

From: [Hanna Veal](#)
To: [Jenah Thornborrow](#)
Cc: [DSDIntern](#)
Subject: FW: ZONFY2023-0002
Date: Friday, November 3, 2023 1:41:52 PM

Another one

From: Chris Herbert <ctherbert@comcast.net>
Sent: Friday, November 3, 2023 11:55 AM
To: Hanna Veal <hveal@GARDENCITYIDAHO.ORG>
Cc: planning <planning@GARDENCITYIDAHO.ORG>; building <building@GARDENCITYIDAHO.ORG>
Subject: ZONFY2023-0002

This is Christopher Herbert, property owner at 404 E 40th St. Garden City ID, 83714. I would like the following statement to be entered as written testimony on the application ZONFY2023-0002. This statement is being sent on behalf of all the property owners with parcels that share property lines with the properties requested to be rezoned as part of the boardwalk development. Please find attached a copy of this testimony with signatures for myself, Blue Star Properties LLC- Parcel R2734560140 / 500 E 40th St. Garden City ID, 83714, and Jody Bennet- Parcel R2734520731 / 400 E 40th St. Garden City ID, 83714.

To the city of Garden City- City Council, Planning and Zoning, and Design Review,

In regards to the proposed rezoning ZONFY2023-0002. The requested zoning change will make the entire block of 40th and 41st between Adams and the greenbelt into C-2 zoning, except for 3 parcels (404 e 40th st-R2734520750, owner Christopher Herbert; 400 e 40th st-R2734520731, owner Jody Bennet; and 500 e 40th st, R2734560140, owner Blue Star Properties LLC) all currently zoned R-3, as are the adjacent parcels that are requesting zone change.

If the city decides to approve the requested zone change and determines that C-2 zoning is the most appropriate zoning for this block, we ask the city to do the correct thing and rezone the remaining properties on this block (listed above) to C-2 as part of the process. The design review board and city council have made decisions to drastically alter the landscape of this neighborhood through previous approvals of the boardwalk projects, despite objections about the scope, size, and allowed uses on the existing R-3 zoning. The change to C-2 will help to satisfy those objections, but if the city desires for this block to be built in such a manner it should be applying zoning changes to all of the parcels as a whole, and not segregating out the remaining R-3 properties. Doing so would show preferential treatment towards the developer and a disregard for how zoning and planning should be used for all Garden City residents.

The city has a convoluted and disorganized zoning map as is, and creating a block where the zoning changes R-3 to C-2 and back again multiple times makes no sense and is detrimental to existing residents. If the city determines that approving the requested change is appropriate, there is no

reason the remainder of the block shouldn't be rezoned as well. This will create a more cohesive zoning map and create a clear path for future development that shows the city has actually considered what the best usage for this part of the city is as a whole and not just changing the zoning on a parcel by parcel basis. All 3 remaining R-3 parcel owners are in agreement and have given their approval for such a change. Please view our zoning map and the future of our city and neighborhood as a comprehensive project and not just institute changes to suit individual parcels one at a time. There has been many concerns by the design review board and city council over how mismatched the zoning of our community is, this is an opportunity to be proactive in managing this problem, instead of just making it worse. It is not just a matter of whether or not to approve such zoning changes, but also how such changes are implemented to create a comprehensive vision for the future of our community. Thank you for doing your duty to create a Garden City that is a well thought of city and not just a random jumble of mixed zoning.

I request these comments and questions be added to the files for all associated boardwalk projects, as well as, to the rezone ZONFY2023-0002. I request this to be submitted to the design review committee and city council to be used in their decision. I request this to be read at any design review or city council meetings in the event we are not present to read them ourselves.

Sincerely,

Jody Bennet, parcel R2734520731

Blue Star properties LLC, parcel R2734560140

Chris Herbert, parcel R2734520750