

To: Mayor, City Council, Development Services, Planning Department
From: Mark and Wendy Mitchell, 8565 Willowdale Drive, Garden City, ID 83714
Date: September 23, 2025
Re: Opposition to DSRFY2025-0008 Proposed Development at Boise Bible College
Located AT 8695 W. Marigold Street, Garden City, ID 83714

Transmitted via Email to: planning@gardencityidaho.org

Please Distribute

Regarding the Proposed Development referenced above and the Neighborhood Meeting held September 22, 2025 at the Willowbrook Clubhouse, 5601 Willowlawn Way, Garden City, ID 83714.

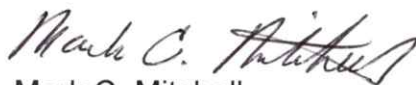
We are deeply **opposed** to the 236 planned apartment project development as currently designed and planned to the Boise Bible College property directly west of our home. Currently, there are many documents submitted to the City so I will not expound upon and repeat much of what has already been said and written. However for reference purposes here is a short list of our concerns:

- Architectural appearance is not compatible with existing single family communities.
- Added Noise, Light and Congestion adjacent to a single family community
- Multi-Level/Four Story structures
- Negative impact on current property values and significant difficulty locating buyers interested in living next to this type of development.
- Increased traffic congestion.
- On-site Parking insufficient for the number of apartment units.
- Fire and Life Safety
- Interference with and to the ground water table and drainage systems such that they backup or become inoperable from excavations, building foundations, and other structures. Thus causing rising ground water in the Willowbrook subdivision. Currently Willowbrook runs pumping stations 24 hours/seven days a week year round to keep the ground water from our crawl spaces.
- Sewer and domestic water not currently adequate for this development.
- Text and references in Mr. Kenley E. Grover letter dated July 3, 2025 which is attached and to be included as a part of these concerns.

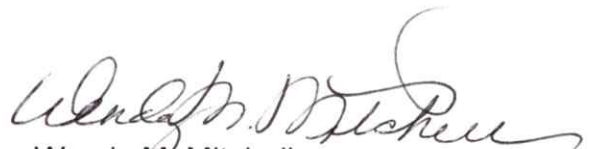
Interested Party: YES

Have ability to appeal: YES

Respectfully submitted:



Mark C. Mitchell
mcm3536@gmail.com
208-860-2210



Wendy M. Mitchell

Attachment (1)

LERMA GROVER LAW



El Dorado Business Campus
3045 E. Copper Point Drive
Meridian, Idaho 83642

Mailing Address:
P.O. Box 190719
Boise, Idaho 83719

John J. Lerma
Kenley E. Grover

Representation Throughout Idaho

July 3, 2025

Via Email at planning@gardencityidaho.org

Also Hand Delivered

Mayor John Evans and Garden City Council
6015 Glenwood Street
Garden City, ID 83714

Re: Opposition to DSRFY2025-0008 Proposed Development at Boise Bible College
Located at 8695 W. Marigold Street Garden City, ID 83714

Dear Mayor and Council members:

This letter is written on behalf of many of the residents of the Willowbrook Subdivision located off Coffey Street in Garden City. They are located directly next to the 236 unit apartment complex designated by Garden City Development Services as DSRFY2025-0008. All residents of Willowbrook have “standing” with regard to opposition to this proposed development because they would be directly affected by the significant increase in traffic congestion on Marigold Street if DSRFY2025-0008 were to be approved. Therefore, this letter is written on behalf of Willowbrook residents to **object to the proposed 236 unit residential structures at 8695 W. Marigold Street Garden City, ID 83714.** These proposed structures are incompatible with the surrounding neighborhood and businesses. Furthermore, this project falls well outside the parameters of the Comprehensive Plan for Garden City. There are 231 single story homes in the adjacent Willowbrook subdivision, which represents a significant number of residents to be affected by the proposed Boise Bible College project (“BBC” or the “BBC project”).

Specific reasons for objection to this proposed structure are:

- 1) Lack of sufficient sewer and water capacity to accommodate an additional 236 unit apartment complex must be resolved. The June 5, 2024 report from City Engineer Joseph Canning (included with the DSRFY2025-0008 Initial Submittals 05/07/2025) is very specific that Garden City does not have sufficient sewer or water capacity with its existing infrastructure to accommodate the BBC project. A letter from City Engineer Joseph Canning dated June 7, 2025 on page 2 (also included with the DSRFY2025-0008 Initial Submittals 05/07/2025) restates his position that “The developer has been working

to provide an alternative solution to the sewer capacity issue but a resolution has not occurred at this time. The project cannot be constructed until sewer service is resolved.” Based on this statement from the City Engineer, a reasonable statement would be that the project cannot proceed unless and until sewer capacity issue has been resolved and approved in writing by the City Engineer.

