

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, February 17, 2026, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Other Present: Chris Johnson, Bill Nary, Bill Parsons.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is February 17th, 2026, at 6:01 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Next up is our community invocation, which will be delivered by Justin Jordan. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection.

Jordan: Good evening. Honored to be here. Let's pray. Heavenly Father, we acknowledge this evening that all authority ultimately comes from you. You are the source of justice, order and wisdom and as this Council gathers to deliberate, make decisions, we recognize that governing authority is a sacred trust granted under your sovereign hand. You have established leaders to promote what's good, restrain harm, serve the well-being of the people. We ask for humility and leadership, courage in difficult decisions, clarity on complex issues and integrity in every vote and conversation. Guard this room from pride, self-interest. Replace it with the shared desire for what is right, fair, beneficial for this community. Help these leaders remember that they are stewards, accountable not only to citizens, but ultimately to you. Would you bless this city. Protect its families. Strengthen its businesses. Care for the vulnerable. And may the decisions made here contribute to peace, justice, human flourishing. We pray all this in the name of your of Son Jesus, Lord and Savior, Amen.

ADOPTION OF AGENDA

Simison: Thank you, Justin. Next up is adoption of the agenda.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: We will be vacating Item No. 2 as we resolved that in the work session. But other than that we will approve -- move that we approve the agenda as published.

Little Roberts: Second.

Simison: Have a motion and a second to approve the agenda as amended. Is there any discussion? If not all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is agreed to.

MOTION CARRIED: ALL AYES.

ANNOUNCEMENTS AND RECOGNITION

Simison: Council, anything under announcements and recognition? I will just make one. We do have the Community Center groundbreaking on Thursday at 1:30 at Settlers Park for anyone who can make it. We will see how the weather holds up. I have not been informed if this is a rain or -- oh, it's rain or shine is -- we will be moving forward, so -- snow. Sleet. Okay. Any other items?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just want to share. Billy's celebration of life is scheduled for the 28th of February at 1:00 p.m. I believe at Cloverdale, but I will send that information to you all by the end of our meeting.

PUBLIC FORUM

Simison: Thank you, Councilman Cavener. Okay. With that we will move on to Public Forum. Mr. Clerk, anyone signed up on this item?

Johnson: Mr. Mayor, nobody's signed up.

RESOLUTIONS [Action Item]

- 1. Resolution No. 26-2568: A Resolution of the City Council of the City of Meridian Appointing Carrie Graeff to Seat 1 and Jared Christensen**

to Seat 8 of the Meridian Parks and Recreation Commission; and Providing an Effective Date

Simison: Okay. Then with that we will move on to our first Action Item, which is Resolution No. 26-2568 appointing Carrie Graeff and Jared Christensen to the Meridian Parks and Rec Commission. So, Council, we originally had one opening, which turned into two with the appointment of Dom to Planning and Zoning, which is great, because we had a lot of really good quality applicants once again and -- and I really have to -- like I say, between Planning and Zoning, Parks and Arts, we -- we had almost ten people interested in every single one of these positions, which is -- which is a -- spent a lot of time, but really good, because it gives us a great perspective on stuff. So, Dom did help choose both of these folks. I -- I guess he gets to say see ya and doesn't get to work with them, but felt that this would be good people. First is Carrie Graeff and she -- she mentioned this a little bit in herself, but what -- what was really interesting is, you know, Carrie -- as she said she's got parks in her veins and that -- that -- that was -- you know, her -- her father was very involved in parks here in Idaho and, then, in the state of Oregon and so it's -- it's been part of her -- her DNA through that. But through her husband's professional life that brought them back here to the Treasure Valley. He's a golf pro. So, even -- even in the family it's part of the understanding about what happens. But she -- she will bring, you know, a definite -- I think large -- larger perspective to the Parks and Recreation Commission, but a passion for service that really came from her family. So, she was one person. And the other is Jared Christensen. I have actually had the pleasure of knowing Jared over the last few years through his professional work and relationship and he is here in the audience today. But I -- I think there is a -- a lot of stuff that can tie into, you know, being a principal in elementary school, what you see, what you hear, what you feel from the community and also how, you know, you understand, you know, kind of what play looks like in -- in the environment that we are all in today with kids, whether it's special needs or just some of the -- the everyday challenges and, you know, his -- his desire coming in through Leadership Meridian, getting involved and getting engaged, just shows his continued commitment and dedication to -- to our community and even -- even how we have used the parks and the stories that they -- they can tell to make it stand out more to the community. So, these are the two individuals that we would like to deliver to Steve and Jo Greer, who will be stepping back into the chair with Dom moving on -- for your consideration. Be happy to answer any questions or take any comments.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: There are a lot of comments, besides to say we are really happy to see such qualified individuals stepping up in our city to lead in some important role and with that I'm happy to make a motion that we approve Resolution No. 26 -- 26-2568 appointing Carrie Graeff and Jared Christensen to the Meridian Parks and Rec Commission.

Overton: Second.

Simison: Have a motion and a second to approve Resolution No. 26-2568. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed to.

MOTION CARRIED: ALL AYES.

Simison: Jared, would you like to make any comments? Okay. All right. Well, for those that didn't know him. Jared is here. You just heard his voice. And if you see him out and about -- or out of Willow Creek. But thanks for being here. Appreciate it.

PUBLIC HEARINGS [Action Item]

3. Public Hearing for Building Height and Drive-through Text Amendment (ZOA-2025-0003) by City of Meridian Planning Division

- A. Request: UDC Text Amendment to define residential building height measurements, clarify building height standards in the Residential and Traditional neighborhood districts and update the approval process for tiered drive-throughs.

Simison: Okay. With that we will move on to -- since Item 2 was amended off the agenda to our public hearing action item for the evening, which is public hearing for building height and drive-through text amendments, ZOA-2025-0003. We will open this public hearing with staff comments from Bill.

Parsons: Thank you, Mayor, Members of the Council. Happy to be back with you this evening to talk about building heights and our drive-through text amendment. I was in front of you end of, what, third quarter of last year talking about some building heights and drive through changes. At that time there was several workshops with the Council talking about building heights and, then, several continuances on the drive-through standards that eventually got postponed, but got approved by Council, but we -- during that process Council is like go change the code, come back and bring those to us, so we can get -- get the process dialed in. So, the two topics tonight as I have already mentioned, building heights and drive-through, so I will go ahead and start off with topic number one, which is currently our building heights. The changes that are -- that I am proposing tonight are before you. A lot of words there, but I think Council is pretty familiar with how code changes work. Anything underlined is new language. Anything struck through is old language -- language being replaced. So, our first task was how do we define residential heights from non-residential heights. I remember our discussion back in August, Council was clear that we want to do first try -- what -- make it clear for what we -- how we measure residential heights and leave non-residential and mixed-use buildings alone. So, the -- the changes that I am proposing tonight only apply to, again, residential structures in this particular case. So, first thing we did is we went back to our Chapter 1, which is the measurement section. I think if you recall in our previous discussions there was some discrepancy on how we measured height. We defer to the building code I should say. And so as we discussed with City Council

we can be more restrictive in the zoning ordinance and so this is staff's first attempt at doing that is making it clear that in the measurement section when we measure residential buildings heights we are going from the average grade from the front of the property line to the very top of the roofline. There is no ambiguity as to whether or not it's to the roof plate, to the midline of the roof, or pitch roof. A flat roof would go to a parapet. A pitch roof is going to the -- to the peak of the roof. So, that's one way to kind of stop those exceptions from happening and, then, part two or step two of that affects our specific changes in Chapter 2 of the code, which -- which is the middle code section here. That is our residential zoning district, so R-2, R-4, R-8, R-15, R-40 zones, make it very clear the number one bullet point for the maximum height is going to refer back to that definition in Chapter 1. So, when we look at this we are going to be like anything below that does not apply. You go to number one and you go directly right to that measurement and if they -- they have to meet that requirement. No exceptions granted. And so same thing with the third bullet point below. That is our traditional neighborhood district. So, our Old Town, our traditional TN-C, TN-R. So, some of those zones also allow residential homes. So, we had to go ahead and make that change as well. So, it married up with R district. So, I think Council may be aware, too, in Old Town and TN-C there are exceptions to height allowances to a conditional use permit and alternative compliance. Again, that -- that won't apply to residential structures, it will apply to vertically integrated residential structures, multi-family structures, or a commercial building to that effect -- or even an industrial building. So, again, go ahead and pause on this particular topic, but I think based on the discussion that I heard from Council this is the direction you wanted to go, sticking with residential. We also had an opportunity to share this with our UDC focus group and also BCA and they -- they were supportive of these changes. They didn't feel like it harmed them in any way. So, they -- they feel comfortable with what the city is doing as far as building heights or the way we are moving in this direction. So, I will go ahead and stand for questions on this topic and if there aren't any and, then, I will move on to drive-throughs.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Bill, thank you. I like the clarification here. I do have a quick question. Proposing the new language that measures to the highest point of the roof or structure and, then, it also says on the new point number two in the section just below. Such architectural features shall have a maximum height limit of 20 feet as measured from the roof line. It seems confusing a little bit. Roofline and, then, previous it said the maximum point of the structure. So, help me understand that.

