

**Public Hearing continued from October 16, 2025 for Borough Village  
(H-2025-0037) by Engineering Solutions, LLP., located at 1250 E.  
Everest St.**

- A. Request: Modified Development Agreement to the existing development agreement (Inst. #105152707 Westborough Square) to update the use (from office to residential) and development plan for the site and enter into a new agreement for the subject property.
- B. Request: Rezone of 3.04 acres of land from the L-O to the R-15 zoning district
- C. Request: Preliminary Plat consisting of three (3) buildable lots and three (3) common/other lots on 2.81 acres of land.
- D. Request: Planned Unit Modification to the approved PUD (CUP-05-027) to update the development plan for the site from six (6) office buildings to 18 multi-family residential dwelling units and two (2) single-family residential dwelling units.
- E. Request: Director Approval of alternative compliance to UDC 11-3B-7C.1c to not provide street buffer landscaping along E. Chinden Blvd., adjacent to the site due to the location of the 10-foot wall constructed by ITD with the roadway expansion.

Lorcher: Item 3 on the agenda is H-2025-0037 is to continue Borough Village Subdivision at 1250 East Everest Street from the October 16th Planning and Zoning meeting for modified development agreement, rezone, preliminary plat and a planned unit modification. We will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. This site consists of approximately three acres of land. It's zoned L-O, limited office, and it's located at 1250 East Everest Street. This property was originally platted in Ada county back in 2003 and later annexed into the city in 2005 with an L-L zoning district as part of a larger development area. A development agreement was required as a provision of annexation for the overall annexation area. A planned unit development was also approved for the development of six professional office buildings on the subject property and ten multi-family residential buildings with 40 dwelling units on the adjacent property to the east. The multi-family residential portion of the development was constructed, but only the site improvements associated with the office portion of the development were constructed, consisting of sewer and water main lines, pressure irrigation, asphalt drives and parking areas, street buffer and parking lot landscaping. Further development was delayed due to the bank foreclosing on the property during the recession in 2008. Before you here are some photos of the site and the improvements that exist on the property that I mentioned. In 2015 applications were submitted for a rezone to R-15 and a modification to the planned unit development to change the use and site layout from office to multi-family residential for the development of 34 townhome style units at a gross density of 12.55

units per acre, which was denied by Council due to the opinion the R-15 zone was not in the best interest of the city at that time. Reasons cited were that the density of the development proposed with the planned development was too high and the entitled office uses would access the multi-family residential use approved in phase one. Other relevant testimony included preference for uses allowed in the L-O district, such as professional office uses, a daycare facility and/or a fitness facility, rather than more multi-family residential units in this area. In 2016 a short plat application was submitted and approved for the subject property and the adjacent property to the east, which included the eastern portion of the vacated right of way from Jericho Road, which was vacated by ACHD after ITD decided to eliminate the collector street connection to Chinden Boulevard and that was right along the west boundary of this property here. A 35 foot wide landscape street buffer with irrigation, a ten foot wide multi-use pathway and a ten foot tall berm and wall was constructed along Chinden Boulevard, State Highway 20-26 with the subdivision improvements as required by the development agreement, but was later removed by the Idaho Transportation Department with the road widening project. ITD acquired an additional ten feet of right of way from the subject property and installed a ten foot tall concrete wall for buffering, along with decorative rock on the south side of Chinden Boulevard in this area. Utilities were installed, which included a large transformer, underground power, and a natural gas line between the back of sidewalk and the wall. The Comprehensive Plan future land use map designation for this property is mixed use community. Integrated community serving employment and residential uses are desired in this designation. Residential uses are expected to comprise between 20 percent and 50 percent of the overall MUC development area, with gross densities ranging from six to 15 units per acre of the residential area. The applicant is proposing a modification to the existing development agreement and planned unit development for Westborough Square to update the use from office to residential and concept development plan from six office buildings to 18 multi-family residential units in single family residential attached style structures and two single family residential dwelling units for the site and a new development agreement for the subject property. A variety of community serving uses exist in the overall mixed use community designated area and residential uses comprise less than 50 percent of the development area as desired. A rezone of 3.04 acres of land is proposed from the L-O to the R-15 zoning district. Reasons cited in the applicant's narrative supporting the proposed rezone and change of use include the lack of a collector street, which is Jericho Road, access to Chinden Boulevard, State Highway 20-26. The nearest access is circuitous via North Saguaro Hills Avenue to Everest Street to the west, over one thousand feet to the west and north and lack of visibility from the highway with ITD's construction of a ten foot tall wall between the property and the highway, which created an isolated office zone parcel without potential for development. The property has sat vacant and underutilized since 2008. A preliminary plat is proposed as shown to develop in one phase, consisting of three buildable lots containing one multi-family residential building lot and two single family residential building lots and three common and other lots, consisting of an access drive, a parking lot and a common lot on 2.81 acres of land. The single family lots range in size from 4,176 square feet to 4,228 square feet, with an average lot size of 4,202 square feet. The multi-family lot will contain nine structures, with 18 single family residential attached style dwellings. The gross density is 6.58 units per acre, which is consistent with the density desired in the mixed use

