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HEARING
Q=Mayor John Evans
A=Council Member Beaumont
A1=Mr. Lewis
A2=Man
A3=JoAnn Butler
A4=Jenah Thornborrow
A5=Charles Wadams
A6= Council Member Higgins
A7=Andy Erstad
A8=Lisa Leiby
A9=Council Member Page
A10=Council Member Souza

Q: This is a Design Review Decision, that Uh, that we received some objection on. The hearing tonight will be conducted, uh, in the same manner as we conduct appeals. Um, the - for the record, uh, the - during the course of the hearing, uh, the person objecting and representative, uh, will have an opportunity to discuss, uh, the specific components of the Design Review decision that they are appealing. Um, before we go any further, uh, who's representing, uh, the Appellant, the person who is objecting? Is there anyone here representing the Appellant, on their side? That would be the person that filed the objection to this Design Review Action.

A: Mayor, I think it's, uh, Mr. Lewis. He's waving his hand.

Q: Okay. Okay. Um, Mr. Lewis, have you had an opportunity to review the record that was established during the Design Review Committee?

A1: Briefly.

Q: 'Kay. Um, this is your opportunity to take any issue with the content for accuracy.

A1: (Unintelligible). Okay so you want me to start our...

Q: No. I just want - first of all, were you at the hearing?

46 A1: Yes.
47
48 Q: Okay. Are you representing, uh...
49
50 A4: Ms. (Tabor)...
51
52 Q: Pardon me?
53
54 A4: Ms. (Tabor).
55
56 A5: (Tabor).
57
58 Q: Are you representing Ms. (Tabor) in this action?
59
60 A1: Yes. (Unintelligible)...
61
62 Q: 'Kay. So the question is , Mr. Lewis is, are you challenging (unintelligible)the
63 record that is before the Council now.
64
65 A1: I don't understand (Unintelligible) the objection so, ...
66
67 Q: Well... well, it makes it very difficult (Unintelligible) if you can't - if you
68 can't, uh, represent. One of the items that I have to determine is, uh, whether
69 you're challenging accuracy of the record. If you can't do that, um, then, uh,
70 is uh Talbot with you?
71
72 A5: (Tabor).
73
74 Man: Tabor is with me. And he... (Unintelligible)
75
76 Q: (Tabor), I'm sorry.
77
78 Man: Yes, sir. (Unintelligible) objections about it.
79
80 Q: Well, we have a protocol we have to follow, um, if someone makes an
81 objection. And the matter before the Council tonight is whether or not the
82 Design Review Committee made an error in the interpretation of the code
83 when they approved, uh, this application. So it's important to know if they're -
84 before we get into the - to the specific objections, uh, whether or not there's a
85 challenge to how accurate the record is that - that you're basing the objections
86 on.
87
88 A1: (Unintelligible)...
89
90 Q: Well, I need to - hang on just a minute.

91
92 A1: (Unintelligible)...
93
94 Q: Okay. Uh, is Ms. (Tabor) there?
95
96 A1: Yes.
97
98 Q: Uh, if you're gonna represent her you need to ask her if she has a - if she's
99 challenging the accuracy of the report that was, uh, submitted to the Council
100 representing a record was established in the Design Review Committee. If she
101 is I need to know what she's challenging. Not - not her objection, but whether
102 the record that the way the meeting was recorded and conveyed to the City
103 Council. That she's taking issue with that.) She will have an opportunity to
104 discuss the specific objections later in the hearing. But I gotta get it through
105 this at some point here first.
106
107 A1: (Unintelligible) Sir, I do not have any objections
108
109 Q: Yes, it's all right. Okay. Let the record reflect that, uh, the Appellant has, uh,
110 accepted the record. Um, who's representing the Respondent. JoAnn, are you
111 representing the respondent ...
112
113 A3: Yes.
114
115 Q: ...(unintelligible) - okay. Are there any errors on the record that you can
116 identify?
117
118 Q4: (Unintelligible)... Um, Mayor, (Unintelligible).
119
120 Q: (Unintelligible)...
121
122 Q1: (Unintelligible)...
123
124 Q: So we'll get into all the merits of the issue here. And I just wanna make sure
125 we got on the record that the Council has if you have any objections to the
126 accuracy of that record.
127
128 A3: Uh, no, I don't.
129
130 Q: Okay. Okay.
131
132 A3: Sorry. JoAnn Butler 9607 E. Parkcenter .
133
134 Q: Okay. Representing, uh...
135

