

Meridian Planning and Zoning Meeting

September 18, 2025.

Meeting of the Meridian Planning and Zoning Commission of September 19, 2025, was called to order at 6:02 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Matthew Sandoval, and Commissioner Matthew Stoll.

Members Absent: Commissioner Jessica Perreault, Commissioner Sam Rust and Commissioner Brian Garrett.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Sonya Allen, Steve Taulbee and Dean Willis.

ROLL-CALL ATTENDANCE

<u> </u> Brian Garrett	<u> </u> Jessica Perrault
<u>__X__</u> Matthew Sandoval	<u>__X__</u> Matthew Stoll
<u> </u> Sam Rust	<u>__X__</u> Jared Smith
<u> </u>	<u>__X__</u> Maria Lorcher - Chairman

Lorcher: Okay. Good evening. Welcome to the Planning and Zoning Commission meeting for September 18th, 2025. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the city attorney's and city clerk's office, as well as the city planning department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, you -- your ability to be seen on screen -- be seen and -- on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion of the meeting. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will respond as quickly as possible. If you simply want to watch the meeting we encourage you to watch on this -- the streaming on the city's YouTube channel. You can access it at [meridiancity.org/live](https://www.meridiancity.org/live). With that let us begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: Next on the agenda is the adoption of the agenda. There are no changes to tonight's agenda, but, please, note that Item No. 3, Lofty Creek -- Lofty Creek Park and Item No. 4, Cherry Blossom East Subdivision, have both requested a continuance. So, if there is anyone here to testify on these applications we will not be taking public testimony tonight. Could I get a motion to adopt tonight's agenda?

Stoll: Madam Chair, I move to approve the agenda for tonight as presented.

Lorcher: Do I have a second?

Sandoval: Second.

Lorcher: It's been moved and seconded to approve tonight's agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the August 21, 2025 Planning and Zoning Committee Meeting**
- 2. Approve Minutes of the September 04, 2025 Planning and Zoning Committee Meeting**

Lorcher: Next is the Consent Agenda. The items on the Consent Agenda are to approve the minutes of the August 21st and the September 4th Planning and Zoning meeting. Could I get a motion to accept the Consent Agenda as presented?

Stoll: Madam Chair, I move to accept the Consent Agenda as presented.

Lorcher: Do I have a second?

Smith: Second.

Lorcher: It's been moved and seconded to approve the Consent Agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would briefly like to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward and present their case and respond to staff's comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called only once during the public testimony portion of the meeting. The clerk will call the names individually of those who have signed up on our website in advance to testify. You may come to the microphones in Chambers or you will be unmuted on Zoom. Please state your name and address for the record and you will have three minutes to address the commission. If you previously sent pictures or a presentation for the meeting it will be displayed on the screen for our clerk to run the

presentation. If you established you are speaking on the behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf you will have up to ten minutes. After all those who have signed up in advance to testify have spoken we will invite any others who wish to testify. If you wish to speak on a topic you may come forward in Chambers or if on Zoom press the raise hand button in the Zoom app or if you are only listening on a telephone please press star nine and your name will be called. If you are listening on multiple devices, such as a computer and a phone, please be sure to mute those extra devices, so we don't experience feedback and we can hear you clearly. When you are finished if the commission does not have any questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And, please, remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the commissioners will have an opportunity to discuss and hopefully make final decisions or recommendations to City council as needed.

ACTION ITEMS

- 3. Public Hearing for Lofty Creek Park (Live/Work) (H-2025-0020) by The Corners Office Design, generally located at the NW Corner of S. Eagle Rd. and I-84**
 - A. Request: Rezone of 6.34 acres of land from the L-O zoning to the C-C and C-G zoning districts.
 - B. Request: Short Plat to subdivide the property into two lots to allow for the phasing development.
 - C. Request: Modified Development Agreement to remove, multi-family, as an allowed use and allow for live-work residential units, offices and hotels on the property.

Lorcher: With that we are going to start with Item No. 3. We are going to open the public hearing, because it is a continuance, which is Item No. 2025-0020 for Lofty Creek Park at Eagle and I-84. Madam Clerk, do we have a suggested date for Lofty Creek?

Lomeli: Thank you, Madam Chair. I do believe they are requesting December 4th.

Lorcher: Okay. Can I get a motion to continue Lofty Creek?

Stoll: Madam Chair, I move to continue Lofty Creek, H-2025-0020 until December 4th --

Lorcher: 4th.

Stoll: 4th.

Smith: Second.

Lorcher: It's been moved and seconded to continue Lofty Creek to December 4th. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

4. Public Hearing continued from August 21, 2025 for Cherry Blossom East Subdivision (H-2025-0030) by Breckon Land Design, located at 523 W. Cedarbug Dr. and the 0.67 acre property to the east, located in the NE 1/4 of Section 12, T.3N., R.1W.

- A. Request: Combined Preliminary and Final Plat consisting of three (3) building lots and one (1) common lot on 0.79 acres of land in the R-8 zoning district.

Lorcher: Item No. 4 on the agenda for Cherry Blossom East Subdivision has requested a second continuance. Madam Clerk, do we have a suggested date for that continuation?

Lomeli: Thank you, Madam Chair. Yes. November 6th.

Lorcher: May I get a motion to continue Cherry Blossom East Subdivision?

Stoll: Madam Chair, I move to continue Cherry Blossom East Subdivision application H-2025-0030 until November 6th.

Smith: Second.

Lorcher: It's been moved and seconded to continue Cherry Blossom East Subdivision. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

5. Public Hearing continued from August 21, 2025 for Pine 43 Mixed-Use Subdivision (H-2024-0071) by DRB Investments, LLC., generally located on the north and south sides of E. Pine Ave., between N. Locust Grove Rd., and N. Hickory Ave.

- A. Request: Modified Development Agreement (H-2017-0058 – Inst.#2018-000751) to update the conceptual development plan to allow for the development of 904 new residential units consisting of a mix of townhomes, multi-family apartments and vertically integrated residential above ground floor commercial, 200,680 sq.ft. of commercial space including a 128,880 sq.ft. hotel and 71,800 sq. ft. of other retail/restaurant commercial space, 221,340 sq. ft. of

office space with 90,000 sq.ft of which is intended for med-tech uses, and 8.3 acres of private and public open space, included additional land area and update certain provisions.

