

Public Hearing continued from December 18, 2025 for St. George (H-2025-0004) by Shaun Wardle and Jason St. George, located at 3870 E. Overland Rd. and 1545 S. Topaz Ave.

- A. Request: Annexation of 2.0 acres with the R-15 zoning district to construct nineteen (19) multi-family units, 7,987 Sq. ft. of commercial space and four (4) vertically integrated residential units.
- B. Request: Two Conditional Use Permits, one for the multi-family residential and one for the vertically integrated residential project in the R-15 zoning district.

Smith: All right. Item 3 on the agenda is H-2025-0004, which is a continuance of St. George on Overland and Topaz for annexation and two conditional use permits. Before we get started with the staff report I just wanted to defer to Kurt for a quick moment.

Starman: Thank you, Mr. Vice-Chair. Just for the record when this item was first heard by the Commission some time ago Commissioner Stoll was not in attendance at that particular meeting and, similarly, Commissioner Perreault was at that meeting, but had to leave early and so both didn't fully participate in that initial discussion. However, both have told me and I will just ask them to state this on the record here in a moment, but both have told me that they have had the opportunity to review the record, either the recording and/or the minutes and are prepared to act tonight. So, I think we are -- they are prepared to proceed and deliberate and vote if that comes -- if that's the Commission's desire tonight and may I just ask both Commissioners just to briefly confirm that they are prepared to proceed.

Stoll: I am prepared to proceed. I have reviewed the recording of the meeting.

Perreault: Same for me. I have reviewed all of the materials in the project folder and watched the video from the original hearing.

Smith: Great. Thank you. With that we will continue with the staff report.

Napoli: Good evening, Chair, Members of the Commission. Next item on the agenda is the annexation and conditional use permits for St. George. So, on November 6th, 2025, St. George project was presented before the Planning and Zoning Commission. The Planning and Zoning Commission continued the project to have the applicant work with city staff to fix the outstanding issues. The applicant has submitted revised drawings and documents based on this direction and just a reminder to the Commission, the applicant's request tonight is an annexation of two acres with the R-15 zoning district, to construct 19 multi-family units and one vertically integrated residential building consisting of 7,987 square feet of commercial space and four residential units. Both uses require conditional use permit in the R-15 zoning district. So, just going to go over the changes since the previous hearing. Since the previous hearing the applicant has resolved the following issues. They resolved issues with Public Works regarding water- sewer easements and

separation requirements and provided updated floor plans meeting the requirement for private usable open space and revised the landscape plan to incorporate additional details. However, there is still some existing -- or new issues that have not been resolved. So, the applicant did revise a landscape plan. However, it still does not meet all the design standards. I did talk with the design -- or their landscape architect. They are aware of what they need to do to bring that into compliance. But currently at this time I have not received those revisions. And, then, concerns still persist regarding functional integration with surrounding properties. In addition, staff is asking the Planning and Zoning Commission to carefully consider whether traffic generated by the development is appropriate given the existing conditions and access points. However, the largest new concern continues to be focused on the open space around Five Mile Creek. Since the previous hearing the applicant has been in discussions with the irrigation district about piping the creek and the feasibility of a bridge. The irrigation district did indicate that piping the creek was possible and a bridge may be pending the correct approvals. However, the UDC does prohibit piping natural waterways and as a result staff is not in favor of piping the creek., So, if -- if the Planning and Zoning Commission is going to be recommended approval tonight we ask that you do not pipe the creek, because the UDC prohibits it. So -- and so if the Planning and Zoning Commission is in favor of the updated -- the new plans staff has recommended that Five Mile Creek remain open without a bridge and the northernmost unit on Building A be removed to incorporate additional open space and three amenities, one from each category, be located in the open space north of Building A and this would be Building A. Right -- this would be what we would be asking to be removed for more additional open space. And we have not received any written testimony since the previous hearing and I will stand for any questions you guys have.

Smith: Is there any questions for staff? All right. Would the applicant like to come forward?

