



DEVELOPMENT SERVICES DEPARTMENT

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GARDEN CITY DESIGN REVIEW COMMITTEE

Thuras, LLC – Earl Sullivan
240 E. 32nd Street
Garden City, ID 83714
DSR2015-00003

) FINDINGS OF FACT, CONCLUSIONS
) OF LAW, AND RECOMMENDATION
)
)

This application was approved by the Garden City Design Review Committee on March 23, 2015. The Committee reviewed the application and materials submitted and based on the evidence presented, the Committee makes the following findings of fact and conclusions of law and decision:

FINDINGS OF FACT

1. The applicant is Thuras, LLC – Earl Sullivan.
2. The location of the project is 240 E. 32nd Street, Garden City, ID 83714.
3. The subject property is .86 acres.
4. The project is located in the Live/Work/Create Comprehensive Plan Designation.
5. The project is in the C-1 Highway Commercial Zoning District.
6. The following section of the Garden City Planning and Zoning Code apply to this proposal:
 - a) Title 8, chapter 4, article C Design Provisions for Non-Residential Structures.
 - b) Title 8, chapter 4, article D Parking and Off-Street Loading Provisions
 - c) Title 8, chapter 4, article E Transportation and Connectivity Provisions
 - d) Title 8, chapter 4, article I Landscaping and Tree Protection Provisions
7. The Following were also utilized in review:
 1. Garden City Comprehensive Plan
8. The record contains:
 - a) Application Materials
 - b) Design Review Commission minutes: March 03, 2015; March 23, 2015;
 - c) Neighborhood Map
 - d) Site Plan, landscape plan, and building elevations
 - e) Notice of Intent to Approve was sent to property owners within 300-feet of the subject property on March 23, 2015.
 - h) Findings of Fact, Conclusions of Law, and Recommendation
9. The Design Review Committee reviewed the application on March 3, 2015, and again on March 23, 2015, at which time the application was recommended for approval with conditions.

CONCLUSIONS OF LAW

Approval of the proposed Design Review is governed by 8-6B-3 D of the Garden City Code:

Based on the standards set forth in chapter 4, article C of this title, the Council makes the following findings:

1. The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district;

The proposed design meets the purpose of the C-1 Highway Commercial Zoning District and is in conformance with Garden City Code. A Food Products, Small-scale Processing facility is a permitted use in the C-1 Zoning District. In relation to the term "Food Products, Processing" as defined in Garden City Code, small-scale processing is a less intensive use: deliveries are infrequent, few employees are on-site, and tasting room hours are limited. The subject winery (small-scale processing) by definition is not permitted to operate as a drinking establishment or full service eating establishment; moreover, the winery is contractually bound with the owner of the adjacent hotel to not operate as a drinking or eating establishment.

2. The proposed design adheres to standards for the protection of health, safety, and general welfare;

The proposed design does not pose a threat to the health, safety, and general welfare of the community.

3. The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city;

The Design Review Committee recognized that the design of the winery building with a patio fronting the greenbelt provides a presence to both residents and hotel patrons in the immediate vicinity as well as passersby on the greenbelt. The patio provides an inviting opportunity as a gathering spot for people and takes advantage of both the natural and built features of the area that attract people to the area. The Design Review Committee determined that because of the significance of the greenbelt as a transportation corridor, the greenbelt serves as the "street" and as such is associated as the front yard in determining setbacks for the building.

4. The proposed design improves the accessibility of development to non-motorized and public modes of transportation;

The winery (small-scale processing) is designed with a direct connection to the greenbelt upon which people bike and walk, and guests of the adjacent hotel have sidewalk connections to the facility. The site is located approximately 700-feet from Chinden Boulevard that acts as a transit facility.

5. The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;

This conclusion of law is not applicable to this application.

6. The proposed design supports a compact development pattern that enables intensification of development and changes over time; and

The density is not applicable to this application.

7. The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.

The landscaping meets the code requirements and as approved by the Design Review Committee.

RECOMMENDATION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, the Garden City Design Committee hereby does **recommend approval** of Design Review application DSR2015-00003: Design Review Application for a Winery (Food Production: Small-scale Processing) to be located at 240 E. 32nd Street in Garden City, ID 83714, and subject to the following conditions:

Site Specific Requirements

1. The building elevation and site plans dated March 12, 2015, are approved.
2. Reduce the loading zone on the east side by 25%
3. Use a different surface material in the loading area to differentiate between the drive aisle and loading area
4. Add bike racks/bike parking
5. Staff will review these modifications

General Requirements

1. The design of this development shall meet all dimensional, landscaping and elevation requirements as required by Garden City Code Title 8 and as approved by the Design Committee.
2. Approval is subject to the statutory requirements of other reviewing agencies.
3. The design and construction of the development shall be in substantial conformance with the approved and stamped site plan, elevations and the Garden City Code, as required by Garden City Code 8-6A-10.
4. All landscaping, landscaping maintenance, and tree preservation and mitigation, irrigation, and other landscaping elements shall be installed and maintained in compliance with Garden City Code 8-4I.
5. The applicant and/or owner shall obtain a building permit prior to commencing any development, as required by Garden City Code 7-1 and 7-4.
6. Property maintenance standards shall be maintained as required by Garden City Code 8-4K.
7. For a project that is to be certified by a national or regionally accredited green building organization, prior to the issuance of a Certificate of Compliance and/or Certificate of Occupancy, documentation shall be provided to the Planning Official demonstrating the certification process is complete.
8. Approval is made subject to a 10-day appeal period to the Garden City Council as permitted in Garden City Code 8-6A-9.
9. This design review approval is valid for one year from date of this approval, as permitted by Garden City Code 8-6B-2-5. If a certificate of compliance has not been obtained within the one year period, a new application will be required.