

June 8, 2026

Mayor Bill Jacobs and Members of the City Council
City of Garden City
6015 N. Glenwood Street
Garden City, Idaho 83714

Re: Request for Reconsideration — SUBFY2025-0003 (The Strand)

213 & 215 E. 35th Street
Ada County Parcels R2734540790 and R2734540770
Approval Timeline

Mayor Jacobs and Council Members:

This letter is a timely request for reconsideration of the City Council's May 26, 2026 decision regarding the approval timeline for The Strand (SUBFY2025-0003) at 213 & 215 E. 35th Street, submitted within the window prescribed by Idaho Code § 67-6535(2)(b).

I want to be clear at the outset: I am not asking the Council to reconsider because I believe the Council made an error. The Council exercised its discretion, and I respect that. I am asking the Council to reconsider in light of the considerations set forth below, which I do not believe were fully developed when the Council ruled.

I. The Discretion the Code Provides

Garden City Code § 8-6A-8 contains three operative provisions relevant to project timelines:

- Subsection (A) sets a default 2-year expiration for application approvals, “unless otherwise specified by this code.”
- Subsection (A)(3) expressly provides that the default does not apply where, “by condition of approval or development agreement, an alternate time period for completion of the application has been specified.”
- Subsection (C) provides a separate post-approval mechanism for a single 1-year extension granted on a showing of good cause.

Subsection (A)(3) is an independent path. It gives the Council express discretionary authority to specify an alternate timeline as a condition of approval at the time of approval, separate from and not limited by the 2+1 mechanism in subsections (A) and (C). It is the exercise of that (A)(3) discretion that I am respectfully asking the Council to consider.

II. The Two-Year Window Does Not Fit the Realities of Small Infill

The Strand is a small project, six townhome units across two lots, but the underlying business realities require more time than the 2+1 default allows. Small infill projects of this kind typically require:

- 12 to 18 months from approval to secure construction financing in current market conditions;
- 6 to 12 months for final design, permitting, and pre-construction;

- 12 to 18 months for construction itself; and
- Buffer time for unanticipated delays in labor, materials, or capital markets, all of which have been volatile in recent years, with construction costs rising sharply since 2019.

Taken together, that cumulative timeline approaches or exceeds the three years available under the 2+1 default, leaving no meaningful margin. The result is that an applicant must either compress the project before its financial and operational foundations are sound, or risk losing the entitlement.

III. Conditions of Approval Are the Proper Vehicle, Not the Building Permit Cycle

Garden City's code contemplates two distinct points at which development timelines are addressed. The first is the entitlement stage, where § 8-6A-8(A)(3) allows the Council to specify an alternate completion period as a condition of approval. The second is the building permit stage, governed by § 7-1-6, which operates on short 180-day cycles with a limited number of administrative extensions.

The building permit cycle is designed for projects already moving into construction. It is not a substitute for an adequate pre-construction entitlement window. When the entitlement window is too short, an applicant is effectively pushed to pull a building permit and break ground prematurely, before financing is fully in place, simply to convert a long pre-construction period into a series of short building-permit extensions. That is precisely the pattern that produces the half-built, stalled projects the Council has expressed concern about elsewhere in the City.

Setting an adequate completion period through a condition of approval at the entitlement stage is the responsible alternative. It allows an applicant to secure full financing before breaking ground, avoids manufacturing a partially constructed project to preserve a timeline, and keeps the project at the entitlement stage where it belongs until it is ready to build. That is the outcome the City should want to encourage, and § 8-6A-8(A)(3) already provides the tool to do it.

IV. Policy Context and the Council's Demonstrated Practice

The Council has both the authority and the established practice of accommodating development horizons longer than the 2+1 default when a project warrants it. The Boardwalk development at 521 E. 41st Street is one publicly known example: a multi-phase, mixed-use project whose approved build-out extends well beyond the apartment buildings already constructed, including a later high-rise component. Whatever statutory mechanism supports that timeline, the point is the same: longer horizons are within the Council's authority and practice.

The Council's recent record confirms this directly. At its March 9, 2026 meeting, the Council held a work session on the extension process, including a presentation by the Development Services Director and a legal memorandum from the City Attorney addressing the distinction between Title 8 and Title 7 extensions. That same evening, the Council granted:

- A Title 8 extension for Petra Point Subdivision (SUBFY2021-0010);
- A Title 8 extension for Elle Estate Subdivision (SUBFY2022-0004); and
- A building permit extension for Creation Row, Phase 2 (BLDFY2022-0009 through 0025).

The City's own active subdivision report further lists numerous projects that received final plat approval but where construction has not yet begun. These records establish, in the City's own words, that the standard timeline frequently does not match the real pace of development, and that relief from it is a routine part of the City's practice. What § 8-6A-8(A)(3) allows is simply to address that reality at the front end, by condition, rather than through repeated after-the-fact extension requests or premature construction.

V. The Relief Requested

A five-year completion period provides reasonable certainty for an applicant to assemble financing and execute the project on sound footing, without the recurring uncertainty of serial extensions or the pressure to break ground prematurely. Accordingly, I respectfully request that the Council:

1. Exercise its discretion under Garden City Code § 8-6A-8(A)(3) and specify a five-year completion period for SUBFY2025-0003 as a condition of approval, with the one-year good-cause extension under subsection (C) remaining available as a separate backstop; or
2. In the alternative, make an explicit finding on this request and specify whatever alternate completion period the Council finds appropriate under § 8-6A-8(A)(3), so that the timeline reflects a reasoned determination rather than the default applied by silence.

VI. Conclusion

I am grateful for the Council's approval of The Strand and I am not asking the Council to disturb it. I am asking only that the Council use the discretion the code already provides to set a completion period that matches the realities of building a small infill project in the current market, and that does so at the entitlement stage where the code intends it, rather than forcing premature construction to preserve the project. I believe these considerations were not fully developed when the Council ruled, and I respectfully request that the Council reconsider the approval timeline and grant the relief requested.

Thank you for your consideration.

Respectfully submitted,



Hannah Ball

Development Consultant, on behalf of the owner
SOUL34 LLC, Owner of 213 & 215 E. 35th Street

Date: June 8, 2026

Enclosure: SUBFY2025-0003 Findings of Fact, Conclusions of Law, and Decision (May 26, 2026)