- B. Annexation of 7.21 acres of land with the I-L (5.29 acres), C-G (1.36 acres) and R-15 (0.56 acre) zoning districts.
- C. Rezone of 3.07 acres (0.91 + 2.17) of land from the C-G to the R-15 zoning district.
- D. Preliminary Plat consisting of 41 buildable lots and 3 common lots on 36.58 acres of land in the R-15 and C-G zoning district.
- E. Conditional Use Permit for a multi-family development consisting of 270 units in two (2) buildings on 6.28 acres of land on Lot 2, Block 1 and Lot 2, Block 3 in the C-G zoning district with requests for alternative compliance to UDC 11-4-3-27B.3, which requires a minimum of 80 sq. ft. of private, usable open space to be provided for each multi-family unit, to allow zero (0) for studio units and to UDC Table 11-2B-3, which restricts building height to a maximum of 65 feet in the C-G zoning district to allow a maximum building height of 76 feet on Lot 2, Block 3.
- F. Conditional Use Permit for a height exception for a vertically integrated residential building on Lot 2, Block 2 from 65 feet to 87 feet in the C-G zoning district.
- G. Director's approval for Alternative Compliance to UDC table 11-2B-3 to allow an increase in the maximum building height in the C-G zoning district from 65 feet to 76 feet on Lots 1-3, Block 4 (hotel and vertically integrated residential buildings) and to UDC 11-4-3-41G to allow a decrease of private, usable open space for studio units in vertically integrated residential from the minimum 50 sq. ft to zero (0).

Lorcher: The next item on the agenda is for the Pine 43 Mixed Use Subdivision. Before we start with this application I would like you to know -- well, you will probably all know I was not here for that meeting on August 21. I have reviewed all of the notes. I have watched the video on YouTube and I feel like I am comfortable to make comments and vote on this for this evening, so -- and we are not going to open everything. We are really here to continue the application with the intent that we have already discussed most of it and we are going to address the concerns that were left off at the last meeting. So, with that let me just check my notes again before we go forward. So, this is a continuation for Pine 43 Mixed Use Subdivision off of Pine between Locust Grove and Hickory for a modified development agreement, annexation, rezone, preliminary plat, conditional use permits for multi-family development, height exceptions and the

director's approval for alternative compliance. I think I got all of that. And we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The Commission continued this project from the hearing on August 21st in order for the applicant to address the following issues: First was the analysis on the feasibility of setbacks for Lot 1, Block 4, north to south away from State Avenue and that was this -- this slot right here, Lot 1, Block 4. And, then, to obtain input from the fire department regarding staffing and equipment and whether they are able to provide adequate service to address the safety needs of this site. Third specific sound and environmental mitigation plans for the southern border of Lot 1, Block 1, and this is Lot 1, Block 1, down here at the southeast corner. And revisions to the overall open space exhibit as requested in the staff report and discussed during the hearing. The applicant submitted a written response to these items that is included in the public record and they will be going over that tonight. Steven Taulbee with the fire department is present tonight to answer any questions you may have pertaining to the provision of service for the proposed development. A memo from him is included with your hearing outline that clarifies the fire department comments in the staff report. A revised open space exhibit was submitted as shown that demonstrates compliance with the ten percent usable open space standard for requests for height exceptions through the alternative compliance process for the two vertically integrated residential buildings and the hotel building on Block 4 and that is, again, if you can see my pointer, this is a vertically integrated -- this building here and here and, then, the hotel is located here and, then, also for the multi-family building here on Block 3. The vertically integrated and the hotel buildings do provide that additional ten percent usable open space. The multi-family building does not meet the standards for a height exception, it only meets the open space standards required for multi-family developments based on the square footage of the units. Although the alternative compliance request for height exceptions is a director level decision, comments and/or recommendation from the commission on the matter is welcomed. New exhibits were submitted as shown for the public and/or quasi-public spaces and places proposed within the development, which totaled ten percent of the development area. Prior to the council hearing the applicant will submit an exhibit for the overall Pine 43 development, including the area north of State Avenue, that demonstrates consistency with the development guidelines in the Comprehensive Plan that require a minimum of five percent of the overall site to be supportive and proportional public and/or quasi-public spaces and places. An exhibit was submitted for the vertically integrated building as shown at the southeast corner of the development adjacent to the existing industrial uses to the south that depicts a ten foot wide landscape buffer planted with columnar evergreen trees with a 30 foot tall height and a ten foot width at maturity and an eight foot tall masonry wall along the shared property line as an added buffer. And, finally, an exhibit was submitted showing how the adjacent residential homes on the north side of East State Avenue will be affected by shade from the proposed vertically integrated building on Lot 1, Block 4. This shows the average shadow line during the winter. At the request of staff, based on testimony at the last hearing, the applicant has agreed to submit a comprehensive shade analysis prior to the council hearing to determine impacts to adjacent properties and, again, that

was for the vertically integrated building right here at the southwest corner of State and Webb. Staff will stand for any questions. The applicant is here to present tonight.

Lorcher: Would the applicant like to come forward?

Strollo: Good evening, Madam Chair and Members of the Planning and Zoning Commission. So, I will wait here for the presentation.

Lorcher: Please state your name and address for the record that would be great.

Strollo: Absolutely. My name is Danielle Strollo --

Lorcher: Okay.

Strollo: -- and my address for the record is 601 West Bannock Street in Boise. I'm land use counsel here for the applicant DRB Investments on the Pine 43 project. It looks like we are up and running here. So, we are back to present the responses to your request for additional documentation from the August 21 hearing and the design team is here with me as well to cover specific questions that you might have. Okay. So, just to remind everyone of where we are. Obviously Sonya did a great job introducing the project, but this is the overview of the site. This Pine 43 community is designed carefully to be a model for the type of urban style development desired in the central core part of Meridian, with a mix of uses that support each other and a dense -- density of residential development to support area employers, including Med Tech, all connected with significant nonvehicle infrastructure and on a public transit line. The overarching concerns you expressed at the prior hearing were about compatibility and open space. Specifically you asked for the feasibility of additional setbacks for the vertically integrated building on Block 4 of the project and sound mitigations for the building in the southeast corner of the site, Lot 1, Block 1. You also asked for clarification on fire comments and revised open space exhibits in response to the staff report. We are here to speak to all of those issues tonight. So, I will start with the first issue, Block 4, Lot 1, the vertically integrated building. Commissioner Rust called this at the last hearing the crown jewel of the project. You can see here the perspective of this building looking east from East State Avenue. We first note that 65 feet is what's allowed of right in the C-G zone and the additional 11 feet is allowed with alternative compliance where the development provides open space above baseline standards. We meet these alternative requirement standards as indicated by staff. Next we note that the height is to accommodate view units for the residents in this part of the project. These are high value units and help to provide the financial support for the considerable public plaza amenity this development will provide. The building has significant landscaping -- excuse me -- landscaping to soften its street level appearance as you can see in this slide. We looked into stepping this building back further and determined that it would be more detrimental to the project's architecture and financing than it would benefit the neighboring properties. The building is already set back 50 feet, which is double the zoning requirement. We submitted this exhibit to show the angle of the sun in average winter conditions, showing the most consistent shadow that will occur in the

