



CITY OF GARDEN CITY

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~ MINUTES ~

Planning & Zoning Commission

6:30 PM

Wednesday, February 20, 2019

City Hall – Council Chambers

6015 Glenwood Street, Garden City, Idaho

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- I. **CALL TO ORDER:** The meeting was called to order at 6:30 pm.
 - II. **ROLL CALL**
 - Commissioners Present: Chuck Kennedy, L. Joe Nunley, L. Kent Brown
 - Absent: James Page
 - Staff Present: Jenah Thornborrow, Chris Samples
 - II. **CHANGES TO AGENDA - ACTION ITEM**
 - A. None
 - III. **CONSENT AGENDA – ACTION ITEM**
 - A. November 21, 2019 Minutes
 - i. Commissioner Nunley moved to approve
 - ii. Commissioner Brown seconded.
 - iii. The motion was approved unanimously.
 - IV. **OLD BUSINESS – ACTION ITEM**
 - A. Appointment of Commission Chair, Commission Vice Chair, and Alternative Commission Vice Chair
 - i. Commissioner Brown nominated Chairman Kennedy to serve as Commission Chair.
 - ii. Commissioner Nunley nominated Commissioner Brown to serve as Commission Vice Chair
 - iii. Commissioner Nunley nominated Commissioner Page to serve as Alternative Commission Vice Chair
 - iv. Commissioner Nunley moved to approve the nominations of the Commission Chair, Commission Vice Chair, and Alternative Commission Vice Chair.
 - v. Commissioner Brown seconded the nomination.
 - vi. The motion passed unanimously.
 - VI. **PUBLIC HEARINGS – ACTION ITEM:**
 - A. CUPFY2019-1: Lisa Cahill with The Arc Inc is requesting Conditional Use Permit approval of a Warehouse, Storage and Wholesale Use at 206 W. 38th Street Units E & F. The 0.689 acre site is located at 206 W. 38th St. Units E and F, Garden City, 83714; Ada County parcel Lot 8 Block H, Fairview Acres Sub No. 2. The property is within the General Commercial (C-2) zoning district and the Mixed Use Commercial Comprehensive Plan Land Use Designation.

- i. Director Jenah Thornborrow clarified the recommendation of staff and findings concerning the sidewalk waiver request.
- ii. Applicants Lisa Cahill and David O'Leary presented the application. The applicant's noted concerns that the sidewalk requirement presented a challenge to compliance due to site specific concerns related to driveway and access locations and concerns with ADA compliance.
- iii. Staff Chris Samples presented the staff report.
- iv. Public testimony was received from no one.
- v. Applicant David O'Leary provided rebuttal testimony. Mr. O'Leary brought up concerns about the length of time required to complete the Ada County Highway District engineering process and was concerned about The Arc not being able to occupy the space without the completion of the sidewalk.
- vi. The Commission closed public testimony.
- vii. Commissioner Brown noted that the sidewalk is required, but an attached sidewalk would be appropriate due to the site issues. Brown felt that the sidewalk should mirror the design of the adjacent property at 216 W. 38th Street. Brown recommended giving the applicant six months to complete the sidewalk.
- viii. Commissioner Nunley indicated he agreed with Kent, but felt that the applicant should have until the end of 2019 to complete the sidewalk.
- ix. Commissioner Brown moved to approved the application with the following amendment to the draft findings of fact, conclusions of law, and decision:
 1. Condition X should be amended to delete the detached sidewalk and landscaping requirement. An attached sidewalk to curb sized and designed to match the existing sidewalk south of the property shall be installed.
 2. The sidewalk shall be installed within 6 months or consistent with the time to get approval from ACHD.
- x. Commissioner Nunley seconded the motion. Nunley requested an amendment to the motion to require installation by the end of 2019.
- xi. Commissioner Brown amended the motion to require installation by the end of 2019 instead of within 6 months.
- xii. The motion passed unanimously.

B. SUBFY2019-1 and MPUDFY2019-2: Sherry McKibben with McKibben + Cooper Architects is requesting a Combined Preliminary and Final Plat and Minor Planned Unit Development approval of 12 townhomes. The 0.694 acre site is located at 3857 N. Reed St., Garden City, 83714; Ada County Parcels R2734520646 and R2734520044. The properties are within the Medium Density Residential (R-3) zoning district and the Mixed Use Residential Comprehensive Plan Land Use Designation.

- i. Applicants Sherry McKibben and Hannah Ball presented the application.
- ii. Staff Chris Samples presented the staff report.
- iii. Public testimony was received from Katie Painter. Painter raised concerns regarding the impact of the new ACHD street on her property, the impact of setbacks, the potential removal of her garage,

compliance with landscaping requirements, the potential removal of existing fence, impact to existing driveway, and compensation for the loss of use of her property.

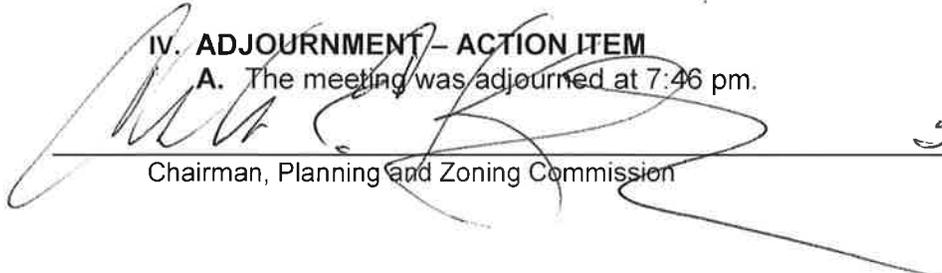
- iv. Public testimony was closed.
- v. Hannah Ball provided rebuttal testimony. Ms. Ball indicated that privacy windows would be installed on facades facing exterior properties, that the density fit the area, that the development exceeded design requirements, and that ACHD requirements dictate the configuration of the street.
- vi. Commissioner Nunley noted that the area already has higher density, that the development meets city code and is appropriate for the area.
- vii. Commissioner Brown agreed with Commissioner Nunley and felt the applicant had gone above and beyond code requirements. Brown noted that ACHD would likely apply the standard street section requirements to the new street and that an expansion of the ACHD yard was coming.
- viii. Chairman Kennedy felt the proposal was one of the best he had seen. He noted that issues with ACHD would need to be taken up with the district.
- ix. Commissioner Nunley moved to recommend approval of the proposal as noted in the draft findings of fact, conclusions of law, and recommendation.
- x. Commissioner Brown seconded the motion.
- xi. The motion passed unanimously.

VIII. DISCUSSION

- A. Director Thornborrow briefed the Commission on the adoption of Council Resolution 1053-18, which dictates public hearing procedures.

IV. ADJOURNMENT – ACTION ITEM

- A. The meeting was adjourned at 7:46 pm.



Chairman, Planning and Zoning Commission

30 Apr. 2019

Date