- 136 A3: Representing Vida Properties, the Applicant for the Boardwalk Project. Thank
137 you.
138
- 139 Q: Thank you very much. Okay. Uh, the standard of review, uh, there's
140 (deference) to the Design Review Committee decision. The burden of proof is
141 on the Appellant. That would be the person, uh, Ms. (Tabor)'s representative.
142 The order of the hearing will be, uh, the Appellant. That would be, um, Ms.
143 (Tabor) or her representative. Uh, then Ms. Butler representing the
144 Respondent. And then Ms. (Tabor) or your representative will have an
145 opportunity for any rebuttal. We will get through) that process. The action
146 required by the Council will be determined by the Design Review Committee
147 correctly interpreted the code. And if their decision was supported by the
148 code). Uh, and indicate whether the Design Review Committee made any
149 errors in their interpretation or application of the code.
150
- 151 A5: Mr. Mayor?
152
- 153 Q: Yes.
154
- 155 A5: May I ask a question? Just a (point of order)?
156
- 157 Q: Absolutely.
158
- 159 A5: Does each side have 15 minutes to present?
160
- 161 Q: Um, yes. We ask the, um, both sides to, uh, limit your comments to 15
162 minutes your, uh, presentation of the case. So with that, Ms. (Tabor), uh, if
163 Mr. Lewis could speak to her. Uh, this is your opportunity to state your
164 objections with the approval of the, uh, application. And to the degree -- and
165 be as specific as you can -- regarding, um, where the Design Review
166 Committee may have made an error in their decision. So the floor is yours.
167
- 168 A1: Hey, thank you very much.
169
- 170 A1: First off I would like to say (Unintelligible)... With that being said
171
- 172 A1: (Unintelligible). 8-4b-1, C - To ensure that the design of structures and site
173 development is compatible with the intended character of the neighborhood as
174 set forth in the comprehensive plan. This development is neither compatible,
175 nor supportive of the surrounding community (Unintelligible) Uh, the next
176 code is 8-4C-3. The design of all structures shall have a scale, massing and
177 urban form that has a relationship to the street, the pedestrian, and adjacent
178 properties. This development has a scale and massing that is in extreme
179 contrast to the surrounding neighborhood and properties. (unintelligible).
180 Explore new and innovative ways to assess the needs of all community

181 members. This is 1.3.4. this development does not support the needs of the
182 surrounding community. 1.5 objective celebrate the historic, the cultural and
183 the artistic. This development removes a large amount of cultural diversity
184 from our neighborhood and replaces it with housing that is neither accessible
185 or supportive of vulnerable populations of cultural diversity in our city. 2.3.1
186 harmony with neighborhood, (unintelligible) neighborhood in many ways
187 including traffic and the lack of affordable housing. Accessibility that
188 minimizes traffic, especially on surrounding neighborhoods (unintelligible) is
189 going to be opportunity for a mix of housing (Unintelligible) is going to be a
190 possibility. 6.2 Continue to be a leader and set an example for the region in
191 creating a diversity of housing. This project eliminates some of the most
192 diverse housing in the city. This project is the exact opposite of leadership in
193 housing diversity. Participate in and support a regional dialogue on affordable
194 housing. Better understand the future housing challenges and need for
195 affordable housing. Partner with private developers and other agencies in
196 maintaining a supply of affordable housing. Use the city's positive
197 experiences as examples for other communities to follow. This project
198 doesn't even (unintelligible). 6.3 Maintain the diversity of housing. This
199 project eliminates much needed low income housing and cultural/age
200 diversity, without providing a replacement. Provide for a variety of housing
201 types in the Land Use Code including smaller cottage and second housing
202 units. Allow for housing that attract niche markets such as senior housing,
203 live-work structures, and cooperative housing. This project is the opposite of
204 this distinction, and is detrimental to current residents who could benefit from
205 such development. Continue to explore opportunities that encourage mixed
206 income housing in new developments. This is an ideal project to explore
207 mixed income housing, however there has been zero attempt to require or
208 request such. This is a very important step in the development of our city that
209 seems to be grossly overlooked. Protect neighborhoods from through traffic.
210 This project stands to increase through traffic in the neighborhood from the
211 current 28 families with cars, to over 300 families with cars on a dead end
212 street without the infrastructure to support it. 10.3.2 Recognize the stability of
213 many areas within the city and focus future planning efforts on neighborhoods
214 of rapid change and regeneration, especially east of Glenwood Street on both
215 sides of Chinden Boulevard. The removal of low income housing and
216 vulnerable population housing from the neighborhood is very negative to the
217 stability and cultural diversity of the neighborhood and city as a whole. 10.4.3.
218 Provide a transition in the height and scale of development that is compatible
219 with the existing surrounding neighborhoods. This project is in no way, shape
220 or form compatible with the current neighborhood. The scale is much larger
221 than anything in the neighborhood. 11.2 . Investigate the feasibility and
222 community support for creating a cultural center, museum, theater and a
223 community center for all ages. We can create as many cultural centers as we
224 want, however, if we eliminate all the culture from the neighborhood, the city
225 is supporting an obvious anti-cultural diversity agenda. On a periodic basis,

