

BEFORE THE CITY COUNCIL  
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:	)	DSRFY2019-23
	)	
Extension Request	)	FINDINGS OF FACT,
Address: 6265 N. Strawberry Glenn	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER, came before the Garden City Council for consideration on September 14, 2020. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 (as amended in 2018 by Ordinance 1002-18), the City Council makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The request is to extend the approval of DSRFY2019-23 to a date December 3, 2021.
2. The requestor is Dave Eadie with Kennedy Wilson.
3. The property owner of record is KW River Pointe Premiere LLC.
4. The location of the project is 6265 N. Strawberry Glenn Road, Ada County Parcel R8191505455; PAR #5455 of Lot 21 Strawberry Glenn Subdivision.
5. Design Review Application, file, DSRFY2019-23 was approved November 18, 2019 and signed on December 3, 2019. The approval is valid for one year.
6. On August 31, 2020 the applicant requested an extension in writing noting:
  - a. The applicant has been working diligently towards completing the project. However, COVID-19 has impacted the ability to meet the one-year timeframe.
  - b. The applicant notes no known changes in code or policies.
  - c. The applicant contends that the request is in the best interest of Garden City in that the project meets the required findings as identified in the decision.
7. The City Council considered request on September 14, 2020:
  - a. **This will be completed after the City Council's consideration.**
8. The record contains:
  - a. Extension Request
  - b. Decision Document
  - c. DSRFY2019-23 Record Documents

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

Standards	Compliant	Conclusions
<p><b>GCC 8-6A-8 Expiration of Approvals</b> (as amended in 2018 by Ordinance 1002-18)</p>	<p>Yes/ No/ N/A</p>	<p>1. Good Cause exists for the request: <u>Explanation:</u></p> <p><b>APPROVAL</b> Good cause for the request exists. The application is not meeting Garden City code's timeframes due to COVID-19.</p> <p><b>DENIAL</b> Good cause does not exist for the request. There are not extenuating circumstances that have been identified that warrant an extension.</p> <p>2. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project: <u>Explanation:</u></p> <p><b>APPROVAL</b> There has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p><b>DENIAL</b> <u>Explanation:</u> There has been change in the neighborhood, plans or policies that affect the compatibility of the project. cite</p> <p>3. The property appears to be compliant with codes and laws: <u>Explanation:</u></p> <p><b>APPROVAL</b> There have not been changes to applicable codes and laws. There are no unknown code violations.</p>

		<p><b>DENIAL</b>  <u>Explanation:</u> The property is not compliant with codes and laws: cite</p> <p>4. It is in the City's best interest to grant the extension:</p> <p><u>Explanation:</u>  <b>APPROVAL</b>  It is in the City's best interest to grant the extension.</p> <p><b>DENIAL</b>  It is not in the City's best interest to grant the extension.</p>
--	--	--

**CONCLUSIONS OF LAW**

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does/ does not** 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/ Deny** this request for an extension of the building permit.

---

Mayor, John G. Evans

Date