

From: [Hannah Ball](#)
To: [Bill Jacobs](#); [Wendy Carver-Herbert](#); [James Page](#); [Kent Rasmussen](#); [Teresa Jorgensen](#)
Cc: [Hanna Veal](#); [Jenah Thornborrow](#); [Jodi Eichelberger](#)
Subject: Public comments- Hannah Ball ACHD SAP proposal
Date: Monday, September 28, 2026 2:22:13 PM

Dear Mayor and Council Members,

I am writing as a development professional who works in Garden City, lives in this community, and has spent years understanding the working parts of this neighborhood. I am not here tonight to oppose a vision for Heron Commons. I am here because I believe this site deserves the right process, and because there are people in this neighborhood who deserve to be named before this council votes.

This stretch of Garden City along the river corridor is home to something rare. It has an authentic creative community that did not get there by accident. Artists like Reham and Ken McCall work out of the warehouse spaces in and around this area and contribute something to Garden City's identity that no zoning ordinance can manufacture. They are exactly the kind of people a thoughtful redevelopment plan is built around, not displaced by.

I am asking this council tonight to acknowledge that a transition plan for the existing artist community in this corridor must be part of any responsible redevelopment framework for this site. Reham and

Ken McCall, and others like them, should not find out they are being displaced after a zoning ordinance has already been adopted. That conversation needs to happen before the framework is set, not after. The future buyer of this property, going through the process the code was designed to require of applicants, is the right entity to have that conversation with the community. A developer who engages the artists, the neighbors, the business owners, and the surrounding residents will produce a plan this city can be proud of. The city moving first removes that possibility.

I have spent considerable time understanding this site, its code context, its neighbors, and its potential.

Whoever purchases this property will need someone who already knows the working parts of this neighborhood and can build a plan with the community rather than over it. I believe that kind of partnership is how this site reaches its real potential. Locking in a regulatory framework tonight, before that partnership has had a chance to form, creates a ceiling where there should be an open conversation.

Beyond the community concerns above, I want to flag several issues with the process and legal framework behind SAPFY2026-0001 and the proposed Ordinances 1071-26 and 1072-26 that I believe

council should carefully weigh before voting tonight.

The Specific Area Plan tool was designed to be initiated by a future property owner or developer, not the city acting in anticipation of a sale. The code requires the applicant to hold neighborhood meetings, engage the community, and work through a rigorous public process. When the city does this first, it captures the narrative and removes that opportunity from whoever buys the land.

The staff report itself includes a spot zoning analysis, which tells you the city knows this action is legally exposed. The Comprehensive Plan designations cited as justification, Future Planning Area, Mixed Use Commercial, Mixed Use Residential, Main Street Corridor, apply broadly across the city. They do not uniquely justify targeting these specific parcels.

A city-initiated rezone timed to an anticipated sale is the textbook fact pattern for a spot zoning challenge under Idaho law. Courts look at practical effect, not the label on the ordinance.

If this action materially affects property value before a sale closes, it creates exposure for a regulatory takings claim under Idaho's Private Property Rights Act.

Portions of the legal framework in the proposed ordinance are not clearly defined in the ways Idaho Code requires of zoning ordinances. That ambiguity creates additional exposure as development applications eventually come in.

If the city has identified real gaps or problems in the current code, the right response is a citywide code amendment that applies equally and consistently, not a site-specific ordinance written around a particular transaction.

I raise these points not to obstruct but to ask that this council carefully consider the actions being taken tonight. This site is too important to Garden City's future to move forward on a framework that may not hold up legally, that skips the community engagement the code was built to require, and that forecloses possibilities before the right conversation has even started. I am happy to discuss any of this further.

All The Best,

Hannah Ball
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