

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	SUBFY2017-04
)	
Extension Request)	FINDINGS OF FACT,
N. Adams Street between 43 rd and 44 th Streets)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
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THIS MATTER, came before the Garden City Council for consideration on July 26, 2021. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 and 8-5B-6 the City Council makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The requestor is Briant Burke with Garden Phoenix, LLC.
2. The property owner of record is Garden Phoenix LLC.
3. The location of the project is Street Address: 6515 W. State Street, Garden City, Idaho.
4. The application is located at N. Adams St., Garden City, ID 83714. Assigned Ada County Parcel #: R2734500898; Par #08 CTR portion of lots 18-19 block 3 Fairview Acres No 1.
5. The final plat was approved for one year by City Council on September 28, 2020.
6. The City received a one-year extension request in writing on July 15, 2021 noting cause related to:
 - a. Pending sale of the subdivision project and the resulting change of responsibility for the project.
 - b. Inability to obtain financing.
7. The City Council considered request on July 26, 2021.
 - a. Jenah Thornborrow provided a staff report.
 - b. Jim Conger presented the request.
 - c. Council Member Jorgensen moved to approve the request.
 - d. Council Member Souza seconded the motion.

e. The motion passed unanimously.

8. The record contains:
- a. Applicant request.
 - b. Record documents for SUBFY2017-04

9. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Conclusions
GCC 8-5B-6 Term of Subdivision Permit	N/A	Not applicable with an extension approval.
GCC 8-6A-8 Expiration of Approvals	Yes	<p>1. Good Cause exists for the request:</p> <p><u>Explanation:</u> Good cause for the request exists. The applicant was unable to obtain financing and has sold the project. The new owner of the project will be responsible for the completion of the project.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> The applicable city regulations have not changed.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p>There has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p>4. The property appears to be compliant with codes and laws:</p> <p>There are no known code enforcement issues at this location.</p> <p>5. It is in the City's best interest to grant the extension:</p>

		It is in the City's best interest to grant the extension.
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CONCLUSIONS OF LAW

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does** meet the standards of approval under G.C.C. § 8-6-A.8.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Garden City Council does hereby **Approve** this request for an extension of the building permit.

1. This approval is for a one-year extension to September 28, 2022.
2. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
3. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.

 
Mayor, John G. Evans Date