community designated area. It's actually at the low range of what's desired in that area of six to 15 units per acre. No deviations are proposed to UDC standards with the modification to the planned unit development. Multi-family residential developments are allowed as principal permitted uses through the PUD. If the amendment to the PUD is approved a conditional use permit would not be required. Private usable open space consisting of patios are proposed for each unit in excess of the 80 square foot minimum requirement. A minimum of 4,500 square feet or a tenth of an acre of common open space is required for the development. The applicant is providing open space exceeding the standard by more than double the amount. A minimum of two site amenities are required from two separate categories. A sports court, horseshoe pit is proposed from the recreation category. A fenced dog park with a waste station is proposed from the quality of life category and a picnic area with a shade structure is proposed from the open space category, exceeding UDC standards. Off-street parking is proposed in excess of the minimum standard. Fifty-one spaces are provided over the required amount, with another 16 spaces provided in an overflow parking lot along the southern boundary of the site for use by guests and residents of Borough Subdivision, the multi-family development to the east, to alleviate existing parking issues in this area. A 35 foot wide street buffer is required along Chinden Boulevard, an entryway corridor, with noise abatement for residential uses adjoining a state highway. As previously noted, ITD removed the previously installed buffer wall and irrigation with the road widening project and constructed a ten foot tall concrete wall at the back edge of the ten foot wide sidewalk along Chinden, leaving little area for a landscape buffer and no irrigation to the north side of the wall. Alternative compliance was requested and approved by the director to the street buffer standards in the UDC due to existing conflicts with utilities, which prevent installation of irrigation facilities under the footings of the wall. There is no break in the wall, so maintenance of the limited area of landscaping on the north side of the wall would have to take place from Chinden, which the applicant felt would be hazardous. The subject property is also considerably lower than Chinden, with a significant slope into the property from the ten foot tall wall -- excuse me -- and a three foot tall retaining wall. As alternative compliance the developer is required to install nine trees north of the retaining wall, with shrubs, decorative boulders and rock mulch and four additional trees on the south of the retaining wall as proposed. As noted additional common open space and amenities are provided above and beyond the minimum standards, with a landscaped area behind the proposed units connecting to a pocket park with a picnic shelter and trees as an alternative means of compliance, which provides an equal or superior means for meeting the requirement. Conceptual building elevations were submitted as shown for the proposed single story homes in the development. No two stories are proposed. Written testimony has been received from Becky McKay, the applicant's representative. She is in agreement with the staff report recommendation. Public testimony has been received from Melissa Chandler, Melinda and Ray Akhbari, Ginne Hostvedt and John Elliott. Just a summary of those concerns were for children and pedestrians with the increased traffic. Inadequate parking. Increased traffic volume on surrounding roads. Increase in noise in the quiet neighborhood. Incompatibility with surrounding land uses and strain on city services and infrastructure. The entirety of those letters are included in the public record. I'm sure you have seen those before the hearing tonight. Staff is

recommending approval with the conditions in the staff report, as staff finds the proposal is consistent with the Comprehensive Plan. Staff will stand for any questions.

Lorcher: Would the applicant like to come forward?

McKay: Thank you, Madam Chair, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm representing the applicant on this particular project. Sonya, are you keying me up? My screen is blank. Is it me or -- there we go. Thank you very much. I guess it just -- just takes a special touch, which I don't have when it comes to technology. So, as -- as Sonya indicated, this property adjoins State Highway 20-26 right here at this location. We have Locust Grove just to the east and, then, the means of access is the Saguaro Way collector -- oops -- that comes down through here. This kind of gives you an aerial look of what adjoins us. You can see that the parking lot is all improved. All the parking islands have trees. The common drive comes through. There is sewer, water, pressure irrigation, storm drainage, everything -- all infrastructure was installed many many years ago back in 2008. To the west of us is Hightower Subdivision. These are on individual lots, but they are attached product. These lot sizes are 3,200 square feet and, then, they are larger when you get to the kind of pie shaped lots. To the east of us we have what was part of the Westborough development. These are four-plex three-plex and the way they were built they had parallel parking, regular parking and, then, they had parking garages and what has been told to me is the garages are so small that you can -- if you park a car in there you can barely get the doors open. So, what transpired is, then, these people started parking over here in this vacant parking lot that is the project before you this evening. Not only did they park their cars, they parked their boats, they parked their beat up motor homes, they parked junk cars -- everything. So, it became a very -- a big nuisance. The city informed my client we need you to sign it, that this is private property, no parking. Well, then, what transpired was due to the lack of parking in this eastern portion, then people started parking along here and along Jericho and along Everest. So, it just kind of snowballed. So, part of our application is we want to allocate this southern parking lot here, which has 16 existing spaces for their overflow parking, so they don't park on the public right of way. They don't obstruct the bus stop that is at Jericho and Everest. This is -- it's kind of a unique project, because it's something that they -- obviously in 2005 made sense and Jericho Street was in existence and it was designated as a collector roadway along our western boundary, connected to Chinden and I did Jericho Subdivision just to the southwest and -- and this was called a neighborhood center and so they wanted a variety of uses under the comp plan. They wanted, you know, a mixture of office, maybe some neighborhood commercial. They wanted a mixture of, you know, some lower density multi-family, alley load, single family, so we worked when I did Jericho Subdivision with the residents along the east side of Jericho, just south of this project, because they came in under the county and they were more estate lots and so we needed to be compatible with them. So, we ended up having larger lots. Is that me?

