

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	
	)	
SUBFY2023-0002: Extension Request	)	FINDINGS OF FACT,
Address: 3981 N. Reed & 415 E. 40 th Street	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION

THIS MATTER came before the Garden City Council for consideration on July 13, 2026 and July 27, 2026. 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 applicant is Teran Mitchell.
2. The property owner of record is Reed Street Development II LLC.
3. The location of the project is:
 - a. 3981 N. Reed Street; Taxing Parcel Number R2734560115; Property is described as LOTS 10 & 11 EXC DEED TO GARDEN CITY BLK 1 FAIRVIEW ACRES # 7 #869943 VIN 70244CKDS3151 TL # B453770;
 - b. 415 E. 40th Street; Taxing Parcel Number R2734560096; Property is described as PAR #0096 OF LOTS 12 & 13 BLK 1 FAIRVIEW ACRES SUB 7 #0095 S VIN # 60CK4TU449 TL#.
4. The extension ordinance that was in effect at the time of the application was ordinance 1032-23.
5. The application was approved for two years by the City Council on July 10, 2023, with an expiration date of July 10, 2025.
6. A one-year extension was granted until July 10, 2026.
7. The City received a one-year extension request in writing on June 15, 2026.
8. The City received supplemental information on July 17, 2026.
9. The record contains:
 - a. Written request

- b. Supplemental submittal
- c. Staff memorandum dated, July 13, 2026
- d. Record materials for file SUBFY2023-0002

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

- a. GCC 8-5B-6 Term of Subdivision Permit
- b. GCC 8-6A-8 Expiration of Approvals

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 G.C.C. § 8-6-A.8.

Standards	Compliant	Conclusions
GCC 8-5B-6 Term of Subdivision Permit	N/A	Not applicable with an extension approval.
GCC 8-6A-8 Expiration of Approvals	Yes	1. Good Cause exists for the request: <u>Reasoned Statement:</u> The City Council has reviewed the request for an extension and the supporting information in the record. Based on that review, the Council finds that good cause exists. The record indicates that project delays have been influenced by broader residential market conditions, including reduced unit absorption and variability in construction costs. These conditions have contributed to increased complexity in project scheduling and feasibility, particularly in relation to potential changes to the floodplain, which would have significant impacts to the cost of construction. The Council finds that the project continues to be actively advanced. The applicant has proceeded with civil engineering coordination, the preparation and revision of

		construction documents, and refinement of the building design to align with current construction costs and subcontractor availability. The record further reflects ongoing efforts to secure construction financing, including monitoring local rental market conditions and engaging with lenders. The Council also considers the ownership's demonstrated investment in the project, including substantial expenditure on professional services and City fees, as evidence of continued intent to move the project forward. In addition, the record identifies a site-specific floodplain condition resulting in delays while waiting for resolution. The Council finds that this condition is a physical characteristic of the site, affects design and financing considerations, and is outside the applicant's direct control. Based on these factors, the Council determines that the delay is attributable to a combination of market conditions, site constraints, and project-related complexities, rather than a lack of diligence. Accordingly, the Council finds that good cause exists to support the requested extension. 2. The application and or applicable city regulations have not changed. <u>Reasoned Statement:</u> Garden City Code Planned Unit Development (PUD) has been amended by Ordinance 1056-25. It is acknowledged that the previously approved SUBFY2023-0002 would not meet all the requirements of the new ordinance if submitted today.
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		However, the purpose of the new ordinance was not to invalidate existing approvals, but rather to repeal the existing PUD and Minor PUD ordinance and replace them with a new comprehensive ordinance that addresses the identified issues of the prior regulations. While the City has adopted a new PUD ordinance, this change does not apply retroactively to projects approved under the prior code. The applicant is requesting an extension of the original approval without proposing any modifications to the previously approved plan. 3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project: <u>Reasoned Statement:</u> There has not been change in the neighborhood, plans, or policies that affect the compatibility of the project. 4. The property appears to be compliant with codes and laws: <u>Reasoned Statement:</u> There are no current open code enforcement cases at the subject property. 5. It is in the City's best interest to grant the extension: <u>Reasoned Statement:</u> The City Council finds that granting the requested extension is in the best interest of the City.
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		The record demonstrates that the project remains active and that the applicant continues to make measurable progress on engineering, design, and financing efforts. Allowing additional time supports completion of an approved project that has already undergone substantial review and investment of both public and private resources. The Council recognizes that current site-specific conditions including potential changes to the regulatory floodplain, have affected project timing. Granting an extension allows this issue to be addressed in a manner that supports a viable and code-compliant development, consistent with the original approval and conditions established by the City. The Council further finds that providing additional time promotes efficient use of prior City review efforts and avoids the need for duplicative entitlement processes, which would require additional staff and Council resources. Additionally, the extension supports the continued advancement of a residential development that contributes to the City's housing supply. Maintaining the project's active status allows it to proceed toward construction when conditions stabilize, rather than risking expiration and potential delays associated with reapplication. Based on these considerations, the Council determines that granting the extension is in the best interest of the City.
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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.

1. This approval is for a **one-year** extension to **July 10, 2027**.
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.



July 27, 2026

Mayor, William L. Jacobs

Date