

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	SUBFY2022-0005
)	
Extension Request)	FINDINGS OF FACT,
Address: 8373 W. Chinden Boulevard)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
_____)	

THIS MATTER came before the Garden City Council for consideration on November 13, 2023. 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 Gregg E. Davis with Breckon Land Design.
2. The property owner is Coffey Townhomes, LLC.
3. The location of the project is 8373 W Chinden Blvd; Taxing Parcel Number(s): R8191500522, R8191500605, R8191500577, and R8191500598.
4. The properties are described as:
 - a. PAR #0522 OF LOTS 1, 2 & 41 STRAWBERRY GLENN SUB IN TCA 06-7
 - b. PAR #0605 OF LOTS 1, 2 & 41 STRAWBERRY GLENN SUB IN TCA 06-8 #0600-0820-C
 - c. PAR #0577 OF LOT 2 STRAWBERRY GLENN SUB
 - d. PAR #0598 OF LOTS 2 & 41 STRAWBERRY GLENN SUB
5. The subdivision, file, SUBFY2022-0005 was approved November 28, 2022, for seventy-six residential units. The approval was valid for one year.
6. On September 23, 2023, the City Council granted a one-year extension of the project in writing noting:
 - a. Delays in the construction documents; and
 - b. Market conditions created delays.
7. The City Council considered request on November 13, 2023.
8. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Conclusions
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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 does exist in that there were delays in the construction documents, and market condition created delays.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> The city regulations have changed but the application has not changed, therefore this requirement is met.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p><u>Explanation:</u> 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><u>Explanation:</u> There are no current open code enforcement cases at the subject property.</p> <p>5. It is in the City's best interest to grant the extension:</p> <p><u>Explanation:</u> The construction documents have been submitted to the city. As this application meets the findings, it is</p>

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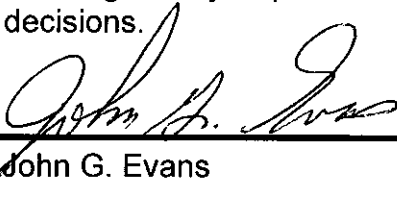
CONCLUSIONS OF LAW

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 § 8-6-A. 8 and § 8-5B-6.

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 **November 28, 2024**.
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.



November 13, 2023

Mayor, John G. Evans

Date