Wardle: Thank you, Mr. Vice-Chair, Members of the Commission. Shaun Wardle. 2239 East Griner Street on behalf of the applicant for the St. George project. We appreciate the opportunity to work with staff on a continuation. We believe that we have solved all of -- the majority of the technical issues. Our landscape designer did speak with Nick and is -- is aware of our deficiency there and will be submitting a new plan. So -- so, that's submitted. We have got 19 multi-family units. We have got 8,000 square feet of commercial space and, then, four vertically integrated units here. We feel that -- that that meets the Comprehensive Plan's focus and goals for not just density, but for a mix of uses and -- and we think it will be a nice addition, especially along that Overland frontage. As part of our application -- our last discussion was over the bridge and a proposed bridge, which would access our amenities across that bridge and so we went to the Nampa-Meridian Irrigation District, we worked with them. One of their solutions was to what they call pipe and cover that particular waterway, which would, frankly, be their -- their preference from a maintenance standpoint and -- and we talked about this particular waterway in an urban area. We also went to the Parks Department to discuss the -- effectively what would be mandated as a pathway. There are a couple issues with that. The Parks Department has told us that they don't want the pathway constructed as part of this -- as part of this project and they are not sure which side of the -- of the ditch it

would go, if they want it at all, and --- and one of the considerations there is if you look at -- if you look at Five Mile Creek from Topaz, as it meanders through the business park, there really isn't a solution and -- and when it gets to Eagle Road, of course, it dead ends and -- and how would you get over Eagle Road; right? So, the Parks Department is -- has effectively said let us figure that out. We have an easement with the irrigation district if we choose to do a pathway and so we -- we feel like we have attempted to -- to meet those requirements. We -- we have submitted two e-mail communications from the -- from the -- the -- excuse me -- from the irrigation district, both with which allow us to, one, pipe and cover, but we have got some federal permits to do. I will point out that ACHD did pipe and cover the ditch on Topaz and received a 404 permit there and so we are working with those entities to -- to -- to make that happen. We do have permission from the neighbor to the south to pipe and cover that portion as well, which would be a requirement of the irrigation district. So, the -- the new comment in terms of not being allowed to -- to put a bridge, which wouldn't allow us to access our property, was -- was new and -- and wasn't something that we had considered within our plan. So, we are here to -- to have that discussion and I would stand for any questions.

Smith: Thanks. I will start. Any -- any Commissioners have any questions for the applicant? So -- so, I guess I -- I have one question around this. It seems so -- trying to get to the bottom of this, because it seems like this is -- if I had to guess might be -- kind of one of the main points of contention. NMID seems to be okay with piping. It's not in the UDC. It seems like there is federal permits is what you are -- you are saying. I guess where -- where is the rub and where is the -- what I'm trying to understand is -- for what reasons does the UDC prohibit it and are they accounted for in any way kind of --

Wardle: Mr. Vice-Chair, if I might -- just before Nick answers. If I might make -- so, one of -- one of the -- one of the things about this particular application is -- is if you -- if you have been out there and seen the waterway a lot of people individually in Five Mile Creek -- how it runs through to my neighborhood. I live in Woodbridge and -- and the developer did a nice job of developing a pathway. I walk my wife's dogs every day down that particular pathway. This portion of Five Mile Creek, which runs through the business park, runs through Topaz, Rolling Hills and, then, effectively across the freeway is -- is not that aesthetic that I believe that the UDC and the -- and the Comprehensive Plan would -- would anticipate and so that's one of the reasons that -- that the irrigation district would prefer from a -- from a maintenance and construction standpoint to -- frankly, to pipe and cover it.

Smith: So, I guess to append to that, Nick, from -- from my recollection -- and you guys maybe correct me if I'm wrong -- it seems like we have done this for canals. We have been okay with piping and covering. Is it just -- is it that it's natural currently is is the main reason?

Napoli: Commissioner Smith, that's correct. Natural waterways in the UDC -- I think it's 11-3C-6 or 3-A-6 I should say, requires natural waterways to be improved as a natural amenity in the city. If they were -- obviously, Council does have a -- a purview to approve something that's not code through, you know, a variance process. There is a process to

do that. But from staff's perspective, correct, we are consistent on leaving natural waterways -- improving natural waterways I should say, but leaving them open as a natural amenity. If they are going to pipe it I would like to know -- I did talk with our floodplain administrator. I don't know if that's his exact title. Jason Korn. He broke it down for me on kind of everything they would need to go through as far as federal permitting and he kind of broke down a rough timeline for me and, you know, you are looking at some -- sometimes up to 18 to 24 months, because you have to do CLOMR and LOMR and when FEMA mapped this area they actually didn't map it I would say accurately, so we would want an accurate map for this actual portion of the -- the canal -- or the -- the creek I should say. So, it's not as easy as just piping it. There is quite a bit of permitting that goes behind it that's on a federal level that even includes the Army Corps of Engineers. So, I -- I will -- I guess I will stand for any questions if you have on that additional --

Smith: That's very helpful. Thank you. And, Commissioners, any other questions?