226 evaluate the effectiveness of all community services and facilities in meeting
227 the needs of the community. How does this meet the needs of the community?
228 Displacement, removal of low income housing, lack of reasonable access to
229 proposed facilities, and burdening small residential neighborhoods to high
230 density through traffic. Is this how the city meets our needs? Work in
231 partnership with groups such as AARP, the Looking Glass Academy, and the
232 Garden City Community Collaborative in continually assessing the physical,
233 social, health, mobility, educational and cultural needs of the city. Removing
234 affordable housing without replacing it, particularly housing that supports a
235 Hispanic and elderly community, is counter productive if this is actually a
236 desire of the city. 12.3.2 Recognize the economic value of the arts and culture.
237 Explore additional ways to brand and promote the existing and attract
238 additional arts and culture venues to the community. Proposed project does a
239 good job of removing the current culture and diversity and provides no
240 affordable artist or cultural support. Support the evolving east end of the city
241 as a gateway destination for resort accommodations; recreation-oriented
242 businesses; arts, entertainment, and cultural venues; and craft beverage hub.
243 Encourage non-residential uses that are compatible with the surrounding
244 residential neighborhood. Important note- “support” and “compatible with
245 surrounding neighborhood”, which this project is not. Mixed commercial use
246 – The mixed-use commercial designation is for the area south of Adams
247 Street. The intent of this designation is to create an area for mixed uses,
248 including residential, office, retail, and small scale industrial, that are more
249 urban in character than in the mixed-use residential area. Three story buildings
250 and 40%- 60% lot coverage, with aggregated open spaces for pocket parks
251 should guide the development pattern in this area. Important note - Three
252 story buildings and 40%- 60% lot coverage, with aggregated open spaces for
253 pocket parks should guide the development pattern in this area. 1.3.4 Explore
254 ways to assess the needs of all community members. How is the city assessing
255 the needs of current residents in regards to this development? Can the council
256 honestly say that this is supportive of the needs of ALL community members?
257 It would seem it is very beneficial to the needs of only a few individuals who
258 are NOT members of our community, at the detriment of many who are
259 active, working and living members of our community. 6.2.1 Initiate and
260 support a regional dialogue on affordable housing. There has been zero
261 attempt to establish affordable housing, either in regards to this specific
262 project, or in any enforceable means such as code requirements. 6.2.2 Partner
263 with others in maintaining a supply of affordable housing. This project
264 displaces low income residents and eliminated much needed affordable
265 housing in order to build over-market rate housing. 6.2.3 Consider the
266 formation of a city commission on housing. Probably a good idea to actually
267 undertake instead of just outlining in a Comprehensive Plan. 6.3.2 Encourage
268 mixed income housing in new developments. This project proposes the exact
269 opposite of this, and the lack of code to require such building practices is
270 detrimental to the current population and without code to enforce, just

