



DEVELOPMENT SERVICES DEPARTMENT

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To: City Council
From: Jenah Thornborrow, Development Services Director
Subject: DSRFY2019-23 Extension Request
Date: For September 14, 2020 City Council Meeting

Request

Extension of design review approval, DSRFY2019-23, apartments located at 6265 Strawberry Glenn Road to a date of December 3, 2021.

Request Justification

On August 31, 2020 the applicant requested an extension in writing noting:

1. The applicant has been working diligently towards completing the project and has advanced on infrastructure improvements. However, COVID-19 has impacted the ability to meet the one-year timeframe for building permit submittal.
2. The applicant notes no known changes in code or policies.
3. The applicant maintains that the request is in the best interest of Garden City in that the project meets the required findings for the application type.

Pertinent Code

Ordinance No. 1002-18 adopted on January 28, 2019 amending the extension process. Below are the current sections of pertinent code.

SECTION 9. That Title 8, Chapter 6, Article A, Section 8 (“Expiration of Approvals”), Garden City Code, be, and the same is hereby amended to read as follows:

- A. All application approvals shall expire three hundred sixty five (365) days from the date of approval unless:
- 1) the city issues a building permit for the proposed improvement, development, or use prior to the expiration of the three hundred sixty five (365) day period; or
 - 2) by condition of approval or development agreement, a time period for completion of the application has been specified; or
 - 3) a certificate of compliance has been issued; or
 - 4) The final plat of a subdivision approval is recorded with Ada County; or otherwise defined by section 8-5B-6 of this title.
- B. City Council may allow for an extension of not more than three hundred sixty-five (365) days provided that they find:
1. Good cause for the request; and

2. The application and/or applicable city regulations have not changed; and
3. There has been no major change in the neighborhood, plans, or policies that would affect the compatibility of the project; and
4. The subject property is compliant and has been compliant, or actively pursuing compliance with all city, state and federal codes and laws since the date of application; and
5. It is determined by the City Council that it is in Garden City's best interest to grant the extension.
6. A request for an extension is no guarantee that the extension will be granted.

Analysis

Staff has not identified any changes to code, policy, or other regulations that pertain to this design review approval. Furthermore, staff is unaware of any current code violation on the subject property.

Attachments

- [Extension Request](#)
- [Draft potential City Council Decision](#)
- [DSRFY2019-23 Decision Document](#)
- [DSRFY2019-23 Record Documents](#)