Lorcher: No. You're good.

McKay: Okay. So, we ended up having larger lots front on Jericho Street as a transition to the alley load and the more, you know, urban type development they wanted in the neighborhood center. Over time they eliminated that neighborhood center, because when Jericho was determined by ITD that it was a hazard to have Jericho intersecting as a collector at this location with 20-26, ACHD and ITD eliminated Jericho and vacated it all the way down to this location. So, here we had an office park with all the utilities, no buildings, that had no direct access or any visibility to Chinden. So, kind of to give you the history -- I will zip through this, because Sonya kind of -- kind of indicated. This property started its development history in 2003. 2005 -- so, 20 years ago it was -- it was a mixed use development, with 40 multi-family units on the east, six office lots. They annexed it. They had L-O, R-15. Infrastructure was installed in '07. Then the recession hit. The project goes back to the bank. My client purchased it from the bank and, then, in '08 ITD and ACHD decided we are going to tear out Jericho Street and vacate the right of way. So, then, my client hired a consultant to come in and -- ten years ago in 2015 and they were wanting to convert those office areas to 34 townhomes. They were all two story, a density of 12.55 dwelling units per acre. The Council looked at that and said, you know, we just don't feel that that's compatible with the single story duets that are to the west and the low density residential that was done in the county to the south and they denied it. So, this -- this is what is intact right now, this Westborough Square and you can see that they had six office buildings that was 22,000 square feet of office and, then, they had the 40 units over here to the east. So, we came in and we looked at it, we met with the neighbors. I met individually with the neighbor to the south, since they have a large estate lot, a tennis court, and I said, you know, what would you like to see and they said, well, we definitely don't want anything. that's two story. We would like to see the density come down from what was proposed in 2015. So, in my plan I have two single story, single family dwellings on individual lots that back up and that's their driveway and, then, we went through and came up with a duet plan for like seniors. So, these are like 772 square feet, one bedroom, one bath, because there is a big need right now for senior rental housing. You know, a lot of seniors will lose a spouse, they -- they -- all their -- all of their wealth is in their house, they sell their home and want to move into something that's easy for -- you know, they don't have to maintain and this is all common area around them. This is the plat. So, the plat basically encompasses the two single family lots, which could be sold. The parking lot, which will be allowed to be used for the overflow for the Westborough multi-family and, then, we have the access drive and the -- the one lot with -- that -- that will have the 18 duets. We incorporated the -- the vacated right of way. My client -- I don't know if he purchased it or if -- if Hightower gave it to him, they didn't want their -- their vacated right of way, so we have incorporated that vacated right of way into the project. It's not wanting to go. Come on you little -- dang it. Gets excited. So, as far as the amenities, this is, obviously, a smaller project. We came up with a horseshoe pit, a pocket park with a picnic shelter, trees around it. A fenced dog park with benches. Waste station. I read the letters of opposition. They -- they indicated that we don't have adequate parking. There are 78 parking spaces that are existing and six ADA spaces. The requirement for my 18 duets is 36. So, we are horribly over parked, but there is really nothing I can do about that. Like I said, we are allowing the 16 spaces to the south to be overflow parking. This is what the two single family dwellings will look like. They will be what we call the Harlow and we have like a farmhouse or a modern --

probably they will lean towards the modern, since our duets are more modern style, so that it is cohesive in design, color, schemes, et cetera. This is -- these are the duets. So, we will have duets. We will have to go in and that parking is open parking, because it was intended for office, so we will have to put in parking structures, because 50 percent of our required parking has to be parking structures. So, these would be the single story duets. This -- you can see this is on the Hightower side, so you can see that Hightower has a site obscuring fence and, then, that's the ten foot wall and the berm that was installed by ITD with the Chinden expansion. All of these projects had very nice landscaping and fencing along that Chinden Boulevard corridor. ITD came in, they bought right of way and their plan was -- we are going to build this ten foot concrete wall. We are going to put a three foot retaining wall on the other side, because we are lower and, then, they put in that pea gravel. So, we had to apply for what we call an alternative compliance, because the code stipulates if you adjoin a state highway you need to landscape 35 feet. Well, there is no -- it's not possible. They have -- they have -- they have cut off our irrigation. There is utilities there. It's just not viable any longer. So, we had to mitigate for that as far as adding additional landscaping internally that will, then, benefit the development itself. This is the north boundary of this property. You can see the parking lot. You can see the three foot retaining wall, then, the ten foot and, then, the berm. So, we are going to go in there, we are going to plant trees, we are going to plant shrubs, we are going to have some -- a mixture of xeriscape and, then, also turf and trees. This is the colored landscape plan. So, you can see that we have a grassy area here. We wanted to do a horseshoe pit. Then here we have what we call a pocket park with a picnic shelter and trees and, then, we have a little fenced-in dog park here with benches and a waste -- a waste station. This area that you see to the west right here was intended to be the collector buffer for Hightower to Jericho, but when -- they never installed any landscaping and they just installed a six foot vinyl fence there. I did talk with the Hightower HOA representative. We talked about maybe doing something together utilizing all of that space and at first I got positive feedback and, then, I was told are these -- are duets going to be sold? And I said, no, they will be rentals to like seniors. Then they said if they are rentals we don't want to have anything to do with it. So, I said, okay, okay, we are on our own. I get it. Oops. So, as far as the density that was denied, I think Sonya indicated it was like 12.55 dwelling units per acre. You know, we are significantly less than that. I think our gross density is like around seven. The R -- where it's R-15 to the west of us, the vacated right of way is R-15, that's why the legal description for the rezone is not the same as the legal description for the preliminary plat. When you are coming in to try to retrofit a project it's always the hardest thing to do. We have a lot of sewer and water easements. We have storm drain easements. We have irrigation easements. All of these buildings are outside those easements. But what it did do is it allowed us to kind of modulate the buildings so they are not all in alignment and, like I indicated, we are trying to create a nice senior development that is affordable that, obviously, is in a good location with access to existing commercial, et cetera. I would ask that the Commission support this. This project's been underutilized, under taxed for 20 years.

Lorcher: Thank you very much. A couple questions.

McKay: Yes, ma'am.

Lorcher: So, since -- did you say the subdivision to your west is Hillside? Is that correct?

McKay: No. Hightower.

Lorcher: Hightower. Sorry. Heard an H. So, since they no longer wish to participate in sharing landscaping, what were you kind of thinking between you and that vinyl fence?

McKay: That's -- I can't -- I can't do anything. It's their -- it's a common lot that their HOA owns.

Lorcher: Oh, they own it.

McKay: It's just dirt. It's just dirt. It's probably going to stay dirt. So, let me see -- I have a picture. So, right now -- oh, there it is. So, right now it's just unimproved. So, you can see their fence right here and, then, that dirt area is on the other side. It's their property. I -- I can't -- I can't control it.

Lorcher: And so you said these are going to be rentals and are they -- they are going to be age specific? You are only going to allow seniors.

McKay: We want to market it to 55 and older, because they are only one bedroom, one bath and they are 700 -- I think they are 772 square feet I think is what it is -- 772 square feet. So, they are not -- they are not designed for families. No.

Lorcher: Not to make you commit, but what kind of price point were you looking at?

McKay: I don't -- I don't know. It's hard to say. We have to go in and any services that we are not going to utilize we have to remove them from the main and, then, we have to go in and patch up and, then, put in new services. We share a pressurized irrigation system with Hightower, which -- so, we don't have to put in a new pressure irrigation system. Our intent is by retrofitting this that we can make it affordable. That is our intent. Versus tearing everything out and starting from scratch.

Lorcher: Right. One last question from me. The multi-family to the east where you are offering the overflow parking --

McKay: Yes.

Lorcher: -- does that belong to the -- your developer as well or is that a completely different company that --

McKay: I -- Madam -- Madam Chairman, I did ask that question and he indicated that he had sold it, but he agreed to allow them to -- and I don't know if we are going to deed them that lot, so that they -- they own it and are responsible for it, you know, from a liability perspective. What if somebody slips on the ice and breaks -- breaks an arm. But it will

be made available to them for their overflow parking, so we can stop this on-street parking.

Lorcher: Commissioners, do we have any other questions for Becky?

Stoll: I do actually -- follow-up question.

Lorcher: Commissioner Stoll.

Stoll: Follow-up question on what you are asking. So, just clarification. You said he sold it. Your client sold it to somebody or --

McKay: Yes. That's what he indicated to me.

Stoll: Sold it to the Westborough development or --

McKay: He sold it to some other -- I don't know -- developer that owns rentals, because they are -- I believe those are rentals.

Stoll: Right. So, I'm just trying to figure out if the parking lot was sold to --

McKay: No. The parking lot we still own.

Stoll: Okay. I'm sorry.

McKay: Yes, sir. I'm just saying I'm not sure what his long range plan is, if he ends up deeding that parking lot to that owner, so they own it in fee simple or we just give them an easement and the right to utilize it for overflow. It doesn't do us any good, because it's -- it's separated from our duets, it's next to the single family and we are over parked as it is.

Stoll: Okay. And I appreciate that clarification. So, my main question -- I drove out there early this afternoon just to check it out and so there is two cars that were parked in the common driveway going into Westborough. They weren't parked in the parking lot area. That's a very narrow common driveway that you have there. Is there any plans to widen that or is that going to be just left as is?

McKay: It will remain as is. It meets standards. It has sidewalks. I would like to sign it no parking so then -- and, then, obviously, sign that overflow parking for Hightower -- or not Hightower, but Westborough Subdivision and direct those people into there.

Stoll: So, what is the planned enforcement mechanism? And maybe that's something for the city. I don't know. Is that something that's going to be handled by your client as far as the parking and -- or is that something that's left to the city?

McKay: You -- this body could, obviously, include a condition of approval that we install no parking signs there along that private drive, so -- because of the width and because of



now we are providing overflow parking, because it's been signed that private property no parking in those parking lots, because it became such a nuisance. So, I would like to rectify that and, obviously, help this neighborhood with their parking issue.

Lorcher: With the multi-family like that will hire a private company to either patrol or put towing signs up?

McKay: Yes.

Lorcher: So, that --

Stoll: Is that your plan? That's what I was trying to get at. Is that --

McKay: Yes. We -- they can put no parking and, then, if they put a towing company -- if they list the towing company and a phone number, then, they can have those cars towed.

Stoll: So, that's your -- that's your client's plan?

McKay: If -- if the Commission thinks that is the most prudent way to go we would prefer that -- that not -- there be no parking there, too. Yes, sir.

Stoll: Okay. Thank you.

Lorcher: All right. Thank you very much.

McKay: Thank you.

Lorcher: Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. Yes, we have Drew Robert and he indicated he is representing an HOA.

Lorcher: Okay. Hi, if you can state your name and address for the record that would be great.

Robert: Hi, there. Drew Robert. Located at 6040 North Jericho Road. So, we are south of that. And, then, I'm representing the subdivision that's south, so that Westborough Subdivision that's just south of them on the right side of Jericho.

Lorcher: Okay. And is that single family homes? Are you part of a duet or multi-family?

Robert: Single handed homes to the estates properties that they are mentioning that on the right side.

Lorcher: Yes.

Robert: So, I'm here in opposition of the proposed plan. So, to your point, you were there earlier today, I think a lot of the concerns -- a lot of it's around traffic. So, with getting heavy conditions already there, having a lot of challenges with traffic as they were talking about more of traffic flow, I think ability to actually turn onto Chinden is very challenging. So, again, today most of that has to funnel south through Jericho and, then, through outlying streets. So, I think we are seeing adding more congestion to that is going to continue to escalate that issue that we have today. So, that's a common concern that we have. I think if we were to get into -- they know parking. Today there is over 20 cars that continue to park down that road. So, even with that parking to be provided if they had no parking is going to outflow somewhere within the division for people to, then, get back to their apartments. So, we see that as a concern if they don't have enough parking to begin with there. They were sitting on -- again, like the R-15 where I think when you look around for the current situation of what we have, most of it, again, is single family homes. So, I think having more high density there really doesn't flow into the rest of the neighborhoods, some of the focus that they have from that perspective. I think last time we had was more on -- again there is -- going back to earlier precedence where for this particular case, again, it was denied at that point in time. It's not easy to access. It's really hard to get into that area. So, again, adding more and more into that again kind of falls into what was that first -- or easier -- earlier precedence that you all had kind of recommended for that point. So, that was kind of a lot of our notes from our neighborhood. Any questions?

Lorcher: No. I think we are good. Thank you very much.

Robert: Thank you.

Lorcher: Madam Clerk?

Lomeli: Madam Chair, the next person that signed up was Forrest Spencer.

Lorcher: Hi. If you can state your name for the record that would be great.

Spencer: My name is Forrest Spencer. I live at 1288 East Everest Street, Apartment H101, one of those renters to the east. I just want to express I do not support this proposed housing project at the end of our street. This location is a dead end, which already limits residents, visitors and emergency vehicles. Adding more units would only increase traffic and the road is not designed to handle that kind of volume. Also for safety for pedestrians who walk pets, like me and my wife, children, et cetera, the in-and-out congestion could delay emergency vehicle response times. I'm not opposed to growth. In fact, I heard her talking about tons of growth out in Star, but not the best location at the current time. I believe a light at that Chinden and Sagarra Hills before more growth in that area, a lot of near miss collisions I have seen. I Door Dash for a living, so I use the roads all day every day with people trying to turn west onto Chinden. I think to ensure safety in that area I ask the board to respectfully reconsider this project and explore alternatives to not put added pressure on a dead end and the overall safety for the area. Thank you for your time and consideration.

Lorcher: Thank you very much.

Lomeli: Madam Chair, the next person is Jack Harris.

Lorcher: Good evening.

Harris: Good evening. My name is Jack Harris. I live at 6274 North Maximus Place, which backs up to Jericho and looks at this property kitty corner. I have lived there for four years. Contrary to the opinions I have just heard I actually support this project for a number of reasons. One, first of all, I am tired of looking at weed fields and dirt. It blows across there in the hot dry summer. I'm tired of all the cars that park along the street because of the lack of parking in that Westborough division. It wasn't always that way. Something changed and all of a sudden all the people started parking on the street and lately it hasn't been as bad. But I also support the idea of the affordable housing. That is an issue. And I don't really understand the issue of the traffic. I live there. I sit out front a lot. I sit out back a lot. There really isn't that much traffic along there. I know that a lot of people have to go in and out Commander, but that's a function of many neighborhoods that are using that egress. It's not just this little area over here. I do completely agree that ever since Chinden was widened out to five lanes there is a huge access to Chinden problem during certain times of the day when it's just bumper to bumper traffic and because of the number of seniors that do live in that area, having a traffic light installed there would help that problem greatly. I understand that the -- the Department of Transportation has expressed opposition to that because of the traffic light a half a mile to the east and a half a mile to the west, but it is an access problem. I am concerned. But I don't believe that a few more residents are going to make that huge of a difference to that particular issue. So, anything that we can do to get that property developed and cleaned up for the benefit of the entire neighborhood would be beneficial. I'm here representing myself as a resident, but I will admit I am on the board of the HOA for Hightower. I'm not really here doing that, but I do want to make one clarification about that strip of land that is adjacent. The only discussion that I remember having about that land is there was a proposal that we would join that land with this project to put a sports court in there and the greatest objection was having a pickleball court immediately behind that six foot fence by those units that are there. There was not interest in having a noisy pickleball court right in the backyard and that was really the issue. If there were other plausible ways to use that space and turn it into a green space I don't believe there would be an objection to that. It was mostly about the idea of a sports court right there and they have removed that from their -- their project. Thank you.

Lorcher: Thank you.

Lomeli: Madam Chair, the next person is Tyler Rountree.

Rountree: May I approach and hand you these handouts to be distributed? Madam Chair, Members of the Commission, my name is Tyler Rountree. I reside at 1098 East Pasacana. Inasmuch as I hate to admit this, I have been there since '07 and have been actively involved in a couple segments and iterations of this project. In front of you I have

a packet, which is kind of representational of the PowerPoint. I'm also at a point now where it's a little harder for me to see, so I thought it might be easier to have something right in front of you. The proposed on the layout there talks about the existing apartment complex that's to the east and I have got a couple of pictures as it relates to the parking. So, a couple of snapshots on the parking on the approach street. That one was October 1st. You can kind of see what's been talked about. This is basically just from the other end of the street looking back and if you look kind of down into this picture you can see where the proposed 16 space adjacent parking lot is and there is another picture that was taken the 4th of October. So, there is considerable overflow from the apartment complex that's existing, because there is nowhere to park. Unfortunately, even though there are requirements that you guys have to adhere to when an apartment complex comes in, if you put a two bedroom apartment that doesn't mean you are going to get a car or two cars. Typically what I see is -- because of affordability problems you are going to get four or five or six cars and that's kind of what happens in some of these areas and there really isn't anywhere in that development to park. Here is a poll from code enforcement for parking violations. There is 50 right there in front of you that they had to go out and deal with. I have also attached in your packet the public records request, the letter back from PD, and something that's a little easier to see than what was in the PowerPoint. As you can see they have proposed two dwellings to the south of that, which is right along that corridor that I showed you that the parking that is existing is a problem. As far as the landscape piece goes, this -- this area that was donated however somebody wants to look at it, has been presented to -- to landscape all the way over to the outer dashed line, which is the fence and here is a picture -- I believe this is kind of what we were talking about earlier of the dirt that goes all the way back. Ultimately for me and looking at the projects that have been presented, I think we are so close in making something better happen. My ask would be that the landscape be revisited. We push something with green grass -- the picnic structures all the way back to the retaining wall, something farther back there, so we don't end up with what's proposed. The weeds are going to get into that. It's going to be a maintenance piece. If these are going to be rental units my assumption is they are going to have an HOA that is going to handle some of the maintenance that goes on in this area. So, I would like to see that we are. Lastly, wrapping up, this is being presented as a concept. So, what's important to me is as it's presented there are some pieces of improvement. The single stories that they presented, the single bedroom residential units I think is totally fine, but I want to make sure that we stay within the concept, so we are not back here looking at two story units, density increased, those are my concerns.

Lorcher: Thank you very much.

Rountree: No questions?

Lorcher: Think we are good. Thank you for the packet.

Lomeli: Madam Chair, no one else has signed up.

Lorcher: Is there anybody else in Chambers or on Zoom that would like to speak on this subject? Becky, would you like to come back up and address some of the concerns?

McKay: Thank you, Madam Chair, Members of the Commission. Becky McKay. So, obviously, as I indicated to you and as you can see from the photographs, parking has been an absolute nuisance in this area. We have 76 spaces. We have one bedroom, one bath, which means you are going to have at the most two cars if you had a husband and wife or if you had a single one car. So, technically, we need 36 spaces. So, we have in excess of 42 spaces. That will not be utilized by our residents. We are allocating the 16 on the south, but we could allocate some additional spaces in the northern area if need be. As far as the traffic is concerned, I did calculate the traffic with the 22,000 square foot of office -- office generates 17.7 vehicle trips per day per thousand square feet. So, if this were to build out as office, which I don't believe it will, because there is no visibility. It's a very circuitous way to get to it. Nobody would know you were even there. It would generate 389 new trips per day in this area. With the 20 dwelling units that I'm proposing we generate 140 trips total. That's at build out. That is only 36 percent of what it is already entitled to right now. That's basically a reduction of 64 percent in traffic based on the use and that number of trips would probably be lower, because seniors -- I calculated ten trips per day for the two single family dwellings, 6.57 trips per day for the duets. But senior housing is -- some of it's even below four. Seniors just don't drive as much as families and single families. The question arose about the drive aisle safety. That common drive is 28 feet in width. It does dead end, but we are, obviously, on the end that adjoins Everest and Jericho on the western end. It transitions down to 25 feet as it goes into that multi-family area. By having a low traffic generator, by signing that no parking, by opening up parking overflow areas for the existing multi-family, I think that is going to alleviate a lot of the problems and the concerns. This definitely is not high density residential at 7.12 dwelling units per acre -- I mean R-15 allows you to have 15. I'm at 7.12 and when I met with staff I said, you know, we have wrecked our brains trying to come up with the lowest traffic generator, the least impact, the best fit and this was it and at my pre-app with the staff they said, you know, we can't think of -- I said if you have got a better idea I'm open, but they said, you know, this -- I think this is it. You have hit on the right use. This property has been underutilized, under taxed for so many years and we need -- I mean instead of going out into the green field, we need to -- these in-fill projects to add some housing, added at affordable rates, added where we have existing utilities, existing commercial, medical, fire, et cetera. Police protection. So, you know, it kind of checks all those boxes as -- as a good project in a good area and -- and Jack made a good comment. Yeah, there has been weeds out there. There has been kids partying out there. Dumping trash. People dumping couches. I mean -- because there is nobody there and it becomes an attractive nuisance and until we get homes and people there that stops. Mr. Rountree talked about the -- the parking issues and, like I said, I have already addressed those. He is concerned about, you know, is this a switch and bait deal? No. The staff is going to be writing up a new development agreement solely for the project that's before you. Limiting us to single story. Limiting us to 20 dwelling units. Requiring that we allocate the overflow parking. If you guys see fit that we put no parking signs, I think that's a great idea. Maintenance would be under a maintenance company, because those would be rentals. A lot of elderly people they don't have the

physical capability to maintain. That's why a management company would come in and mow all of that area at once. As far as the strip there, I dealt with Terry Easley at the Hightower -- she's a member of the board. We did talk about doing a pickleball. She said, no, I don't want a pickleball. So, we bagged the pickleball. And, then, she said, well, you know, if we could come up with some uses, then, you know, maybe you guys install it and we share the maintenance cost and I said that would be great. I would love to do that. And, then, she said are these going to be owner occupied. I said, well, the two single family dwellings could be, but, no, the -- the senior part would be rentals and she said, oh, if that's rentals, then, we are not interested and she sent me an e-mail to that effect and that was end of story. So, I mean the burden would be on their part. You know, if they want to put in grass I think it would be -- it would look lovely. Their 20 foot wide dirt strip doesn't make a lot of sense to me and I'm not sure why they didn't meet their conditions of approval, because they were conditioned to install a landscape buffer there at Jericho and it never happened. So, I'm not sure -- I mean they are basically not in compliance with their conditions of approval. Because I did Jericho Subdivision south of them. I had the same condition. We put in our landscape buffer accordingly. I think we got a good project. I think we have met the neighbors in the middle. They have seen some -- some options that, obviously, were not a good fit density wise, height wise, but right now I think this is a darn good project and I ask that you support it. Thank you.

Lorcher: Any questions for Becky? All right. Thank you very much.

McKay: Thank you.

Lorcher: Can I get a motion to close the public hearing?

Smith: So moved.

Stoll: Second.

Lorcher: It's been moved and seconded to close the public hearing. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Lorcher: Well, I think the bad behavior of the multi-family should not inhibit this developer to put in some single family residences, especially for seniors. With respect to Mr. Robert with the HOA and Mr. Spencer, who is in the duets to the east of -- I think you said to the east of that, it sounds to me like a lot of the people who are in your area right now are taking advantage of open space that doesn't belong to them and, you know, multi-family or groups, you know, should have a parking agreement and I will tell you right now, since I used to own a tow truck company, if you are towed off because of bad parking it's going to cost you at least 300 dollars to get your car back and that's just a start. So, usually, it's kind of a one and done and they stop doing it. So, you know, I know change is hard, but with less than 20 units with, you know, less than 20 parking spaces going to be utilized for these seniors, one bedroom, one bath, and, you know, extra overflow, which that

developer does not have to do at all, I think it's actually a good fit and especially since ITD took away the land and took away the connectivity. So, a business wouldn't make sense here, because they would have to go through your neighborhood to get there anyway. So, I'm in support of this project.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I likewise am in support of this. I would like to see some signage along the common drive to the effect of not allowing or disallowing parking on the common drive and I know we can't hold the applicant to what another HOA decides to do. It would -- maybe recommend it before Council, you know, seeking to address that and seek progress there. At the end of the day, though, I think that's -- they can't -- we can't force them to build -- to put something on someone else's property. So, I mean I would like to see just some landscaping or green space in that area in that strip just to, you know, ensure that we are doing a complete project. So, I would -- I don't think there is anything we can condition on that. I just want to kind of voice that and that encourage -- encouragement to I guess both the applicant and the HOA. But, yeah, I think with the condition to sign no parking, whether the Commission wants to append the towing or not I will leave that to the applicant's enforcement decisions. I think that's what it would take for me to approve.

Stoll: Madam Chair, I struggle with this one in the sense of -- we really can't do anything regarding the commercial development. It's -- that opportunity is lost. It's unfortunate, but it's the nature of a major arterial like Chinden Boulevard and what ITD is trying to do. The key concern for me is on the parking and that's so constrained with that narrow shared driveway. I could support the project if we do have that signage and also some sort of enforcement mechanism that's there, because you can have the signage, but if they know nobody is going to enforce it, nothing's going to -- nothing's going to change.

Lorcher: Right. The challenge I have, though, is that the parking that they are suggesting is not for the seniors, it's for the multi-family next door and they have no -- Becky said that that developer sold it to another company. So, there is really no enforcement for this particular developer to do it. It would have to be the -- it would have to be their organization having the sign of saying, you know, no parking or you are limited from certain hours or that type of thing and if they take advantage of it that's when you put a tow company in and a private security company. I will tell you they typically only get paid when a vehicle is towed. It usually doesn't cost money to have that signage. Maybe 15, 20 bucks to put the sign up, but there is no like financial contract there. Does that make sense? So, it's hard because the bad behavior is not coming from what is going to be these 20 tenants, it's the multi-family that is spreading out.

Stoll: Yeah. I'm just talking about the signage on the roadway, not --

Lorcher: Right. Got you.

Garrett: Yeah. Madam Chair?

Lorcher: Commissioner Garrett.

Garrett: Yeah. I'm in -- I'm in favor of this. This is a tough in-fill project. It might have been a commercial, but that train left the station. Now, it's for retired -- since I'm retired I probably drive ten percent of the time I used to. So, I don't see traffic being a major consideration. Parking I think you are just going to have to leave it to the people that are there to solve it and based on -- I think they -- they have made the efforts and now it's just -- what happens now is -- they have to decide on.

Lorcher: Okay. Commissioner Rust, Commissioner Sandoval, do you want to add anything or I will take a motion. No?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After hearing -- after considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2025-0037 as presented in the staff report with a modification to require signage and enforcement of no parking along the common driveway.

Stoll: Second.

Lorcher: It's been moved and seconded to approve File No. H -- what number are we on again? I'm sorry. H-2025-0037 with the following modification -- with the modifications that Commissioner Smith indicated. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.