271 contributes to the gentrification of our city. 10.4.3 Transition development to
272 be compatible with the existing surroundings. This project is not compatible
273 either socially or visually to the existing surroundings. 12.3.2 Recognize the
274 economic value of the arts and culture. Removing culture and artist
275 demographics from our city does not appreciate the economic or social value
276 of such. The number of owner-occupied units is estimated in 2016 at 53%, a
277 decrease from 66% in 2010. The median value of a home has increased to an
278 estimated value of \$188,000 in 2016. Median rent has increased 49% since
279 2000 to \$767/month in 2016. The number of households paying more than
280 35% of their income on housing is estimated at 47%. At the time of this
281 writing a number of additional multi-family units are under construction or
282 permitting that for the future will represent a greater percentage of the city's
283 housing stock. This project assists in creating the loss of owner occupied and
284 affordable housing, which creates an extremely negative impact on the growth
285 and success of a city, particularly in the long term. Garden City Municipal
286 Building Code 8.1a.2d. A3 3. Consider the needs of all citizens, businesses
287 and the environment. F. Goal 6 Diversity in housing. Maintain the city's "fair
288 share" of affordable housing. Maintain the diversity of housing This
289 development does none of these. In fact, it removes much needed affordable
290 and diverse housing, replacing it with housing that few in our city or
291 communities can afford. It is the complete opposite of the outlined goal. Once
292 a project of this nature is approved without any concern for housing diversity,
293 the city will no longer be capable of enforcing such requirements on new
294 developments, therefore willingly assisting in the removal of diversity,
295 culture, arts and thoroughly gentrifying our community. 8-1A-3 compliance
296 with comprehensive plan pursuant to the requirements of Idaho Code section
297 67-6501 zoning within the city shall be in accordance with the comprehensive
298 plan adopted by the council on July 24, 2006, and as amended over time. C.
299 Compliance with the minimum standards does not automatically ensure
300 acceptance of an application by the city. Additional requirements may be
301 added by the decision maker before acceptance in order to implement the
302 purpose of this code, the objectives of the comprehensive plan, or provide for
303 the public health, safety, and general welfare. It is the City Council's duty to
304 ensure the well being of its current citizens, regardless of high hopes for
305 development and tax dollars, the needs of the current residents should take
306 priority. We hope the City Council is capable of making this distinction. B.
307 For multi-family developments between twenty (20) and seventy five (75)
308 units, three (3) amenities shall be provided, with one from each category. c.
309 For multi-family developments with seventy five (75) units or more, four (4)
310 amenities shall be provided, with at least one from each category. Quality of
311 life amenities: a) clubhouse; b) fitness facilities; c) enclosed bike storage; or
312 d) public art. There is no plan for public art, as required for a development of
313 this nature. Suggest working with local artists to provide such. We would also
314 like to bring up the requirement for detached sidewalks for this project, the
315 community would much prefer attached sidewalks with tree wells as

316 implemented on 36th and Clay. There are no detached sidewalks anywhere
317 near the proposed development and current residents strongly disagree with
318 this requirement as it does not fit our neighborhood and will negatively impact
319 surrounding properties and require excessive maintenance on behalf of current
320 property owners.

321
322 A1: It is the duty of the City Council to look into the future as a city grows. It is
323 also, more importantly, its duty to consider the needs and well being of its
324 CURRENT residents and develop in a manner that is suitable and beneficial to
325 them. Council members must remember that they are in their positions
326 because of the current citizens. It is easier see a trailer park or low income
327 area and envision a modern - modern landscape with all the bells and whistles
328 of a big city with clean modern development. While this should be a goal, it
329 should not be accomplished by removing and replacing the people whose
330 wellbeing and best interest have been put into the hands of city council. A
331 look at any developed city would show a(unintelligible) lack of forethought
332 for the populations (unintelligible) who were first established, the result is a
333 place where a wealthier population thrives at the expense of the working class.
334 However, if you think we need working folks, garbage people, train folks,
335 laborers, service industry workers less than we need wealthy citizens who can
336 afford the luxuries such develop brings I ask who will take away your refuse.
337 Who will fix your car and house, who will serve you a meal at your favorite
338 restaurants? These are the people of Garden City. These are the people who
339 need a city council that looks after their needs. These are people who bring us
340 culture, art, and diversity the only way to have a successfully developed city
341 that sets an example for positive growth is to take the needs of its most
342 vulnerable and easily displace populations as a priority. These are the people
343 who need your consideration. The city has become what it is on the backs of
344 the working class. Let us lead by example and show that just because the
345 foundation of a great city is built upon the working class does not mean they
346 are to be stuck at the bottom and forgotten about. we have a unique
347 opportunity within our city, you grow together and truly create something we
348 can all be proud of and an integral part of. If you believe in the idea set forth
349 in the comprehensive plan then you should realize the most important part of
350 our development is to be absolutely certain that it is inclusive for all. The
351 focus on maintaining the population that got us to where we are today
352 gentrifying our community in hopes to create an ideal feature is the most
353 detrimental way to grow a city. Please look after the needs and wellbeing of
354 those of us neglected and those of us who elected you to your seats. Thank
355 you for your time and consideration and for considering the needs and
356 wellbeing of our current residents and community members who will be
357 deciding on this proposal. This will set a stage for further development of our
358 community and is extremely important to ensure that we live up to all the
359 elements of the comprehensive plan with surrounding codes. The decisions
360 made over this development will have lasting effects on our community and