Parsons: So, Mayor, Members of the Council, Councilman Taylor certainly happy to -- to elaborate. Currently -- I think the idea was -- so, as I mentioned previously, if it's a residential structure it stops at one. So, anything underneath that doesn't apply. So, it goes back to -- to the measurements. Now, where it does apply is sentence number two of the -- of the measurement sections for nonresidential and mixed-use structures. Then those types of buildings still are eligible for those types of exemptions and that's

how we are going to interpret the code moving forward. So, it's kind of that belt and suspender approach. We are going to further restrict residential, but still leave it open for nonresidential slash mixed-use commercial buildings for those exceptions, because, again, as you know in our design standards manual we like rooftop mechanical equipment to be screened and those types of things. So, we don't want to be so restrictive as to back ourselves in a corner for not allowing that to occur.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a compliment. I -- I just -- I think you nailed it. I think you really listened and I'm sad that we had to have the situation occur in my district that led us to this point, but I do really feel strongly that this is closing a major loophole in our code and that this is a really good clean up and I think it would be great -- you know, we could -- we can talk about this as well with residents that are concerned that had those projects that impacted them directly and explained in response to that situation this is what we did to fix that loophole and I just think that that's really important follow through that -- that, hopefully, we can do some communication and outreach. But I just really appreciate the hard work on it. I know it's not the easiest thing to nail this down, but I think you guys got it. Thank you.

Parsons: Thank you. I appreciate that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Compliment my good Council Member Taylor asking kind of a similar question earlier, but my -- my other follow up was about nonaddition, but I'm -- I'm probably just sensitive to the term. When I look at Item 3-B it talks about, you know, a handful of things that, essentially, we grant exceptions to exceed the height limit and there is a couple that kind of caught my eye that I would love just to get some insight from you. Observation towers, windmills and my new favorite A word, appurtenances. I'm probably sensitive, too, because I don't want well intended to come back and -- and cause mistakes. So, you know, the way I have always looked at kind of what I would classify an appurtenance is something that is -- is life safety or a utility requirement and so when I see things like an observation tower, why would we need an observation tower in residential? Why would we need a windmill on top of a building structure in residential? And do we serve ourselves by further defining or capping a height for anything that is viewed as an impertinence?

Parsons: Mayor, Members of the Council, again, this is current language in the code. It's something we toyed with. I think the first -- the draft edition had a lot of those things removed and looking at that I -- I can't think of a situation where those things would be practical in Meridian, to be honest with you. I'm not sure why they were ever in the

