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June 6, 2022

Boise Planning and Zoning Commission
150 N. Capitol Boulevard
Boise, ID 83702

RE: Appellant's Memorandum in Opposition of Appeal in DRH22-00074

Dear Planning and Zoning Commission:

Givens Pursley LLP represents LPC West, Inc. (the "**Applicant**"), in opposition to Blue Valley Tenant Association, Blue Valley LLC, and the South Eisenman Neighborhood Association's (collectively, "**Appellants**") appeal of the Design Review Committee's (the "**DRC**") May 11, 2022 written decision approving DRH22-00074 (the "**Decision**").

The Decision approves Applicant's design review application to construct seven new industrial buildings at 8675 S. Warehouse Way and 2392 E. Winco Court (the "**Property**") in Boise (the "**Project**"). Because the Project satisfies each of the design review approval criteria set forth in the Boise City Code, the DRC's Decision should be upheld on appeal.

I. Factual Background and Procedural History.

Industrial development of the Property has been contemplated for well over 20 years. Prior to the City's annexation of the Property in 2001, Ada County zoned the Property as Industrial.¹ In 2001, the City annexed the Property and zoned it M-2D. Outreach regarding the Applicant's development of the Property began in the Fall of 2021. Comments from Appellants and residents of Blue Valley influenced the ultimate design of the Project as it relates to orientation of buildings, materials and appearances, and the proposed phasing of the Project.

Based on the proposed use of the Property for the Project, the only approval needed from the City of Boise for the Project is design review approval. In February 2022, the Applicant filed

¹ See DRC Project Report Summary for DRH22-00074, dated May 11, 2022 ("DRC Project Report"), p. 292 (Letter from Thomas Nicholson regarding property history); see also Boise Zoning Map with annexation overlay, available online at <https://gismaps.cityofboise.org/Html5Viewer/?viewer=publicpropertymap>.