

## CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714  
Phone 208/472-2900 □ Fax 208/472-2998

~ MINUTES ~

### Planning & Zoning Commission

6:30 PM

Wednesday, May 21, 2014

City Hall – Council Chamber

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: L. Kent Brown; Stephanie Butler; Charles Kennedy; James Neill

Commissioners Absent: None

Staff Present: Jeff Lowe; Jenah Thornborrow

#### III. CHANGES TO AGENDA

Moved item VI. B to consent agenda

#### IV. CONSENT AGENDA

A. Minutes from May 21, 2014

B. **CUP2014-00002 Conditional Use Permit for Tobacco Entertainment Facility** located at 5443 Glenwood Spaces 5455 & 5459. Finding of Fact, Conclusions of Law and Decision (heard April 16, 2014)

C. **CUP2014-00003 Conditional Use Permit for DRIVE THROUGH ESTABLISHMENT**

Commissioner Neill moved and Commissioner Brown seconded to approve the consent agenda as amended and to continue the Public Hearing for CUP2014-00003 to the Planning and Zoning Commission meeting of June 18, 2014.

**APPROVED 3/0**

#### V. NEW BUSINESS

None

#### VI. PUBLIC HEARINGS

##### SUB2014-00001 MAGELLAN SUBDIVISION

**PROJECT SUMMARY:** Magellan Companies Inc, represented by J.J. Howard LLC, is requesting a combined preliminary plat and final plat approval for Magellan Subdivision, a 3-lot (3-buildable) residential subdivision.

**PROJECT LOCATION:** The .335-acre development is located on the southwest corner of the intersection of 46<sup>th</sup> Street and Adams Street at 4601 Adams Street. The project is located in the Medium Density

Residential (R-3) zoning district, and the Mixed Use Commercial Comprehensive Plan Designation.

Staff member Jeff Lowe presented the application.

Justin Leraris, with J.J. Howard LLC, represented the application. He requested the removal of Recommended Condition of Approval number 8 not be required as the driveway will serve as pedestrian access to the street from the front door. He also requested that Recommended Condition of Approval 9 not be required as placing the front entry on Adams Street as parking might be focused on Adams Street where it is not available. They feel the use of porch light will suffice in-lieu of yard lights. He mentioned they will utilize the 20-foot front setback as allowed in code instead of the proposed 25-foot setback. The applicant can provide a letter from a certified arborist attesting that tree mitigation is not necessary. And there was testimony that the front porches on the dwellings will extend 6-feet in front of (beyond) the garage.

Chairman Kennedy opened the Public Hearing and one person from the public chose to testify.

James Barnes, 316 W. 46<sup>th</sup>, Garden Cit, ID 83714, testified in favor of the application. He noted he was pleased there will be single-story units; concern over the existing Chinese Elm trees on the property line and suggested they be removed; thought lighting from the street light on the corner of 46<sup>th</sup> and Adams was adequate; and asked if utilities would be placed underground.

No written testimony was received.

Chairman Kennedy closed the Public hearing.

Commissioner Butler moved to approve the application with the draft findings of fact, conclusion of law and decision with the following changes:

- Recommended Condition of Approval number 8 regarding sidewalks to extend from the front door to the adjacent street, and number 9 regarding the dwelling unit adjacent to Adams Street to have a front door facing Adams Street be deleted. Condition number 11 regarding yard lights may remain as it is only an encouragement.

Commissioner Neil seconded.

The Commission voted unanimously in favor.

***APPLICATION APPROVED.***

## **VII.CUP2014-00003 DRIVE THROUGH ESTABLISHMENT**

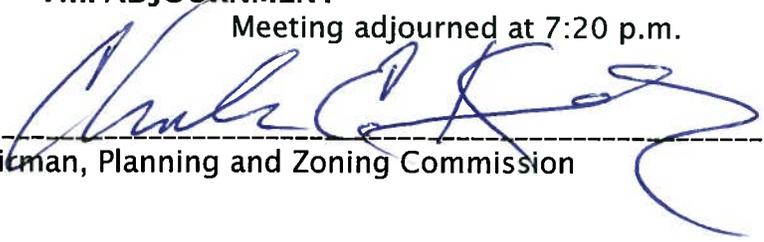
**PROJECT SUMMARY:** Cottonwood Drive Through Coffee House - CUP2014-00003 - Dave Evans Construction: Dave Evans Construction is requesting conditional use permit approval for a drive through establishment.

**PROJECT LOCATION:** The proposed project is located on an existing parcel within the Cottonwood Plaza Subdivision on the southwest corner of the intersection of Glenwood Street and State Street at 6843 Strawberry Glenn. The property is zoned Highway Commercial District (C-1) and is in the Green Boulevard Corridor and Transit Oriented Development Comprehensive Plan designations.

Item is continued to the Planning and Zoning Commission meeting of June 18, 2014, pursuant to consent agenda action.

**VIII. ADJOURNMENT**

Meeting adjourned at 7:20 p.m.

  
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Chairman, Planning and Zoning Commission

  
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Date