361 we hope city council has the interest and constituents on the top of the list not
362 the backburner. Thank you.

363
364 Q: Thank you Mr. Lewis. Now council are there any questions of Mr. Lewis.

365
366 Q: Okay, thank you sir.

367
368 A1: Thank you sir.

369
370 Q: Ms. Butler?

371
372 A3: (Unintelligible)Thank you council. With me here tonight is Andy Erstad from
373 Erstad Architects and um, the (unintelligible) here to answer any questions
374 about the design review. This is a technical appeal of the Design Review
375 Committee (Unitellligible)...That there was no error by the design review
376 committee. And (unintelligible) of what is (unintelligible) and attempt to
377 impose a pattern on Ms. Tabor, and thank you so much for writing that letter
378 Ms. Tabor, (unintelligible), um, trying to (unintelligible) letter so that we
379 could, um, understand her issues or her concerns, um, as identified in that
380 letter ,so with that, um, knowing that you have here many people that can
381 speak to design elements much better than I can, um, if you have any
382 questions about that please do. The intent of the project as you know is to
383 create a dynamic apartment community, um, an apartment community that,
384 uh, of mixed income and balanced with retail commercial and hotel uses
385 making the project an active Activity node which your Comprehensive Plan
386 identifies plan that identifies this area as a desirable hub for all all of Garden
387 City Residents and guests to to explore Garden City along the greenbelt. Um,
388 we had several neighborhood meetings, um, where the neighbors who provide
389 positive compliment overall the project and had few concerns. The only
390 concerns that were raised were in connection with the building known as 406
391 Place, which is close to 40th Street. as we explained in our letter and hearings
392 the applicant and the architects listened very closely with the concerns of the
393 neighbors and the three Design Review public hearing committees. And that
394 proactive listening led to a better project. Ms. Tabor's comments led to a
395 better project. The comments of the Design Review Committee led to a better
396 project. We understand that Ms. (Tabor) has some misgivings about the
397 project and perhaps does not like the unanimous decision the that Design
398 Review Committee made. She hasn't identified any error in the design and
399 review committee decision so we're respectively asking the council tonight to
400 uphold the design and review committee decision. Ms. (Tabor)'s letter lists
401 many many, most of her letter deals with, um, goals and objectives of the
402 ComprehensivePlan, which are ancillary planning goals or how you want to
403 see your city evolve. And she has her opinion as to whether or not those
404 comprehensive plan and goals are being addressed in this, um, design and
405 review application and the resulting development. Those compressive plan

406 goals are what you listen to before you put together your ordinances to
407 establish what the design and review committee has to look at and what they
408 have to make a finding about. Ms. (Tabor) is asking you to raise the
409 comprehensive plan to be a zoning ordinance as though those - those elements
410 of the comprehensive plan which are the basis for you enacting, uh, zoning
411 ordinances that they themselves should be the standard with which an
412 application is - is judged. But what the design review committee did was look
413 at the (unintelligible) of the comprehensive plan and the standards of the
414 zoning ordinance and decided after three public hearings that yes they could
415 make the decision that the, um, application met the the goals and objectives of
416 your ordinances. Ms. Tabor referenced (Unintelligible) scale massing and
417 urban form, (unintelligible) finding that in essence that it was too much at this
418 location. And quite frankly the Design Review Committee at their first
419 meeting made it clear they could not make a finding that the project would
420 meet their criteria under the zoning ordinance and so consequently during
421 those couple of hearings the design review committee with the applicant went
422 over some of the things that - that could be trying with the overall design to
423 get the design review committee to make the finding that would fit with your
424 aspirational goals for this area of Garden City. They had public hearings on
425 October 7, December - and December 2nd and site specific approvals -
426 conditions of approval were for - were placed on the project to reduce the
427 scale and the mass - (Ms. Taber) and others in the community had concerns
428 about curb-cuts in the area - feeling that those curb-cuts were leading into the
429 project for parking too close to their homes and the traffic would be too close
430 to their homes. And the applicant listened and actually striped away that curb-
431 cut, moving traffic further away from the homes so there's just one entrance to
432 the project. With regard to traffic as we noted in our letter, that's something
433 that ACHD has jurisdiction over and they are addressing that, there's a traffic
434 study that has been prepared that ACHD reviewing and we will have to
435 comply with all of the site specific and, uh, standard conditions of ACHD and
436 construction of the project. With going back to the massing and with traffic,
437 (Ms. Tabor) does not provide any information that indicates error by the
438 Design Review committee. We appreciate - I also especially appreciate (Ms.
439 Tabor)'s, um, comments about affordable housing, sitting on, personally
440 sitting on boards that oversee affordable housing. I've been involved in - in
441 affordable housing projects in Garden City for Neighborworks and
442 Neighborhood housing services. Garden City provides a wealth of a mix of
443 housing within your city and that's what we're proposing here. We're
444 proposing to add to that and the standards set by Garden City in your code that
445 the Design Review applicant had to adhere to, helps make that possible. So, in
446 legal conclusion, which is a lot dryer than the design elements that Andy gets
447 to work with on a day to day basis. Um, we've done our homework to provide
448 the applicant has done their homework, the architects have done their
449 homework. The design review committee did their homework, and the
450 neighbors did their homework by coming to the public hearings, by voicing

451 their concerns and - and making sure that the applicant worked into the project
452 the design elements and that ultimately the Design Review committee could
453 say, yes, your meeting the standards of our code and approved the project
454 with, I believe there are thirty conditions of approval - seven of them site
455 specific and the rest standard conditions that you will always make sure that
456 an applicant has to meet. So with that we - we do - we do respectfully ask the
457 council to make a finding that the Design Review committee worked very
458 hard the neighbors worked hard - the applicant worked hard to provide you
459 with a good project that went a long way to help the city reach its goal to
460 evolve as a destination at this activity node in Garden City. And I would like
461 to say without(unintelligible) questions from the council and then turn it over
462 to Andy Erstad or anybody else that you may have questions on or if you
463 would like to know more about the project.
464

465 Q: Okay Council are there any questions of Ms. Butler?
466

467 A6: No.
468

469 ((Crosstalk))
470

471 Q: Um, there's about five minutes left. Is there anyone else on the develop -
472 developers team that has something that they need to say - that they would
473 like to say? Welcome Mr. Erstad if you could your name and address for the
474 record.
475

476 A7: Uh, Mayor and Council, my name is Andy Erstad, uh, Erstad architects, 310
477 North 5th Street, Boise Um, as Ms. Butler indicated, we - we feel strongly that
478 the design and review board did an incredible job of diligence, staff did an
479 incredible job...
480

481 A6: Mr. Mayor we cannot - I cannot hear Mr. Erstad.
482

483 Q: Okay.
484

485 A4: Sorry about that.
486

487 Q: They muted to...
488

489 A7: They muted me...
490

491 Q: Stopping my my stopwatch.
492

493 A4: Sorry about that.
494

495 A7: Do you hear me?

496
497 A6: Yes. Thank you.
498
499 A7: Mayor and Council, my name is Andy Erstad 310 North 5th Street, Erstad
500 Architects, um, as Ms. Butler indicated we - we feel strongly that all of the
501 effort and all of our hard work that everyone put into this, uh - uh, ended up
502 in a action by the design review board that was accurate and correct and so
503 our request is again that you, um, move the project forward, uh, and deny the
504 basically the appeal. Uh, we're happy to, uh, walk you through any of the
505 design imagery. I know that you've all seen it. It's been part of the public
506 record and so rather than take more, uh, more time on that I think the - the
507 question at this time is, uh, was the - was the design review board narrating
508 the decision and given all of the background and all of the work, uh, and then
509 requested coming back by the DRC sometimes we don't like that but it's, um,
510 they ended up getting, helping with, uh, you know helping to advance the
511 project and taking care of the - of the community so. I'd stand for questions if
512 you have any.
513
514 Q: Any questions for Mr. Erstad.
515
516 A6: No.
517
518 Q: Very - very good - thank you. Um, Mr. Lewis, um, you have an opportunity
519 now for any rebuttal. Give you five minutes to do that. If you have any
520 rebuttal testimony.
521
522 A1: Uh, negative sir. We're good.
523
524 Q: Okay, um, thank you Mr. Willis. Um, with that, uh, this matter is now
525 properly recorded city council and again, um, the initial, um, determination by
526 the council would be if there are there any sections of our code to that the
527 design review committee misinterpreted, um, if there are other (sections - if
528 there are sec - just a second I'm getting a - excuse me it's getting really bad
529 feedback. Okay, if there are sections it is not a public hearing.
530
531 Man: So you're not going to take any more public testimony.
532
533 Q: (Unintelligible).
534
535 A: The last time I had an objection you did. Just making sure for the record
536 that...
537
538 Q: No, I said what we were doing at beginning of the meeting...
539
540 A1: Okay. Making sure.

- 541
542 Q: So the first item would be, uh, council if, uh, if there are sections of Garden
543 City Code that may have been misinterpreted or applied in error by the Design
544 Review Committee, and if there are, uh, we will have a discussion and, uh, go
545 through the procedure of evaluating those (unintelligible) so with that I will
546 open it up to the council and ask if anyone has identified or if anyone to study
547 the packet and pages of testimony to be able to identify areas that the Design
548 Review Committee may have misinterpreted or applied incorrectly.
549
- 550 Q: Yes.
551
- 552 A: (Unintelligible).
553
- 554 Q: Okay, thank you Council Member Beaumont. Are there any other comments?
555
- 556 A6: They did their job as properly as they should have.
557
- 558 Q: Okay council member Higgins. Any other comments? Okay, um, hearing non,
559 the action that the council can take would be to sustain the action by the
560 design review committee. They vacate their decision, remand it, or reverse it.
561
- 562 A: Mr. Mayor?
563
- 564 Q: Yes.
565
- 566 A: Uh, I - I'd like to make a few comments here, uh, first of all, um, thank you
567 Mr. Lewis for - for your comments, um, and in going through - and I agree
568 with Ms. Butler that it's the Comp Plan is important to us but it doesn't raise
569 to the level of - of law and - and the City I would like to say that the applicant -
570 I appreciate the that applicant listened to, uh, the neighbors and did scale back
571 on the project. This is a big project. It's a new and different thing for Garden
572 City and, uh, and I know that raises concerns for many people that, um, I think
573 the applicant did a good job of working with the - working with the neighbors,
574 um, and the comment on the affordable housing, um, we have - Garden City
575 has perhaps the highest percentage of affordable housing of anyone in the
576 Treasure Valley, maybe even in Idaho uh, we do have over 1200 mobile
577 homes in the city. We have a new Trailwinds apartment complex,
578 Neighborworks has done a terrific job the couple of projects on 40th and 43rd.
579 Uh, the infill project that we just approved the plat on tonight. I think it will
580 add to that concept, um, so, uh, I think it's - it's time to move this project
581 forward and I would move that we, uh, sustain Design Review's decision.
582
- 583 A6: I would second that.
584
- 585 Q: Item motion by council member Beaumont and second by council member

586 Higgins, to sustain the action of the approval of the design review committee.
587 Does that work Charles?
588

589 A5: So - so Mr. Mayor, so the motion is to affirm the Design Review Committee?
590

591 ((Crosstalk))
592

593 Q: Yes. Council members can you - can we substitute for the word affirm instead
594 of sustained.
595

596 A5: Yes. (Unintelligible).
597

598 Q: Okay the motion is to affirm the decision of the design review committee to
599 further discussion on the motion. Here now is roll call. (unintelligible).
600

601 A8: Council Member Beaumont.
602

603 A: Yes.
604

605 A8: Council Member Higgins.
606

607 A6: Yes.
608

609 A8. Council Member Page.
610

611 A9: Yes.
612

613 A8: Council Member Souza.
614

615 A10: No.
616

617
618 ((Crosstalk))
619

620 Q: Okay. Okay motion carries.
621

622
623 The transcript has been reviewed with the audio recording submitted and it is an accurate
624 transcription.
625 Signed _____