code, but, you are right, appurtenances leaves it open as we discussed a couple months ago, but I felt comfortable with it, because, again, we just don't know what changes come to building codes. We -- what if there is some new and inventive thing that happens and we are so restrictive we don't -- we -- we don't allow for something. I'm not saying that's -- that wouldn't happen or would -- could happen, but I feel comfortable that based on the Council's direction that you guys were -- just stick with residential first. You weren't too concerned about the -- the nonresidential that I just went ahead and left that language in there, but certainly within the Council's purview to make modifications to anything that's in front of you this evening.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Bill, I -- I appreciate that and I guess I have kind of looked at that residential be our first step, but I -- I -- I do think that we have got an obligation to go back and look at commercial and mixed-use, et cetera, and try and provide some consistency, because ultimately I think what we are trying to avoid is -- well, because this is this it's allowed. If it was that it wouldn't be allowed. Because ultimately our bosses, they don't -- they don't care about what's zoned and what's residential versus commercial, they are concerned about, you know, an impact to their view or an eyesore of some sort. So, I -- I hear you when it comes to an appurtenance. We could list 20 things that we think it would be and three years from now the 21st item would emerge and we say, well, okay. I guess what I would challenge the Planning Department to do is to broadly define what an appurtenance is. Has to contribute to life safety or delivery of a utility to me makes a lot of sense. I could be missing something. Would yield to your guys' subject matter expertise. But, then, further, regardless of its life safety or utility need an appurtenance can exceed five feet, ten feet, a hundred feet -- I would look for you to -- to sidebar that and say, okay, we are not -- may -- maybe we do need a windmill, but a 20 foot windmill on the top of a three story structure doesn't make a lot of sense. If I was going to read this it could be allowed; right? So, I think that's the thing that I'm trying to get to avoiding. I know we can't capture it all and I recognize I'm very sensitive to this, but those are some things that I think that I would look for the Planning Department to define, not necessarily its intended use, but the themes of why they would be allowed and even if it falls within that we are not going to allow it to exceed; right? Number one says residential structure shall not exceed maximum height. But it can, right, if it qualifies under three. So, you are saying even if it still can't exceed the building height. I misunderstood that, Bill. And, Mr. Mayor, Members of the Council, I apologize for wasting time on that, because I think that's the piece that I'm trying to avoid.

Parsons: So, Councilman Cavener, if I could just maybe let you know part two of this is we are updating our checklist and I think -- when we talked about this topic in particular we were going to add a checklist item that if your building has an appurtenance or some kind of exception, that we would daylight -- they would have to put that in their narrative and show that on their elevations, so this body knows what they are looking at and

approving it's part of that. If you recall the appurtenance in the -- what brought all this topic up was there was a gazebo or pergola on top of a -- a patio --

Cavener: Yeah.

Parsons: -- or a rooftop terrace and that can still happen on a multi-family building. That could still happen on a mixed-use building. That could still happen on a commercial building like in downtown --

Cavener: Right now.

Parsons: Yes. So, that's why I said it's -- yes, it is a word that is a catch -- catch-all, but, again, as I stated if you -- if you are number one you are not going -- you are not going past anything under number one, you are staying with -- you don't -- you can't exceed anything. There is no mechanism.

Cavener: I misunderstood the reading of it that it -- it could -- sorry, Mr. Mayor. That it could exceed unless and so that's where I was taking. So, I -- I appreciate the clarification.

Parsons: But, Councilman Cavener, I could add that verbiage nonresidential and mixed-use to that same section to make it clear that it's really for those two buildings.

Cavener: I would be -- Mr. Mayor, sorry. I realize I'm totally out of form this evening. Apologies. But to respond to -- to Bill's question, I would be very much in support of that.

Parsons: Perfect. Thank you.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Just to speak to the -- well, I -- I struggle with listing everything, but I like the word after that's currently in the -- in this that says usually required and I wonder if in your process how is usually defined. So, how do we get to the point of not having to list everything, but relying on the fact that this fire and hose tower is usually required to be on top of the building, rather than next to it.

Parsons: Mayor, Members of the Council, that's a -- that's a good question. Again I think -- I'm not -- I don't see fire here, but I could see if we get taller and taller buildings -- I know we have had topics of that's a concern for Meridian to get too tall and how do we attack those taller buildings. I -- I don't know if that necessitates having those types of things on top of a roof. So, you do have a water tank on top to fight fires. I'm not an expert at firefighting skyscrapers or taller buildings, but, again, I think these are some placeholders. I don't know if we necessarily need that language in there. Again, I

