

A Meeting of the Meridian City Council was called to order at 6:04 p.m. Tuesday, May 20, 2025, 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, Sonya Allen, Brandon Frasier, Steve Taulbee and Dean Willis

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 May 20, 2025, at 6:04 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next up is the Pledge of Allegiance. 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 tonight will be delivered by Rick DeMichele from Treasure Valley Baptist Church. It's pleasure to have you here and nice to see you again so soon after our last conversation.

Demichele: Thank you. It's a pleasure for me to be here and I was thinking as I was sitting there this evening about an article in the Wall Street Journal about 15 years ago. It decided that Meridian, Idaho, was the best place in the country to live and since, then, everybody in California and about half the rest of the country has decided that's true and so it's made life more interesting for all of us and it's with a spirit of thankfulness that I invite members of the Council, Honorable Mayor and everyone else in the room to join me in a word of prayer to our Heavenly Father. Lord, we thank you for bringing us here tonight. We thank you for this beautiful spring day in this wonderful place to live, arguably the best place on this great blue planet to live and so for that we are thankful. We are blessed. We ask that you bless each Council Member here with a spirit of wisdom and understanding in all that they will deal with tonight and, Father, may each

issue and order of business be considered diligently, even when there is a sense of redundancy. Father, we pray, Lord, that you would help them to approach each situation in a spirit of righteousness with a sense of equity and we do thank you, Lord, for government, Lord, that it gives us protection, it helps us with prosperity and blessing in society and to this end we pray in the name of the Lord Jesus Christ, that name above all names, amen.

ADOPTION OF AGENDA

Simison: Thank you very much. Appreciate it. Okay. Next up is adoption of the agenda,

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we adopt the agenda as presented.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

PROCLAMATIONS [Action Item]

1. ALS Awareness Month Proclamation

Simison: Next item up is a proclamation. Councilman Overton, I know that you are the original person that they reached out to. I don't know if you would like to join us down there or even do the proclamation yourself. It's got some big words in it, but -- just join me down there. And, Tammy, if you and anybody else here would like to join us at the podium that would be great. So, Council, just one of those little personal privileges as we get ready to read this proclamation. You know, we don't often get to talk about our time in college, but as a member of the Phi Delta -- still a member of the Phi Delta Theta fraternity, where one of our proudest members was Lou Gehrig, the individual who we will be referencing here as it relates to this proclamation this evening. So, I know the Phi Delta Theta fraternity has always been big in supporting research for this very specific topic. So, it's very time -- timely and appropriate from my standpoint, because I know that this is about the time of year that a lot of this does occur. So, Mr. Overton, do you want to do the honors of reading the proclamation?

Overton: From the office of the Mayor of Meridian. Whereas ALS is commonly known as Lou Gehrig's Disease -- is a progressive fatal neuro degenerative disease in which a

person's brain loses connection with their muscles, slowly reducing a person's ability to walk, talk, eat and eventually breathe. Thousands of new ALS cases are reported every year and estimates show that every 90 minutes someone is diagnosed with ALS and someone passes away from ALS and whereas the ALS Association is the largest philanthropic funder of the ALS research globally and is committed to accelerating the pace of discovery, fueled by the hope that one day ALS will be a livable disease for everyone everywhere until a cure can be found and whereas clinical trials play a pivotal role in evaluating new treatments, enhancing quality of life and fostering assistive technologies for those living with ALS and whereas ALS Awareness Month provides an opportunity to increase public awareness of the dire circumstances of people living with ALS, acknowledge the terrible impact this disease has on those individuals and their families and support research to eradicate this disease. Therefore, Mayor Robert Simison and myself hereby proclaim May 2025 as ALS Awareness Month in the City of Meridian and call upon all of our citizens to join in supporting ALS research, advocating for increased funding and standing in solidarity with those affected by this relentless disease. Dated today the 20th of May 2025.

Tammy: Sure. So, thank you so much for making May ALS Awareness Month. As you had said every 90 minutes someone is impacted by ALS and it's a devastating and terminal disease with no cure. But there is hope. So, by making this proclamation you are helping to raise critical awareness and awareness leads to action, whether that's increased research funding or helping out families or ultimately to find that cure for ALS. So, thank you again for supporting the ALS community. It truly means so much. Thank you. And I have Heidi Franz with the ALS Association. Could she come up and join the picture?

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, anyone sign up under public forum?

Johnson: Mr. Mayor, nobody signed up.

ACTION ITEMS

2. Public Hearing for Chick-Fil-A (CR-2025-0001) by Barghausen Consulting Engineers, Inc., located at 2012 N Eagle. Rd.

- A. Request: Council Review of the Director's decision of denial on the Certificate of Zoning Compliance and Design Review Application (A-2024-0082) for expansion of the existing drive-through and extension of the canopy for Chick-Fil-A.

Simison: Okay. Then with that we will move on to our Action Items this evening. First item up is Item 2, which is public hearing for CR-2025-0001. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The first application -- and, actually, only application before you tonight is a request for City Council review of the director's decision on the application for Chick-Fil-A. This site consists of 1.22 acres of land. It's zoned C-G and is located at the northeast corner of North Eagle Road and East Village Drive. This property received certificate of zoning compliance approval for a drive-through establishment in 2012 with the site plan shown on the left. The UDC requires an escape lane to be provided in the drive-through if the stacking lane is greater than one hundred feet in length. The approved site plan complies with this standard by utilizing two stacking lanes, which converge into one after ordering to allow a clear travel lane on the outside to escape or leave the site if necessary before reaching the service window. The applicant applied for a new certificate of zoning compliance earlier this year to change the configuration of the existing drive-through by replacing the escape lane with an additional queuing and stacking lane and adding a new escape lane after the service window and that is -- if you can see right here on the drawing on the right, right here in this location right -- right near the intersection here. The request was denied by the director, because it doesn't comply with the intended purpose of the requirement, which is to provide a clear travel lane for vehicles to bypass the stacking lane and exit the drive-through before reaching the service window. A situation when this might be necessary is when a -- a driver forgets their wallet or no longer has time to wait. An escape lane after the service window does not meet the intent of this requirement, thus the reason for the denial. The applicant has submitted a request for City Council review of the director's decision in this matter. No written testimony has been submitted. Staff will stand for any questions.

Simison: Thank you. Council, any questions? Okay. Would the applicant like to come forward?

Koeckeritz: All right. Excuse me. Good evening, Mayor and City Council Members. Elizabeth Koeckeritz with Givens Parsley. 601 Bannock, Boise, Idaho. With me today is Blake Burner, Carrie Teresa, Parker Bodily, who are all associated -- not necessarily directly working for Chick-Fil-A, but with Chick-Fil-A, as well as our local owner-operator Brad Miles, who is a local resident and does actually live right here in Meridian, the owner of this particular Chick-Fil-A. They are here today. They will be able to answer any questions that I'm unable to do. As Sonya mentioned, we are located -- I believe everyone probably knows where this is -- right at the northeast corner of Eagle and Village Drive. It was first originally approved in 2012. It was the first Chick-Fil-A in the Treasure Valley region. I remember this. It was a really big deal when it opened and my kids were super excited. Since then it's been very popular. In 2019 they added on some canopies where the red arrows are directed and, then, in February 2024 they submitted for a building permit to add additional canopies and some -- do some pavement widening. There was a bit of back and forth after that when there was realized finally that they did need to receive a certificate of zoning compliance and apply for administrative design review. That happened this past year and the director did deny the CZC and the design review applications. Here is a comparison -- I will show you a better one here in a minute -- of the existing and of their proposed and what they really are looking at doing is they want to change that second lane to an approved drive-

through lane. They really are considered a multi-flex lane, as I will discuss in a minute. It's not used all the time. It's just used during peak hours to help assist with stacking and queuing to get it off of the parking area and to get it away from the other businesses in the same vicinity. So, the actual improvements that they were proposing -- that they are proposing is all Chick-Fil-A's -- they try to have this employee safety striping between their aisles and along the building and that's really important, because it really increases the safety for the team members. It increases the safety for the cars. They know better where they are supposed to be and, then, it also increases efficiency, because the team members can walk up and down those strips. Everyone knows where they are and they can be taking orders from both sides of the center strip there. There is also a similar two foot wide center strip along the building. There is a slight pavement widening and, then, with this, if people are going to be able to receive food now in two places, instead of just along the building, they also want to extend that canopy over the second lane and, then, there is that escape lane that's been added at the end. The benefits really are the enhanced safety for team members. There is the enhanced safety for patrons and one of the really big things is this sort of second flex lane will increase the -- will increase the efficiency of the drive-through by at least ten percent and often more. By having this second drive-through lane be an official drive-through lane they can get an additional nine cars in there, which is a significant increase in cars that you are keeping out of the rest of the parking lot at The Village. And so, then, that does reduce the stacking. They did apply for the additional drive-through and canopy extension and they were denied by the city, which said they require an escape lane to be provided for any stacking lane greater than one hundred feet in length. Okay. The full extent of what city code provides about stacking lanes is written in red on the screen, which is any stacking lane greater than one hundred feet in length shall provide for an escape lane. There is no other reference to or definition of escape lanes in city code and this does, in fact, the location of this escape lane, also does meet the technical requirements of city code and while we can understand why staff would want it earlier, it does, nonetheless, continue to meet the requirements. The way this actually operates in reality, though, is this is not a constant two lanes running all the time. It really is only used during the busiest times of the day. There is about two hours at lunch, maybe an hour and a half in the evening when these lanes are open. The rest of the time it continues to act as the bypass -- the second lane continues to operate as the bypass escape lane through all the rest of the time and they can be used in cases of emergency. One of the things that's different about Chick-Fil-A from other restaurants -- similar drive-through restaurants is they do always have people out there. So, in the event that when both lanes are running simultaneously there will be at minimum six to ten team members working those drive-through lanes and being in and out and so there are people there, if there was a true emergency or even someone who wanted to get out through the lane, there are people there who would be able to assist in that. This is not like some other fast food restaurants where you sit there and there is no one there and you just make your order into the little box. While they have those little boxes, those are very rarely used, usually only at breakfast when they are much much slower than the rest of the day. Additionally, just to touch on -- in the owner's experience and, then, in Chick-Fil-A's experience overall there are very few people actually get into the line and, then, realize that they don't want the food and today, at least in this owner's

experience, there is also, very fortunately, there -- there have not been any emergencies. There is the occasional stalled car that they have to push out of the way. But generally speaking it has -- it operates very smoothly and this sort of setup has been used in other jurisdictions and it operates really well. I think it's also important to talk about the site constraints of this. This is not a new building. If it were we would be able to set it back further from the road and incorporate it. No one expected this particular business to be quite as successful as it was. Between 2012 and 20 -- and to date it's gone from about three million dollars in business to about 15. So, it is really working hard. Obviously, an exit onto Eagle Road doesn't meet standards. An exit on to Village Road doesn't meet ACHD standards. Where there is the existing canopy you can't -- that restricts the ability to get out earlier. There are setbacks, of course, along all the edges and this really is the least intrusive option with the biggest effect of really helping out the local businesses that are surrounding it, getting these cars from backing up into the other areas. They did look at, of course, other options that they could do and the other options also just didn't really make sense. They could have installed an escape lane right as you very first begin to enter the site and, then, immediately pull out. That also doesn't really make sense in that far left-hand corner. Another option they looked at was extending the queue lanes across the entire northern portion of the site with the same striping, but they don't need that all the time and it just doesn't make sense to add in a longer queue lane just so, then, you can later add an escape lane in a location that staff seems to think is a better location, even though the code doesn't require it and does not specify where this lane needs to be. So -- oh. Here. And, then, here you can also see sort of those site constraints. Here you are along Eagle Road. I mean on Village Road. You can see there is just simply not room there without going right into the setback -- without encroaching into the setback and from the top you can really just see those large setbacks off of Eagle. There is just -- there is just not a lot of places to really put this escape lane. And so with that we are requesting approval of the escape lane and of the CZC and design review application. It doesn't look in city code like there is really any standards associated with this or I would normally be talking about this is what you need to find. I think it's just that you need to find that this makes sense. This is the common sense result. This is really going to assist the neighboring businesses in getting cars through faster. It assists the patrons. It makes everything safer for the employees and, as I mentioned, they do -- they always have someone out there and so if there is an emergency someone is there -- will be able to assist in getting the cars moved and getting the people out and so with that I would stand for any questions.

Simison: Thank you, Elizabeth. Council, any questions for the applicant?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Elizabeth, thanks for your walking us through that. One question. You -- you mentioned that the design you are proposing has been used in other locations. I have frequented this Chick-Fil-A. I have four kids. It's a little -- it is a little awkward getting in

when it's busy and it's kind of awkward getting out just when you are kind of making that turn and there is the -- the trash receptacle just -- I got a truck, so it's hard to make that turn sometimes. My question is if you are going to kind of make that escape lane there on the corner, in other locations was that, then, the primary exit point for cars? Because I'm wondering is everyone going to try to go through that new access? Are they going to follow the current route to get out? Because it just seems like it's a very tight -- and I understand the site constraints, but that's a tight little spot. So, I'm just curious what you can speak to from previous sites that have the similar layout.

Koeckeritz: Well, as far as -- Mayor Simison, Council Member Taylor, as far as that specific answer I can have someone from Chick-Fil-A actually answer the question. They would be able to do a better job than myself. However, we did talk about that and talk about having signage, having -- even if has a bollard -- some sort of way that it can be used in the event of a real emergency when someone needs to get out. But generally speaking you don't want all the cars just dumping out right there.

Simison: Maybe if I could just piggyback on that. I mean -- I mean it's really a secondary exit, not an escape lane and a secondary exit that you would put a bollard up at or try to limit people exiting through that you have got -- I mean unless you had a crash in the other exit lane, why would you go that way when you have already -- there is no traffic at that point in time? So, would someone sit there and wait for the bollard? And I'm not asking you, ask the team to come up, but some -- if you put a bollard up is someone going to come out there and open the bollard versus someone go left down the exit that doesn't have any cars in front of them?

Koeckeritz: Well, Mayor Simison, I do believe that people -- in the event of like the emergency people will be trying to get out there, because the traffic gets backed up even going in and out of this entrance into it and so I do think that if there was the emergency situation they would and -- and this is more of my personal experience -- people pull around and, then, they just sit there in that lane and they make sure they have got all their food before they pull out and there continues -- and there is, then, also a backing issue right there of people like did I get it all.

Simison: And I get that. I guess my question is if you have a bollard there are you going to wait longer for someone to come and lower a bollard? Who is going to -- the team line members out there are going to be able to lower it. I'm just trying to get it -- let's get the terminology about what this would really be. Is this a secondary exit out of the property or an emergency exit that someone would have to come and let people out of in order to utilize. You can put up signage, you can do a lot of things, but all these things you point out are very true. People are backed up, are people just going to turn right or are you going to prohibit them to turn right with something up that you are going to have to have a team member come and let them out.

Koeckeritz: The preferred option is not to include any sort of bollard, but to have the signage directing them past that. Say, you know, not an exit. But it's only the exit in an emergency situation.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will be brief, because I have already made up my mind and I do not -- I agree with the director. I do not believe this meets the intent of our policy at all. I think that the definition of escape lane is based on its functionality and functionally what you are proposing is not an escape lane. For me it's simple, because it's a public safety issue. I do not believe that the addition of this exit at all works. I don't think it meets the intent of the code. So, that's where I'm at. I'm not open to this. That's just me. Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Elizabeth, what might be helpful for me is to kind of understand -- walk me through either on -- one of your diagrams or on a Google map -- Luke's in the drive-through. I order. My wife says, hey, I need you home right now. Okay. I'm not going to take my food. What is my lane of travel from once I have ordered until I actually make the escape? That would help me, because I am struggling to see kind of how this does function like an escape lane, but I really trust your subject matter expertise that you can walk me through how you see it and give me a sense of what -- what our citizens or the patrons would experience.

Koeckeritz: Okay. Mayor Simison, Council Member Cavener, is you drive in -- I don't really have a pointer.

Cavener: I think you -- yep. If even where that little --

Koeckeritz: Oh, I do.

Cavener: Yeah.

Koeckeritz: It can make this --

Cavener: It runs a little slow, because it's synced up with our broadcast system. So, just give it -- there we go.

Koeckeritz: So, you drive in --

Cavener: Yep.

Koeckeritz: -- I'm assuming at this point that this is a peak hour --

Cavener: Sure.

Koeckeritz: -- and that both lanes are operating. You come through, you order your food, you decide -- your wife says you need to be home right now. You just can continue on through and out if you don't want the food -- if you don't want to wait to pick it up, you let one of these six to ten team members know that you need to get out of there and they help move cars so you can get out and, then, you can either leave here -- but ideally you would still -- because it's not a true emergency -- it might be. Don't know. You would still come out here and exit.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: But I'm relying, then, on all the other vehicles that are in front of me that have already ordered to either, one, get their order first or, two, to be convinced by the incredible team members of Chick-Fil-A to move them out of their lane and they would get food somehow, some way different. Is that really what we are reliant on?

Koeckeritz: Well, the lanes -- Mayor, Cavener, in part. I mean the lanes are wide enough with these additional striping that you can start pushing the lanes -- the people together -- the vehicles together, so you could get someone out of there. But in that event once you ordered your food you would be most likely to pick up the food.

Cavener: Mr. Mayor, one more then. This -- this maybe helped me. Where do the two lanes converge that would give me the opportunity to leave?

Koeckeritz: Where do the two lanes converge?

Cavener: Yeah. You mentioned that -- that the -- there is enough space that the lanes would come together --

Koeckeritz: Oh.

Cavener: -- and so that I would be able to leave. So, where does -- where does that exist at?

Koeckeritz: Where -- is -- the striping? It's just striping on the pavement and so cars can -- the same way if there is an emergency vehicle, how you can scooch over to the side and there is room to make it through. You can start moving over to the side.

Cavener: Mr. Mayor then --

Simison: Councilman Cavener.

Cavener: -- in summary I am really reliant on all the other people that are in front of me to move out of the way to accommodate my needs. So, being frank, I don't see this as an escape lane and -- and I do worry -- to the Mayor's point and I did a quick Google

measurement -- it's 42 feet from your emergency exit to the entrance off of Eagle Road and you are very correct, that spot is very very busy and I -- while I would like to think that I'm a good Chick-Fil-A customer, I could also see myself wanting to take that right out and what I worry is that I wouldn't be the only one and the other patrons would do that and so now you have effectively built a bottleneck, because you have -- you have shrunk actually the real exit and you almost make your problem even worse. So, I'm -- I love Chick-Fil-A. My wife either is or will soon be ordering a budget catering for our oldest graduation party. Like this location is successful. Provide a ton of jobs and opportunities. I got to say, though, I think the director is probably correct on this, unless there is something that I'm missing.

Miles: Yeah. I think the --

Simison: Can you state your name and address?

Miles: My name is Brad Miles. I'm the local franchisee. I think the biggest thing that we are trying to accomplish by this is just to be able to expand -- to be able to -- and to her point -- and the question that you asked about how would I get out; right? How would you get out? The ability for us to be out there with -- with six to ten people on a -- like right now we are 6:35 at night, I probably have nine people out there and the fact that I have people out and we can ask people in that inside lane to move up, to move over in case of emergency -- we have never had an emergency outside of a stalled car to date, which is great, but we would always have the ability because of that to be able to alter cars, move them up, move them out of the way, to be able to get cars out. Now, the question that's become before is like what happens when people have no money; right? And they just need to get out. A lot of times we just give them their food for free; right? Yeah. I mean -- and so, you know, this isn't -- this isn't a play on trying to make life more difficult. I think we are just trying to make life a little bit easier and simpler. That escape lane -- that new addition one, I would -- it wouldn't be a bollard like that we would want to put there. I think we would want to use more like a magnetic delineator, that if cars in a true emergency just want to run it over, it's fine. You see those delineators that I have out there at the mouth of my drive-through as you come in to funnel to create two lanes, that's the same exact thing. Like those things can easily get run over. They get run over all the time and they are magnetic, so we can put them in and take them out quick, easy -- if you need to run over them that's fine. It's not going to do damage to that vehicle at all. So, that's the whole point. I think we still want to be able to use the existing exit as is and this right here is more for emergency type situations.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: And, Brad, I -- I track with everything that you are saying and what you are trying to intend to do, but it's -- it's not an escape lane though. It's really not. And I think that's -- the hard part is that our directors, they follow our development code and

development code requires an escape lane and you are proposing -- I think, again, being very innovative, like a multi-fact -- almost like a Swiss army knife of lanes, but it just -- it doesn't function like an escape lane and I think that's the part that I'm having a hard time overcoming, even though I really really want to overcome that concern. We really -- we trust our -- our city staff to be subject matter experts and they certainly -- they have to follow the code. They are the science and we are the art and so I'm trying to kind of understand the -- the real world impact and I'm just not seeing how we overcome what is I think the concern of our director.

Miles: You know, I think to the success of Chick-Fil-A; right? Kind of the exception to the rule.

Cavener: Yeah.

Miles: We are just kind of this outlier and so I think for us like we have to do unique things to be able to, you know, handle the volume that we handle on a daily basis, you know, and so I think part of this -- like you are right, trying to get creative. We are a hundred percent. We always try to get creative, because we are not conventional. We are unique. We are different. The volume -- everything about -- everything about us is not conventional and so we always have to do these types of scenarios of like, well, how can we make this work? How can we make it work? Because we are unique and so I think this is part of this scenario of like saying, hey, like this is a unique scenario that we have here and so what can we do to alleviate -- still meet code, but at the same time, you know, try to be able to provide safety for the team members, safety for customers that are in line and so all those things are always top of mind. But we have to come up with unique strategies to do that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Brad, I hear you and I think, you know, what you are kind of asking the Council to do is to say, well, we are going to be consistent for everybody but Chick-Fil-A and that's hard; right? Because we have got to be consistent with all business. We don't -- we don't look at Chick-Fil-A different than any other place that comes before us and I think that's the -- the hard part, because I want to recognize and reward your ingenuity and the great opportunity you provide for so many people. Some of my son's friends work at your location and just -- it's been a game changer for them and so I -- I appreciate that. But it's -- we have to look at things kind of black and white and what the law says we can and can't do and I wish I could find a nexus to say, well, that makes sense for Chick-Fil-A. I just -- I'm sad about it, but I just don't think that I'm going to be able to find that nexus.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: A question that maybe staff can help answer and maybe those who just have dealt with this issue in terms of defining in our code. Are these escape lanes -- do we -- are these considered something as a public safety or is this convenience? How do we actually view these escape lanes? Because that seems like an important question.

Allen: Mr. Mayor, Council, I think it could be both. You know, it just depends on the situation that you need to escape the lane -- to escape the site.

Taylor: Is it true what Elizabeth said in terms of the extent of what our UDC says about the requirements? It seems very vague and according to the strict reading that was presented it seemed like they could argue that they are in compliance. We have a different interpretation. Is there anywhere else in our code that speaks to some of those requirements?

Allen: No. I believe that she's quoted it correctly. We do have -- it seemed the intent was pretty clear, but since it apparently is not or has room for interpretation we do have that on our list for code amendments.

Taylor: Mr. Mayor, if I may.

Simison: Councilman Taylor.

Taylor: It seems like an important question that if we are not explicitly clear in what the intent of these lanes is, then, it's open to interpretation by the applicant, the director or Council as to the purpose of these lanes, whether it's for a true public safety or is it for a convenience to get cars out of the way, because from -- you know, they don't want the food, they don't want to wait, they forgot their wallet -- whatever it is. You know, a stalled car, whatever it is. Because when I hear some consideration of public safety need, I'm thinking a heart attack or I'm thinking something where police and fire need access and I -- I have been through a lot of drive-throughs where there is -- you don't have those access lanes. They are not there. I can think of several just down the road that I have visited this week. Not to go into too much of my food habits, but I have frequented drive-throughs, so I am very well aware of what they look like. So, the application of -- well, I'm going to disagree with both my previous Council Members on -- on what they have said. I think it's an unfair application of the standard that we have to -- because there is several drive-throughs that don't have an escape lane. So, that's -- that's my -- that's kind of what my question is is this for public safety? Is it required? Or is it for convenience? Because I do think -- I'm not sure exactly where I'm going to come down on this tonight, but it seems like an unfair application of our own words and our own rules if we don't apply that to all drive-throughs and so I understand, you know, when it -- you know, different circumstances and time. Is this 1995? Is this 2005? Is this 2015? I get it. It's all different. So, I understand that's -- that's part of it. But it seems like an unfair application of the rules to say it doesn't meet the standard of an escape lane when we are struggling to define what an escape lane is or what -- why we have it and so I'm just kind of struggling to understand the intention of why we need these lanes versus how businesses and owners and operators are intended to

understand that as they interact with this. So, I'm still just kind of thinking that through a little bit. That's not really a question, Sonya, for you to answer now, I'm just kind of putting that out there to consider.

Simison: Well -- and Councilman Taylor, you are kind of where my head was. I mean as a general philosophy I agree with the -- with the director -- director's determination in even as little as this explains, we all understand the intent and I don't feel like the -- what is proposed got to the intent, but I do have a question about whether or not it's even necessary and I -- we -- you know, I look -- kind of the same thing. You can look down the street, you look at -- you know, frankly, you want to wait in a long line, well, there is some burger places right down here on Main Street where you will go and they are short -- very short line and you will be there for 45 minutes. Now, they happen to have an area where you can drive out and get around, but it's not required under code to do that. So, to your point, you know, the why I think is a -- is an important component to this and I have generally -- because I have not been made aware of a public safety necessity on this one. It would question whether or not it's even necessary in our code to provide for an escape lane. If a business thinks that that's an important component to allow their -- I think that's that's a -- that is a consideration, but the Burger King right down here doesn't have an escape lane. I don't know -- it's not a hundred feet. The Burger King is 200 feet? It didn't seem like that long, to be honest with you. But the reality is I don't know the value and benefit of this being in our code at all. That's my opinion. But I do think the director's determination was appropriate based upon the code that currently exists. So, take that for whatever it means or doesn't mean and I just had a conversation on the code right before -- in the last workshop, but this, again, seems one that could at least be evaluated as to what it means or should it exist and why. You know, is it how long it takes you get through the drive-through or is it how long the drive-through is for some purpose that may or may not be defined, so --

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: To Brad and Elizabeth -- and I want to make a statement first and there is a question in there somewhere. The hardest thing I have a problem with on this is my roots in law enforcement. We always look at what the intent was and I'm struggling with the intent of why this became part of code and my understanding is it's been part of our code since about 2005. It's just the way it's always been. It's standard practice, even outside of the City of Meridian, to request this. But not my kids, although it was my son's first job, Brad. My grandkids are why I have been in and out of your drive-through so many times with six to eight employees helping me. But the part that I struggle with is not the director's determination, because he is doing exactly what we ask him to do. He is that subject matter expert looking at code. He is doing exactly what he is paid to do. It's that I start that line usually close to Chipotle, so if I'm really really worried about I need to get out of that line, is that really going to make that big of a difference if I have got to sit all the way through Chipotle until I make the turn and get into that and come all the way around before I have got an escape lane? How big of a difference does that

really make? Secondly -- and I have got fire and police in the room and they can help me out, but we would never in law enforcement or fire request that somebody that needed assistance find the escape lane and get out of the drive-through if they needed help. We would go to them. It's not a public safety issue having an escape lane. Unless somebody can tell me how otherwise it would be. It's not for use by your restaurant. It's not for use by our city. The escape lane is only for the convenience of customers and this is where I struggle with -- if you ran both lanes -- and I will make a suggestion. If you made the right lane an express lane only for those people that used your app, now you have got a faster lane to get people through and those people that I get stuck behind that don't know what they want until they pull up, they take the left lane, then, you could actually build an express lane right through your Chick-Fil-A and have a lane that you can move somebody into to get out quicker. Now, I'm not a fan of the second driveway, just because I think it could cause confusion. I have been going through it since you opened up both lanes and did the whole thing with the one lone driveway out. Sometimes it gets backed up, but I have always got out without a problem. A little patience means we eat some of the food in the car before we get home. Have you considered any other alternatives to what you have opposed tonight, where it would not have to have a secondary driveway that I do believe would cause confusion.

Koeckeritz: Mayor Simison and Council Member Overton, yes, one location -- and part of -- and the real problem -- the real issue with this is that it is just such a constrained site. One location is coming out right where my arrow is right there. That seems silly, because if you are getting out there you already know -- like why didn't you just get out ten feet earlier? The other thing -- one thing that was discussed was having the queue lane backed up all along here where we actually extended the actual queuing lane and, then, you know -- so, that once you went into this, then, you were in this, but then -- and, then, you could have an escape lane like right in here. But, then, that also doesn't make sense just to build an entire additional lane that's generally not needed just so that someone can -- just so that we can continue to make maybe a better escape lane when it's still pre-order, it's still -- and it's just not needed most of the time. So, that sort of just -- that doesn't necessarily make sense either, the other locations, and there just simply isn't space in through here to have a real escape lane and, then, obviously, we are not going out onto Eagle Road or Village Drive. So, this really is the location -- oh. And we have got our designer here.

Bodily: Parker Bodily. Barghausen Engineering. My address is Nampa. But I have been working on this project. We looked at different options. Really, the intent of the option that we provided is similar to a neighboring restaurant that I'm sure you are all familiar with, but it really was intended to meet the -- meet the code by providing an escape lane. You know, there is -- we will pull up some examples and, then, the area. So, you can see on the right -- and it provides an option similar to that. There is an escape lane. There is two lanes that merge into one point and, then, there is an escape lane right there and that's, you know, why we went with the option that we did, one that's been approved by the city before and so at the point we -- we have brought up what happens if a car needs to get out and I think by providing those two options we can

move cars further down while one -- while the vehicle that needs to get out can go through that second option and those vehicles can wait after that point to get their orders. And that's -- that's really the -- why we went with this option. Elizabeth went over all the other ones, but --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: How many cars can fit in each lane?

Miles: I got to go back and look at those. But I can give you that number.

Strader: It looks to me like ten or more can fit in each lane. So, just like hypothetically let's say that we had a car that is stalled. So, it's not a huge emergency; right? It's not someone having a heart attack. But we have got somebody who has got a dead battery or we have got another problem and that individual is ten cars back, but they are blocked in halfway through. So, what you are saying is your team of six to eight team members is going to have to move the five cars ahead of them somewhere -- I assume the parking lot, coordinate that, figure out getting everybody their order later. Like it just -- I'm sorry, but it just strains credulity to me and it's pretty obvious from what an escape lane is supposed to be that functionally it should mean that you can escape. Like to me that is like the common sense definition, plain reading of our code is that an escape lane should mean you can functionally escape. If you have to wait until you get all the way to the end of the lane past where you get your food, that to me was meeting maybe trying -- attempting to meet the letter of our code, but certainly not meeting the intent of our code and I just have to share that it -- like really to me like strains credulity to even hear the argument. I think there are a range of circumstances that could occur all the way from medical issues to car issues, to potentially, you know, a mass casualty event, a natural disaster -- who knows. But we, obviously, draw certain lines in the sand where we have determined historically if you have over a hundred this is what we require and I feel like there is good reason for that. I don't feel personally like making an exception here is wise from the perspective of a precedent, from the perspective of, again, public safety -- also convenience is extremely important to me. I don't ever want to be in a situation where I'm stuck. I have had it happen. It's the worst. I mean -- and especially if you are trying to pick somebody up from school, you have something going on, again, it just strains logic that this little tiny exit that you have added is somehow an escape lane. It's just functionally not. So, anyway, that's the extent of my comments. I think you know where I'm at. But I just -- I'm not going to be able to support this.

Miles: I will respond. The average time that a car sits at our window is about 15 seconds and so not only would we be able to move out within two minutes, we would be able to move out -- I don't know, ten cars, but we would also be able to move cars over to the left-hand lane to get people out. Like I said, I think -- if you look at this diagram and the existing restaurant that opened December of 2023 right by me, this is a direct almost copy of that. So, that question that you posed to me, you could pose that to

them as well. So, that was approved and so this is almost just like a carbon copy version of what was already kind of approved. And I tell you it's a lot longer than 15 seconds at that window.

Simison: Except for the big differences is where you get your food between those two restaurants. Yes, it looks the same on paper or in overhead, but not the same in operational component, you know, because you still have to go past that escape lane before you get your food, so you are making a conscious decision at that point in time do I want my food, do I not want my food at that location; right? Just so we understand functionally they are different in that context. It's not the same.

Strader: Thank you, Mr. Mayor. That's very helpful that you provided that, because without having that in front of me it would be hard for me to know that. So, I appreciate that. Thank you.

Simison: You know, going back to the one other component, it's just, again, why I think it's worthy of a larger conversation that maybe it's not built around this application, but at least, then, the quick Google and AI feedback, escape lanes are typically used prior to people ordering their food, because if they can't order within six minutes -- that's according to industry studies -- so I'm not saying Chick-Fil-A studies, but industry studies if you wait in line more than six minutes you are likely to -- that's when you are most likely to leave. In this case you actually force people to order way before that, because they -- it's pretty much when they get in, you know, enough it's backed up into the parking lot and they don't want to wait in that line, then, great, they are going to -- then they can go further and escape before they get to that point in time. But just some various differences in how your approach actually does -- you know, generally people are going to get -- oh, I'm going to be here. Can't respond to -- I don't think the policy is built around a specific -- one thing that may -- Luke's wife needing a stop off at Five Guys instead stat, you know, is the right policy thing, but I do think that there is -- in my opinion there is a larger question about the value and purpose of it, but to this application remain to be seen. I want to get there, too. I think --

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor. Elizabeth, Brad, thank you so much for being here. I have been debating about how I feel about this and I have got an incident that really colors it for me, because I was apparently that one in a million customer that was about ten cars back and got a call -- my son, who has got life threatening allergies was going into anaphylactic shock. Thank heavens I was at a drive-through that truly had an escape lane, because I would not have felt that I was -- I would have felt like I was giving up precious time if I would have even had to get somebody's attention to get me out of there and I was just able to leave and to me this just doesn't provide that access and I know that's not the standard, but that's what happened to me that I had to live through. I mean I would have gone over shrubs if I needed to to get out of there.

Taylor: Mr. Mayor?

Strader: Mr. Mayor, if you don't mind? Councilman, I apologize. I have an emergency at home and I need to leave.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: A question about another alternative that hasn't been mentioned here is -- I think I kind of know the answer is probably just not allowed on a collector, but is -- it would look like -- could you not make a similar sort of exit onto East Village right there on the corner? Would that make sense for a controlled escape lane there? Because that would -- I'm just curious -- and maybe Sonya or -- I don't know if you guys considered it, but could someone speak to -- is that not a viable option as an escape lane?

Koeckeritz: Mayor Simison, Council Member Taylor, I can answer that. I don't remember the exact distance, but we did not meet ACHD's separation requirements.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Elizabeth and Brad -- and just so I'm clear in my mind, you are proposing to have two lanes going all the way to the window, so there would be an opportunity to walk across a lane of traffic to deliver food to a second lane, similar to what's at Ten Mile.

Koeckeritz: Mayor Simison, Council Member Whitlock, that is correct.

Whitlock: And, then, the escape lane would come after food is received.

Koeckeritz: It allows nine more cars to queue through there in that -- after you have ordered through to where you pick up the food. So, it really does increase the efficiency and get people through much faster during those periods when it is being used, because as I mentioned, it's not going to be used much of the time.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: So, if you are following the Ten Mile Chick-Fil-A model they do put up cones and direct it into a single lane during those nonpeak hours, so that you are not -- I guess presumably you could have a -- an escape lane if you had an emergency by blocking that section lane off during the nonpeak hours. It's the peak hours where you are

stacked ten. 12, 15 cars deep in two lanes where I think the consternation is right now. What do we do in those emergencies or situations where people need to escape?

Miles: Yeah. And I think a lot of it was when COVID happened and we had to shut down the dining room and, then, force all of our business through the drive-through and, then, we started becoming a nuisance to our neighbors at the time and it was like I had never ran two lanes before then and it was just like, man, I have got to do something, because I have -- The Village is putting a lot of pressure on me. I didn't even -- I didn't lose staffing, I just relocated all my employees out to drive-through to accommodate and that was a -- that was all about trying to not be a nuisance on my neighbors, having cars back up into -- into -- into them making it difficult to get in Chipotle, making it difficult at times to get into 547 -- all those businesses that are right there kind of across the way from me and so this has always been about wanting to take cars from spilling out into the center and, then, move them into where I'm at.

Simison: Council, additional questions or comments? Okay. Well, let's see if anyone signed up to provide testimony on this item then.

Johnson: Mr. Mayor, anybody signed up.

Simison: No one signed up. Okay. Well, is there anybody present either in the room or online that would like to provide testimony on this item? Okay. Seeing none, would the applicant like to make any final comments for closing?

Koeckeritz: I guess I would just like to say a couple of things. As mentioned, this is a escape -- like it is an escape lane. It does meet code. A variance was not applied for. It was not looked at doing anything else, because there is really nothing that we would be asking to vary from, because it does meet the technical language of the code and for that reason -- and I mean -- and the bigger reasons are it just makes a lot of sense to have -- like you have the technical legal argument that I can make, but, then, all of the common sense reasons on people don't typically actually come through and, then, change their mind once they have ordered and decide that they really have to get out. There is the very rare occasion that Council Member Little Roberts has experienced. But generally speaking this is something that's good for the community, it's good for the patrons, it's good for the city, it helps continuing to increase the tax base here. It is a small business owner with -- who is trying to do right by his neighbors to not be an impediment on the neighboring properties, to do right by his customers who want to be able to come through there and, then, also to do right by his employees, many of whom are just our local high school kids and so I do think that there is ample -- like plenty of reasons to overturn the director's decision and we would ask that you do that today.

Simison: Thank you. Council?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just a last clarifying question. Out of your operating hours how much of the time do you run just a single lane at the drive-up window where the escape lane that's already there is being used as an escape lane or available?

Miles: So, we open at -- we are Monday through Saturday. 6:30 a.m. to 10:00 p.m. and so we are operating under a single lane from 6:30 a.m. until around 11:30 and, then, 11:30 until about 1:30 is going to be dual. So, it's two hours. And, then, again, from 5:30 to 7:30 and that's -- the nighttime -- we have more lunch business than nighttime and so it's typically more like an hour and a half, 90 minutes at night. So, out of -- out of that I would say three and a half hours right now out of the day is used as a pure lane.

Overton: Mr. Mayor, one follow up.

Simison: Councilman Overton.

Overton: And, Brad, is -- I'm going to walk you through what I have done before and what I have witnessed when you are using one lane versus when you are using two, because it moves pretty fast and I think you estimated that even if somebody needed to get out when you were using dual lanes, with a number of employees you have you could move everybody over to the left lane and probably clear that for the car that needed to leave in two minutes or less. Would that be a correct statement?

Miles: Pretty confident with that. If there was a -- according to where they are at, but I'm pretty confident within two minutes we could have that car out.

Overton: Okay. Thank you.

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Just one clarifying question, Elizabeth. In your testimony you said this does meet the requirements of city code, which if I read the language it said any lane longer or greater than a hundred feet requires an escape lane and so you have got two lanes that are greater than a hundred feet; is that correct?

Koeckeritz: There are two -- yes. Well, there -- right now there is one lane, plus the escape lane. But we would be proposing two lanes that are both greater than a hundred feet.

Whitlock: So, color in the edges for me then. If the two lanes are greater and city code says any lane greater than a hundred feet requires an escape lane and you don't have that escape lane until after the hundred feet, how -- how are we meeting city code?

Koeckeritz: The code does not -- Mayor Simison, Council Member Whitlock, it does not require -- where is the -- it does not have any information at all whatsoever about where the escape pod has to be.

Whitlock: You cross --

Koeckeritz: It's within these -- it's within this drive-through.

Simison: I -- I think maybe Council Member Whitlock was going -- I don't want to put words in your mouth, but you were -- under the code this may require you to have two escape lanes. If we are going to -- if we are going to legal each other I think he might have you on the -- on the legal definition.

Whitlock: Don't put words --

Simison: I am going to put words -- any stacking lane and you have two -- shall provide for an escape lane. To me that's a -- going to be pretty clear legally defined. That would require two escape lanes under the code.

Koeckeritz: Mayor Simison, I would argue it does not say that each one needs its own stack -- own escape lane. Nowhere in there does it say two escape -- that each shall have --

Simison: Right. Correct. And each one of those needs one and you are only providing one for one lane, unless you are going to consider the exit and escape lane for the other lane and, then, you don't have an exit lane. We are not going to lawyer this, but I think -- I got to give it to him, he is -- you don't have your JD yet; right? You are still working on it? But -- if we are going to be legal about it and argue legal merits, I think that's a pretty good legal argument, not that we were making it, but -- to me I think this should go back to a larger conversation about this issue generally, but --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Yeah. I think a larger conversation that we are doing some UDC changes. I'm very open to a larger conversation down the way about code related to emergency lanes and stacking lanes and -- it sounds like staff is working to provide some greater clarity. Personally think from a legal and a common sense standpoint this isn't -- it's not an escape lane. So, I'm happy to move that we uphold the planning director --

Simison: We got to close the public hearing.

Cavener: Oh, we got to close the public hearing. Thank you, Mr. Mayor. Mr. Mayor, I move that we close the public hearing.

Little Roberts: 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: FIVE AYES. ONE ABSENT.

Simison: Councilman Cavener.

Cavener: Mr. Mayor, I don't know where this will go, but for all the reasons I have shared I'm going to move that we uphold the director's decision of denial on the certificate of zoning compliance and design review for application A-2024-0082.

Little Roberts: Second.

Simison: Have a motion and a second to uphold the director's decision of denial. Is there discussion on the motion?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I'm not going to support the motion, because as I review this -- I think the words are really important and we as a city have not done a very good job making it clear what we expect here. I'm kind of stuck on the idea of what's the purpose of these escape lanes and, then, I was looking for do we define what an escape lane is? Is it for convenience? Is it for public safety? What's it for? All good points about a broader discussion. Again, here we are with drive-throughs talking about them. Let's add this to the list of do we as a city -- are we going to require an escape lane? If so we need to be clear what it is, where it should be. I -- I think if we -- and I understand the decision by the director here, because when we talk about an escape lane I think we all feel like we know what that is, but we don't actually know what it is. We haven't defined it in my mind. We haven't done a good job defining it. So, it's a subjective interpretation. When I consider the -- how we apply it as a city, it should be fair and consistent. It is not fair and consistent to read -- to reject this -- or to uphold the director's decision, because I don't see it being applied fairly across the city. I can't in good conscience say you get this, but you don't and I think that's our fault. Not that we meant to, but just for lack of getting to the point of providing the clarity that I think is there. So, that's -- for me that's -- if we are going to require this we need to be consistent and I don't see us being consistent. So, I think because of that we are open to being able to say we as a body get to use our own interpretation of what's the intent here. I have been in the lane that's gone back to Chipotle, too. I see this as saying we can move nine cars through in a lane -- like that actually makes a big difference. It is a -- it is a challenging location getting in, getting out, whether you are a patron that's walking into the restaurant or if you are a patron who is in the drive-through it is just challenging. I also agree that the --

the escape lane has proposed really is a secondary exit. It's not an escape lane in how we are liking to think of it, but I'm okay with that. I'm okay with that. But to me it comes down to -- if we are going to require it we need to be consistent and by upholding the director's decision I don't think we are being consistent. So, I won't be supporting that.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I agree with a lot of the points from Councilman Taylor. I always want to agree with our directors, because they are the subject matter experts, but what really bothers me is Chick-Fil-A has been operating in this manner with both lanes for quite some time and we are not here because there is a problem. Let me say that again. We are not here because there was a problem with how they were operating. We are here because they changed their operations and never got it approved and when they went to go get the certificate of zoning compliance this rule was found and this is what frustrates me the most. They created a drive-through with double lanes that was much quicker, much more efficient, dealing with a greater number of cars in a shorter amount of time to alleviate the backup into the parking lots of other restaurants and we are doing so and still are doing so very efficiently, but we are now caught up on a code in which we want to deny it based on something that's been there since 2005 and we are trying to fit it into this application in this location and I'm struggling with how do I -- how do I stand by that and say that was the right decision when I have watched them successfully do this for at least a year, if not -- if not two years very efficiently and very quickly.

Simison: As I think I maybe have stated or haven't stated -- I mean I think there is a little bit more going on here. There isn't a desire to extend a canopy to do some additional work, you know, that -- so there are some points and times where some of this is being further evaluated in that context. But, you know, on a very personal -- I have no issue with there not being an escape lane. I have no issue with there just being two drive-through lanes as a general rule through this -- there are probably, frankly, many other properties and sometimes it is about the entity. Sometimes it's not. But as a -- as the way the Chick-Fil-A operates compared to the way -- you know, if we were at, you know, one of the finest burger restaurants in Meridian right down the road here on Main Street at Main Street Burger and they had two lanes that you could not escape, you might be there for an hour. I mean that's the way they operate. You know, different model. Different thing. So, sometimes looking at the -- you know, the code doesn't look at type of -- you know, who the business is, they just look at the -- you know, function of how we treat all businesses. But to my point I'm okay if there is not one, but I'm not okay with not upholding the director's determination, because I think it's clearly articulated common sense. I mean, again, if we are going to use common sense on both sides you got to use common sense to what an escape lane is and common sense dictates that, you know, what's proposed is not that and, you know -- so, that's -- I won't be voting unless someone abstains from themselves this evening, but that's just my personal viewpoint on this issue, but, you know, leave it for wherever it goes and I think

irregardless we know we are going to have a follow-up conversation about what and how and if and whatever decision is made I think that there is an opportunity in the future for what and how and if in my mind. Further discussion?

Whitlock: Mr. Mayor, I guess --

Simison: Councilman Whitlock.

Whitlock: -- that's where my head is, too. This is probably a decision that ultimately will be back before somebody at City Hall, either with a code change or tonight it might get approved, but to me the wording of the code is pretty straightforward. The definition and purpose of an escape lane can be debated. That's not defined in code. But I have a hard time reconciling in my own mind that this does meet the requirements of city code. I'm just -- I'm not there. Now, city code can be changed and this could meet city code in the not too distant future.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know that there is a motion on the table, but a question if I may for staff. Sonya, recognizing some of the feedback that you have heard from Council and sounding like that staff have already initiated some clarifying language around this, would it make sense -- and, again, I don't know how the applicant -- we may want to reopen the public hearing. If the Council were to continue this to a date certain, after the Council have had a chance to weigh in on some UDC changes around escape lanes, would this applicant be subject to the previous code or would they be subject to the code changes if we were to make them?

Allen: Mr. Mayor, Councilman Cavener, they would be subject to the code in effect at the time of their application submittal.

Cavener: Okay. Fair enough. Thank you.

Simison: Is there discussion? If not, Clerk call the roll.

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

Simison: Four ayes. One nay. And the motion to uphold the director's determination is agreed to. Thank you. I don't think the conversation is over. I look forward to future conversations. I'm sure Sonya and the team will be in touch with you as we move that conversation forward.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

ORDINANCES [Action Item]

- 3. Ordinance No. 25-2084: An ordinance (Farmstone Crossing Subdivision – H-2023-0045) annexing a parcel of land located in a portion of the northwest quarter of the southwest quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit “A”; rezoning 33.893 acres of such real property from RUT (Rural Urban Transition) to the M-E (Mixed Employment) zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.**

Simison: Okay. With that we will move on to Item 3, which is Ordinance No. 25-2084. Ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance annexing a parcel of land located in a portion of the northwest quarter of the southwest quarter of Section 15, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho, more particularly described in Exhibit “A”; rezoning 33.893 acres of such real property from RUT to M-E zoning district; directing city staff to alter all applicable use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date.

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody who would like to read it in entirety? If not, do I have a motion?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: I move that we approve Ordinance No. 25-2084.

Overton: Second.

Simison: Have a motion and a second to approve Ordinance No. 25-2084. Ask the clerk to call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics or do I have a motion to adjourn?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we adjourn the meeting.

Little Roberts: Second.

Simison: Motion and a second to adjourn. All in favor signify by saying aye. Opposed nay? We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:18 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK