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Dated: September 23, 2021

A handwritten signature in black ink, appearing to read "Shane Mirkovich", written over a horizontal line.

Shane Mirkovich, General Manager
For Net Transcripts, Inc.

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HEARING
Q=Jenah Thornborrow
Q1=Derek Hurd
Q2=Maureen Gresham
Q3=Brett Labrie
A=Martin Evans

Q: All right. It is 6 o'clock and we will go ahead and reconvene the meeting. Uh, thank you, uh, to everybody for hanging in there. Uh, it looks like you're willing to testify? And we have an additional individual wishing to testify, uh, Martin Evans. If you'd like to come state your name and address for the record. And if you can speak into the microphone that's at the podium best you can.

A: Hi. My name is Martin Evans. I live at 498 East 40th Street Number 1. Uh, in a mobile home that is adjacent to the properties that are being developed. Um, to my eyes, uh, what the developers are asking, uh, appears to be a bait and switch. Uh, they came to the - the city to be approved for a project. And then in the middle of it they decided to change it and, uh, make it something that, uh, the rest of the residents in the area, uh, did not approve of. And, like I said, to my eyes it looks like a bait and switch which, uh, would be a form of fraud, actually. So that - that's what I have to say on the matter.

Q: Thank you. Um, any questions for Mr. Evans? All right. Seeing none, um, I don't see anybody new and else new in person. Is there anybody, um, else that's new on Zoom that wishes to provide testimony? All right. Seeing none I'll go ahead and close the public, uh, testimony portion. Um, the Applicant can provide additional rebuttal, uh, if they find that it's necessary. Um, if you wish to do so. Um, and it doesn't look like they wish to do so. So now we'll open it up for discussion with the Committee.

Q2: So I'll go ahead and start. Um, I do have a few concerns. One is, um, the mural, um, specifically along Veterans. I, um, even one of the comments that we got, one of the public comments we got, really talked about how much of pedestrian, how much pedestrian use there is on that corridor, and I agree with them. I also, um, wanna point out that across the street there is, uh, residential. So I'm not sure it could be either good or bad for the mural. But I - I don't know that it necessarily, um, has enough interaction with the street that it

46 could. Um, however, you know, depending on, uh, what kind of artwork is
47 chosen, it could actually be quite attractive. Um, and I'd be willing to leave
48 that up to - to staff to work on which I think is, um, one of the more potential
49 conditions. Um, I do, uh - let's see. I think the - the other main concern that I
50 have is the height. Um, I think it's excessive. I don't think it fits in with the
51 character of today nor, uh, the future. Um, based on the applications that
52 we've been getting and - and reviewing, um, other than this site the highest
53 height that we've gone I believe is 6' or six stories. We're talking triple that.
54 And while I appreciate that the Applicant believes this is like the perfect
55 location because of shadowing and - and various - I don't think it's a great
56 idea to provide that kind of shadow on the Greenbelt. Um, I was willing to go
57 with the eight/nine stories on the hotel for - for several reasons. One, it just
58 fits so well with the other development that was going on. And I think this -
59 the design very attractive. And I - I think it kind of goes along really well with
60 the remainder of the property. I - I just think the highness excessive. I - I really
61 do. Um, I could be willing to go nine or ten, potentially even the 12' which is
62 the - the shorter building that they're proposing. I just don't - and I've been
63 looking at it trying to figure out, okay, how - how can we make this a little bit
64 more compatible with the surrounding area so that, um, we can move it
65 forward? And I just - even with stepping back from the Greenbelt, um,
66 primarily from the Greenbelt - I mean, that - that's a massive step backing.
67 Uh, maybe - maybe that's the solution. I just don't know how 18 stories - 18
68 stories is appropriate for this area. Um, I think it detracts not only from the
69 residential that's surrounding it. And - and even the two-story residential and
70 the three-story residential, the four-story residential. I think it detracts from
71 that. It's out of character. Um, and I also think there's potential issues with -
72 and - and I'm talking about people who live in the City of Boise who live up
73 on the (bench). This is going to take away their view potentially of the
74 foothills. Um, we're not just talking about immediately surrounding area. So I
75 - I have - I really have a concern about that. I don't know how I could, um, uh,
76 how I can go for 18 stories. I - I just - I try to figure out ways. I've done
77 research. Since we first saw this, I've been doing research like every week of
78 just a little bit more research and I'm just not convinced that there's a way to
79 make this compatible. But the immediately surrounding area as well as, um,
80 how to offset the impacts on the s- the further out area. Um, those are my two
81 main concerns. Oh, one other one. I'm not happy with the entrance to the
82 apartments being in a parking lot. I would prefer that entrance actually be, um,
83 on forty fir- 41st Street. Um, I know we have the retail here - retail there
84 which is about the same amount of retail as was previously, um, proposed.
85 Um, I'm just concerned that having the people walking out of their apartments
86 they can probably get to the parking garage a lot quicker than they can to, um,
87 any sidewalk, um, Greenbelt. And that, to me, is a potential concern as far as
88 how it's actually gonna promote walkable environments. Um, and one other
89 suggestion for - for the Applicant, um, to address some of the parking issues. I
90 - I think there is adequate parking. Um, however, I also think that it's only

91 adequate if certain other, uh, transportation to man- management strategies are
92 takin' into consideration and - and potentially implemented including, um,
93 having a ride hill drop off, you know, pickup area. And/or, uh, unbundling the
94 parking from the residential units. Uh, to where folks have to pay extra in
95 order to have that parking space. And that could actually open up some of the
96 parking more for guests and/or, um, retail or employees. Those are my
97 preliminary comments. But I'll, um, wait to see what Brett and Derek have to
98 say. And if I can add anything to that or - or if I have questions, I'll - I'll do so
99 at that time.

100
101 Q3: Uh, well, I'll go ahead and, uh, with some of my comments. I - I don't have an
102 issue with the height. Um, and I guess I kind of stated in the pre-app. Um, uh,
103 there's some chatter on some end. I don't know who that is. But, um, as far as
104 the relationship to Veterans I think it's - it's kind of a tricky condition because
105 of the great change that's along Veterans makes it really - the relationship is -
106 is not gonna be, um, a pedestrianized connected type of relationship given the
107 significant change in grade that we have there. So that's inherent with just this
108 property configuration. And so, I guess from - from that aspect I would lean
109 more towards the green that I think the mural, the treatment of that façade up
110 higher is gonna be more important to establish some type of relationship with
111 the street there. Um, exactly how that manifests into whatever it ultimately is.
112 I notice that the backdrop of the mural, or the canvas, so to speak, is precast
113 concrete panels. Depending on, I don't know whether there's - it does indicate
114 there's maybe some relief or some kind of, um, texture to those panels. I think
115 any type of relief or three-dimensional kind of effect on that would be
116 preferable than just a large, um, flat concrete surface with some kind of
117 graphic. I - I think that - but that I guess in my opinion can be worked through
118 the artistic part of really what that mural is. But I would like to see some, um,
119 I guess maybe, um, some layers or something to give it more of a dynamic
120 effect if possible. Uh, probably the bigger part for me is the initial proposal
121 with the hotel had more, uh, engagement and activation all along the, um, the
122 Greenbelt. And where this has a little bit albeit just lobby. And then some
123 retail shows a large patio space out there. But what is adjacent to that is
124 parking and - and bicycle storage. And I feel that the tradeoff here we lost
125 about 3000 square feet of commercial retail space at the base of this building
126 with this new alternative that - because it had like, um, the old plan that I
127 looked at there was like a pub restaurant kind of component there. And then
128 there was a lot, you know, couple of - two different retail spaces roughly about
129 5000 square feet that was kind of fronting on that and helping to engage and
130 activate with the Greenbelt. This plan does not have that. So I guess I would
131 be looking for that aspect to come back in to, um, have a stronger, uh, sense of
132 place. And, um, engaging that full distance of the Greenbelt as it heads up and
133 connects into, uh, Veterans Parkway. Um, I think the, uh, the access, I mean,
134 the lobby spills out north and south. So there's a direct connection for the
135 residents to get to the patio space, the Greenbelt, engage on that. And the, uh,

136 on that whole plaza, uh, area as well as access to the parking. Um, so I guess
137 I'm not as concerned about that. But, uh, those were my main issues that - that
138 I have.

139
140 Q: Thank you.

141
142 Q1: And I'll - I'll share my comments here, too. The, um, the - the mural first. I
143 think that some good points have been raised. And that, the - the impact of it
144 was one of my concerns. And not only the impact of it but the - the scale of it.
145 I think that in the past few years we've come from, you know, cast in place,
146 shape of Idaho and a sidewalk as the art component to this is - this is a very
147 large mural. And it's gonna have a very large impact on the traffic, the
148 pedestrians, the development as a whole. So I would - I would obviously
149 agree with the condition that this be reviewed by, um, by staff and council.
150 But I'd go a little bit further and say that this may be the project that triggers,
151 um, you know, where is a arts commission, where is an arts committee, where
152 is an arts task force that is made up of individuals that have, you know, a bio
153 and a background in art curation, artist themselves, things like that. So we
154 actually have people looking at this art and critiquing this art in a way that is
155 equal to the impact that it's gonna have on our city. Um, so I'll just leave that
156 at that. And then talk about Brett's comment about the three dimensionality of
157 it. Um, when I looked at the renderings at first, I almost wondered -- and I
158 realized it was just texture, but -- it was almost as if the - the, um, that panel
159 was undulating a little bit. It looked like it had a little ripple in it. Um, so I
160 thought there was some three dimensionality to it. But on further inspection it
161 was just flat. So I agree with Brett that, um, if it's conditioned to have a 3D
162 component in it, if that's in the architecture of that panel, or if it's in that
163 artwork itself. Um, the artwork could kick - could have a three-dimensional
164 component to it. We've seen examples of it locally and, of course, nationally
165 as well. So in agreement with my fellow commissioners on the art, um, the art
166 component of that. And it is a unique - it is a unique area in that it is set not
167 only away from Veterans but down from Veterans. Um, so I think that as far as
168 solutions to pedestrian activity I think we - we are gonna rely on that art to
169 solve some of that - some of that interaction component because of that (gray)
170 change in that area. Um, so that's my thoughts on art. The - the height of the
171 project, um, I - I don't have a problem with the height of the project. It's in a
172 zone that allows for unlimited height. Uh, we first looked at a proposal that
173 was nine stories. And then they're coming back with a revision that's 18
174 stories. And I don't see anywhere in there that we say 10, 11, 12 anywhere up
175 to unlimited. Unlimited is very tall. If we - if we pick a number of stories it - it
176 seems arbitrary. And - and in an unlimited zone code says it can be unlimited,
177 so I don't think that there's a - there's a - a code restriction that's gonna say
178 this is - this is not compliant. So I see this height as compliant. Um, and I
179 think they've done a good job with the articulations. There's lots of balconies
180 on - on each side and the stair tower is a different component. So I think

181 architecturally it's - it's, um, you know, reading in a - reading in a pleasant
182 way. So I don't, uh, I don't take issue with the height. Um, I do - I do hear
183 Maureen's comment about the residential component not having kind of
184 pedestrian access. But then I heard Brett talking about the lobby and the lobby
185 having access to the back there, too. So I think that's just something to look at
186 and kind of earmark. Um, and maybe the - maybe the developer looks at how
187 to - how to engage the pedestrians more. And I'm always concerned of, um,
188 you know, guests coming and how do guests receive the project. And do they
189 know when they come up and do a loop at the cul-de-sac where is the entry,
190 where am I gonna go. And they're not wandering through the parking garage.
191 So I think that could be - that can be made a little more clear architecturally
192 for sure. Um, so just something to ear- earmark and look at. But nothing to
193 specifically condition in my mind. I think that's all I had. We can kind of have
194 a little back and forth on that if needed.
195

196 Q2: Sorry. I really appreciate Brett's and - and Derek's, um, viewpoint on the
197 mural. And - and I think that y'all hit the nail on the head with that. Um, yes,
198 the - the pedestrians do have access north to a patio and south to a parking lot.
199 Um, but even the north is you can't get your - your bike to the Greenbelt, you
200 have to go all the way around. Um, so it's - it's kind of hidden within. And
201 there's no way -- as Derek was saying -- there's no way to really understand
202 where the entrance is to the - the apartments or the condos. Um, so I - I still
203 wanna stress that that - uh, and maybe what Derek was proposing just, you
204 know, architecturally delineating the - the entrance may be the answer. Um,
205 but I'm more concerned with the fact that we're wanting a walkable
206 environment. And we're kind of putting the entrances away from our streets.
207 Um, and that - and that does make it less walkable for the residents of those
208 condos. Um, if it's - if it's easier to get somewhere by car you're gonna go by
209 car. And if you're - if you're not having an entrance right out on to the
210 sidewalk, right out on to the Greenbelt Street you're making it easier to go via
211 car. So, um, I - I still think a little bit more needs to be done with regards to
212 that. And - and I'll reiterate that the height, sure. I don't wanna pick a height. I
213 don't wanna be arbitrary. Um, the design of the nine-story building was
214 attractive. It appeared less, uh, impactful on the surrounding area. Eighteen
215 stories, too high. It is not compatible. It does not harmonize with the
216 surrounding area. And with what - not even existing. I'm talking about future,
217 what we - what we're expecting in this area. I do not think it is compatible.
218

219 Q3: Um, you guys' thoughts on like my comment with the level of, um, public
220 engagement at the street level or at the, uh, at the Greenbelt level versus the
221 previous, you know, there was a lot more down there on that lower level. But
222 the other thing that the hotel component had was potentially, you know,
223 accessible rooftop, um, component. Restaurant. I - I mean things that the
224 public can engage in where this, those all go away. And then we have less
225 engagement on the lower ground level where all this - the plaza and all the

226 activities happening with the other buildings. And you get here and it's - it's -
227 it's like the engagement ends before you actually leave the Greenbelt and get
228 to - I mean, are you concerned with that? Or are you okay with - with what we
229 got here?
230

231 Q2: No, I completely agree with your comment on that. I apologize. I shouldn't
232 have said that. Um, we did lose a lot of the, uh, interaction with the Greenbelt.
233 Um, just having a - a patio seating out there it's, to me, is not full engaging in
234 the surrounding area. And you raise a really good point about the rooftop, um,
235 uh, rooftop bar. In that all of a sudden you have open space up there. Now all
236 you have is just private space going up 18 stories. That's a very big difference.
237 And it's one of the reasons that having the previous, um, approval made it,
238 you know, the nine stories is like oh, you know? But it wasn't - it was - it was
239 less than half, um, or 50 % higher. And it actually provided, um, public open
240 space up there. And that made a huge difference.
241

242 Q3: Derek, any thoughts?
243

244 Q1: Yeah, I - I know where you guys are coming from. I do, you know, there -
245 there was - I wouldn't say it's a - it's a like we have to have one to have the
246 other. Sometimes I have to look at this - this change as its own thing, right?
247 And if this is its own thing I can't go back and say, "Well, it was better when it
248 was nine stories 'cause there was a rooftop bar and a, you know, public pool,"
249 or whatever the case may be. I just have to look at this in it - in its own
250 context. Um, but I do - I do think - and there was some public comments and
251 letters that addressed it as much, you know. The - the impact of the
252 commercial space is a lot less. There's a lot less commercial space in that ratio
253 of commercial to, you know, what - what is now private, uh, you know,
254 private homes. So would I be - would I be more excited about this project if it
255 had more commercial space and public space and public pools and public
256 bars? Yes. Um, but do I - do I see a way to, you know, force the developer to
257 do that? I - I don't know that I do. I mean, we do have - we do have the
258 latitude in the, you know, the public plaza space. And the - in the engagement
259 with the Greenbelt and things like that. Um, but I don't know if we have a
260 ratio that says, "Oh, this has to be, you know, 20% commercial, or 10%
261 commercial instead of 2% commercial."
262

263 Q3: Uh, yeah, I guess I wouldn't say it necessarily on the percentage. But I - I
264 would say on the, um - um, the perimeter and linear exposure of the building
265 up against the Greenbelt and the plaza needs to, uh, es- especially on that - on
266 that side, um, where, you know, where we have the opportunity to engage
267 with the pedestrian traffic primary access points to this building they should
268 be elements that are utilizable or public - basically they, um - um, they helped
269 activate that space versus, you know, we've got - we got parking on, uh, you
270 know, a good portion of what abuts those primary - that primary access point

271 primary, um, spine pedestrian circulation to the space.
272
273 Q1: That Greenbelt corner.
274
275 Q3: That - that one corner over there.
276
277 Q1: You got parking and then there's that long linear bike - bike...
278
279 Q3: Yeah.
280
281 Q1: ...storage.
282
283 Q3: And I - I - and I think that we can, um, we can look at - if we're in a - if we're
284 in a - we're inclined to move this forward to put some stipulation or condition
285 that we have to have more engagement on that - those primary - that primary
286 access. Because that - I mean, that really, literally is the main access point to -
287 to that - those components on the building.
288
289 Q1: Then that's where the Veterans pedestrians come down and engage with the
290 project first as well? Not only the ones coming under the bridge but...
291
292 Q3: Yeah - no...
293
294 Q1: ...coming off the top of the bridge - yeah. And is that a - is that - well. I guess
295 it's - it's not our - ours to design. But in - in your mind is it a - is it a public
296 commercial engagement, or is it just more of an engagement of the residents
297 with, uh, with the project? Is it an access to the building for the residents
298 above?
299
300 Q3: I - I would like to see it more of a public commercial engagement so that we -
301 we really have pede- pedestrian activation all along that - that, um, that
302 Greenbelt access point. Because this is kind of - it's - it's kind of shoehorned
303 in there in the corner where you don't really - you - you don't have that, um,
304 street engagement access from Veterans.
305
306 Q1: Yup - yup.
307
308 Q3: And you've got the parking on the other side. And you - I mean, you - there's
309 a lost opportunity there in that corner.
310
311 Q1: Yeah. That northwest corner aerial really highlights that. And then whatever
312 that has for pedestrian engagement as far as, you know, glazing and entrances
313 and plazas and courtyards. That then helps to mitigate some of the - the
314 Veterans façade as well.
315

316 Q3: Exact- and, you know, you look at the, um, the layout of the, uh, public open
317 space. And you know that all that area surrounding that portion that we're
318 talking about is - is, uh, public open space. Well, what is it - it's open space for
319 what? How does - how is the public engaging there with the - with the
320 building? I mean, it's not really fully utilized. And, you know, from - from that
321 standpoint I don't think.

322
323 Q: All right. Um, should you progress this, uh, forward tonight, um, I do wanna
324 note that in the draft potential decision document, um, there's a clerical error
325 on prior to building permit number 7. That should read 41st Street. Um, I
326 might suggest that the first conclusion of law the last four - four words of the -
327 the sentence state future land use designations. Um, and then the three
328 potential, um, conditions of approval that are new that I'm potentially hearing
329 from the Committee, um, are related to the mural and ensuring that there's a
330 3D, um, component, uh, to that mural to be reviewed by an arts commission
331 should there be one, uh, established. Um, and that, uh, the - a request for the -
332 the portion along the Greenbelt to come back to engage the Greenbelt with
333 public or commercial components. And a third potential condition that I was
334 hearing, uh, was to provide of ease of pedestrian access. Um, that could be
335 such as architecturally delineating an entrance or otherwise, uh, provide that.