wasn't trying to reinvent the wheel too much or take out too much. Keep it simple for now and, then, like you said, I -- I kind of like the approach of adding a little bit more verbiage to -- to clarify point three and, then, certainly not opposed to removing water tank or power lines or anything else of that fact, if -- if that's what the desire of Council is. But right now I -- I wanted to capture our discussion on residential heights for the moment. But certainly can keep that as a -- a future topic if Council would like that.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Bill, I apologize if I should have read it or heard it. I'm just not understanding it. I just want to make sure I'm clear. If we have a mixed-use zoned project, we might have a commercial building and we might have a residential there. I just want to make sure that when we are measuring a residential it's being measured consistently, but it -- it's not necessarily germane to the zoning it's in, we are actually going to be looking at the structure itself whether it's residential or commercial. My only concern is -- and please clarify -- is if we have a residential structure that's in a type of zoning that allows for a mixed-use, could there be a justification that this residential is actually commercial, so we would measure it differently? I'm not sure if that's a hypothetical. I'm just kind of -- I want to make sure that there is no loophole, since we talked a little bit about that tonight. Make sure there is no way around it to say this is not residential. It's in a mixed-use application. Does that make sense?

Parsons: It -- it does. Mayor, Members of the Council, Councilman Taylor, I think that's why we put mixed-use building on it, because if you are going to have a live-work unit you are going to have -- the definition of the code is that the bottom floor is commercial and the upper floor is residential. So, on that particular case you could go higher, but height is going to be predicated on -- one, could be the use of the building, but, two, it's going to be primarily zoning as well. So, even in the R-40 zone you can have single family detached homes, but it requires a conditional use permit. So, in that case that single family home is not exceeding -- but although R-40 it's 60 feet tall, so that's something that it -- that's what's going to be driving that. But I don't think anyone's going to build a 60 foot tall single family dwelling -- detached dwelling anyways. But, again, a multi-family -- typically we are here telling you multi-family is residential, but under the building code it's treated as a commercial building. It's C, multi for commercial. So, that's why multi-family is not part of that equation. Any other questions on building height?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If -- if it was up to me I would include multi-family developments in the absolute height limitation, because I think we are setting ourselves up to have a similar situation occur. You could easily see a potential scenario where there is like a rooftop patio with

a full wall and we could end up with an extra story that we don't want. I'm -- I'm happy with the progress. So, I don't want to stop the progress. I guess I -- I would kind of hope that you guys would take a look at height limitations for the other property types subsequent to this meeting, because I -- I think that kind of an approach is the correct approach. I share the same thought process. Like I -- I don't want to have us approve a three story commercial building and, then, find a 20 foot windmill on top of it. Like I think that would be absurd. I think that height limitations should just apply and that people should have to get an exception to height limitations. That -- that's my general approach to this, but I realize I have a lot of energy around it and I'm not sure where everybody else is at. I'm happy with the progress on residential. I just think that this approach needs to be expanded to the other property types in the future.

Simison: Anything else on this item? Okay. So, drive-throughs.

Parsons: Drive-throughs. So, again, this -- this coincides with the -- I think back in October you -- this body approved the new drive-through specific use standards and that -- that -- during that approval process Council wanted to treat Tier 1, Tier 2 and Tier 3 differently based on their intensity. So, we -- we always talked about high capacity drive-throughs versus your typical Tiered 1 drive-through. So, we have taken -- again, looked at Title 1 of our -- Chapter 1 of our code, redefine the -- or updated the definition of a drive-through establishment and, then, we also noted that what it -- and through the tiers underneath that definition. So, there is no ambiguity, again, because -- again, if you can't -- if you don't define it, then, it's hard to say what it is. So, that's why we put it into the -- the drive-through standards saying what a Tier 1, a Tier 2 and Tier 3 is and that links to the specific use standards in Chapter 4 that you guys recently approved. So, this matches. Worked with legal a little bit. I will mention to Council that some of the -- again, words have meaning and how you say something and so working with our legal department after Council approved that we did change those definitions slightly so that it read a little better and so that -- but it's -- again, it's the same idea of defining what a Tier 1 is. It's less impact, with Tier 3 being the most impact potentially. And, then, what comes with that as well is during that discussion -- again, you guys were fine with Tier 1 staying administratively, if possible, Tier 1 through Tier 2 you thought should go to maybe Planning and Zoning Commission. And, then, Tier 3 you wanted them to come to City Council for review. So, I had to go back to the schedule of tables in Chapter 2 and make that a reality. So, that's what you see here in the -- in the left-hand of your screen. It's the allowed use table for commercial districts and the other one is allowed drive-throughs in our traditional neighborhood districts. So, you can see here I struck out the term drive-through establishment, because now we have Tier 1, Tier 2, Tier 3 and so you can see here a Tier 1 can be an accessory or conditional use and the reason why a Tier 1 can be a conditional use is if you recall in the specific use standards we said if any drive-through is within 300 feet of a residential use it was going to trigger a conditional use. So, again, all drive-throughs -- or drive-throughs will still go to Planning and Zoning if they are within 300 feet, except for Tier 3. And, then, Tier 2, again, making it clear that it's going to the Commission -- or requires a conditional use permit for all of them and Tier 3 the same thing. So, again, mirroring up based on our discussion that we discussed at City Council. So, in order to make that happen we had

to go to Chapter 5 and add that to our process. So, you can see here where conditional use for Tier 1 could be no recommend anybody and it's the director or it could be the director approving it or it could be the P&Z Commission just as I mentioned to you and so it could be an -- an administrative approval or it could require a public hearing. Tier 2 is consistent with the director being recommending body. P&Z. And, then, a public hearing for those. And Tier 3 is where it got a little interesting at Planning and Zoning Commission. While I was presenting this to the Planning and Zoning Commission they -- they expressed concern that they wanted to be that conduit for you, just like other applications, where they are the recommending body on annexations, on plats. They are like why would we treat these any differently than another application? And I explained to the Commission that, well, development agreement modifications or final plats go directly to City Council. They don't require any actions from you. But I said if that's your prerogative, if that's something you -- that you want me to take forward to -- to the City Council I'm more than happy to do that on your behalf, Planning and Zoning Commission. So, they, in fact, in their motion made a recommendation that Tier 3's, they become the recommending body on those applications and City Council becomes the decision making body. And, again, it's all of them and they require a public hearing. So, those are really the gist of all of the code changes around drive-throughs. Happy to stand for any questions on this particular topic.

Simison: Thank you. Bill, one point just for clarification. Even though it's written I think this is what it means, but it says two pick-up windows. So, a payment window and a pick-up window are not considered two -- two windows or -- I'm thinking about the Arby's, you go through Arby's single drive through that one you pay, one you pick up even though they got two windows. What does that -- does that qualify under this as two windows or one window? It's pick up and payment.

Parsons: Mayor, Members of the Council, that's two windows. That's going to -- that's going to trigger it.

Simison: Okay. Does it need to be clarified, because it just says pick up. Does payment and pick up -- or do you just say two windows and not say --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Trying to get your Arby's delivered to you at the payment window? Is -- is that what we are trying to angle here for?

Simison: If it gets me there faster, I -- I'm -- I'm -- I'm -- I'm happy. I -- I just want there to be clarity for everyone on what is a -- if they say that's not a -- it's not a pick up window. That's what it says is pick up, not --

Parsons: Mayor, I think that's a valid point, but, again, the interpretation would be if there is -- the code requires them to show windows for the -- the transaction. So, if

there is a transaction -- transaction happening from your vehicle that's going to be a drive-through.

Simison: Okay. All right. Council, further questions, comments, input on the Planning Zoning Commission recommendation?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Actually, I -- I -- it's good that Planning and Zoning is the recommending body on Tier 3. That's a good move. All the ones that have caused us grief over the past couple of years have all been what we would now call Tier 3's and I think, hopefully, this will streamline a vast majority of those that don't have to come in front of us, only the ones that are going to cause us trouble are going to be the ones that come in front of us.

Simison: And, Councilman Overton, that's why I was making the clarification, because you just put every Burger King, you just put every -- every restaurant anymore has a payment and pick up. I don't know anyone where there is -- being built with one transaction window. So, that's why I was highlighting that for consideration. I can say they couldn't just do one and get away with it, but if that's your intention there is -- essentially that's what you are going to see under that definition.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Here is a question. What about those entities where you have people taking an order out in the driveway and they only have one window, how do you treat that? Or if they -- you know, a Chick-fil-A will have a little tent maybe during certain hours of the day. How do we how -- do we consider that? How do we treat that?

