

BEFORE THE DESIGN REVIEW COMMITTEE  
GARDEN CITY, ADA COUNTY, IDAHO  
THIS IS NOT A PREDETERMINED DECISION. ALL EVIDENCE WILL BE  
CONSIDERED. A DIFFERENT DECISION MAY RESULT IN AN UPDATE OF THE  
FINDINGS OF FACT, CONCLUSIONS OF LAW, OR CONDITIONS.

In the Matter of:	)	DSRFY2020- 23
	)	
Design Review	)	FINDINGS OF FACT,
6650 N. Glenwood St.	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER, came before the Garden City Design Review Committee for consideration on September 8, 2020. The Design Review Committee reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Design Review Committee makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The application is for a design review for a structural addition to an existing storefront renovation of less than 25% of the façade.
2. The applicant is Jeff Likes.
3. The property owner of record is Brandt Ruzicka.
4. The location of the project is 6650 N. Glenwood St.; Ada County Assessor parcel number(s) S0524449270.
5. The property is a legal lot of record.
6. The application is for a design review for the use of DSRFY2020-23. The scope of the design review is limited to the south facing façade of the building.
7. The subject property is 4.090 acres.
8. The project is located in the C-2 General Commercial
9. The project is located in the Green Boulevard Corridor and Residential Low Density of the Garden City Comprehensive Plan Land Use Designation.
10. The project is partially in the AE flood hazard category according to the 2003 FIRM.
11. The project is partially in the AE flood hazard category according to the 2017 FIS.

12. The following standards apply to this proposal:
- a. Garden City Code 8-1A-4 Applicability
  - b. Garden City Code 8-3D Neighborhood Commercial Node
  - c. Garden City Code 8-4A Design and Development Regulations- General Provisions
  - d. Garden City Code 8-4C Design Provisions for Nonresidential Structures
  - e. Garden City Code 8-4E Transportation and Connectivity Provisions
  - f. Garden City Code 8-4F Sign Provisions
  - g. Garden City Code 8-4H Flood Hazard
  - h. Garden City Code 8-6A-3 General Application Process
  - i. Garden City Code 8-6A-4 Required Application Information
  - j. Garden City Code 8-6A-5 Administrative Process with Notice

13. The following plans and policies apply to this proposal:

- a. Garden City Comprehensive Plan
- b. Garden City Sidewalk Policy
- c. Garden City Street Light Policy

14. The applicant provided the following application information:

Materials Provided Per GCC Table 8-6A-2 Required Application Information			
Provided			
Yes	No	Waived pursuant to GCC 8-6A-4	
X			Compliance Statement
X			Neighborhood Map
X			Site Plan
		X	Landscape Plan
X			Schematic Drawings
		X	Lighting Plan
		X	Topographic Survey
		X	Grading Plan
		X	Will Serve
X			Approved Address

15. Additional application materials submitted include:

- a. Floor Plans;
- b. 300' Neighborhood List;
- c. Affidavit of Legal Interest;
- d. Application;
- e. Site Photos; and
- f. Statement of Intent.

16. Agency Comments were received from:
- i. Ada County Highway District, dated August 3, 2020
  - ii. Idaho Transportation Department, July 29, 2020

17. No public comments were received.

18. The following noticing was completed in accordance with GCC 8-6A and GCC 8-6B-3:

Noticing Requirement	Required Date	Completion Date
Receipt of application <a href="#">here</a>	07/23/2020	07/14/2020
Letter of Acceptance (30 days after receipt of application)	08/13/2020	07/21/2020
Radius Notice (15 days prior to hearing)	08/24/2020	07/23/2020
Interested Parties		n/a
Legal Notice (19 days)	08/20/2020	07/23/2020
Agency Notice (15 days)	08/24/2020	07/23/2020
Property Posting Sign (10 days)	08/29/2020	08/25/2020
Affidavit of Property Posting and Photos (7 days)	09/01/2020	08/25/2020

19. On August 17, 2020, in accordance with GCC 8-6B-3, a Public hearing before the Design Review Committee was held and application DSRFY2020-23 was continued to a date certain of September 8, 2020.

20. On September 8, 2020, a public hearing before the Design Review Committee was held:

- a. Jeff Likes presented the application via Zoom.
- b. Staff, Hanna Veal, presented the staff report.
- c. No one wished to testify on the matter.
- d. Committee Member Gresham moved to approve the application as presented.
- e. Committee Member Labrie seconded the motion.
- f. The motion passed unanimously.

21. The record contains:

- g. Application Documents
- h. Noticing Documents
- i. Agency Comments: ACHD and ITD
- j. Written Public Comments: none provided
- k. Staff report
- l. 08/17/2020 Design Review Committee Hearing Minutes
- m. 08/17/2020 Design Review Committee Hearing Audio

- n. 09/08/2020 Design Review Committee Hearing Minutes
- o. 09/082020 Design Review Committee Hearing Audio
- p. Design Review Committee Signed Findings of Fact, Conclusions of Law and Decision

22. In order to approve a design review application, the Design Committee shall make the following findings:

<b>GCC 8-6B-3 DESIGN REVIEW COMMITTEE: REQUIRED FINDINGS</b>			
Conclusion			Standard
Compliant	Not Applicable to this Application	Not Compliant	
X			<p><b>Standard:</b> The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district.</p> <p><b>Explanation:</b></p> <p><b>In Approval: The application is in conformance with the C-2 zoning district. The C-2 zoning district's intent is for activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood.</b></p>
X			<p>The proposed design adheres to standards for the protection of health, safety, and general welfare.</p> <p><b>Explanation:</b></p> <p><b>In Approval: The application increases the health, safety, and general welfare of the community by increasing the design standards of the D&amp;B Supply building.</b></p>
X			<p>The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city.</p> <p><b>Explanation:</b></p>

			In Approval: The application is in conformance with is finding as D&B Supply contributes to the uniqueness of the surrounding neighborhood by creating a better sense of place and creating a destination.
		X	The proposed design improves the accessibility of development to non-motorized and public modes of transportation. <b>Explanation:</b> <b>Not applicable. The application is for a façade change of less than 25%. As a result, most of Garden City Code is not triggered such as the requirement of sidewalk installations.</b>
		X	The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors. <b>Explanation:</b> <b>Not Applicable. The proposed design is to an existing structure.</b>
		X	The proposed design supports a compact development pattern that enables intensification of development and changes over time. <b>Explanation:</b> <b>Not applicable. The proposed design is to an existing structure. While the proposed design does eliminate the existing garage doors on the side of the building. It also allows for a more sustainable building in that the uses of such site could be expanded.</b>
		X	The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and encourages pedestrian activity.

			<p><b>Explanation:</b></p> <p><b>Not applicable. Landscaping is not required since the proposed design is less than 25% of the existing façade.</b></p>
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23. The record was reviewed by the Design Committee to render the decision.

**CONCLUSIONS OF LAW**

The Design Review Committee reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application **meets** the standards of approval under **GCC 8-6B-3 Design Review Committee**.

**DECISION**

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Design Review Committee hereby **APPROVES** the application, subject to the following conditions:

**POTENTIAL CONDITIONS FOR APPROVAL DECISION**

**Prior to Construction:**

1. A building permit shall be applied for and approved by Garden City Development Services Department.

**General Requirements:**

1. This review and approval is specific to the design of the project. Final approval is subject to the approval of other reviewing agencies. Any more restrictive standards adopted and made applicable by any Transportation Authority, Fire Authority or other Federal, State or Local regulatory agencies shall prevail. This approval shall not annul any portion of Garden City Code or other applicable regulation unless specifically noted.
2. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
3. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not. This shall include but not be limited to 8-4A General Provisions of Design and Development Regulations; 8-4I-3 and Landscape Maintenance Provisions 8-4I-9; and Standards for Transportation and Connectivity Provisions identified in 8-4E.
4. All utilities on the site, including telephone, cable television, and electrical systems shall be underground and in compliance with Garden City Code 8-4A-8.

5. Driveway openings in curbs shall comply with the requirements of the Transportation Authority. The driveway shall be straight or provide a 28-foot inside and 48-foot outside turning radius.
6. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead plant materials shall be replaced.
7. Where landscaping might impact motorist or pedestrian sight distance, shrubs shall be maintained below three feet (3') in height and trees shall be pruned so that the lowest branches will be at least seven feet (7') above the ground level.
8. A three-foot (3') clearance zone shall be maintained around the circumference of fire hydrants.
9. Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan as required by or exempted from Garden City Code 8-4I and as shown in the approved landscape plans.
10. Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock as the only ground cover in required planting areas is prohibited.
11. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
12. All planting areas that border driveways, parking lots, and other vehicle use areas shall be protected by curbing, wheel stops, or other approved protective devices.
13. Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils or planted with sufficient space to provide for the full maturity of the particular tree species.
14. All other plant material, except sod or ground cover, shall be set back a minimum of one foot (1') from any curb edge to protect from vehicle overhang and mechanical damage.
15. The landscape installation shall stabilize all soil and slopes.
16. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
17. Demonstrate compliance with or an exemption from Garden City Code 8-4G prior to certificate of occupancies.
18. This approval is for this application only. Additional permits, licenses and approvals may be necessary. All other applicable permits must be obtained prior to a Certificate of Occupancy.
19. Property Maintenance Standards shall be maintained as required by Garden City Code.
20. The property owner is responsible for the maintenance of all landscaping and screening devices required.
21. Materials submitted after the decision shall not be considered part of the record for this decision. If additional materials or information is submitted after the decision the application may be remanded to the decision-making body during which time the decision shall be stayed provided that there is no immediate threat to life or safety.

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22. Any changes in the design, construction, operation or use shall be brought to the immediate attention of the Planning Official for determination if the changes are in substantial conformance with the City's action. Any modification to approved plans shall require submittal and approval of these modifications prior to construction. Final approval is based on substantial conformance with the plans reviewed and approved.
23. Any substantial changes to the design shall be reviewed by the Design Review Committee for compliance with Garden City Code 8-4. Any other changes that are not in substantial conformance with the approval shall be remanded to the decision-making body.
24. Occupying the site prior to Certificate of Occupancy is a criminal offense.
25. There is a 15 day right to appeal to City Council. The applicant or any interested parties may appeal the decision or a part of the decision. An appeal shall be made on the form provided by the City and filed with the City Clerk within 15 days after the action of the decision.
26. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.



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

Date