

August 31, 2020

VIA ELECTRONIC MAIL (building@gardencityidaho.org)

Garden City City Council
6015 Glenwood Street
Garden City, Idaho 83714

RE: Request for Extension - DSRFY2019-23

Dear City Council Members:

KW River Pointe Premiere, LLC (“KW”) is developing the property located at 6265 N. Strawberry Glenn Road in Garden City (the “Property”). In the above-referenced file (the “Project”), the Garden City Design Review Committee approved KW’s application on December 3, 2019. Garden City application approvals expire one year from approval pursuant to Garden City Code 8-6A-8A, unless extended. We provide this request for a one-year extension of the approved Project, pursuant to Garden City Code 8-6A-8B, as supported by the following sections.

Garden City Code 8-6A-8B(1) – Good Cause:

Since the inception of the project, KW has been diligently working towards completing (i) the infrastructure plans and (ii) the building plan sets for the Project. KW is currently in the second round of planning review with Garden City regarding the infrastructure package and anticipates receiving infrastructure permits prior to the end of September 2020. ACHD has recently approved this same infrastructure package. KW also expects the initial set of vertical building plans will be available prior to the end of September 2020.

COVID-19 has greatly impacted KW’s ability to complete these items within one year after approval. The development team has worked to adapt to the challenges presented by COVID-19 and is currently operating at full force once again.

Garden City Code 8-6A-8B(2) – Application and Applicable City Regulations Unchanged:

The application for the Project, as originally submitted to the Garden City Design Review Committee, remains unchanged.

The application filed by KW was subject to the following standards:¹

- a. Title 8-Chapter 4, Article A: “General Provisions”;
- b. Title 8-Chapter 4, Article B: “Design Provisions for Residential Structures”;
- c. Title 8-Chapter 4, Article C: “Design Provisions for Nonresidential Structures”;
- d. Title 8-Chapter 4, Article D: “Parking and Off Street Loading Provisions”;
- e. Title 8-Chapter 4, Article E: “Transportation and Connectivity Provisions”;
- f. Title 8-Chapter 4, Article I: “Landscaping and Tree Protection Provisions”;
- g. Title 8-Chapter 4, Article L: “Open Space Provisions”;
- h. The Garden City Streetlight Policy; and
- i. The Garden City Sidewalk Policy.

¹ Findings of Fact, Conclusions of Law and Decision (DSRFY2019-23) at 4.

Based on our research of the amendment history of the applicable code sections, none of the applicable Garden City sections have been amended, repealed or otherwise modified since the date of submission of KW's initial application (October 28, 2019).

Garden City Code 8-6A-8B(3) – No Major Change in Neighborhood, Plans, or Policies:

KW is not aware of any major changes in (i) the surrounding neighborhood of the Property, (ii) any relevant plans, or (iii) any relevant policies that would impact the compatibility of the Project.

Garden City Code 8-6A-8B(4) – Compliance With All Codes and Law:

To KW's knowledge, the Property is compliant with all state and federal codes and laws since the date of the initial application.

Garden City Code 8-6A-8B(5) – Best Interests of Garden City:

The Project was approved by the Garden City Design Review Committee, is consistent with the City's standards, plans and policies, and will be a great addition to the City. Design Review Committee members commented favorably on the applicant's efforts and the design of the Project, and the Committee issued the following findings regarding the Project:²

1. The proposed design conforms with the purpose of the zoning district and all dimensional regulations of the zoning district;
2. The proposed design meets the applicable standards for the protection of health, safety and general welfare;
3. The proposed design creates a sense of place and adds to the distinctiveness of the districts and neighborhoods in Garden City; and
4. The proposed design provides outdoor spaces and landscaping suitable for the climate and encourages pedestrian movement.

COVID-19 has caused many businesses to experience hardship and delay. KW and the entire development team have worked hard to overcome those challenges and are ready to move forward with the approved Project. For these reasons, we believe the granting of the extension is in the best interests of Garden City.

Garden City Code 8-6A-8B(6) – No Guarantee of Extension:

KW recognizes that this request for an extension to KW's initial application provides no guarantee the extension will be granted.

Thank you for your consideration of this request.

Sincerely,


Dave Eadie, Applicant

² Findings of Fact, Conclusions of Law and Decision (DSRFY2019-23) at 3, 5, 6.