Perreault: Mr. Vice-Chair?

Smith: Commissioner Perreault.

Perreault: So, our notes say that the staff still have concern regarding the open space. We received some new schematics in the memorandum that staff wrote and I was hoping the applicant could kind of walk through that with us a little bit, especially the revised open space exhibit.

Wardle: So, a couple of the big revisions were along -- were along Overland and we will have one additional revision which will -- which will have an -- an amenity there and, then, we have got open space down -- down the middle of -- of the multi-family units. The pathway there -- I guess I'm -- here we go. Pathway through here. We have also got a bike station, which will be here at the end of the units, as well as some green space here and, then, again, we are -- we are planning on having a BBQ picnic area across the other side of that -- the other side of Five Mile Creek, which is one of the reasons that we are looking at that crossing with -- with the bridge.

Smith: Commissioner Stoll.

Stoll: Shaun, are you okay with staff's other recommendations regarding the project? Their memo?

Wardle: All the recommendations with -- with the exception of -- of the removal of -- of the bridge. We -- and we understand -- I -- I guess the question for this -- for this body is if we were to -- to want to pipe and cover that would -- is -- is that a consideration at the Council level or is that a -- okay. So -- so, we would ask that -- that -- that we be allowed to -- to move forward with that issue. We can do some additional research on -- on what that looks like and make a -- make a better presentation on -- on that and so the only -- the only recommendation within the staff report that we wouldn't agree with would be the removal of the bridge and we have -- we have submitted evidence that the Nampa-

Meridian Irrigation District will allow it within their parameters. They have some pretty strict parameters.

Stoll: But just to clarify, the bridge would only be necessary if the Five Mile Creek wasn't covered?

Wardle: Correct. Correct. Yes.

Parsons: Mr. Chair?

Smith: Yeah.

Parsons: Just -- just clarification if, Nick, you can go back to that -- that exhibit. So, the reason why we bring this to your attention is we -- we believe that this is an amenity for the project. I don't want the applicant to think that we don't -- the concern we have is that it's in the floodway and nothing can be built in the floodway. So, theoretically, as it stands today I don't think anyone could approve a bridge to cross the creek in the floodplain. I don't know how you permit that. Unless we go through that mapping exercise and -- and determine that it was mapped incorrectly or whatever work ACHD did corrected that situation and now it's no longer in the floodway. We don't know that. We don't have that information. So, that's the difficult part for us. That's why as staff we are like, well, if we can't -- you could still count this as open space if you leave it natural. The code says you can. That's -- it's just whether or not the Commission wants to incorporate more usable open space into the development. If you recall with multi-family standards the applicant has to provide X amount of open space based on the square footage of the unit. So, again, if the Commission finds that that natural area still meets the intent of the code you can approve it that way or if not you can stick with staff's recommendation and say lose that unit and put the -- the amenities or add more open space per the intent of the code. We are trying to get it to integrate a little bit better. I like that the applicant testified that the Parks Department doesn't want the pathway either. It's such a small segment it makes no sense to build such a little piece of that pathway. It's better to get the easement and deal with it when we have more land and incorporate that with the rest of the property. So, I think that's a wise decision. That's why Nick, staff, we have said leave it natural, leave it alone. We know there is challenges with the floodway. We don't know what those are. Nick and I aren't experts, but the best thing we can do at this point from our perspective is leave it alone. Leave it a creek. Don't disturb it and we will get the right permitting and figure it out later. But, again, that process takes time and, then, as part of your -- a part of the Commission's purview tonight is whether or not this is the right time to annex the property. Do you feel like is that something you feel comfortable with just leaving it natural and dealing with it later as parks suggested or having the applicant lose units in favor of more open space and relocating those amenities, because it may even be difficult to put those amenities in that floodway. I mean typically we want to leave those as undisturbed.

Smith: I guess if -- if -- a question for you is -- see if there is a few options and -- and one of them on the table is potentially counting this against the open space without that kind

of pipe and covering pathway. Would that -- I guess how is the bridge and pathway important for open space considerations or part of the -- the -- the broader project plan and vision -- you know, will that still work?