- 2) CPAFY2024-0004 ORDINANCE 1050-24 created a new residential zoning district (R-M) with a 45’ height restriction and density of 15 Dwelling Units/acre; however not a single property west of Glenwood has been rezoned to that zoning designation yet. The city council has directed development staff to begin working on a rezoning plan for these neighborhoods, but the R-M zoning restrictions will not apply to any properties until the rezoning occurs. The proposed BBC apartments will be on R-3 zoned property and since the developer has submitted the application before properties are rezoned, they have retained the entitlement right to develop under the zoning code in place at the time the application is filed. Third reading of CPAFY2024-0004 Ordinance 1050-24 for Garden City Buffers Ordinance passed at City Council meeting June 9, 2025 with 45 foot maximum height restriction approved for new development west of Glenwood Street. Please review Garden City Website CPAFY2024-0004 Code Text Amendment - Buffers Signed Final Decision Document 06/09/2025 page 7 which states: “The areas of public testimony centered around density and height. The Council discussed at length the best height to impose on the new district R-M as 45’ to accommodate design considerations such as vaulted ceilings in single family homes. A density of 15 units per acre was identified as the best middle ground between the R-2 zoning designation and the R-3 zoning designation. The Council opted not to include a new height restriction for the R-3 zone as it could have adverse impacts for existing properties.”
- 3) It will significantly increase traffic congestion on Marigold Street.
- 4) It will forever negatively alter the esthetic appearance of Marigold Street from the primarily quiet, single story theme which enhances the area at present.
- 5) It is opposed by many adjacent residents as evidenced by the many letters already on file under the Combined Timely Public Comment section of the Proposed Development DSRFY2023-0010 11062023.
- 6) It will reflect poorly upon the Garden City Development Services staff and the Mayor and Council’s decision making abilities to assure compliance with their own Comprehensive Plan and Section 67-6508, Idaho Code.
- 7) The introduction of a high-rise building could negatively impact property values, as potential buyers might be deterred by the increased density and the change in the neighborhood’s ambiance. This is a concern that deserves consideration, as the financial well-being of current residents should not be compromised. We are in contact with a certified real estate appraiser to determine the effect this project will have on the adjacent homes.

Garden City Comprehensive Plan and the Idaho Code prohibit this kind of drastic and extreme deviation from the existing area because Marigold has been traditionally characterized by its low-rise, residential atmosphere, which contributes to a sense of community and tranquility. The proposed BBC project, which significantly exceeds the current height of surrounding structures, would fundamentally alter the neighborhood's character. Such structures would overshadow our homes, disrupt the existing aesthetic, appearance, and detract from the quality of life that residents currently enjoy. In particular, the Garden City Comprehensive Plan clearly states:

- 1) **Goal 2. Improve the City Image** "2.1.1 Amend the Land Use Code to adopt new neighborhood provisions for development including: Context and connectivity with the surrounding neighborhood."
- 2) **Goal 2. Improve the City Image** "2.4.1 Pro-actively develop new streetscape standards that are distinctive to the Garden City built environment. The standards should reflect the unique characteristics of the street, the neighborhood and adjacent land uses."
- 3) **Goal 5. Focus on the River** "5.7.3 Protect the greenbelt from private development, enforce codes for private property maintenance and control of runoff, litter and debris."
- 4) **Goal 8. Maintain a Safe City** "8.2.1 Continue to support the "One City-One Team" approach that brings together City Officials, and staff in partnership with the public."
- 5) **Goal 12. Evolve as a Destination** "12.3.5 Market the city to smaller businesses and support a positive environment for entrepreneurial businesses."

Also, for any design review application to be approved it must meet certain findings of fact as outlined in city development code: Garden City Zoning Code 8-6B-3E states as follows:

- E. Required Findings: In order to approve a design review application after a recommendation by the design review consultants, the decision maker shall make a determination with written reasoned statements on the following findings:
1. The proposed design shall comply with all design standards in this title;
 2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site;
 3. The proposed design shall be compatible with or improve the public's use of existing and planned public spaces, including but not limited to the greenbelt and pathways, sidewalks, parks, roadways, open space, public facilities, Boise River and waterways, canals, and other surface irrigation;
 4. The proposed design shall be compatible with the neighborhood in scale and intensity;
 5. The proposed design shall not create an adverse impact on the surrounding neighborhood;
 6. The proposed architecture and site improvements shall have facades, features, materials and building form, and other physical improvements that are compatible with or enhance the neighborhood;

7. The proposed design and landscape shall improve the design and function of the site and be consistent with southwest Idaho climatic conditions; and
8. The proposed design shall be compatible with applicable natural, scenic, and historic features, including but not limited to wetlands, the Boise River, waterways, and historic structures

As proposed, the BBC project fails to meet most of the required findings above and specifically, the application does not meet required findings #4, #5, and #6 of Garden City Zoning Code 8-6B-3E. It is adjacent to R-2 (Willowbrook neighborhood is zoned R-2) zoned single family, single story homes so its scale and intensity is not compatible with the adjacent neighborhood. This project as proposed will create an adverse impact on surrounding neighborhoods, particularly those who share the property line. All of the predominate noise generated from this project is adjacent to the single family homes. Nearly 100 percent of parking and the primary drive through the development is adjacent to the properties in R-2 zoned properties. The carports as designed will not adequately address this issue. The noise and car emissions will adversely impact these neighbors. Furthermore, there no clear traffic study to show that the project will not place an additional burden on an already over taxed residential roadway. It appears that this project also fails to include the ordinance required minimums for parking spaces. It is estimated that it is short approximately 134 on site parking spaces.

There are also significant concerns regarding the local water table and water drainage. A recent renovation project in the Willowbrook subdivision uncovered an exceptionally high water table. This may interfere with the foundations of the BBC project unless significant design changes are made or properly addressed. Also, there are issues related to ground water and drainage. Where and how will storm water be handled on the BBC property if two 4-story apartment complexes are built over an existing drainage system.

Local residents have also expressed concern over the fact that the design places dumpsters directly abutting the adjacent neighborhood. This will lead to undesirable smells and noise pollution. The adjacent homeowners will lose their afternoon sunshine and back yard privacy if this project proceeds as proposed. Even if there is a wall constructed between the BBC development and the Willowbrook subdivision, there will be issues of its unsightliness and also concerns regarding maintenance and weed mitigation.

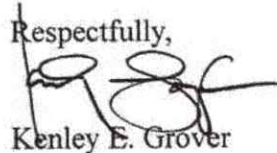
Idaho Code Section 67-6508 mandates that cities will develop comprehensive plans that "shall consider compatibility of land uses" ... and do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property..." To build the BBC residential complex immediately adjacent to primarily single story neighborhoods is clearly in conflict with the provisions of Idaho Code § 67-6508. Linda Murphy, who sold her home located on Willowdale Drive directly adjacent to the proposed Boise Bible College project, incurred an \$80,000 loss in the property value of her home when she disclosed the proposed Boise Bible College project to a prospective buyer. This loss in property value is clearly in conflict with the provisions of Idaho Code 67-6508 which mandates that new developments "do not adversely impact property values"

Recently, Bob Sorvaag expressed concern over the BBC project. In an email to the Development Services Director, he outlined that this proposal fails to comply with Garden City requirements and policies. He confirms that this project would have an adverse impact on the surrounding neighborhoods and would exacerbate the already extreme traffic congestion in the area. Additionally, Mr. Sorvaag stated that the BBC project is incompatible with the scale and intensity of the adjacent subdivisions and the proposal is clearly missing the required transition in height and scale of development. These findings are especially relevant because Mr. Sorvaag served as a member of the Garden City Comprehensive Plan Update Working Group that provided input for the 2019 update. Mr. Sorvaag offered some reasonable recommendations which would help the project come into compliance and we join in his assessment.

After consideration of the many issues raised above, there is no reasonable statement that could be offered to comply with Garden City Code allowing project DSRFY2025-0008 to continue.

We are supportive of responsible growth and development, and believe that the proposed four-story buildings are not in alignment with the community's needs and values. We respectfully request that the City Council review these concerns and consider alternative solutions that better fit the character and infrastructure of our subdivision and surrounding neighborhood, therefore, we request the denial of the proposed BBC project at on Marigold Street. That way you can maintain compliance with the Garden City Comprehensive Plan and Idaho Code as specified above, as well as reinforce the cooperative City and Staff partnership with the public which is so important to a responsive local government operation.

It is crucial that any development project involves meaningful community engagement and transparency. I urge the City Council to facilitate open forums and discussions to ensure that the perspectives of those directly affected by the development are thoroughly considered. Thank you for acting in a responsible manner in the best interests of all residents of Garden City.

Respectfully,

Kenley E. Grover

:KEG

cc: Ray Stone email: k2777a@gmail.com

Terry Dean, President of Willowbrook Subdivision HOA, wbhoapresident@gmail.com

Nate & Carole Calvin email: outofdate.nate@gmail.com

Wendy Carver-Herbert email: wendycarverherbert@gmail.com