winter when the sun is the lowest. You can see, essentially, that this building is not blocking the sun from the homes to the north of the building. Of course with the sun coming in from a different angle there won't be any shadowing in the summer months. You can also see that the closest distance between a home and the building is 90 feet, a significant setback above required for the zone allowing for privacy and within that 90 feet will be a designated vegetated streetscape that softens the building and provides a buffer between the uses.

Lorcher: Quick question before you continue. Do these houses already exist?

Strollo: Yes. Yep. This is a satellite, in fact, that we imposed this.

Lorcher: Okay. Carry on.

Strollo: Yep. The next issue for -- oops. I'm going to skip. Okay. The next issue for which you requested additional information was sound mitigation and buffering from the vertically integrated building in the southeast corner to the nearby light industrial. So, that's circled here in this -- in this bottom right corner. Pine 43 is providing significant buffering to the light industrial zone properties to our south. In this particular corner the vertically integrated building depicted here on the left is over 50 feet from the property line. Within this 50 feet, as Sonya described, is a six foot pathway adjacent to the building, a 20 foot parking terminal planter island with trees that will grow up to 40 feet at maturity, a 20 foot -- a 26 foot drive aisle and, then, a ten foot landscaping planter island with those dense evergreen -- evergreen trees. At the edge of that over 50 feet is an eight foot masonry wall on the property line. On the other side of the property at K&R Automotive is, then, a 40 foot -- a 42 foot wide parking lot before the building where the auto repair use occurs indoors. So, that's a total building to building space of 105 feet. In addition to that we are also providing high sound transmission classification rated windows and walls on that side of the building. So, this just -- this exhibit just shows all that buffering in the context and you can also see that the present uses to the south are in east-to-west order. The auto repair shop an insulation contractor, a hunting retail store and a multi-tenant building, including a dance center and various offices. These present uses are not noise intensive or noxious, nor does the I-L zone allow uses that would be incompatible with the vertically integrated building or the overall Pine 43 project. In all this is significant vegetated spatial buffering for a light industrial use that takes place inside. We also want to state that light industrial development is not noisy or noxious, but, instead, is characterized by last -- typically by last mile logistics facilities and flex spaces desired by startups, tech companies and innovation leaders. Those looking to live in mixed use urban style developments know that they are not in a suburb, because that's not what they are looking for. They want to be in a dense urban fabric, particularly one like this that's thoughtfully designed and planned. Okay. So, we have also provided more information about open space, including revised exhibits showing that we meet alternative compliance requirements, overall open space requirements and multi-family requirements on the applicable lots, with the exception of Block 3, Lot 2, which we are still working on to comply with that alternative requirement -- alternative compliance requirement. We propose a condition of approval for that

block, which I will lay out shortly. We appreciate all of Sonya's work on reviewing these exhibits. Yesterday she asked for one additional exhibit showing open space on the entire 121 acres and we will have that for the City Council hearing, but I can say that we provide eight and a half acres of open space for that overall 121 acre property per the DA. The Pine 43 project is intended to be a high end, well designed, comprehensively planned community with intentional and community focused amenities. The quasi-public and public space exhibit we provided in this latest round shows that these public open spaces are located throughout the plan and this exhibit -- additional exhibit shows some examples of the kind of open space venues we are talking about, including benches, tables and other space for socializing, thoughtfully designed green spaces and bicycle furnishings among others. The details of the specific amenities will be resolved in future design review processes. This is only the beginning of the process for this application. The prior hearing some of some -- some of you asked about connectivity and we have provided an updated exhibit as well there. The site is well connected with pedestrian and bicycle infrastructure such that those who live on one side of a project can access the amenities in the other sectors. In this connectivity exhibit we have placed a circle that's kind of on the edge of the picture here with a diameter of a half mile and a quarter mile radius from that middle plaza and so this exhibit essentially shows that from the farthest corner of the site to the center plaza is about a quarter mile walk. So, as a final note we did again visit with Deputy Chief Taulbee to discuss his comments on this application of the August hearing. He reiterated that this project will be reviewed against the fire code for compliance at later stages and I did see the memo that was provided to me today. It's pretty much consistent with us. So, his comments were reflective of a general need for staff, rather than specifically concerned about the nature of this product -- this project. We will meet all firework code requirements for the buildings in the site, of course, and we also note that the project's development timeline last -- likely starts about three years from now. So, we are a bit far out from -- from that fire code inspection. With that we would reiterate a request for a recommendation of approval for these applications to facilitate development of this unique and first to Meridian urban mixed use concept. We also reiterate our -- our ask to remove conditions two and 3-F. Two additional requests are for a condition of approval that Lot -- Lot 2, Block 3, meet required open space standards for alternative compliance and multi-family and that the open space design on Block 1, Lot 2, be approved in a future design review application with public space amenities in lieu of a berm requirement and I will talk a little bit about that here. So, with specific regard to that Lot 2, Block 1, we want to note that the code requirement of a four foot berm or barrier adjacent to streets is really a requirement that isn't aligned with urban environments, which this development really strives for. The open spaces on this lot will be the kind of public open spaces that provide for interaction and activation at the street level, making a four foot berm or wall kind of inappropriate for the design that we are going for. So, that's why we are asking that these public amenities be allowed in lieu of that requirement pursuant to the multi-family CUP. So, to close we note that this development meets or exceeds open space requirements overall and that this application, like many others, will be reviewed for design and code compliance in future design review and CZC applications after it's approved at the City Council level and this is a one-of-a-kind development in Meridian. We appreciate that we are -- we are on the

forefront here. One that will be a legacy product for Dennis Baker and D&B and will truly carry out the mixed use vision that Meridian has for this area and overall as the city grows. Mixed use development is very desirable here and in the valley in general and it's more efficient from a land use perspective and it's the type of development that creates a vibrant, inviting and economically beneficial community. This is an opportunity here to develop a large amount of in-fill space exactly the way your comprehensive and strategic plans envision. So, with that thank you for your time and we will stand for questions that you have.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. I have a couple questions. One first for Deputy Chief Taulbee. So, it's kind of been noted a couple times now that that feedback from the fire department was a general statement about staffing levels, equipment, et cetera. I don't -- I don't recall seeing that before on new applications. So, is this something -- is this just kind of coincidentally something that the fire department is starting to do? I'm wondering what the nexus of this comment was? Should we expect to start seeing this feedback from the fire department more or is there something specific about the characteristics of this development that has caused you to -- even if it's at a wide level -- say above a certain height, for example, we have issues?

Taulbee: Yes. Madam Chair, Commissioner Smith, I have been in the position here at the city of Meridian coming on -- on a year, so I can't speak to projects before my -- my time here, just -- just to be fair. So, moving forward, you know, in talking with Chief Blume, when we look at projects that are coming through planning we are looking at the scope and the size of the project. So, again, you know, it -- if it was Pine 43 or it was, you know -- you know, Eagleville Height -- whatever that -- that case may be, we are going to apply these comments as applicable based on the scope, size and risk of the property. So, it's -- it's not intentionally towards this specific project, but anything of this scope and size we would provide the same feedback based on our current staffing model and deployment algorithm that we follow based on NFPA 1710 standard.

Smith: Are there -- thank you. Just as a follow up, are there -- is there a process -- sorry. Brain swimming in some soup today. What I'm trying to get at is to me this scope and scale of this one project can be also similar to, you know, multiple -- you know, a sum of multiple other smaller projects and so I'm curious what the fire department's algorithm is -- or maybe not in specifics, but the -- is it simply the fact that this is -- the size of this is all happening in one application and kind of what -- what -- I'm curious about what the difference is between that versus kind of the incremental gain and potentially incremental risk of lower response times from multiple smaller projects.

Taulbee: Madam Chair, Commissioner Smith, so looking at this, there are some comparable projects. However, with this one when you look at a five to seven story building that is a residential type structure, either apartment, hotel, motel, the -- the risk

goes up incrementally just due to the fact of the -- the individuals that live there and so, you know, that's why we are looking at, you know -- you look at something of the scale, you know, it's not comparable to a three story apartment building or a three story hotel-motel. When you are looking at five to seven stories and anywhere from 50 to 75 feet, there is different components with that. When we show up on scene for evacuation, mitigation, response, how we look at mutual aid, so, again, you know, it's just based on the size and the scale of, you know, when you are looking at -- when you get above that -- that five story level, encroaching up to the seven floors.

Smith: Thank you. Madam Chair, another follow up if that's okay.

Lorcher: Go ahead.

Smith: So, would it be accurate to state -- because I don't want to put words in your mouth, but I think I'm understanding what the comment is. The fire -- it's not that the fire department -- because of any architectural or design issues, it's not that the fire department feels incapable of responding to this -- this development efficiently and effectively, but any development that is above this height with current equipment and staffing.

Taulbee: Correct.

Smith: Is that -- somewhere. Okay.

Taulbee: Correct. Any project that would come through at this scale, again, when you are looking at that five to seven or going towards the mid-rise, high-rise package, it would be applicable as well.

Smith: Okay. Thank you. One other question, Madam Chair, for the applicant.

Lorcher: Go ahead.

Smith: I'm -- I'm not sure if I'm misremembering or if I just -- if there is just a gap in my memory. I don't recall discussion of your ask to strike condition PP E-F about the Animal Farm. Could you go into a little bit what that request is?

Strollo: Sure Okay. Yeah. So, we did -- it was on the slide for that slide show in the last presentation, but we never really had much of a discussion about it. Essentially we are -- we are asking that this project be separated from that project that has been held up for various reasons by that property owner. We are -- you know, we just want to kind of separate those two projects.

Smith: Okay. Thank you, Madam Chair. Sorry to hog the time, but I have a question for staff to that end.

Lorcher: Go ahead.

Smith: So, reading through the staff analysis it seems like there is that -- the concern is that creates potential for an illegal division of land. Has something like this been successfully done? Is there -- is there any mechanism by which we can enforce and prevent that illegal division of land if that final plat isn't recorded?

Allen: Was that a question if the final plat was recorded? If so -- no, it's not recorded that I'm aware of. Unless it just got recorded.

Smith: Madam Chair. I guess -- my -- my question is based on the staff analysis and, again, forgive me for being a little bit sluggish today, but I'm reading -- because the preliminary plat excludes this area it would create an illegal division of land if the final plat isn't recorded. Staff recommends approval of the preliminary plat is contingent upon recordation of the final plat. So, I'm curious about kind of -- I guess what I'm struggling with is -- if we could dumb it down for me, what is the rub here? What is the -- if we were to -- from the applicant, I guess, if we were to strike this what is the mechanism by which we ensure compliance and not a legal division?

Allen: That -- that is the mechanism, Commissioner.

Smith: Okay.

Strollo: And if -- if I may weigh in there, too. I mean we are working with that -- I mean that -- so that plat was approved by the city. It's a matter of recordation and we are working with that landowner to get that recorded and get that taken care of. It's more just -- you know, we don't have control of that property. That landowner has to get that done. So, we are doing what we can to get that done. It's just, you know, we don't want our project to be held up by whatever is going on with that landowner.

Lorcher: Okay. So, just to -- to reiterate, because this was really never discussed in the last meeting, so you are telling me that there is one portion of this entire big parcel there is a holdout?

Strollo: Yes.

Lorcher: And so what are you asking of Planning and Zoning in regard to that parcel?

Strollo: We are just trying to get our preliminary plat separated from that issue of the recordation of their final plat. That's all we are asking.

Lorcher: And, staff, is that what -- is that amenable to you or do you need that listed separately?

Parsons: Madam Chair, Members of the Commission, it's -- I'm trying to go through my memory bank, because I was part of that discussion with the current landowner, not this particular applicant, but we -- through the process we did determine that somehow they had one parcel and they ended up with three and we are like how did you end up with

three parcels, because we showed you only having one and we determined that they went -- possibly went to the county and created these new deeds and illegally subdivided the property. What I can tell you is we have approved a final plat for them to get that done. I can't -- I would need a few minutes to look in the system to see if they are even valid or if we have even signed the plat. So, in our world we only require signature on the plat for them to meet the requirements. If we don't have that done, then, we -- and this property was part of the original Pine 43 project -- or Pinebridge project I should say -- I'm getting the project names mixed up -- then it puts them in a bad bind and particularly this project, because typically if a project was part of a preliminary plat and was split off and not final platted, then, it becomes a remnant piece and so that's why staff put that condition in here is we want to make sure that they are whole moving forward, because without having this piece done it doesn't make them whole. So, how they want to work that out with the applicant -- I hope they have the influence to do that, because I can tell you we worked on this project and I -- we must be getting close to two year window on this particular application. So, staff wants to make sure that it doesn't fall through the cracks and, then, we end up with a situation where we -- no other recourse than to not approve a final plat for them when they come in to submit, because we can't find it being consistent with the overall project. So, they are at risk -- they are at risk if they do take that condition out. We need to have that final --

Lorcher: So, do we need to have that part of our motion? No?

Parsons: It's already conditioned --

Lorcher: It's already conditioned --

Parsons: -- to make that happen. Yeah.

Lorcher: Okay.

Parsons: It's just -- it's difficult to the applicant's point -- difficult, because they don't control the property. But that property owner controls the fate of their plat here. So, it's a -- it's a double edged sword for them unfortunately. But it's something that we have to stay strong on and be consistent with in making sure that we make them whole going forward.

Lorcher: Okay. And, then, just bear with me for a second here. So, the condition of -- that they would like to strike, but the -- the city -- the planners would like to include, that doesn't prohibit them from continuing their development of their project; right? It's just a -- more of a negotiation with this land owner going forward; is that correct? You are nodding yes?

Allen: Madam Chair, the condition is -- it requires approval of the preliminary plat, is contingent upon recordation of the final plat for Pine 43 Animal Farm, for the property located at the southwest corner of East Pine and North Webb Avenue. A final plat

application shall not be submitted to the Planning Division for any phase of development until the final plat is recorded. I think the latter part is what they are objecting to.

Strollo: Yeah. So, it does prevent us from moving forward with the project and part of what's happening, too, is the city has some control over what's going on with the final plat. They signed off on the final plat, but it's still in process, because in part of -- part of the city's actions my understanding. Yeah. Sure. Let's go -- come talk about. I will have him introduce himself.

Lorcher: Fine. Just state your name and address for the record, please.

Torfin: Madam Chairman, Dan Torfin. I'm -- I'm part of the DRB Group. And so our -- our ask is not to have that hold up our project, because we don't have control. The city has control, because the city has approved their plat, the city has signed the final plat and it is at the county surveyor waiting for some agreements that we are working on with them for cross-access. But as Bill mentioned we have been talking to them for quite a while and they -- and they have their organization is maybe what causes the long lapse of time, but we do not have control over that. Our point is the city has control to issue any further building permits down the road, because what I understand is they want to build another building, but we are actively talking to the newest person in the group to try to get our things done and from what I understand the ball is in their court, signed some agreements, the city wants those agreements and the county surveyor wants those agreements, but it has been a difficult thing and so that's why we are asking that. Not to be held up by them, whereas the city has control over that property and has previously approved a final plat and signed that final plat.

Lorcher: But do you also understand from the city's perspective if you have got a lone wolf out there, you have got this beautiful incredible urban setting and, then, you have got this, you know, three divided parcels that could be, you know, somebody's garage that can be just full of stuff; right? And so everything that you have new and shiny. Now you are stuck with something -- whereas if it was part of the entire project, even though you don't have control over it now, you mentioned they have a three year -- before you even start building out you are at least two weeks before City Council, so there is time, but to have this little remnant there from the city's perspective -- I understand both sides; right? You want to go forward. They don't want this to be left behind, because that can create a whole new set of problems going forward with, you know, septic and sewer and -- and county and just this little island in the middle of the city.

Torfin: Yeah. Madam Chair -- Chairman, the parcels -- the extra parcels are vacant land and all the utilities have been stubbed to it and so I guess if -- if it doesn't move forward they don't get their building permit; is that correct, Bill? And they can't do any more with their property. So, I think that's what -- it's kind of housekeeping. I'm here to tell you that we are in full cooperation to try to help them do whatever we have to do to get it done. We just -- this little thing holding up a near billion dollar project, doesn't seem like it -- you know, that would be fair to us and it is out of our control.

Strollo: Right.

Torfin: But we will cooperate.

Lorcher: Okay.

Torfin: Thank you.

Lorcher: Thanks. Commissioner Smith.

Smith: Madam Chair, that's all for now. I think that makes -- I understand the issue now.

Lorcher: Okay. Where are we at? So, you are talking. We are asking questions. I'm going to ask you to sit down for a minute --

Strollo: Okay.

Lorcher: -- and, then, we will see if there is any -- unless you have a question for them right now? Well, we are going to get public testimony and, then, the applicant can come back and respond. Commissioner Sandoval, do you have any questions for the applicant at this time?

Sandoval: Not at the moment.

Lorcher: Okay. You are good to go. All right. Madam Clerk, do we have anybody here to testify?

Lomeli: Thank you, Madam Chair. No one has signed up.

Lorcher: Is there anybody in Chambers that would like to testify? Hi. Thanks for coming tonight. Can you state your name and address for the record?

Tompkins: Yes. My name is Ian Tompkins and I live at 1018 Webb Way -- Avenue. The post office accepts both. Building 105 --

Lorcher: Okay.

Tompkins: -- which is part of the Dovetail Apartments right across State -- from this development.

Lorcher: Okay.

Tompkins: Two items that I want to point out that I -- what -- besides my full approval of the project as -- at this full request. Two items I just wanted to make note of real quick. I heavily approve of the additional walkability they are looking for with this project. Right

now if I want to walk to a place to eat or a place to shop, either -- I have got a couple shops there at Fairview -- at the front Fairview there for Pine, but, otherwise, I have got to cross Fairview or I have got to cross Eagle, because it is not walkable between Dovetail and Eagle and Fairview without crossing either Fairview or Eagle Road. There is no sidewalk there. So, this would be -- until a development goes in or if something changes where additional sidewalks are added, this would be -- the commercial being added here would be a huge benefit to the local community in that area, just because of the walkability being provided in that area and in -- the other one, because I do work a little bit in the construction industry, correct me if -- maybe he could correct me if I'm wrong -- I -- apologies -- apologies, I forget your name, but for fire safety do not all buildings three stories and higher that are residential in the city of Meridian require sprinklers -- a solid sprinkler system of some kind?

Taulbee: Through the chair. Yes, fire sprinkler requirements are actually based on occupancy and use of the actual building. So, it could be -- isn't necessarily residential. It could be. But, typically, yes, all residential multi-family is always requiring sprinklers.

Tompkins: So, while -- yes, there are some worries due to current equipment levels of Meridian fire, which I would put more on just the budget problems that the city of Meridian has due to ongoing problems with the state level, I would say that current code requirements for fire does cover enough for fire concerns to give enough time to help people before a fire does show up, so -- and just in conclusion I do severely support this project and hope that Planning and Zoning approves it to continue on to City Council.

Lorcher: Okay. Thank you very much. Is there anybody else in Chambers that would like to testify? Good evening.

Begg: Good evening. Madam Chair, Commissioners. My name is Dugan Henderson-Begg. 4410 Cherry Bark Way, Meridian, here in the city. I represent Harvey Performance Company and the neighbor of this development. We are fully in supportive of this. I represent the company being asked to come along. We are working very closely with our neighbors and they have been very helpful in our growth and development of it. We are a global company, continuing to look at our global footprint and it's super important for us to -- nine acres that we own next to this to be able to develop with that. We are really pleased to see the housing that helps us drive the employee base, so they can come in and grow with us. We are 75 employees right now. Growing very quickly. As a global company we have also got people coming in from all over the world to visit. So, having the hotel, having the housing and the opportunities for quick lunches, things like that with these amenities. So, we wanted to share our support of this development as a light industrial. I appreciate the desire for the city of Meridian to continue growing that. It's certainly important to us to have the support of like manufacturers that we can share technologies with and as we -- as we grow with automation and things like that we need that light industrial around us. So, support for this project and just hopefully we can get this through. Thank you.

Lorcher: All right. Thank you very much. Anybody else in Chambers that would like to speak? Madam Clerk, do we have anybody on Zoom?

Lomeli: Thank you, Madam Chair. I have one person attending on Zoom. Their hand is not raised.

Lorcher: Okay. Would the applicant like to come forward again for any further questions before we close the public hearing? Just out of curiosity, you know, when I watched the city -- the Planning and Zoning meeting online, all of the renderings were very tiny. So, it was hard for me to, you know, really kind of pick out some of the things that -- that you were speaking of, but I got the gist. But just out of curiosity, so I mentioned that he was looking for something more walkability. The tenants that you were kind of contemplating having in there, obviously, you know, light food and restaurants, are you thinking also grocery stores where people don't have to have a car, they can kind of live, work and play within this kind of urban community?

Strollo: We don't have any grocery store -- like large grocery store, big box things. We are looking more for kind of neighborhood commercial uses, if there is, you know, Bodegas and smaller kind of, you know, opportunities for people to get their groceries kind of needs there, sure, absolutely. But we do -- again, it's kind of in this core area of Meridian where those areas are pretty accessible and we are building out the connectivity to allow that people wouldn't have to get in a car to have to get to those uses.

Lorcher: Okay. Commissioners, do we have any other questions for the applicant before we close the public hearing? Danielle, do you --

Smith: Madam Chair?

Lorcher: Oh. Commissioner Smith.

Smith: Just regarding that open space kind of for -- I think Block 3, Lot 2, just curiosity -- out of curiosity -- and I know we, obviously, don't have an exhibit, but to be comfortable kind of with moving this forward, with that condition, I'm curious what -- what is the -- you know, thumb in the wind intention to expand that open space, is it to reduce parking, is it to rework -- I mean just get an idea.

Strollo: Yeah. Yeah. Sure, Commissioner -- Madam Chair, Commissioner Smith. Sorry. I'm not practiced at doing that. So, yeah, we are looking at a lot of different things. We are looking to expand potentially the rooftop amenities in that building. We are also looking at, yes, potentially removing some parking spaces and utilizing that space better. So, it's about 13,000 square feet that we are looking to find and we are pretty confident that we will be able to find it.

Smith: Okay. Thank you.

Lomeli: Madam Chair?

Lorcher: Madam Clerk.

Lomeli: Did you want to give them the ten minute rebuttal? The applicant?

Lorcher: Or -- well, are we --

Lomeli: Want me to start the time?

Lorcher: Oh. No, I --

Strollo: I think we are done. I'm good. Thank you.

Lomeli: Just want to clarify.

Lorcher: We have rules; right? Okay.

Stoll: Madam Chair?

Lorcher: Commissioner Stoll.

Stoll: So, if I have a question for staff can I ask it after we close the public hearing or should I ask it now?

Starman: Madam Chair and Commissioner Stoll, your -- either way works, but I would encourage you to -- if you think it might require some interaction between staff and the applicant now is fine. But you can ask questions of staff after the hearing is closed if you wish as well.

Stoll: Okay. Still trying to figure out this process. So, if I may. So, in the staff -- Madam Chair? In the staff memo, Sonya, you identified that you had concerns, staff had concerns regarding the increase in residential units, but it sounded at the what -- sounded like at the loss of the commercial space that was available in the development. But in another part of the memo I saw that there is an increase -- and I can't remember the exact figure -- of commercial space -- or let's say nonresidential space beyond what the original agreement was. Am I missing something? I feel like I'm missing something. I'm not sure.

Allen: I'm not entirely clear on what you are asking us.

Stoll: So, in your staff --

Allen: Is my staff report in front of you?

Stoll: No. This is what I read earlier.

Strollo: Do you want me to like rip out -- I have a --

Allen: Sure. If you -- or if -- would you like me to read you my recommendation? Would that help or --

Stoll: No. It's actually a part of the memo that you had where you were commenting that the concerns --

Allen: The staff report?

Stoll: Yeah. It was in the staff report. Sorry. The staff report that there is concerns regarding the increase in number of residential units beyond what the -- the original application was and that it was that you need -- that we needed to have more commercial space in Meridian and, yet, as part of the staff report it said also that we had an increase from the original application in the nonresidential space of the development. So --

Smith: Madam Chair? I think I have --

Lorcher: Commissioner Smith.

Smith: I think what Commissioner -- and correct me if I'm wrong, Commissioner Stoll. I think what you are talking about regarding the increase is on page 11 of staff analysis under the development agreement modification it says this is an increase of 134,000 square foot of nonresidential space over what is currently entitled, which has not yet been built out in Pine 43.

Stoll: Thank you.

Strollo: Madam Commissioner and Commissioner Stoll, there is also -- it's -- there is a nice table that shows kind of how the development has progressed. What we are proposing, which is an increase of nonresidential space and, then, I would also just emphasize that, you know, the residential density is what provides for the nonresidential uses. Square footages. It supports those uses in other words.

Stoll: So, correct me if I'm wrong on this. It seems to me that it's pointing out that we are getting an increase in residential units and we are increasing the nonresidential space --

Strollo: Correct.

Stoll: -- from what the original plat was?

Strollo: Yes.

Stoll: So --

Strollo: That's right.

Stoll: So, we are getting, from my viewpoint, the best of both worlds in that we are addressing the housing crunch that we have identified, not only in Meridian, but across the valley as far as a shortage of residential units, but we are also getting commercial space. May not be exactly located where folks wanted it, but that's part of the flexibility that we all should be having.

Strollo: Correct. We are also -- you know, in creating MedTech space that's desirable. So, you know, there is a variety of uses here that the city really wants.

Stoll: Okay. That's all I --

Lorcher: Okay.

Stoll: Thank you, Commissioner, for finding that spot.

Lorcher: Danielle, did you want to add anything else before we close the public hearing?

Strollo: No. I don't think so.

Lorcher: All right. Thank you very much.

Strollo: Thank you.

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

Stoll: Madam Chair, I would move to close the public hearing.

Smith: Second.

Lorcher: It's been moved and seconded to close the public hearing on Pine 43. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. I think I have -- I appreciate the applicant going to, you know, the drafting table and addressing some of these concerns. I think that southeast property -- I think the proximity to light industrial with all those modifications doesn't inherently concern me as much anymore. I think there is a balance being struck and I think knowing that all that is indoors I'm not as concerned about air quality and things like that and that sound

mitigation is helpful. I think the two areas where I'm -- I'm still -- I guess maybe three areas. One of them's light -- is I don't know that we should strike the Animal Farm plat recording issue. I think -- if that -- it seems like all parties are incentivized to get this done with some haste and I know, you know, in the past we have been burned by something going wrong in development as a city and large projects falling through and so would like to limit any risk of that happening, you know, prior to construction or prior to kind of any of anything getting moved forward. I think the -- one of the issues that we had was regarding the -- kind of height difference on that northern boundary. To be honest I still don't love it. It's not enough to make me, you know, hold back my approval. I would love for the applicant to maybe consider some things. I don't know that I would put this in a motion to require this, but I would love for them to consider additional, you know, landscaping along the property line of the northern homes. I think a lot of it's not inherently about shadow, but privacy and sight lines and even though, you know, while the shadow might not be encroaching on someone's home, being able to -- you know, having a certain amount of people just being able to see in your living room, again, sometimes it's inherent to happen. I live near two story houses, but if we can limit that that would be nice. And, then, the last thing that is -- is a significant concern for me, but it sounds like this is something that the city needs to handle as a whole, is that fire department response. I still am uncomfortable about that. Even if it's not the applicant's fault, it's not a fault of the design, I think there is a lot of discussion of fire safety being happening -- happening in zoning spaces. For example, dual stair requirements for single stairs and things like that. My concern isn't necessarily with fire and incineration, but smoke inhalation, which with a project of this size and buildings of the size with the fire department response does give me some pause. If there is a fire making sure those people at the top have adequate egress and, you know, way finding capabilities through smoke. That's a concern of mine. I don't know that there is anything that we could require the applicant to do. I think this is a larger discussion that probably needs to be had at the city level. So, with that I think there are a lot of things that give me some pause and give me some heartburn, but I do think the applicant has made a significant amount of improvements that -- that have earned in my support. I'm interested to see how this rolls out and I think there is -- there are some good things, even if they don't align with what we are used to in Meridian or what aligns with traditional requirements, I think this could be -- could serve a -- a great benefit for walkability for the community for a third place creation and things like that.

Lorcher: Thank you. I will weigh my two cents in, since you haven't heard from me yet. The initial picture of the renderings of the area I think are shocking, because it's all street level. So, you know, it took a while for everybody in Meridian to get used to The Village, but it's kind of sequestered among the parking lots and you really have to go in there to be able to see this. Your project is right on Pine Avenue and you are taking my secret special way to get around town away, because you are adding density, but that's not for three years, so I don't have to worry about that. But it's very ambitious and Tammy de Weerd said that, you know, it -- when you are the first in line to do something different sometimes you -- you get the worst brunt of it, because it's never been done before. My husband has been here from 1973. I can only imagine what he thinks when he lived here when there was 7,000 people and he sees what Meridian has become

and it's not necessarily a bad thing, you know, it's -- it's definitely growth. We know that ICOM is a medical school here in Meridian that we desperately need in the state of Idaho. We know that Idaho State University is building a medical complex at the corner of Locust Grove and Central -- question mark? We know that the city of Meridian is pursuing a levy for fire and police, possibly as early as this November to be able to answer some of those questions when it comes to fire, because we know we will continue to grow. I was a little surprised at the statistics as far as single family homes versus apartments, because from a layman's view you see all the apartments here and you think, God, we should probably have enough; right? But if -- if the ratio is still 80/20 or even 90/10 where it's single family homes to, you know, apartments and things like that, we are not in line with other communities. I do know that my daughter works for Alaska Airlines and she can't afford to live in Meridian. The apartment prices are too high. So, she has to live, you know, someplace else and that makes it very difficult for her to have, you know, an adult job and not be able to afford the place that she lives. So, by having mixed pricing and mixed types of use here makes it more accessible to not only young people, but empty nesters and others as well and they are not going to move in there if they don't like the product. If they don't want to move next to a repair shop, then, that's their choice, you know, and if they don't like that there is a two story or three story building behind them, then, they are not going to move there and that will let the market decide on that. So, with that in mind I am inclined to give my stamp of approval to this to go on to City Council and I don't have a problem -- I know city -- the staff doesn't like the residential on the south side of the street, but maybe some people who want to live there don't want to be in the whole mix of things. They don't want to be in the city plaza, they just want to be set back a little bit and having them across the street just gives them a reason to walk a little bit further on purpose. So, those are all good positive things. In regard to that one lone parcel, you know, that's a tough one. If I do make the motion I'm not going to take that out for you. I think you can continue to work through that with staff. I know you don't have control over the owner, but we, as a city, have had challenges with little islands before and I think overall in your project -- project design it's going to come back and haunt you if that administration part -- that part is not taken care of. Commissioner Stoll, do you have any other comments that you would like to give tonight?

Stoll: On my microphone. Madam Chair, I really like the project. I stated that at the last meeting. I'm supportive of it. I believe that what you are proposing, as I indicated earlier, increases the residential units, which we drastically need, along with increasing the nonresidential units that are spaced from what the original plat was. I am not inclined to support carving off the Animal Farm parcel just because it is -- it is our one tool to actually get the project done and get things dealt with instead of having a remnant parcel later on. I believe, as I expected, the answer was a global -- we have a problem with fire service across the city, primarily for reasons that are outside of the city's control. The city is looking at solutions to that, but it shouldn't be put onto your shoulders as an application. So, I will leave it at that, Madam Chair.

Lorcher: Commissioner Sandoval, do you have any other thoughts than what's already been said?

Sandoval: Yeah, Madam Chair. So, my primary concern was that this corridor was always envisioned to be mixed use; right? So, balancing housing, offices, retail. I took offense to the increase in residential initially. Commissioner Stoll, I'm happy you pointed out and got some clarification on that. Yes, there is an increase in residential, but there is also an increase in that commercial space. I think it's very thoughtfully planned out. They took a lot of time and they were amenable to a lot of the things that we have asked for. So, generally I'm very supportive of this project. I don't think we should carve out one small portion of it though. I think that needs to be resolved now, right, instead of waiting several years for that. Other than that I'm in favor of approving.

Lorcher: So, with that in mind, after considering all staff, applicant and public testimony, I move to recommend approval to City Council file number H-2024-0071. To City Council. But do not prohibit the residential development south of Pine and provide the shadow report to City Council on September 18th, 2025.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I guess point of inquiry I guess. I'm not sure. I think there was also some additional requests regarding requiring that Block 3, Lot 2, meet open space standards and that Block 1, Lot 1, be approved in a future design review. I just want to make sure you are aware of those.

Lorcher: Were those on the staff report?

Smith: Those were in the presentation from the applicant. I don't know if we can pull up the presentation of the slide -- of title request to commission.

Lorcher: Then if you can help me draft the motion. I don't know all the block numbers.

Smith: Okay. Okay. Then in that case, Madam Chair, I move we amend the motion to recommend approval to City Council striking staff's recommended condition of DA number two, which removes residential south of Pine. Also conditioning approval that the project meet required open space standards for alternative compliance and multi-family on Block 3, Lot 2, and that Block 1, Lot 2, open space design, be approved in a future design review application with public space amenity in lieu of berm requirement.

Stoll: Second.

Allen: Madam Chair?

Lorcher: Sonya.

Allen: Excuse me. There are not any conditions and -- conditions of approval in the staff report for the multi-family developments, because staff was recommending denial.

Do you wish to continue this project to a later hearing date for staff to draft conditions of approval or would you like to forward it on to Council as is?

Lorcher: I would like to forward onto Council as is.

Stoll: Clarification, Madam Chair.

Lorcher: Commissioner Stoll.

Stoll: When staff says forward onto Council as is, do you mean as is how the application was presented or with your conditions that are in the staff report?

Allen: There are no conditions in the staff report. So, that's what I was mentioning is the -- is the issue. Typically a project is continued to a later hearing date in order for staff to draft conditions when staff wasn't initially in support of the project. I will defer to legal on this, our city attorney, but, otherwise, staff could draft conditions for Council's consideration in their motion.

Lorcher: Kurt.

Starman: Madam Chair, Members of the Commission, that's going to be my thought as well is that if the Commission is inclined to proceed with the positive recommendation -- that seems to be the situation. I think that could be incorporate -- so, Sonya's last thought -- it could be incorporated into your -- your motion as well, which would be to -- part of the motion would be to have staff prepare appropriate conditions of approval prior to council consideration and so the council -- City Council would have those conditions before them and would be able to, you know, to approve or amend or modify. The only downside of that is that the Commission is not going to have an opportunity to comment or make a recommendation, but I think given the circumstance the City Council will be understanding of why that might be the case.

Lorcher: Right.

Allen: Another comment, Madam Chair. To include in your motion if you had intended to was the applicant's response that included sound mitigation for the vertically integrated structure next to the industrial, the southeast corner of the development. If you wanted to include those as conditions of approval in the development agreement.

Lorcher: All right. There is too many words for me. Jared, can you add those to --

Smith: Sure. Do we -- okay. So, you want to just start from scratch?

Starman: I would recommend this, because we are getting -- we are getting into sort of an amendment to an amendment --

Lorcher: I know. So --

Starman: I'm going to recommend, just for a cleaner record, if the maker of the motion would just be willing to withdraw the motion and then -- that would be part one.

Lorcher: Okay.

Starman: And, then, part two is if -- if you are okay with this, Madam Chair, you could ask Commissioner Smith to make the motion that includes all those bits and parts that we just discussed.

Lorcher: Okay. Let's keep this on the books. I withdraw my motion. So, that's off the table. And, then, have Jared make a brand new one, so you can start from the beginning.

Smith: Absolutely.

Lorcher: Thank you.

Smith: I'm trying to find the number here. Okay. Madam Chair, after considering all staff, applicant, and public testimony I move to recommend approval of file number H-2024-0071 as presented the staff report with the following modifications: To require sound mitigation on the southeast corner as proposed by the applicant of the development. To strike DA two in the staff's recommendation, conditions which requires removal of residential south of Pine. To add a condition of approval that the project meet required open space standards for alternative compliance and multi-family on Block 3, Lot 1, and, then, to allow Block 1, Lot 2, open space designed to be approved in a future design review application with public space amenity in lieu of berm requirement.

Starman: Madam Chair and Commissioner Smith, one more -- it would be the -- part of the motion would be for staff to prepare conditions of approval for the multi -- for the multi-family aspect of the project prior to City Council consideration.

Smith: Madam Chair, I would like to tack on Kirk's language.

Lorcher: Okay.

Smith: He said it more eloquently than I could.

Stoll: Second.

Lorcher: It's been moved and seconded to approve Pine 43 to move on to City Council with the aforementioned items. All those in favor say aye. Any nays? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: May I get one more motion for the evening?

Stoll: Move to adjourn.

Lorcher: I need it --

Smith: Second.

Lorcher: It's been moved and seconded to adjourn. All those in favor say aye. Any nays? Motion carries. Thank you very much, everyone.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

MEETING ADJOURNED AT 7:07 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK