
- e. It was noted that a shared amenity agreement is needed as well as a streetlight if required by policy.

X. Motion:

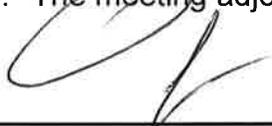
- a. Committee member Gresham moved to approve with the following additional site-specific conditions:
  - a. Install a streetlight, if necessary, in accordance with the Garden City Streetlight Policy.
  - b. A shared agreement allowing shared use of proposed and existing amenities by residents of the development and by residents at the existing River Pointe Apartments must be submitted for administrative review prior to the issuance of a building permit.
- b. Committee member Hurd seconded the motion.
- c. The motion carried 2/0 vote.

VII. **PRE-APPLICATION DISCUSSIONS-ACTION ITEM - NONE**

VIII. **DISCUSSION- NONE**

IX. **ADJOURNMENT-ACTION ITEM**

- a. Gresham moved to adjourn
- b. Hurd seconded
- c. The motion passed on a 2/0 vote
- d. The meeting adjourned at 4:03 pm.



12/3/19

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This signature verifies that this decision document has been reviewed and approved by the Design Review Committee.