Parsons: Mayor, Members of the Council, it's -- it's -- it's all in the definition. So, it's all going to be the design of the drive-through. So, if there is -- give you an example where your typical McDonald's has two ordering points -- menu -- menu boards and, then, you merge into one lane, but you have two windows. That's a Tier 3. It's either/or. It's two menu boards or two stacking lanes or a combination of one menu board, two stacking lanes, two windows. It's all -- it can be many different variations of that to still be a Tier 3. And, again, if you remember the specific use standards also stated if you don't want to meet any of these standards -- so, let's say we had some conversations about -- skate blank. Well, if you recall that there was a restaurant on Eagle Road that came before you and asked you to approve their modification to their drive-through lane and you denied it. Well, now they have the ability under this new code to come back and say we can't meet the stacking lane requirement, but we still want you to act on a CUP. So, they can go to city -- not necessarily City Council, but in that case they probably

would, because there is two drive-through lanes and two ordering points. But they have an avenue to come before you and say, hey, this doesn't work, but this is how we think it will work better without needing these things. So, we -- we do have some flexibility. But, again, like the Mayor says, there is no flexibility in getting out of public hearings, just based on the definitions of that. We are going to have more hearings unfortunately.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Do you mind going to the definitions one more time? Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. So, I think to me it's the designated order areas and the stacking lanes that are more the driver of what fits into a Tier 3 than just the existence of two pickup windows. So, I'm wondering if an easy change might just be to eliminate that concept and end it after two or more stacking lanes. Period. And, then, I guess we would have to modify Tier 2 to say up to two stacking lanes if we -- if we wanted to find -- the population -- I guess the population of drive-throughs that are one lane, but two windows we don't necessarily want those to go into Tier 3 is my thought process. If we can -- I would be in favor of -- of that approach, because I think it's the stacking lanes to me that's a lot more of the issue and -- and the different order areas kind of is actually a similar thing, as you are creating two stacking lanes through more than one place to order. So, that -- that's more where I think the control should be over which category it fits into. That's just my two cents.

Parsons: Mayor, Council, that -- that -- caution you a little bit on that, because we do have the specific use standards that recently changed that match the same -- same language, so it would require modifying that section that we have already changed, because this does marry up with the -- the specific use standards, so -- not impossible, just would need to maybe continue that out or bring back another code change and fix it. But just let you know that -- that that one's already -- those Tier 1, Tier 2, Tier 3 language is already in the specific use standards currently.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: And, Bill, so, really, from our prior conversations the -- I guess the only change that I'm sensing is that the Planning and Zoning Commission said we would -- we would like to vet this first and have a bite of the apple. Everything else is pretty much similar to the prior conversations; correct?

Parsons: Councilman Whitlock, you are -- you are spot on. You are correct.

Whitlock: Mr. Mayor, follow up?

Simison: Councilman Whitlock.

Whitlock: But that was a split vote by the Commission if I recall reading the minutes correct. It was at a 4-2 vote or something? They -- they all weren't on board with wanting that bite of the apple -- or that first --

Parsons: Mayor, Members of the -- yeah. I -- I don't know exactly the -- the voting on it, but I do remember that being discussed quite a bit and, like I said, once I explained the DA mod process I think some of them, like you said, understood that it could -- could go by them, but they just felt comfortable like you guys didn't trust them to do this for you and that's why we have a Planning and Zoning Commission to wade out -- vet these things through, help -- help provide you some guidance and a recommendation, so they felt, you know, these -- these are important to the community and we feel like we should be part of it. We should give you a recommendation on them.

Whitlock: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yes. I'm curious what everybody thinks about maybe an approach where we approve the changes to the residential building heights, but maybe clean up a little bit further the definitions of the different categories of drive-throughs, just so we make sure we get it right and, then, you could come back with kind of like the other changes that would need to come together. I guess I'm just curious what your feedback would be about that kind of an approach tonight and also my colleagues, what they think about that.

Parsons: Mayor, Members of the Council, I guess I will go first. But a couple things to be I think cognizant of is those new -- the new specific use standards are in place. So, if someone were to come in for the drive-through today, you know, they would not necessarily require a hearing if they could meet those dimensional standards. So, that's what we talked about. That's why this was -- wanted to get this in front of you in case we had another Tier 3 that came in and they could submit today and we would -- if it met all the design criteria like we currently have it listed in -- in the specific use standards, it would be an administrative approval, with the caveat if it were 300 -- within 300 feet of a residence, which I know in speaking with our development community I know a couple that are looking here quickly, getting ready to submit. Not that that should change your mind in any way, but I would prefer to keep it all together, but I know it -- the height -- the residential height is important to you, Council Woman Strader, but it's -- it's cleaner just to package it up one deal, get the ordinance done and, then, go from there.

Simison: Yeah. And may -- what I would maybe -- really it's how much work you are going to see. You know, personally, I brought this up just to make sure you guys were understanding that you are going to see a lot of these that you may not have seen. If you are okay with it, run with it, and if it becomes too onerous, then, you can make that determination if you want to be seeing them to that level or not. But I was just trying to make sure we understood that we were pulling in most new drive-throughs into Tier 3, you know, unless you are, you know, TGIF handing out a window at the side of your restaurant, you are probably coming in for a City Council hearing under this process. Not entirely, but -- but that -- that was all. So, I -- for Bill's purpose I think it's good, but if you want to re -- re-examine that I would say put it in and bring it back at a later time, as compared to leaving it vacant for much longer.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: In light of that feedback I -- I guess -- it seems like the most prudent thing to do would be to -- and I'm prepared to make a motion to approve tonight. We could see how this all plays out, right, with the drive-throughs specifically and what -- if -- if we get a tsunami of them and how we feel about that and if we think, okay, we are seeing a huge population of what we just consider plain vanilla drive-throughs and we decide we don't want to see that, then, I -- and we could always take that approach. So, if -- if -- if -- if everybody is kind of nodding along I'm happy to move that we close a public hearing on this item.

Simison: Not yet, but we will be happy to do that when we get there.

Strader: My apologies.

Simison: Okay. Is there anymore questions for staff? Okay. Well, then, we will go to Mr. Clerk. Anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, nobody signed up.

Simison: Okay. Is there anybody present that would like to provide testimony on this item either in the room or online? If you are online you can use the raise your hand feature. Anyone want to come forward? Okay. Seeing no one, Council Woman Strader.

Strader: Mr. Mayor, my apologies for that. One of -- long night. So, with that I move that we close the public hearing on this item.

Overton: Second.

Simison: Have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Simison: Mr. Mayor?

Simison: Council Woman Strader.

Strader: After considering all staff, applicant and public testimony, I move to approve File No. ZOA-2025-0003 as presented in the staff report for today's hearing date.

Little Roberts: Second.

Simison: Have a motion and a second to approve Item ZOA-2025-0003. Is there discussion? If not, Clerk call the roll.

Parsons: Mayor?

Simison: Oh.

Parsons: One for clarification. Would you like me to modify that language for the other exceptions to include the non-residential and mixed-use buildings as discussed?

Strader: Mr. Mayor? Yes. Yeah. I thought that was a good suggestion.

Simison: Second agree?

Little Roberts: Yes.

Simison: Okay. Second agrees. Motion we are voting on. Okay. Clerk call the roll.

Roll Call: Cavener, yea; Strader, yea; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Perhaps maybe you and our Council President can discuss the next time you are together -- a matter of training or good conversation with Council in light of a workshop session on -- sorry. I did not realize my mic is off. It's not lost on me that there has been now I think a couple times in the past 12 months where at least the Council thought that they were approving and what was ultimately approved and came forth. We are not in alignment and I know when we had kind of our first -- I think we had a -- an education session in December. My goal is to get good feedback for where we -- where we as Council need to improve. So, whether that is staff level feedback, whether that is staff-to-staff on things that they need to make sure that they are capturing or whether it's things that we need to be capturing in our motions, to feel really comfortable that what we are voting on, what we are proving, is actually what's going to come forth. I don't begin to know what the right approach is, but I -- I see this as -- as now repetitive issue that is said twice in the past 12 months and it makes me at least pause of where are we erring that's allowing this to continue and what do we need to do to resolve it so it stops.

Simison: Okay. All right. Anything else under this item? Okay. Then do I have a motion?

Overton: Mr. Mayor, move that we adjourn.

Little Roberts: Second.

Simison: Motion -- motion and second to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 6:47 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK