

A Meeting of the Meridian City Council was called to order at 6:01 p.m. Tuesday, January 9, 2024, by Council President Joe Borton.

Members Present: Joe Borton, Luke Cavener, Liz Strader, John Overton, Anne Little Roberts and Doug Taylor.

Members Absent: Robert Simison.

Others Present: Chris Johnson, Bill Nary, Caleb Hood, Brian McClure, Linda Ritter, Jeff Brown, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Doug Taylor	☒ John Overton
☒ Anne Little Roberts	☒ Luke Cavener
☐ Mayor Robert E. Simison	

Borton: Good evening. It is 6:01, Tuesday, January 9th. Here for our regular City Council meeting. We will begin tonight's meeting with roll call attendance. Mr. Clerk.

PLEDGE OF ALLEGIANCE

Borton: Item No. 2 is the Pledge of Allegiance. If you would please join me.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Borton: The community invocation tonight will be led by Jenifer Cavaness-Williams. Good evening. Thanks for joining us tonight.

Cavaness-Williams: Oh, God, my God, unite the hearts of thy servants and reveal to them Thy great purpose. May they follow the commandments and abide in thy law. Help them, oh God, in their endeavor and grant them strength to serve thee. Oh God, leave them not to themselves, but guide their steps by the light of thy knowledge and share their hearts by thy love. Verily thou art their helper and their Lord.

ADOPTION OF AGENDA

Borton: Thanks being here. Next the adoption of tonight's agenda.

Strader: Mr. Council President?

Borton: Council Woman Strader.

Strader: It doesn't appear that we have any changes to the agenda. I move that we adopt the agenda as published.

Cavener: Second.

Borton: It's been moved and seconded to adopt the agenda as published. All those in favor say aye. The agenda is adopted. Thank you.

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Borton: Public forum. Mr. Clerk, anybody sign up?

Johnson: Mr. President, nobody signed up.

ACTION ITEMS

- 1. Public Hearing for Hesperus (SHP-2023-0005) by Antonio Conti, Ackerman Estvold, located at 1737 S. Meridian Rd.**
 - A. Request: Short Plat to subdivide Lot 4, Block 1, Medina Subdivision, consisting of 1.38 acres of land into two (2) building lots in the C-G zoning district for the Hesperus Subdivision.

Borton: Nobody signed up. That moves that right along. That brings us to the Action Items for tonight's regular City Council meeting. We will start with Item No. 1. This is a public hearing on SHP-2023-0005 and we will begin this public hearing with staff comment. Good evening. Got to be close to the mic so everyone can hear good.

Ritter: Okay. I'm Linda Ritter, associate planner. And tonight I bring before you the Hesperus short plat, SHP-2023-0005. It's a request for -- to subdivide Lot 4, Block 1, of the Medina Subdivision into two building lots. The property is located at 1737 South Meridian Road and consists of 1.3 acres in a C-G zoning district. Access to the property is provided via an existing access point from South Meridian Road and West Overland Road. The property is currently under construction for a 2,325 square foot Chipotle restaurant, with drive through for pickup only. And ASC Retail, which is a 4,888 square foot multi-tenant building with the first tenant as a medical doctor's office. Both buildings have been approved through the CZC and design review process. Under A-2023, the 0060 and 0061. The findings for the drive through for the Chipotle restaurant was approved on April 6th, 2023. The permit H-2022-0094. And the perimeter landscaping was installed with the previous subdivision improvements. So before you are the existing -- what's going on right now, the construction of the buildings. And at this time I will stand for any questions that you have.

Borton: Thank you, Ms. Ritter. Council, any questions for staff? No questions? Okay. Mr. Conti, the applicant, is present. Welcome. The mic is yours.

Conti: Good evening. I am Antonio Conti. Ackerman-Estvold. 7661 West Riverside, Suite 102, Garden City. I have a PowerPoint presentation. Not to repeat the information for what Linda said, I didn't see why she had so much at the end -- at the end of it. I don't want to waste anybody's time.

Borton: Are you going to walk through your presentation or are you --

Conti: I am waiting for the presentation to load.

Borton: Oh. Okay. No worries.

Conti: Okay. Hi. There we go. Like Linda mentioned, the project is on the south -- the southwest corner of Overland and Meridian Road, right between Walgreens and Carl's Jr. Those are pretty much what we discussed. There is no reason to go over most of this information. The -- of where to get to is this -- this is a rendering of what the buildings are going to look like. What we are asking is to take an existing commercial lot, subdivide it into two separate lots. The property line between the two is pretty jagged, just to make sure that we meet the required setbacks between the buildings. It's a nice addition for the location. It fits really well with the new carwash that was built about a year ago right at the corner. I just want to show you what -- you know, an idea of what the buildings are going to look like. So -- there we go. From the surveys that Chipotle restaurant. The other one is a medical facility and some additional commercial as well. In my understanding -- I just found out today that I blocked one of the driving lots for construction. So, Walgreen's wasn't too happy, but working around it. Any questions?

Borton: Thank you, Mr. Conti. Council, any questions of the applicant?

Cavener: Mr. President?

Borton: Councilman Cavener.

Cavener: Mr. Conti, thanks for being here. My question is about that -- that drive aisle. I think if memory serves, if somebody were to go and get a cheeseburger at the Carl's Jr., their only way that they can exit that is to head south on Meridian Road.

Conti: Correct.

Cavener: They can't travel through the -- the Walgreens parking lot and, then, be able to exit safely on -- on to -- onto Overland. So, it sounds like the other businesses in that area are a little frustrated by it. Frankly, I'm frustrated by it, because I have received some complaints from people that are trying to be able to drive safe and feel like that the construction is forcing them to make some unsafe driving decisions. So, can you

help me understand when is that drive aisle going to open up and when can we get back to better connectivity in that project?

Conti: Mr. Cavener, I found out about this after five minutes ago. The engineer on the project is a different company. It's not me. I just work on the servicing side of it. All I did was the plan. I'm going to notify the client as soon as I get out of this meeting and get a time frame and forward it over to Linda, so she can forward it to you guys so you know what's going on. My understanding to put a sign up in there, if I go to Walgreens the only way in is through Overland and I understand this -- you know, the tight side to building going in, it's kind of frustrating. As soon as I hear from the client I will mention.

Cavener: Mr. President, if I can follow up.

Borton: Yes.

Cavener: I was trying to -- I think that sign is -- is very very hard to read and the only time you're able to read it is once you have already chosen to enter into the parking lot. So, it's serving no purpose and -- and I know that -- it sounds like this isn't you, this is the construction company, but they are doing business for you and so --

Conti: It's more of an owner on top of --

Cavener: Okay.

Conti: So, I will discuss it with him -- as soon as I get out of the meeting I will give him a call.

Cavener: Okay. I appreciate that and look forward to a response from Linda here.

Conti: Yeah. What I will do -- I will follow up with Linda, let her know on what's going -- and I will follow up with an e-mail to Linda, so it's in writing and everybody knows what's going on. Thank you.

Borton: Council, any other questions? Okay.

Conti: Thank you.

Borton: Staff, any final comments or questions of Council following that? Put you on the spot here. Anything else from staff that we need to be aware of? No?

Ritter: That's it.

Borton: Okay. Council, what's your pleasure?

Johnson: Council President?

Borton: Yes.

Johnson: Just for the record there is no -- there is no public testimony.

Borton: Thank you. Anyone here in the public that would like to provide testimony please come forward. Seeing nobody coming to the podium. Thank you, Mr. Clerk.

Cavener: Mr. President?

Borton: Mr. Cavener.

Cavener: No additional public testimony, I move we close the hearing on Item 1, public hearing for SHP-2023-0005.

Strader: Second.

Borton: Motion and second to close the public hearing on SHP-2023-0005. Any discussion from Council? If not, all in favor say aye. Public Hearing is closed.

MOTION CARRIED: ALL AYES.

Cavener: Mr. President?

Borton: Mr. Cavener.

Cavener: Reviewing the application, as well as the testimony from the applicant and staff, I move we approve Item 1, SHP-2023-0005 as presented.

Strader: Second.

Borton: Moved and seconded to approve SHP-2023-0005 as presented. Any discussion from Council on that motion? Seeing none, Mr. Clerk, if you would please call.

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

Borton: All ayes. The application has been approved.

MOTION CARRIED: ALL AYES.

2. Public Hearing for a 2023 Mixed Use Comprehensive Plan Text Amendment - Mixed Use (H-2023-0057) by City of Meridian, located City Wide

A. Request: 2023 Mixed Use Comprehensive Plan Text Amendment

Mixed Use to update and/or replace certain text and graphics associated with the mixed use sections, including other minor revisions, terms and a new appendix.

Borton: That brings us to Item No. 2, 2023 Mixed Use Comprehensive Plain Text Amendment. This is Application 2023-0057. The city is the applicant. Thank you, Ms. Ritter. Got Team Caleb and Team Brian here to present this. We will open today's public hearing with staff comment.

McClure: Thank you, Council. I'm here to talk with you tonight about some updates to the Comprehensive Plan and chiefly the mixed use area of Chapter 3 evolving community. This is the same previously ongoing mixed use work discussed during Council updates for the Comprehensive Plan policy work last year. No policies are proposed to be modified with this amendment tonight though. Briefly this is an overview -- overview of the presentation. We will cover some background, purpose and need, the review process, what's been done, an overview of changes and, then, a recommendation. The city adopted the Comprehensive Plan in December 2019 and which include all the goals, objectives and policies. Action Items, also referred to as the policies. Each year since adoption we have processed an amendment. The first in 2020 added the priorities to the policies. They were just an organized -- and organized list without priorities originally. The second in 2001 to adopt The Fields plan. The third in 2002 -- '22 to adopt the most recent existing conditions report and a third in August of 2023 to adjust the priorities of the policies. I realize everyone here, new and old, have some familiarity with the Comprehensive Plan, but I didn't want to miss an opportunity to reinforce the importance of it. Stay current with the local Land Use Planning Act -- state code via the Local Land Use Planning Act of 67-6508 requires that we not only have a plan that addresses a number of elements important to planning. This is the bar we measure all annexations in these zones against, including a steering committee and multiple subcommittees, stakeholder interviews, and thousands of participants. Technical analysis was also a huge component of the working -- that included transportation, transportation corridor and economic analysis. The plan as adopted -- the land uses and forecasting is also the basis for many of the city's plans and for our partner agency plans -- planning, including water, wastewater, the regional transportation plan and the master street map. There is a number of reasons for this Comprehensive Plan text amendment or CPTA. Most importantly the Comprehensive Plan and future land use map are designed with a healthy balance of uses in mind. In the case of residential, it is intended the use areas are near to supportive services. By design mixed use areas are the only places for many of these services to occur in the unannexed areas of the city. As an example you don't see office or commercial in most of the areas highlighted on the screen here. Professional offices aren't generally the first thing people think of when they hear of mixed use, but they are important. Gyms, daycares and many other uses that don't work well in offices contemplated for strip commercial and drive-throughs. But they are still necessary in these areas of the city and they need to be accessible to the residents who live near to these areas of the city, i.e., mixed use areas. Similarly -- similarly we don't reserve spaces where these are affordable. They don't generally demand the rates fronting a primary arterial roadway.

Increasingly, however, the land where many of these mixed use projects are located had been acquired with the intention of maximizing certain uses in certain marketing conditions and without an awareness for future needs. This isn't necessarily ill will or negligence on the part of the investors and developers, often it's what they understand to be allowed and this is an automatic point -- pain point as soon as they come in for a pre-app. CPTA seeks to better convey and clarify these expectations. It also seeks to make the formatting and presentation of all relevant information more streamlined. A great deal of risk is also present for these reasons. A review of development applications in mixed use areas is usually very protracted, with many revisions to concept plans, even when a developer or applicant wants to provide what the city is asking for. Things just aren't understood that well. Finally we hope the greater consistency will improve transparency. There is more text that support the existing policies, which we are hoping to better relate. Staff have been working on these revisions since May of last year. In 2022 for some of the elements feeding into it. Initial rough drafts were based on years of experience for the 2018 plan and seek to address common implementation problems, generally the result of organization and flow, the lack of links between text and policy topics and general inconsistencies. This work was all based on the plan, adhering to the original vision, purpose statements, policies and the text itself. After a coherent draft was assembled, along with the initial new exits, a few experienced professions and agency partners were asked to review and provide comment. These were design and planning professionals in architecture, landscape architecture, and engineering. They also had mixed use experienced professionals in development and land investments. We also had Ada county support of this. Significant changes were based on feedback here, including the intersections and some of the best feedback was just additional questions they had. What didn't make sense still. Next internal staff did a review of minor -- of minor revisions and, then, invited development partners and entities to comment prior staff submitting the application before hearing. Staff worked with the Mayor's office on a dedicated website for collecting feedback and the city's clerk's office for customized social media messaging to -- to this website and we eventually did additional -- intentional surveys. We did not have any participation through the website, unfortunately, but I did have a number of e-mails and calls, all of which resulted in some changes as part of the staff report. We want to also mention that we shared some feedback -- or we shared some specific outreach to some of our larger development partners as part of the public hearing outreach and that included the BCA. Here is a summary of what's been done. I mentioned some of these were organizations. The bulk of the changes that isn't general concept or background information was a top down linear restructure. I say restructure, because while there is a lot of new text, there is also a lot of old. This amendment, as previously stated, it adheres to much of what was previously existing, often reordered and supplemented. Much of the new text isn't something required, it's context for the original work that wasn't adequately conveyed and it helps frame a required element. There is stronger intro media, more context for the need that already existed for that particular process that aligns with this structure. Reduction of duplication of design principles, more consistent matrix and an application of principles also to the Ten Mile plan for better consistency, because that plan also lacked some specifics in an example. We have also tried to improve terminology. For example, mixed use area versus mixed

use project or area versus project. Something seemingly very simple has caused a lot of confusion between staff, development interest, Planning Commission and Council in the past. Finally, to emphasize the matrix, this work was all scenario modeled using non-residential service pieces and considering residential area. In other words, can we get the residents -- in other words, after we get the residents, can we also get the services that they need. The density ranges -- ranges for residents were maintained. We did not modify those, but the coverage areas all had the holes filled in to improve consistency and minor adjustments were made to the coverage areas to account for bonuses that were not previously contemplated. Some other context here providing more sideboards for consistent forecasting and planning that the city had previously noticed from our agency partners, too. And this is a big add and all new. This includes enhancements to the existing mixed use diagram and, then, additional annotations. There is also more examples from the primary text with a live Comprehensive Plan website. With a live Comprehensive Plan website you don't have to download a pdf and will better integrate this mixed use amendment into the website, which is how most people, including staff, access the Comprehensive Plan. So, Council will eventually ideally and hopefully adopt a resolution approving this amendment, but that will be pdf and, then, afterwards staff will update the website to include more interactive development. This is an overview of the new structure. Much of the general overview previously was unorganized. The new sections, generally context and backgrounds -- again, this isn't a new requirement or policy, but history, in fact, that information that helps to relate the other principles and ideas. Functional integration is a new sub heading. This includes integration of uses and holistic design subsections, in which are compilation of the design principle or the existing text, existing policy and best practices. And, then, again, better organized. The draft of the original text included ideas that are mission critical. We need them. But not always written in a way that was understood by the intended audience. For the reorganized design principles, integration of uses generally equates to what should be included and holistic design and how it should be organized. Both of these are critical as city -- as the city does not have design standards for mixed use projects. This is generally decided before an administrative design process before staff approvals and existing guidelines or principles are currently disorganized and duplicate. This slide is a new flowchart and, essentially, directs interested parties to use the entire mixed use section when developing their pro forma or concept plan. Again, this is an issue that we are trying to address. Typically when someone comes in for a pre-app they just -- they just jump to the specific mixed -- mixed use designation and skip everything else, all of which is important. This is an example of some of the new graphics in the appendix. The left is the older or adopted mixed use graphic, which is maintained in the text. On the right is the same graphic with an additional layer of annotation that better relates to the design principles. New graphic is included in the appendix nearer to the other real world example, aerials and photo examples. These graphics are a mixed use series that demonstrate some of the elements discussed. There are quite a few of these in reference with key numbers in the mixed use section of the proposed text. Again, all of these graphics will function better on a website than they will in a pdf. There is -- the changes are pretty comprehensive and I can't go through all of them, but I did want to highlight a few. These ones are actually not in the mixed use section. This first one here is actually

right at the very beginning. It's just changing Sterling Codifiers to be more generic. It currently references a platform we no longer use. The second is to remove some duplication of text under the industrial land use designation. The third here -- and, then, all the ones on the following pages are in the glossary of terms. These are all new or modified. And these were all in the original staff report or as part of recommendations from the Planning and Zoning Commission. In summary, the Commission recommendations, approximately 22 paragraphs or bullets were modified from the original staff report. These were all literally highlighted in the strikethrough and underlined provided as part of the Commission recs and relate to the use of shall versus should. Commission wanted stronger language on the importance of some of these than should, but not -- did not want to use the word shall. While a comp plan is state required and the state's prime -- and the city's primary entitlement review tool, very few individual statements or policies alone can be justified as shall, which is some of the conversation that they had. With that, here is staff's request. Next steps. If approved would be to prepare a formal resolution with a formatted pdf and, then, of course, I hope to have some conversation with you all about these changes.

Borton: Thank you, Brian. I will lead off questions. I have got three for you. First, I appreciate the background and description of -- of how we got here. We know the Comprehensive Plan is a project that it never ends; right? The work -- you're probably starting, you know, Monday on the next -- next revisions in the -- the continual update. But what's important as part of that process that you describe having development partners and area agency partners all provide feedback. I'm curious on these proposed changes if you think you can identify -- you or Caleb identify what change came -- was driven by a development partner versus an area agency versus staff? I'm just sort of curious what feedback where we are making an edit because our -- our development community suggested it and made good sense versus one -- an in-house change that, from your experience, we needed to update to help process.

McClure: Councilman Borton, that's a good question. As I noted, some of the best feedback were actually questions. Those were on terms like gross versus net density. It was on how coverage areas work. It was on some of the definitions there, like -- I can't remember what it was now. Last mile. We had a lot of questions -- a lot of questions on just what did we mean by X and that resulted in probably the most changes was staff clarifying things that we still, after significant review, hadn't gotten quite right. So, there was also some reordering. There used to be a -- the initial beginning, sort of a -- what are the different mixed use designations in the city we have, like mixed use neighborhood and mixed use community, mixed use regional, that was poorly located and so it now serves as a better lead in into those actual designations versus being completely distanced before that was -- that was a comment we had. But it was really on the hierarchy and flow and, then, just additional clarifications and what we meant or suggestions on how we can improve that language.

Borton: So -- so, the -- the improved content was driven in large part by our in-house staff providing what we think will help answer those questions?

McClure: Councilman Borton, yes.

Borton: Okay. Good.

McClure: It's based on experience --

Borton: Okay.

McClure: -- with the current plan working with our partners.

Borton: Great. Caleb, did you -- okay. Good. All right. Thank you. Council, any questions of staff?

Taylor: Mr. President?

Borton: Councilman Taylor.

Taylor: I have a couple of questions. Brian, appreciate the presentation and the opportunity to review some of the material. I have a question on one of the new definitions and I'm just trying to understand how it would affect future applications that would come before the City Council. So, on page 17, the definition of employment area, I see that this is a new definition added and as I was reviewing it in there it all sounds reasonable, makes sense, but there is a portion where we get very specific about what an employment area is. The minimum size of an employment area is 25 acres. It must provide one thousand jobs with at least 70 percent that aren't either retail or service and include a minimum of ten employers. So, I understand that that definition comes from -- is it from COMPASS? Is it from -- I mean is that a definition that was created by city staff? We borrowed that definition? I would like to understand kind of how we got where the origins of that definition is in the -- and if you can speak to the specific requirements that are included in that.

McClure: Councilman Taylor, the definition application of that -- of that definition would apply to the context of when someone is requesting some coverage bonuses. That's currently the only application here. So, if they want to say we want to apply -- we want more residents, for example, because it works here, then, we are going to want to understand how that impacts the transportation network, you know, whether these people are going to be commuting a long trip long -- the long -- long distances on congested roadways or whether they have got surfaces or whether they are close to -- to areas where they could be well serviced and work. The context there has really impacted the transportation network and that's how we discussed that with COMPASS. In terms of how the -- how the definition was created, that was us trying to understand -- we throw that term around all the time, staff, but we didn't really have a definition for it and if we were going to use it for bonuses and if we were going to actually be more consistent with that we needed a definition. COMPASS staff helped us -- give us all the data, basically, we were looking for in these areas and worked with us going back and forth. Actually, I can tell you, basically, we currently had -- and this is using data that's

two years old now. We would update this. So, traffic analysis zones are what -- are how COMPASS does all the regional modeling. These are -- these are sort of similar to census blocks, but a little bit -- a little bit larger. They all have existing population, existing employment and, then, forecast population, forecast employment over incremental years into our horizon year. We have a lot of this data that is not immediately accessible to us frequently, because it comes from the state and, then, they also buy this from proprietary sellers who merge it. It's a really great data set. So, we looked at all the TUDs in the city, all the traffic analysis zones, and we identified basically -- and, honestly, we were just massaging these to what made sense. Silverstone. There's two -- there is Silverstone -- there is three TUDs for Silverstone that have this, one of which barely met the definition, because it's a -- it's a call center that doesn't have a lot of family wage jobs. A lot of these people are commuters from outside the city and, then, Ten Mile Crossing. So, those are the three currently. Downtown Meridian was close. St. Luke's on Eagle was close. And we expect probably now that some of the new phases of Eagle -- Eagle View Landing would meet this definition as well. So, there is three existing where we have the family wage jobs and diversity of employers that are economy resilient to meet this definition. Does that help?

Taylor: It does and I appreciate it, Mr. President. I have a quick follow up on that. So -- because we can't -- you know, there is a building built, someone leases a space, there is an employer there for a number of years, maybe they move on, maybe they go out of business and someone else comes in, we don't know who that would be or what they would look like or what that mix of employment would be. My concern would be -- and maybe if you can speak to this and explain it a little bit. Are we ever going to face a situation where we are looking at an application for something and this employment area is defined with these really specific matrix, now are we going to be looking to deny something because it doesn't meet the matrix, whereas maybe it did a few years ago, or even in the future it's hard to anticipate what this employment area would be. So, I'm just trying to understand how this definition would actually impact future proposals or applications that we might consider, because I'm just concerned about the specifics of it and we really have a hard time nailing that down as to who might be where and what kinds of jobs they would be.

McClure: Commission President Borton, again, Commissioner Taylor, it's a really good question. So, the size of these were -- the reason we selected this size and the reason we selected the diversity number of employers in an area was to be resilient to changes so that we aren't looking at that. Now, a recession may happen and there may be some drastic changes, but we don't not touch the Comprehensive Plan ever. So, these are things that we could potentially look at, you know, if something did happen. I would -- I would -- not that I received some feedback -- I used the term agglomeration there and I sort of had someone slap my knuckles. Things -- things change and it's never going to be perfect, but we expect that when you have this much diversity things will be okay, but -- and this is -- that's a big -- big B you see there -- the -- the -- sorry. I'm struggling to find my words here. The feedback I have received from -- from one commenter was -- and related to agglomeration -- was that density bonuses are not currently used. They are probably never going to be used. And so it was a little far afield. We haven't

had anyone use these in the past -- for years. We have had -- we have had -- sorry, I shouldn't say that. We have -- haven't had anyone use these for years. They haven't been used necessarily well in the past, because they have been inconsistent. I hope that more people will use these, but so far we have not had a lot of people taking advantage of these and so it's not something that rises real high level on my -- on my concern radar, but certainly if that's something you are concerned with I can -- we can take that feedback into account and look at changes. Sorry for babbling.

Borton: Counsel, other questions of staff?

Strader: Mr. President?

Borton: Council Woman Strader.

Strader: Yeah. I have quite a few questions. If it's all right I will keep rolling with the questions and someone jump in if you get tired of hearing my questions. Okay. During the public outreach -- outreach process -- when did that start and what design professionals were engaged, what members of the public provided feedback, how many members of the public who were not involved in, you know, the development or design industry provided feedback and, you know, help me understand -- walk me through kind of that -- that outreach process, please.

McClure: Council President Borton, Council Woman Strader, thank you for the question. Caleb, please help me if I -- if I can't -- if you -- if you can. The -- we haven't -- outreach started months ago. This project, sorry, has been on pause, gone, been on pause, so I'm trying to -- it was a number of months ago when we started outreach to specific experienced design professionals in mixed use areas and we wanted to get their take for how this read and how this would work. I'm not going to give you names unless you have asked for it, but I can get names of people, unless you ask for it, but I can give you some company agencies here. So, Ada County, Rocky Mountain Companies, Engineering Solutions, Mark Bottles, Borges Architecture, Elk Ventures, B&A Engineers, TO Engineers and The Land Group were all ones that provided us some really good comments on these changes. We also had some from Brighton Corp and those were on laserfiche after that closed and, then, we had another one from Laren Bailey with Conger Management afterwards. That also resulted in a few changes. Outreach for the website -- the website was started. Also months ago. We launched that just before the public hearing process. Maybe Chris can help me with that. Basically a month before it went to P&Z. That was -- a little before that that page was launched and, then, when Chris -- when the Clerk's Office advertised for the public -- for the Planning and Zoning Commission meeting, those invitations went out on social media to the webpage that we developed with the Mayor's office. We didn't have any layman comments on this that I'm aware of. They were all design professionals, either because we targeted their -- their experience or because they came to us after we shared the work and asked for public comment and if I missed any other questions in there, please, help me out. Sorry.

Strader: That's okay, Brian. No. That's really helpful. I think part of my -- one concern that I have is that it seems like this process kicked off from a public facing perspective like around November and, you know, heading into it -- and maybe I'm wrong, but that was kind of my impression from speaking with you earlier today. So, if -- if that's the case, you know, I think members of the public pay attention when there is something being built in their neighborhood. They may not necessarily be paying attention -- even people that are advocates in the public may not be paying attention to something like this. I mean I have seen this, especially with the holidays, like a handful of people that I think we hear from on a regular basis, I asked them, hey, you know, just -- not their opinion, but just, hey, have you seen this and people hadn't seen it. So, I -- that is a concern that I have, that we are getting adequate feedback, you know, from all kinds of people. This is a big change. It would affect a lot of our few remaining opportunities to get really good commercial development in the City of Meridian. So, I think it's really important that we get it right. One of the -- one of the big questions I had was around -- you called it out very well in the application, but removing the maximum building size concept and I loved the design standards. I loved the verbiage that we are replacing it with, but we are replacing it with something that requires more opinion I think and more interpretation and building size is a very clear bright line. You either meet it or you don't and so a concern that I have -- or I guess the question is -- I'm looking at -- on page five, Section 3-A under maximum building size, you guys actually called out directly that, you know, none of these standards addresses building height, which you argued could be more important in some of these designations. Why not look to a building height standard instead? I guess walk me through the thinking, the pros and cons of why we went with, you know, coverage areas, as opposed to a building height concept. It just -- help me understand the philosophy and thinking around how we are going to apply this in light of that comment, please.

McClure: Council President Borton, Council Woman Strader, those are really good comments and questions. The building size, as you noted, is in the staff report. It was something initially that I was hesitant to change, as you are aware, it's because that has been a point of contention in some larger projects in the past. One of the reasons that I overcame that -- that hurdle of deciding to make that change or not was because what happened there wasn't a bright shiny line, what happened in one of those really good large projects that was very contentious was they met -- and that was -- I referred to this indirectly earlier -- that was one of the few projects in recent history that I can remember an applicant trying to take use of the bonuses and that number got thrown right out the window when the bonuses weren't used and the bonuses that were taken advantage of or arbitrary, again, to the -- the building square footage. So, while it is important and while I think it's important to the community, it hasn't been -- and even though the -- the building area is precise, it still hasn't been used in a precise way because of the other context that existed in that -- in one of those conditions. The building height is -- that's a really big question. The simple answer is because we have a lot of mixed use types and a lot of mixed use scales and very context specific locations and this is a Comprehensive Plan. If I had to point out a flaw -- and this is -- this is a philosophy of the city -- is the issue is we don't have design standards for mixed use areas that are more context sensitive. There is -- there is no form based overlay. There is no design

review committee, there is -- there is a handful of reasons and options that we could have that we don't have and I was trying to remain flexible to what we do have, which is -- and I noted this earlier, which is a Comprehensive Plan that's trying to provide some context and some sideboards, but can't be all things to all people in all locations. That's my simple response to that.

Strader: Thank you, Brian. And thank you for your candor and it's messy trying to improve something like this, so I just appreciate the dialogue on it and I get to -- I mean I do think you sort of spoke to that in your memo. So, that came through. So, I -- you now, I share that concern. I think if we had more context specific design, whether it was process or review committee or something, I think that would help us overcome that issue. I am concerned that, you know, we are removing the one -- I guess factual thing that staff could just point out and say, nope, you don't meet this and that I think gives the ability to negotiate a little bit back and forth to see changes. I think removing that standard into something that inquires -- requires more interpretation without that backbone of having those design standards or some sort of a process -- I just worry, frankly, for staff, that that puts you in a position of having to have a much louder voice and have strong -- even stronger opinions and interpretations. So, I don't know what -- what to do with that concern. But that -- I'm just sort of throwing that out there. Help me -- and I'm just going to put one more for now and, then, I will take a break, because I do -- I tend to do this and I'm sorry. I don't need to hog the microphone. But looking at your modeling, could you just walk me through -- I was having a very hard time understanding the modeling process that you used and, you know, kind of the different densities and -- and part of where I'm coming from -- one of my -- just being very open -- one of my concerns is, okay, we have some mixed use areas where we are saying you could have -- you could have a maximum residential area of 60 percent. Now, if there was a bonus achieved on top of that, which sounds unlikely, but possible in some areas, it may be even higher. We have had a lot of mixed use applications come through where residential has been the easiest thing for developers and the real concern is when will that commercial come and we have sometimes seen applications come through again where there is -- there is a, hey, commercial just doesn't work here now, so we just want it all residential and I -- I just hate seeing that, because we are not going to get anymore dirt in the City of Meridian, so we really need to make sure we are getting that commercial. So, just help me understand the modeling and kind of how -- how your modeling helped you get comfortable. I think part of it must have helped you get comfortable moving away from those building size standards. But help me -- help me understand that.

McClure: Council President Borton, Commission -- Council Woman Strader, I will answer that indirectly first and, then, I will answer directly. So, the indirect answer there is that we currently have a requirement in mixed use areas that is not required very well, which is when someone comes in mixed use areas, say to give us a concept plan that shows how the overall area is going to look and it's going to meet the needs of the city. We do not do that well. Anyone. All parties involved. This is strengthened in this -- and I didn't cover much here and, actually, I skimmed over some of the stuff I had planned to talk about, because it's not new, but this has been -- that idea or concept has been

strengthened in this new language here that this needs to happen. It's baked into the flowchart. I showed you earlier saying, hey, you need to comply with this. It's not -- you have to do exactly what they did before. We are still going to have individual DAs for every part of it -- unless someone just owns the entire 40 square mile -- 40 acres or whatever it is. You are going to still have individual owners with their own DA and they are going to -- they are going to still be able to do their own thing. We are just looking for general compliance. But we want to see that vision and we want to make sure that what they are proposing still allows for all the things we want and we need and I hope that one of the things we have accomplished here is done a better job of storytelling that requirement and particularly in the intro sections. It's -- it's incredibly important. I agree with you. A more specific answer, then, is how we did the modeling and I'm going to try not to meander. I started off by researching a lot of uses that we referenced in the texts currently. So, example uses and, then, others. Actually had some fun with -- I'm meandering. And, then, we looked at, you know, what those -- what those uses typically require in terms of unused area. So, not -- not just the building, but the parking area, the landscape area, the loading area, what is the aggregate sort of area we typically require for those things. Part of the modeling that we did for the coverage areas, then, considered in this -- in this case for -- how can we assume we at least get four of these uses that we are looking for. Those are categories and by uses we typically want to see neighborhood uses, we typically want to see community uses -- and uses, we definitely want to see regionals -- mixed use neighborhood community and regional and, then, making sure we can get some of those varying uses and varying sizes. We looked at -- looked at an average for those and then -- a low average and a high average and -- and little checkboxes to see which ones worked where and in which designations. The coverage areas definitely affect some of those, which is why you generally see, in addition to just that counting for bonuses why some of the residential was backed off, because we currently don't in many cases have that cap. Sometimes it's there, sometimes at minimum, sometimes there is actually a divergent view. But that's one of the regions that coverage areas were backed off was to make sure that we give you get at least a number of those uses that we really want to see and that we typically aren't seeing and, then, in the staff report I think I noted, you know, drive-throughs aren't one of those things which we typically want to see. They are a thing that we are going to get, but they are not really going to account for what someone in the neighborhood adjacent is going to want to use regularly, especially when it's on the opposite side of development and on an arterial roadway. So, you can provide that, but we are still going to want to see these other things that people actually need. So, daycares and professional offices, that whole variety there. There is quite a bit of intro language on that topic. So, I hope that answers your question. I can certainly pull up some spreadsheets if that's what you are looking for. Let me know.

Strader: Yeah. No. I -- I love the language. I didn't have any issue there. I was just sort of trying to understand your different kind of density areas and maybe the best thing to do is you and I have a separate discussion maybe at some point and you could walk me through kind of how -- how that modeling works. I think that would help me a lot, because just from sort of looking at -- just looking at the graphs I don't think it totally tells the story. So, anyway, understanding the data would help me, but I do appreciate what

you are saying about neighborhood services and I liked -- I loved all of the language. I also -- so, I thought this was a great effort. My biggest heartburn is moving away from the maximum building size, which is the one I think clear standard that we have without replacing it with a building height restriction. That could be dependent on the type of mixed use it is; right? But if I think back to like the most contentious hearings that we have had, it's usually when, you know, neighbors realize that right next to their, you know, one or two story home they are going to see a four or five story building. I mean that's where we sort of see that -- that conflict and so the approach of taking a building height restriction I think would be more challenging in some ways, but I think in some ways it would make your job easier, because you would have kind of a clear standard and maybe a process for exceptions. But that was just some -- you know, I'm not sure about that, but that was just some feedback. So, still kind of digesting it all, but huge amount of effort, obviously, went into this and the other comment I will make and, then, I will stop talking -- is I do think we want members of the public to continue to comment on this a bit further. It wasn't on my radar very much. I think there are some people that -- that might have good feedback if we kept it open a bit.

Borton: We do have that -- that opportunity. Certainly the public hearing can be -- can remain open. We can act tonight. We can also continue it for a week or two, allow that conversation to happen, as well as any additional public input. One of the scenarios that Council Woman Strader hit on that -- I appreciate like the language in whole on this, because it addresses one of the challenges of the mixed use community area; right? We are talking about some property -- property -- a project that's going to get its initial zoning as part of an annexation application primarily. That's where we see these issues come in and you have got a mixed use community -- in this example it's 40 acres; right? Applicant one comes in, does ten acres residential, because the area as a whole will have the other integrated uses. Applicant two ten acres residential. Three residential, because the last guy is going to do all the commercial and all the mixed use stuff; right? So, our 40 acres will be an excuse and, then, that's -- we get crunched in conflict with the third and, then, the fourth saying, well, why do I have to do all the office, because the guys in front. So, my question to you is do you feel like this language gives you and our staff the -- the teeth to say I don't -- in that example I don't know if -- if, you know, annexing this third of four parcels residential only makes sense. It might not be the right time. We might express concern in a staff, report because coming in piecemeal really jeopardizes the intent of what you have got here and your holistic language that you have included now, it seems to empower you to tell an applicant early I'm not so sure this makes sense. It's not a matter of being, you know, comp plan compliant by itself, but would you feel comfortable that this language would allow our staff to express that concern to an applicant that -- that your -- your piece of mixed use community area doesn't really fit the broader intent?

McClure: Councilman -- Councilman Borton, again, thank you. These are good questions. I'm going to take my stab at it and, then, I'm going to put Caleb on the spot and ask him to chime in as well. I'm sometimes -- sometimes removed from that process. So, there is some -- there is some bias or maybe some -- maybe I'm not aware of everything. I'm aware of several projects recently where staff have already

been able to have those conversations and projects have been delayed, reconfigured, re-contemplated as a result of those conversations. One of the -- one of the things -- so, there is already some -- some ability to do that. What I'm hoping out of this are really for two things. One, when someone goes to the plan is to be more aware of those needs and more transparent and -- and to -- I just lost my thought. Sorry. So -- oh. So, wanting to be more aware of the requirements and, then, I lost it again. Sorry. Not looking awesome.

Hood: Mr. President, I can maybe help with that question a little bit. So, I am encouraged and I do think it empowers staff, but also the applicant, so we don't have to be empowered at pre-apps. It's clear for everyone using this what the expectations are. Yes, through a pre-app we have things we can point to, but, hopefully, the applicant's already read those and so it's not just, no, you are doing it wrong, hopefully it's more of, yes, you are doing it right and this is more consistent with the vision of the community. And to take that a step further, I think it's -- and Brian kind of mentioned it here, but I mean he drafted a vast majority of these changes, but it was reviewed by our current planning staff, too. So, the boots on the ground, if you will, the people that are talking to the development community, the property owners that are trying to implement the vision, have reviewed this and I think they are comfortable to a certain degree with the text and it helps -- and, again, it strengthens that language, so everybody understands what the expectation is.

McClure: Councilman Borton, I recovered -- recovered my thoughts. So, one is to improve the awareness of what the standards are and, two, as I mentioned earlier in the presentation we really want to streamline the process. There is currently a lot of risk and a lot of waste where -- and this is happening now with the projects I'm thinking of -- they come in with a design, realize they were completely far afield and, then, have revision after revision after revision to get through the process. We are hoping that we can -- we can condense that and make it both get what we want and what we need and do so faster and -- you know. And with better customer service than what we can currently do.

Borton: Fantastic.

Cavener: Mr. President?

Cavener: Mr. Cavener. Yes.

Cavener: Brian, you have done a great job of fielding a lot of technical questions tonight and so I'm going to give you a little bit of a reprieve and I'm going ask Mr. Hood a question to kick things off. So, Caleb, you know, over the past year this Council and you have done -- we have done a really good job of trying to figure out a way to find -- strike that right balance between engaging subject matter experts from the professional capacity, while also finding ways to embrace our citizens who I think you used the term layman. I appreciate that. Right? It's -- it's a hard balance. Pulling -- you know, inviting the citizens to a meeting at 3:00 o'clock may or may not work for some folks. Likewise,

inviting professionals to come to an open house meeting at 7:00 o'clock might not work and so I guess my question -- and I don't expect you to answer now, but maybe a suggestion is I think -- I'm looking for you as a department to come back to us with some recommendations that when we have these proposed UDC -- or excuse me -- comp plan changes, a -- an SOP, if you will, for here is how we are going to engage the professionals and, then, this is our recommendation to engage the public. Now, it's also not lost on me that in a city of 120,000 people there is maybe 12 that are really really interested in this; right? To the point that they would want to give up a Wednesday night to come to a meeting or to log on and watch a webinar. So, I don't know what that is. And -- and I don't -- certainly don't want to create more work for you and your staff, because you have a lot going on, but -- which is why I'm -- I think I'm more supportive of giving us a couple more weeks to marinate on this, but that would be a piece that would be important to me is to have a recommendation from you about how your team would want to move forward in engaging our community around these changes, so they don't just have to come to a public hearing and learn about it after they have read about it and, then, testify. Does that -- does that make sense kind of where I'm headed?

Hood: Yeah. Council President, Councilman Cavener, it makes sense and Brian got kudos for being frank earlier, so I will be frank as well. I -- we talked about this a lot, actually, over the last nine months or whatever. We have to have public engagement involvement. We can't make them participate, but we have to make it available and consider any comments received. But I don't want that just to be a checkbox. Your initial -- this is a -- very highly technical changes here. That's why in this case we didn't start with a public review process, we wanted the technical experts to help us present something to the public, then, that was manageable. Asking the public -- and there -- there are probably a handful in our community that would fit that bill, but we -- again, we wanted to have that draft that basically you could change and adopt. I'm not necessarily looking for the layman to review these changes, because the vision is still the same as it was in 2018 and '19 when the plan was adopted. This is a finer point. And, again, I will take those comments, but we didn't target the outreach towards Joe Public. But your comment -- and so that's not typical. Typically we would, we would cast a wider net first and see who is interested and, then, engage with them throughout the process. But we can -- I don't know if it's an SOP, but we can -- we can run things by you and I will just say we did talk with the Mayor's office about this approach, too, but largely it was Brian that was more concerned about the extra effort that if you kind of cast this, you know, to everybody and say, hey, who is interested in talking about mixed use, we would get all kinds of people that we would have to spend most of our time educating them on it to get anything valuable feedback for the end product.

Cavener: Mr. President? Respectfully, even if that's the outcome, I think that's a win. I think the more that we can find carrots to get our public to want to come and learn more about their plan the better. I recognize the hurdle or the hill of a technical change like changes that are being proposed. You may have to talk for -- again for 20 minutes to get them to the point to give you feedback in one, but I think that -- to me the juice is worth the squeeze there. Recognizing we are asking you to do it. So, again, I don't know what the mousetrap is, I just am looking for you guys to say this is what we think

is the best mousetrap and let's just make that part of these changes.

Hood: Council President, going forward I don't have any problem, you know, sharing our approach to -- to that and, yeah, we can -- we can talk some more if you would like, but we thought that this was the best going forward and just to cut to the chase, it's already been talked about, we are not in any deadline here, so if you want to leave it open for another couple of weeks, a month, whatever -- I mean I think we need some help in that. We want to renotify it or the Mayor's office or website or how we want to tell the public that it's out there again, we don't really control a lot of those, but we don't have that -- and we are not trying to hide the ball from anybody. I think you know that. But, yeah, we can share that and -- and this one I won't repeat, so duly noted.

McClure: Council President Borton, Councilman Cavener and Strader, too -- Council Woman Strader -- spent probably as -- too much time on a website that was not used. Got kudos for it from the Mayor's office. How -- do you have -- and that went out on social media. Do you have specific suggestions -- and I can ask Mayor's office again, but do you have specific suggestions on how you would like us to do that additional outreach for this -- for this? If you want to kick this out weeks or months, whatever it is for this particular amendment?

Borton: Do you want to address that now or is that -- you want to talk offline some ideas and suggestions, so we are not, you know, thinking out loud here. The general principle is if this is going to get continued at least, you know, a couple of weeks, have that conversation and see, I don't think it's -- I think everyone's on the same page about outreach, their strategies as to who you contacted initially and Mr. Hood's comments are well taken as to the intention behind what was done and your focus is always the same as ours to make sure you get that input -- or at least the opportunity for input and that -- really that's the best you can provide. So, continue with those conversations. I want to ask -- because it is a public hearing we are going to take a quick pause with staff. I will always ask our Police and Fire who are present next if they have got an opportunity to comment, but, first, Mr. Clerk, is anyone online?

Johnson: Mr. Mayor, no -- or, Mr. President, nobody's signed up or nobody's online.

Borton: Okay. Anyone here in the audience who wants to provide any public testimony on this? We won't make you wait anymore. I should say either of you. Okay. Okay. Thank you. Council, any other questions? I alerted Police and, Fire just, you know, you are present and if you have had any input you wanted to provide or not or -- nope? All good? Okay. Council, any other questions of staff? Council Woman Strader.

Strader: Maybe just one -- one thing that I think could be very helpful and we will talk more offline just -- I think an example of something that was a mixed use development that was, you know, an example I think helps crystallize how this new methodology would apply. That's just one -- one suggestion. I think finding an example -- it could be something not controversial. It could be in the past something that was already approved, just kind of running something through, hey, here is how this would apply.

Here is how this would have been different. I think that would really help. Especially when you are -- now we are thinking we may reach out to members of the public, try to get them involved and they may not understand the technicalities, but I do think if they saw, okay, here is an example that would help.

Borton: Okay.

Cavener: Mr. President, if everyone is comfortable --

Borton: Oh, a member the public.

Cavener: Fantastic.

Borton: Come on forward.

Cavener: Welcome.

Rausch: The reason I showed up --

Borton: Go ahead and state your name and address for the record.

Rausch: Oh, I'm sorry. My name is DJ or David Rausch and I live at 436 West Washington. Excuse me. My throat is going. The home I live in was built by Mayor Storey back in 1957. So, it's kind of cool. Anyway, in the utility bill I got that nifty little flyer saying there is a Council meeting, who the new Council Members are and I -- you know, I happened to have some free time, I thought I would show up. So, that's what brought me here. I -- you know, it was good to talk with -- I have already forgotten -- Linda; right? About some of the planning. I know there is -- you know, it's not just the Council, it's ACHD and the state and you got all these other agencies and stuff, because right now in my neighborhood, which is less than a mile away, half a mile, you know, it's easy to tell people you just turn west or take a left as you are going north on Washington. It's 500 block. It's really easy. So, anyway, that neighborhood's been there since '57. We have had no sidewalks or anything like that. I did notice the water pressure is better just in the last month or so. I don't know what they did. So, the water pressure is better. But the curbing and the roads, yeah, they are old, but the new plan -- somebody came through a few years ago -- and I have been there since '97. So, they came through a few years back and said, oh, we got this plan and we talked about it a little bit and I think it was someone from the Planning Department says, oh, there will be a public hearing on it. Never happened. So, my neighbor came to me just this last week and he has got a packet with street plans, sidewalks, how much of your easement they are taking and stuff like that -- lives right next to me. I never got it. So, I suspect that's an ACHD issue and I was just wondering if one of my council people would be able to assist me with that. But just looking at the City of Meridian website -- I'm a visual guy. The flyer says there is new Council Members. Great. District this. District that. I'm like, well, I ought to be able to bring up the map and it should tell me where am I? I don't know what district I'm in. I don't know which one of you would be mine. You know,

that kind of thing. So, maybe afterwards somebody can help me there. But I just wanted to say hi. Just dropped in, because of the flyer and I appreciate all the planning. We do live in a beautiful city. I love it. Thank you.

Borton: Thank you. Thanks for coming tonight. Appreciate that. Okay. We will catch you. We might be near the end anyway.

Cavener: Mr. President?

Borton: Mr. Cavener.

Cavener: A couple thoughts. One, I'm sure our MUBS team and our communication team is doing a backflip right now, because people were reading something that's in the building utility insert. I know that's always a question about putting information in here. So, thank you, Mr. Rausch, for being a proof of concept on that. So, Mr. President, I think it makes sense to keep the public hearing open and so I would move that we continue the public hearing for No. 2, H-2023-0057 and that we continue that to February the 13th and ask that the Planning Department and the Mayor's office and -- Mr. President, the Planning Department got a huge upgrade when it comes to their liaison role, they had really the bottom of the barrel for a previous liaison and they have got one of the top in my opinion. They can work with their liaison to maybe discuss some options for public engagement for what makes sense for staff capacity timing. We have got four or five weeks to figure that out and whatever liaison staff and Mayor's office deems appropriate we will be supportive of.

Borton: It seems like a good suggestion. Is there a second?

Strader: Second.

Borton: Moved and seconded to continue Item H-2023-0057, keeping the public hearing open to February 13th at the regular 6:00 p.m. meeting. Any discussion on the motion? If not, Clerk, call roll.

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

Borton: Motion passes. The application will be continued. The public hearing remains open to February 13th.

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Borton: Any future meeting topics? No? If not I will take a motion to adjourn.

Strader: Mr. President, I move that we adjourn the meeting.

Borton: There has been a motion to adjourn. All those in favor say aye. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 7:13 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON	_____ DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK