



CITY OF GARDEN CITY

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~ MINUTES ~

Planning & Zoning Commission

6:30 PM

Wednesday, August 17, 2016

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: Kent Brown; Stephanie Butler; Charles Kennedy; L. Joe Nunley
James Page
Commissioners Absent: None
- Staff Present: Jenah Thornborrow, Owen Nason, Connie Sol
- III. **CHANGES TO AGENDA:** None
- IV. **CONSENT AGENDA**
A. **July 20 2016, Minutes**
Commissioner Butler moved to approve the consent. Commissioner Nunley seconded the motion. The motion unanimously passed.
- V. **OLD BUSINESS:** None
- VI. **PUBLIC HEARINGS:**
- A. **CPAFY2016-1:** Matt Mraz, is requesting a code change to 8-2C-43 to reduce the minimum site area for a vehicle sales and rental from 30,000 square feet to 25,000 square feet. **City Council Hearing Date: September 12, 2016 at 6:00pm**
- Staff, Thornborrow, presented the application
 - Matt Mraz represented the application.
 - No member of the public gave testimony.
 - Commissioner page noted concerns with the apparent availability of space that is already suited for the use, and the need to change code.
 - Commissioner Brown suggested that he was inclined to recommend approval and that he found code's requirement of 30,000 sq. ft. is an arbitrary limitation.
 - Commissioner Butler noted she felt there were excellent points on both sides. Amending code to open up properties for the use of vehicle sales and rental could be desirable. She conveyed that the intended and unintended consequences of code should be considered, and that a change may balance code with recognition of and support for business. She indicated that she feels that the Comprehensive Plan is good but could have fine tuning.
 - Chairman Kennedy indicated that vehicle sales are a major industry in Garden City.
 - Commissioner Brown moved to recommend approval of the application with findings of fact, conclusions of law as drafted. Commissioner Butler seconded the motion.

- Discussion by Commissioner Brown noted that the change would make it possible for additional businesses to locate. Commissioner Page indicated that the Garden City Code and the Comprehensive Plan are not perfect, but they are a starting point and that he felt that the proposed modification would be contrary to the Comprehensive Plan.
- The motion was not approved on a 2/3 vote.
- Commissioner Page moved to recommend denial of the proposal with findings of fact, conclusions of law as drafted. Commissioner Nunley seconded the motion.
- The motion passed on a 3/2 vote.

B. CUPFY2016-8: Tamara Thompson with the Land Group is requesting Conditional Use approval of an improved access to the Boise River. The site is located at 2900 Chinden Blvd, Riverside Hotel, and is within C-1 zoning district and the Live Work Create Comprehensive Plan designation. **City Council Hearing Date: September 12, 2016 at 6:00pm**

- Staff, Thornborrow, presented the application
- Commissioner Page indicated that if the Davis family has claim to the subject property, that it could create a legal issue.
- Tamara Thompson represented the application. Ms. Thompson noted general consent of the recommended conditions of approval, but noted that she would request amendments to the language of site specific conditions 4, 6, 8, 11 and 14.
- Coleen Stambaugh gave testimony requesting that the location of the bike racks be reconsidered for safety and 'cluttering' of the Greenbelt. Meryl Lindgard also noted safety concerns and requested relocation of the bike racks to be land side of the greenbelt. She further noted that the paddleboards may block the view of the river, but noted that the steps to the river were important and that she supported this access.
- Staff clarified the intent of the discussed draft conditions, noted that an easement would be required of the Davis family for the project to move forward if the Davis family were to make claim to the property, and answered questions related to code's mitigation requirements.
- Commissioner Brown noted that property below the ordinary high water mark is owned by Idaho Department of Lands. He further noted that Riverside Hotel cannot give an easement for property that does not belong to them. He prefaced that he is not a lawyer, but believed that adding the words "on Riverside Hotel property" on site specific condition 3 was needed. Commissioner Brown also noted that recording any preexisting easements on site protects the City. Finally, he iterated that bike racks might help delineate where people will place their bikes.
- Commissioner Butler noted that the plan is very good, and that on the river it is difficult to balance nature, businesses, and public. She felt that there will be an increase of bikes and pedestrians on the greenbelt and this location and there is a need for parking. This project will increase access for public. She indicated that she did not believe that parking for bikes in a parking lot would relieve people from dropping their bikes next to the greenbelt. Finally she indicated that at some point in time if the Riverside does possess the property, then they should in some way provide easement.
- Commissioner Nunley noted that while the parking is unattractive it is necessary, and that the bike rack parking and restoration of natural vegetation will be an improvement.
- Commissioner Page noted that he felt unformed and uneducated on how to deal with the easement and property issue. As far as the standard language understands concerns 8, 11 however felt that this was dealt with by standard code language. He further iterated that this is not a typical application, and is a complex situation.
- Chairman Kennedy pleased someone would do this for the community, even with the certain benefits the adjacent property will receive. He noted that the Riparian area is

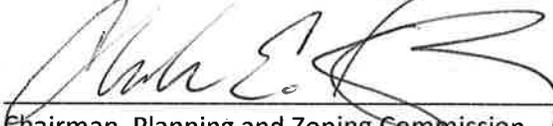
not being enforced regardless of the condition of the current landscaping. The addition of bikes will be detrimental to the vegetation. He further commented that overall the addition of parking is better than not providing parking. Lastly, he commented that legality of the easement is beyond legal scope of Planning and Zoning Commission's authority.

- Commissioner Butler moved to approve the application with findings of fact, conclusions of law as drafted and adding the words 'on Riverside Hotel' to site specific condition #3. Commissioner Brown seconded the motion.
- The motion passed unanimously.

VII. **NEW BUSINESS:** None

VIII. **DISCUSSION:** None

IX. **ADJOURNMENT:** Meeting adjourned at 8:18 p.m.


Chairman, Planning and Zoning Commission

19 Oct 2016
Date