336
337 Q1: Yeah. And then could we do a potential motion to move things forward and
338 then have it come back for review of that commercial space and of that entry?
339

340 Q: Um...

341
342 Q1: And then have the project as a whole, the mural, the height, the parking, et
343 cetera, have the revisions just be focused on those spots that we wanna see
344 again?

345
346 Q: Certainly.

347
348 Q2: Um, I just wanna add that - or for consideration from - from Brett and Derek
349 about the adding in either a Lyft drop off pickup point, or (unbundling)
350 parking. So do you think parking needs to be addressed? Um, if you guys
351 could consider that? Um, and can we discuss potentially making, requiring
352 some setbacks from the Greenbelt? Is that completely out of the question for
353 you guys?

354
355 Q1: And - and by that you mean stepping the - the architecture of the upper floors
356 back on the side of the Greenbelt?

357
358 Q2: Yes. Maybe, you know, six or seven floors up are - are -- I'm sorry -- three or
359 four floors up stepping back, stepping back.

360

361 Q3: I'm not comfortable with that. All right.
362
363 Q2: 'Kay.
364
365 Q3: I - I just...
366
367 Q2: I get it. I - I didn't - I didn't honestly think that was a good idea. I'm just
368 trying to figure out how I can, um, how I can be comfortable with the height.
369 And I just - I - I don't think I can.
370
371 Q1: Yeah.
372
373 Q3: And I...
374
375 Q1: And I - I know where you're coming from. And I think stepping back at three
376 or even stepping back at six, by the time you step each one back it becomes a -
377 a pyramid. And then...
378
379 Q2: Yeah.
380
381 Q1: ...we've - we've talked about this before on different scaled projects where
382 one project steps and then the other next project has to react to that step and -
383 and pretty soon everybody's just reacting to the last project.
384
385 Q2: Of course, there's nothing on the other side of the project, right?
386
387 Q1: Right.
388
389 Q2: Isn't that why it's such a perfect location?
390
391 Q2: I - I - I like the conditions that you guys have come up with. I - I'm not gonna
392 be able to vote that way 'cause I'm opposed to the height in this area. I - I'm
393 sorry, guys.
394
395 Q1: Totally understood, no apologies necessary.
396
397 Q3: Well, I - I'd like to go ahead and make a motion, then, um, to approve, um, the
398 application or the modification, modified application. Um, with the, um, with
399 the conditions that we just put forth to include that the, um, solutions to these
400 conditions come back to be reviewed. Um...
401
402 Q1: Second amend to - to be specific maybe if the motion needs to be amended the
403 - the Greenbelt façade on the main floor is coming back with more public
404 engagement. And then the entryway is coming back with more, uh, an
405 architectural solution that makes that look like the entry to the residential

406 units. Um, and then I - and then I might add the Lyft drop off ride sharing that
407 Maureen mentioned be - be a condition as well.
408

409 Q3: Accepted.

410
411 Q: And, um, uh, just for discussion purposes, now that it's, um, there's been a
412 motion made and seconded, um, that includes all other conditions of approval
413 as drafted in the affirmative, uh, by staff?
414

415 Q3: Yes, that's correct.

416
417 Q: All right. Thank you.

418
419 Q1: Correct.

420
421 Q: And with that, um, all those in favor?
422

423 Q1: Aye.

424
425 Q3: Aye.

426
427 Q: All opposed?
428

429 Q2: Nay.

430
431 Q: All right. Thank you.
432

433
434 The transcript has been reviewed with the audio recording submitted and it is an accurate
435 transcription.
436 Signed _____