Wardle: I -- I believe it still works. And -- and, again, understanding that we meet -- you know, we would meet the open space requirement. That's -- that's important. We understand that. We understand it's a tight site, multi-family, and -- and -- and we knew that we had the minimums to meet there. I guess the question -- and I haven't really talked to my client about it -- is if -- if we are not allowed a bridge there, then, it effectively doesn't have access to a portion of his property, because of this ordinance -- or because -- not this ordinance -- because of that decision and so that -- that would be a consideration that I can discuss with them as we take additional testimony.

Smith: That sounds good. I think Kurt -- I might have questions for you during deliberation or something like that, but I will save on that for now. Great. Any other questions for the applicant? All right. Commissioner Sandoval, you have any questions?

Sandoval: None at this time.

Smith: All right. Okay. So, we can move on to public testimony. Madam Clerk, is there anyone signed up to testify?

Lomeli: Yes. I have Shirley Sterner. And, Vice-Chair Smith, she's indicated she is representing -- is it five --

Sterner: I am representing -- I have five listings in the neighborhood and I'm a realtor and I also -- there are three other agents that have on -- several other listings in the neighborhood and so I'm speaking on behalf of those parties.

Smith: Okay. Thank you. And before we -- we get to the substance, could you also just say your name and address.

Sterner: Shirley Sterner. I don't live in the neighborhood.

Smith: Just say an address.

Sterner: 8860 West River Beach Lane.

Smith: Okay.

Sterner: And so I am -- the people that have their properties listed -- at least the ones that I -- you know, they basically want to sell. They want the best use of their land and I think they have a right to that and so we are trying to see this project go forward and have it continued on through the neighborhood and I have heard a lot of -- you know -- and I understand people don't want to see more traffic, but three of the parties in the neighborhood have -- already have short-term rentals in their homes, which creates more

traffic and there is basically a business within the community anyway, so -- and they are not ones that are wanting this project to go through. So, I think that that needs to be taken into consideration as well. So, I just want everybody to know that our votes -- many of the people in the neighborhood's votes are, yes, please approve this. Okay? Thank you.

Smith: Thank you very much. Madam Clerk, is there anyone else?

Lomeli: Commissioner Smith, no one else has signed up and nobody online is raising their hand.

Smith: Is there anyone else who would like to testify? All right. I guess would the applicant like to come back forward?

Wardle: Thank you, Mr. Vice-Chair, Members of the Commission. And -- and just to -- to clarify, if -- if we were to move the items that are effectively across Five Mile Creek and relocate them at -- at some appropriate area and -- and be able to -- to continue that as the open space calculation, my team would agree with that and -- and would be able to -- to move that around, so --

Smith: All right. Any questions -- any other questions, Commissioners, for the applicant?

Stoll: Mr. Chair?

Smith: Commissioner Stoll.

Stoll: Just to clarify. So, you would be willing to -- you would be open to moving the amenities -- I guess be north of Five Mile Creek and as long as you don't lose that building or are you open for still losing that building?

Wardle: Correct. Right. My team believes that they can move -- they can move that without losing the building -- without losing the building.

Smith: Okay. Commissioner Perreault?

Perreault: Mr. Vice-Chair. Give us a ballpark location of where those would go. And the staff made the suggestion of a specific location, but --

Wardle: Sure. I'm going to bring up our architect Jim Escobar.

Escobar: Hello, Commissioners. Jim Escobar. P.O. Box 1277, Eagle, Idaho. And, yeah, I think the thought process is if we took that area that we are trying to make as an amenity on the other side of the ditch and we move it to the north of Building A, which is the eastern most building, instead of losing a unit we still have a chunk of ground there and it's still open space. We can use it and beautify it. We can do some landscaping around that area so that the occupants of those buildings can use that space, I -- I think it's suffices and I guess my question really is for Planning and Zoning if there was a concern

there with going that route versus losing that northernmost maintenance garage unit that we have currently in the design. That's -- that's the intent of what -- what I'm -- what I was sharing with Shaun and what he was trying to share with you guys.

Smith: Thank you. Nick, if you want to --

Napoli: Yeah. Commissioner Smith, Jim, so, you know, really, the thought process behind it -- for one and I -- in my original staff report really highlighted -- there is no regional park in the area, like, you know, none and as this area redevelops I don't know if there is any going to be a -- you know, a public amenity that people can use out here as far as, you know, plazas and those type of things between commercial and residential and as this area redevelops it's going to be -- you know, it's going to be projects like this where there is certain -- I wouldn't say piecemeal, but it -- it is. It's -- you know, you are getting a few properties here and there, a few properties here and they are trying to consolidate it, but it's going to be -- you know, it's -- it's in-fill. So, it is challenging. The thought process behind losing that -- that unit is provide more usable open space. You know, ultimately if you guys think what they have is adequate that's your guys' purview. Staff thinks, you know, having more usable open space is always better, especially when, you know, you have -- 23 units is really -- I mean that is what is out here. You know, four vertically integrated and 19 multi-family. So, you are going to have a significant amount of people living out here with practically no park, nowhere to walk their dogs. That's the challenge. So, I guess for you guys I would ask you to consider what you guys think is adequate for that.

Escobar: May I follow up to that quick?

Smith: Sure.

Escobar: So, my thought process is making sure, first of all, we can comply with what the code says -- whatever the zoning code says. So, I think it still complies from what I can remember from our process. The second part is make sure it's functional and usable and it's not just something on a piece of paper that nobody ever -- I mean that's -- we all want that for the benefit of the community and, then, the third point to that is it's a pretty significant impact the fact that there is not a regional park in a very heavy commercial and used area. We understand that's a challenge, but we don't feel like that burden is necessarily our challenge to face, yet we still want our community to be -- to rent, to be usable, to be a positive atmosphere. The owner's got his heart in this. He's planning actually on living on site in one of those vertically integrated residential units. So, we are not trying to skip by, we are not trying to develop the project and disappear, we want a good project. We have been working really hard with staff to be able to get there and I think the point is we can meet the -- the goals and have a usable area and we have a chunk of ground there on a road that's not heavily traveled. So, that's -- that's what I'm trying to propose, because the idea of eliminating that space is -- well, new to me as of a half an hour ago. So, I'm just shooting from the hip a little bit, too.

Smith: Did you have something? Commissioner Sandoval, any questions?

Sandoval: Nothing for me.

Smith: Okay. I guess with that is there a motion to close the public hearing?

Stoll: Move to close the public hearing.

Perreault: Second.

Smith: It's been moved and seconded. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Smith: I will head off with -- with some thoughts. I think as a whole the project is -- is -- I -- I think this is actually a solid project. I think being right on a -- on a -- you know, a transit corridor is -- is helpful and -- and makes a case for -- for me for density. I'm balancing a couple things. One regarding the -- the floodway specifically. I don't subscribe to the idea that something is inherently good just because it's natural. You know, arsenic is natural; right? That being said, that doesn't mean we want, you know, more developed areas to have zero natural kind of integration in them and so trying to balance that and especially with the -- the floodway considerations, I -- I -- I don't know that we have the right expertise to be able to -- to -- to judge on that and to rule on that, so one of the things that I'm considering is -- it -- it -- does that justify continuing or something like that? I don't know that it does. I think that is a conversation that regardless is going to require a council waiver if something happens up there. So, I think that's a conversation to research and - - and -- and thoroughly kind of investigate and present to Council kind of with all the -- the pros and cons, cost and benefits and also legal rights. I have some thoughts and, Kurt, I -- I guess -- I don't understand how if you have part of your property that you can't access due to statute how that isn't a taking. Never -- never got my JD, but that seems a little bit odd.

Starman: Yeah. Mr. Vice-Chair. So, I'm not familiar enough with the -- with the site or the details to probably comment one hundred percent of that, but I would say to the extent that's the circumstance today, it's already divided by Five Mile Creek and access is limited. The city is not doing any more to -- to compound that, other than saying we are not going to allow you to make enhancements to better use it, but my take on it is that the property's already divided and has access issues. That's an existing condition.

Smith: Okay. That's helpful. And the -- the last thing I will say that I'm -- I'm kind of holding an intention is I agree it's not your responsibility to account for the fact that there is a regional park, but -- there is no regional park, but whose responsibility is it and -- and that's a question that I'm -- I'm chewing on. I think in previous contexts around mixed-use developments I have -- I have said, you know, there are a lot of projects that on their own in a vacuum are great, but you kind of can salami slice away certain things that we are looking for at a community level. So, I -- I think where I'm at is I -- I am okay with

supporting this and against counting the -- the space on the other side of the creek against the usable -- against the open space, kind of what we were talking about, but -- but I think there is a larger discussion to be had about how this -- this area I think we need to kind of -- and I don't know -- I don't know what the -- what the process is, but I think some -- someone needs to account for the fact that there is a regional park. I don't feel comfortable making it any individual applicant and so I -- I'm concerned that there might need to be something at a city level, at a planning level to account for that.

Perreault: Mr. Vice-Chair?

Smith: Commissioner Perreault.

Perreault: I agree with you in regards to more research being done and -- and the Commission potentially not making a recommendation to leave that natural or not, just kind of allow Council to -- to go down that road, since it will be something that they will need to address with the UDC limitations. I would absolutely prefer the applicant move those amenities to another location, meet the -- the required open space, obviously, by code and I'm not as concerned about the open space, because there are some parks in the city of Boise -- there is Peppermint Park down on Cloverdale. It's kind of around the corner. There is Kleiner Park, which is really not all that far and -- and so I'm not as concerned about that. It would be nice for somebody to -- you know, place to take their dog and whatnot, but there is many, many multi-family developments in this area that -- that are surrounded by park -- parking lots and concrete and -- and just don't -- don't have that. Do I want another one that doesn't have it? No. But I don't feel like this project is like an island unto itself and -- and we are, you know, five miles from -- from a regional park. I mean Kleiner is essentially two miles, two and a half miles from there. So -- so, I'm not as much concerned about that. I appreciate that the applicant has worked with staff to resolve some of these other variety of other kind of more technical issues, so I think I have addressed everything. If I haven't let me know.

Smith: Commissioner Perreault, I think -- I think you -- you got everything. Commission Stoll.

Stoll: So, my recollection from the public comments that we received was this -- previously this is part of a larger project that was proposed that the landowners had decided not to go forward with it and I really wish that this had been part of a larger proposal, but the application that we are dealing with today is limited to the size of this property and so those are the issues that we are challenged with trying to make a decision on. I can see staff's viewpoint on what the UDC says about natural waterways being left open and not tiling them and enclosing them, but I also can see the point of providing access to the property owner to that parcel to meet the open space. Either way from the open space calculation I think that meets that criteria that we have and I don't see a need to remove the -- I guess it's a southern building from what the applicant is proposing. As long as they move the amenities to a different location I am comfortable letting -- punting to City Council and letting them decide whether they want to enclose the waterway or

leave it open. I would also like to leave the option for folks to pursue the bridge if the waterway is left open and that's -- those are my thoughts.

Smith: Commissioner Perreault?

Perreault: I would like to clarify my thoughts on what Commissioner Stoll just shared. I would like to see the -- the waterway -- if -- if this is the decision of Council, I would like to see it closed. See it tiled. I would prefer there not be a bridge over an open waterway and that's just my preference. But, again, you know, that's -- that's the decision of City Council, so --

Smith: Commissioner Sandoval, do you have anything -- any thoughts you wanted to add?

Sandoval: Mr. Chair, no, I think it's already been laid out here from everyone really well. It's interesting that portion that is pretty much cut off from the rest, but as presented I think it looks good and we should move it on and let City Council make a decision.

Smith: All right. I guess does -- would anyone like to make a motion? I can make one if -- okay. Want to leave that option on the table. Okay. So, after considering all staff, applicant and public testimony I move to recommend approval to City Council of file number H-2025-0004 as presented in the staff report with a modification to require that amenities be move -- moved to a different location south of the creek and to not make a recommendation about piping and covering and pathing the creek toward the northernmost battery. Any questions?

Stoll: I will second, just so that we can have --

Smith: Sure.

Stoll: -- discussion on the motion.

Smith: I can -- I can -- I'm happy to amend. Yeah.

Stoll: So, I think the staff report states that they would remove the one building. I can't remember what --

Smith: Yeah. So, I think that was the two options that are --

Stoll: Are you -- are you saying that you want -- you want to allow to remove the building?

Smith: No. So -- so, Nick was essentially -- and correct me if I'm wrong, but, essentially, the -- the question was if we move the amenities south do we want to count that toward the total open space or kind of require kind of -- from our discretion that they remove that additional building to kind of gain additional open space? I'm of the -- the thought that I don't think they need to remove that building. I would be in favor of -- to moving it south,

not moving the unit. So, that was the intention of -- of my motion. I guess, Nick, is there anything -- okay.

Napoli: That clarifies it. Thank you.

Smith: The second stands?

Stoll: Yep.

Smith: Okay. Cool. It's been moved and seconded. All those in favor, please, say aye. Any opposed? Motion passes. All right. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.