

date of November 18th, 2021, with no modifications.

Yearsley: Second.

McCarvel: It has been moved and seconded to approve H-2021-0077. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing Continued from November 4, 2021 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

- A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.

McCarvel: Welcome back, Commissioner Seal. Next item on the agenda is continuing H-2021-0064, Black Cat Industrial Project, originally opened on the hearing date of November 4th and we will begin with the staff report.

Tiefenbach: Greetings, Madam Chair, Members of the Planning Commission. Alan Tiefenbach, associate planner with the City of Meridian. This is a request for an annexation of 130 acres with the I-L and the R-15 zone district. So, the majority of the property is on the west side of Black cat Road. This is about 129 acres. There is also a very small -- not quite one acre piece of property that is -- where is my -- there it is. That's right there that is the -- on the east side of Black Cat. Just a quick history. Staff and the applicant have met numerous times on this project. We have expressed many concerns. These include the lack of the compliance with the Ten Mile plan, both in use and design. Potential traffic impacts, probability of low job generation and whether or not the timing is actually right for -- for a development of this magnitude when there is other properties to the east that have yet to be developed. So, again, the applicant proposes to annex and rezone a little bit less than one acre of property to the east as R-15. The applicant proposes to annex 129 acres of property to the west as I-L. I want to quickly talk about the Ten Mile plan. So, the Ten Mile plan -- the purpose of this was to ensure that land use and transportation planning are integrated. It states that the city knows that these are one of the last remaining large contiguous areas of highly visible land, meaning the property that I'm referring to. The Ten Mile plan talks about how this area is intended to look, feel, and function differently than a typical commercial area or a residential subdivision and it goes on to talk about that unlike a lot of commercial and employment districts, the intent here is that the Ten Mile plan wouldn't empty out at 5:00 p.m., it would be sort of a live-work situation with a lot of employment. This is the land use map for the Ten Mile plan and so the property is what you see in the -- in the dotted yellow line. This over here is the one acre property that's being proposed to be rezoned to R -- to be -- excuse me -- annexed and zoned to R-15. That is surrounded by property that's all recommended as medium density residential. On the west side of Black Cat Road, about

one-third of this, maybe a little bit more, is recommended as low density employment. The rest that you see here in gray, this is all recommended for mixed use employment. So, low density -- low density employment, according to the plan, talks about that the purpose of this is to provide low rise office and specialized employment uses, a variety of flexible sites for professional offices and similar businesses, and it also should be designed to provide convenient circulation. One of the things about that circulation is that it's recommended to be designed with elements of traditional neighborhood design. So, that's slower streets, traffic calming, wide sidewalks, more walkable, buildings that front towards the street and buildings in low density employment areas are supposed to range in height between one and three stories. Typically smaller square footage and land use types talk about corporate and business offices, research facilities and laboratories. If you look at the bottom here there is some pictures out of the Ten Mile plan that sort of give examples of what low density employment could look like. The other land use recommendation, again, which is the majority of it, is mixed employment and this is to encourage the diversity of compatible land uses, include -- which includes a mixture of office, research, and specialized employment areas. It also says that what could be appropriate there is light industrial, including manufacturing and assembly and I will talk about that shortly. It should provide for a variety of flexible sites, for small and local start-up businesses, as well as large national or regional enterprises. It's intended to accommodate a wide variety of employers and serve as a primary gateway and all of the -- and as an example, all of the professional office uses along with the -- the restaurant and retail uses, ancillary uses that you see at the Ten Mile and I-84, the example of mixed use employment and that's the type of uses that are proposed in this area as well. So, the applicant's proposal -- and this is the concept plan. Is for seven buildings ranging in size between 6,800 and 33,000 square feet. So, that's what you see directly adjacent to Black Cat. This includes, according to the applicant, flex incubator buildings, which can be divided into spaces and also it includes a future fire station, which is what you see here. This also includes nine large buildings. These range in size from 131 square -- 131,000 square foot to almost 330,000 square foot, with the entire project being somewhat more than two million square feet. This concept plan that you are looking at it shows multiple loading bays. I don't know if you can see it here, but there is loading bays here. They are pretty much inside of all of the buildings. The concept plan that you see here shows a wide collector street, which I will talk about, and this is designed to accommodate large truck traffic and the applicant request is to rezone this entire area to I-L, which would be light industrial. Again, this is still part of the proposals. The narrative states that the Black Cat business center would provide in demand manufacturing, heavier office build out, flex industrial and ancillary retail, warehousing and distribution. It mentions that the mixed use employment designation does allow light industrial as one of the appropriate uses. The narrative notes that the City of Meridian has less than a one percent vacancy rate for industrial business uses and the Treasure Valley as a whole lags behind its peer markets. So, staff believes that the mixed employment zoning is more appropriate for this location, not I-L, to follow what the Ten Mile plan designates. The Ten Mile plan does mention light industrial as one of the appropriate uses in mixed employment. However, light industrial is defined by this plan as manufacturing and assembly. Also the Unified Development Code also has a definition of light industrial, which talks about a use engaged in the manufacture, processing, fabrication, assembly,

treatment -- blah, blah, blah, predominantly from previously prepared materials. So, this would be where your elves would create your widgets and they do the research on the widgets and they bring them to the warehouse and they -- they could store the widgets and trucks can come and get the widgets, but the whole point is the building and the making and the research and the development of the widgets and, then, the widgets can be taken somewhere else. Now, these definitions that I described are very different than what will be allowed in the light industrial zone district. Two different things. The definition of light industrial versus the light industrial zone district are very different. In that particular zone district warehousing, distribution, self storage and other industrial uses are allowed. But these uses are actually specifically mentioned in the Ten Mile plan as being in the industrial area, which is further west of the property directly adjacent to McMillan. I have put this comparison on just to help clarify, because it is a little confusing, but on the left would be mixed employment. These are the kind of uses that are recommended by the Ten Mile plan. They pretty much are exactly in sync what the plan recommends. On the right is what you see as light industrial zone district. This zone district allows numerous uses, which includes by right, warehouse, indoor and outdoor storage, car sales, contractor's yard, equipment rental, sales, and service and all these other types of uses as well. One of one of the major intentions of the Ten Mile plan is to improve the jobs-housing balance and there is some information that I have here. What you see on the -- on the right there, those numbers, what that all is is talking about what the existing jobs-housing balance is in this area. Basically ideal -- in an ideal world you would have one job to one house is what you are looking for. Anything less than that is less of the jobs-housing balance. Anything higher than that means you have more jobs than people. The existing jobs here is that this balance is presently about .2 and, like I said, one is the ideal one. The intended jobs of the Ten Mile plan talks about 20,000 and this -- the intent of this, especially with these employment centers, is intended to promote a reverse commute. As you know to the east there is many subdivisions that are building out now, hundreds of lots, multi-family over the Ten Mile and Franklin and is also like the Ten Mile-Meridian, the gateway, numerous types of mixed use and residential projects. This is a quick list to show you just typically what the typical jobs per acre is. So, for retail you get Ten Jobs, down to like warehousing, which would be five jobs per acre and self storage is very few, one or two per facility if that. West Franklin Road presently is two lanes with no curb or gutter. That's what you see here. Sorry. It's covered by that legend. And it narrows to one lane west of Black Cat. Black Cat Road, which you see here, is presently two lanes with no curb, gutter, or sidewalk. Black Cat Road is to be widened to five lanes between 2036 and 2040. West Franklin Road is planned to be widened to five lanes between 2026 and 2030 and the West Franklin Road over here is eventually to be signalized for State Highway 16, which is eventually going in just west of McMillan. So, the -- the Ten Mile plan, ACHD, both require north-south collectors and a local street. So, one of these collectors you can see purple here, this was provided by ACHD. Another one of the collectors is shown to run through the middle of the property here. Also ACHD is showing a collector running along the northern side of the property along the Rosenlof Drain. It's important to notice that there is actually another local street, which is shown on the land use map of the Ten Mile plan that's not, however, shown on the transportation plats on the ACHD. However, the -- the intent of this local street, obviously, is to connect between these two these two collectors. Staff has mentioned to the applicant that there

should be some sort of northern south connection through the middle of this property. The concept plan that's provided doesn't show this connection. It basically dead ends here at parking. So, although the immediate area -- area is mostly undeveloped, meaning directly to the east and, then, to the north and to the west is also still unincorporated Ada county, there is a significant amount of development that's already been built out or is entitled to that, like I talked about. 330 single family lots and 240 apartments in the Bayara Baraya Subdivision, which is to the east. There is a large amount of commercial and residential occurring at Meridian, Vanguard Village, Ten Mile Crossing and TM Creek crossing. Staff believes that the impacts of two million square feet of new commercial uses could have significant impacts on the surrounding neighborhood. Now, annexation -- annexations do not require a traffic study, but staff does believe just because of the size of this this is one of the things that the applicant should provide and it's one of the things we can look at to see if it's in the best interest of the city. We believe that the uses proposed would generate also a large amount of truck traffic. If you look at what's being proposed, the -- the numerous large buildings and the wide collector, even in our narrative it talks about to provide unimpeded access for trucks. So, you are going to get a lot of trucks going up and down these two lane roads on Black Cat and Franklin or trying to turn and go into Ten Mile. The Ten Mile plan has design requirements regarding the road network, streets sections, walkability and architecture. So, in general there is a Section C, which is sold on the Ten Mile plan, and that is what you see on the left here, this bottom. Collectors here are supposed to be multi-modal, meaning walking, biking, and driving with on-street parking and wide sidewalks and buildings that are brought up to the street. In addition, there is other design standards, such as variation in building height, ground floor transparency, three different elements to buildings. What you see here this little section, there is different sections provided in the Ten Mile plan trying to get an idea of what the building massing and the building height in each area is. What you see here on the right is showing the mixed use employment area that I'm actually referring to and, then, there is -- there is numerous pictures of the types of businesses that would be reflective of that. So, the concept plan that you see here reflects the east-west connector -- collector bisecting the property and being 60 feet wide. So, again, the -- the collectors are supposed to be 33 and that's to slow traffic and to make them more walkable, but what you have here is a 60 foot wide collector. This is easy truck access. There is no on-street parking. There are detached parkways, but all the landscaping is outside of this right of way and you can see much of the parking is along the collector. And, then, the buildings here -- what you see here are they maintain large setbacks. The large buildings don't contain the kind of ground floor transparency that's talked about in this plan to make it interesting and pedestrian oriented. They don't address the public realm and they are all one story in height, even though they are sort of designed to kind of look like two stories and and the Ten Mile plan, again, is recommending that there is different building heights, not just all one story. Now, the applicant's narrative states that due to security and visibility that the industrial uses of these buildings do not support windows across the entire frontage and certainly we understand that. As an alternative they propose enhanced glazing at every -- at the corner elements. So, staff believes that there could be design revisions that could improve the final product, especially some of the buildings that you see along Black Cat, the smaller ones. We think those could probably be reconfigured, reoriented and some additional things done to make those

closer to what the Ten Mile plan recommends. However, it's important to note that given the use that's being proposed, especially with the western part, the majority of it, we don't think that the applicant could design in the type of design that's being recommended by the plan, not -- not as an employment center. I think sort of the point that I'm making here is the Planning Commission should decide whether warehousing, distribution, and storage is appropriate in this location, because that's what I-L would allow. If they do believe that those kinds of uses are appropriate in this location, then, staff would still recommend that M-E would be the -- would be the -- the appropriate zone district and, again, some of those warehousing uses are allowed as part of M-E, they just can't be a standalone use, they have to be part of a larger operation. The applicant proposes to annex and zone the area to I-L, whereas M-E zoning would be more consistent with the plan. The applicant also proposes to annex about a one acre lot with the R-15 zone district just to achieve the contiguity to be eligible for annexation. There is a potential for significant loss of employment generating activity, monotonous architecture, and building massive street design, which is not consistent with what the Ten Mile plan shows. In addition, the traffic impacts of nearly two million square feet of new commercial on the local network have not been analyzed and staff wonders really if this is about time -- if this is time, as much of the -- the development to the east has not yet been developed, the roads aren't ready, and much of the infrastructure isn't in place. The plan says that the city knows -- like we mentioned as one of the remaining last large contiguous pieces of highly visible land within the city's area of impact. With that staff finds the application is not in the best interest of the city. Staff recommends denial and with that I will conclude my presentation.

McCarvel: Thank you. Would the applicant like to come forward?

Tiefenbach: I think we are -- I think we are fighting over the mouse. Hold on sec, Deb.

Nelson: Okay.

Tiefenbach: Okay. There you go.

Nelson: Okay. Madam Chair, Members of the Commission, my name is Deborah Nelson. My address is 601 West Bannock Street. I'm here on behalf of the applicant. So, you can tell from Alan's presentation we actually have met with staff for a long while. We are disappointed we have not been able to get staff support, but at this point we feel we have done as much as we can do to work through these concerns and we need to move forward with this application. I mean fundamentally -- and I think Alan said this as well -- this is a decision about what use can go here and staff's vision for this area is an office park. They asked us to look at El Dorado and Silverstone, instead of this industrial flex park. So, my presentation is really going to focus on how the light industrial zone and a modern business park with modular industrial spaces for businesses of all sizes is actually compatible with your Ten Mile plan and your annexation criteria. Tim Wolfe with A-T Industrial is going to follow me with some information about the market need and support for the proposed industrial flex used in this location. Little project evolution. On the left is our initial concept. Following the pre-app we made some significant changes. We

rotated the buildings to shield the views of the loading docks from the freeway and the collector. We enhanced the entrance and added this central amenity area. At significant expense we purchased and incorporated two outlier parcels along Black Cat to address staff's concerns that they may be isolated as rural residential in the county. We continued through discussions to evolve the site. We changed the majority of the buildings to single loaded and pulled them up to the street to minimize parking at the frontage. We divided the Black Cat frontage buildings into smaller flex incubator spaces. Added walking paths throughout. Improved the collector street east-west to match the plan and we added this fire station site, which we are in discussions with fire about. Here you can see the flex incubator spaces on Black Cat that will serve those small local and start-up businesses with adaptable office like space and here is the outdoor amenity space providing that attractive entry and also serving that as -- as that gathering hub for employees. So, a couple of key points about what the plan provides. Alan mentioned that the majority of our site is mixed employment under your Comprehensive Plan where you have the majority of one designation and mixed designations that calls -- that it's appropriate to use the majority designation, which we have done here with mixed employment. In the zoning compatibility matrix within the Ten Mile plan it specifically identifies light industrial as an allowed zone. All of the uses that we propose are allowed within that light industrial zone. The Ten Mile plan also calls for uses within the mixed employment area to provide a variety of flexible sites for small local or start-up businesses, as well as sites for large national or regional enterprises. We do this in a couple of ways. We have got the variety of building sizes that go all the way from 17,000 feet for the flex buildings up to what we have shown here as approximately 350,000 feet. That is well within the range in your plan for mixed employment areas that calls for buildings that range from 10,000 square feet to one million square feet. The other way we do it is we have demisable buildings. These are all -- demisable down to 2,500 square feet in the small, 18,000 or 25,000 in the larger buildings. This allows tenants to come in a variety of sizes of businesses and then when they grow they can grow into larger space. Ten Mile plan also talks about how one of its goals is to provide for industrial opportunities and consideration of the future improvements to Highway 16. Well, at that time that was long in the future and now it is immediately upon us. The land has now been acquired. This is a priority for the governor and this is expected to be built out in the next two to three years. The east-west collector through our site will provide us a direct connection over to McDermott and 16 as the property to our west develops. There is a lot of details. We don't have enough time to respond to everything that Alan just raised. I will just try to highlight a few things. He talked about how we didn't meet the -- the street section. In fact, we do. He said that we didn't meet it for one reason, because it calls for on-site parking, but, in fact, Street Section C doesn't call for on-street parking. We do have bike lanes. We should have delineated them better. The one addition we have is a turn lane in the center of this, but every other aspect is the same, parkway, hardscape, sidewalks detached. Again, a lot of details about design. Just to highlight a few. Alan talked about the building heights in his staff report. He says you have got to be two to four stories. In fact, for mixed employment it's one to four. We have one and two stories, but our building heights range up to the four story height in there. We also meet the setbacks. The picture illustrates this well. This was also in Alan's presentation. The picture on the left is straight out of the Ten Mile plan. This is our building -- this is from our larger building onset. This is -- our architectural

features are the same. I would say more attractive and you have got the same delineation, the same glazing shown. We meet all of the criteria for annexation. We have services at our site. Public Works has confirmed they have capacity to serve sewer and water here within the existing trunk lines. The area to our east is building out. Everything is either got a development application pending or it's owned by developer land. This area is quickly developing and appropriate for development now. In the end with all of these points, the city certainly can choose to approve light industrial zoning in this location and the industrial and flex project based on the guidelines in the plan and the Comprehensive Plan if this is a use that you determine is appropriate here. With that I'm going to turn it over to Tim Wolfe.

Wolfe: Hi. Tim Wolfe. 675 Sun Valley Road, Ketchum, Idaho. 83340. What I wanted to do is just -- we were -- staff -- we have heard repeatedly from staff that office is a more appropriate use for this location and what I want to do is just take a minute to talk about what the context was when the specific plan was adopted in 2007, what the context is today, how that has changed and how the two uses have changed pretty dramatically over that period of time. So, what's happened is that behavior has fundamentally changed the way both office and industrial use are used in America. Office space per employee has been cut in half since the Ten Mile plan was adopted. So, it means that for every square foot of office you have twice as many employees in it today as you did when that was adopted. E-commerce growth has more than tripled over the intervening period of time and it's had a pretty significant impact on the need for local industrial infrastructure. I'm going to -- I'm going to lay out a whole bunch of things here. You will get the slides. I'm not going to go through a bunch of details, but in the detail we have kind of laid out 2007 and '19 what happened. Obviously, we had an event -- a pandemic event in 2020 and, then, going forward, you know, what does that mean? What does it mean for office? What does it mean for industrial? How should you as a city plan going forward to address the ongoing needs. So, there is a lot of supply chain things that have happened and you will be able to read this. There is a couple of interesting points down at the bottom here that I'm going to pop up. In 2007 when the plan was adopted e-commerce was four percent of total retail sales. 2013 it was 5.8. 2020 it was 14. And it's very close to 20 percent now. So, it's quadrupled, online sales have, and that channel is all going through an industrial channel. On the flip side of that what's happened is that office square footage per employee in 2007 was 396 square feet. 2020 was 196 square feet and now what's happening is with people working from home more and more, that number is continuing to go down. So, the amount of land necessary to meet an office requirement for a number of employees has been cut in half and it's continuing to go down. So, what does that mean for office land in Meridian? More office land is not needed. Obviously, changing maybe forever and there is some things about studies by Price Waterhouse, Coopers and others about how that's happening. So, if you actually go look at the office in Meridian currently there is greater than a 70 year supply of office land that is currently on the market. Office that is existing and built in vacant or office that is in planning process right now. This town ignoring land that's zoned that's not on the market right now that there is also a significant amount of -- has more than 70 years of supply of office. So, we are confused about why office is being pushed on this site. So, what we did is looked at what's the average absorption of the last five years of office in this town and it's

about 200,000 square feet and that includes pre-pandemic when the office uses started to decline. Office space available for lease is about two point years -- two years of supply. Office projects in planning and process is another 3.2 years of supply. Office land listed as available for sale just in the City of Meridian is 415 acres, which is a 67 year supply of office. So, you know, why -- why we would build office in a market that where there is 73 years of supply of current land available didn't make sense to us. So, how does Meridian sit relative to its peers. And we shared this with staff. So, Meridian right now has a 14 percent office vacancy and Boise is eight percent. So, about half of what Meridian is. So, relative to Boise it has more office than it needs. But .09 percent industrial vacancy. So, there is zero industrial availability and what that means is people are leaving Meridian. Existing businesses right now -- we talked -- we talked to a business a day that doesn't have room to grow, doesn't have anyplace to go and talked to two businesses this week that are industrial tenants that are leaving your city because they have nowhere to go and Meridian compared to peer cities, it's 40 percent behind Boise in terms of total industrial square footage, 66 behind Spokane and it -- you know, Meridian is the second largest city in the state of Idaho, so it's -- our feeling is the city should be thinking of itself as a city and -- and from a planning perspective behaving that way as well and to -- I -- our feeling is it shouldn't be a badge of honor to be 60 percent below your peers in terms of the amount of industrial space you have available. So, there is almost no current inventory of land available for industrial. There is no vacancy. There is no room to grow. Future land is many years out. There is a significant amount of infrastructure that's got to deliver that future land and staff itself has said that that is a long ways out. As I mentioned, we have been talking to existing businesses. I spoke with eight this week. They are all growing, they all want to stay here, they all have nowhere to grow. Two of them are leading that I spoke with this week. In addition, we have other tenants that want to be in this location that are high paying jobs and high density jobs relative to the industrial space and so I think -- and I just want to leave with a couple of questions for everybody to think about, which is, you know, are we planning for a diverse and resilient economy by providing all the needed space for the second largest city in Idaho to grow? Are we intelligently responding to the escalating need for -- that e-commerce is driving and that the supply chain issues are driving? And are we really thinking about the declining need for office space, because it has declined pre-COVID and nobody knows what this means post-COVID, other than the fact that more and more people are going to work from home and do we want to force businesses and employees that are successful out of this community? Because that's happening today. That's it.

McCarvel: Okay. Thank you. Any questions for the applicant or staff?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Question for the applicant. Out of the -- all the folks that you talked to did any of them submit any kind of written testimony to the fact that they are leaving the community?

Wolfe: No, but I'm happy to get that -- provide it.

Seal: That would be a good piece of information to have.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: What -- you said that the -- the companies moving out are moving out because of space. What -- what are the space needs in terms of general square foot per business and what does that look like?

Wolfe: So, the eight that I spoke with this week there was a total of just under 300,000 square feet that they occupied with those eight tenants. So, it's, you know, an average of 35,000 feet or so apiece and they ranged from as low as 4,000 foot tenant up to as high as 50,000 foot tenant and the employee count for those 300,000 feet was about 300 employees. So, about one per -- it was actually higher employment per acre than what was shown here by about double. So, there is a lot of variability in that employment and the two that were leaving -- one has 30 employees, one has 20 employees. They both really want to stay in Meridian. One of them has already signed a lease to move out -- outside of this town and I'm sure he would write a letter saying why. He grew his business here and wanted to stay here, but at the time there is nowhere to go.

Lorcher: Madam Chair?

Simison: Commissioner Lorcher.

Lorcher: Knowing that the infrastructure for this particular area, Black Cat and Franklin, are not even available yet with, Black Cat not even being widened until 2036 to 2040, why now to change it to light industrial?

Wolfe: Well, there is -- there is need and as I mentioned, you know, you are going to have existing businesses leave, let alone new businesses. Actually, the intersection at Black Cat and Franklin is a fully developed intersection, so it's built to handle the five lanes that are going to go along Franklin. So, the intersection itself can handle the traffic and we have a traffic study that is well along the way and staff has communicated a little bit with ACHD on that and there will be a traffic study that will be complete prior to any building permit issued on this site. It's our -- we acknowledge and understand that traffic has to be resolved, so -- and part of our intent is to enhance Black Cat from the site up to Franklin.

Lorcher: And the three homesteads that are currently there you purchased?

Wolfe: We purchased the two that are -- that end up squaring up our frontage on Black Cat.

Lorcher: And the one across the street?

Wolfe: The one across the street is just part of the annexation.

Lorcher: So, that home will remain for now?

Wolfe: Correct.

Lorcher: But the other two will be removed?

Wolfe: Yes.

Lorcher: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I have a question for Bill. Since you are probably the only one here that was involved with the Ten Mile plan initially, was State Highway 16 even considered in the plan as part of this Ten Mile specific plan?

Parsons: Yeah. Commission, Commissioner Yearsley, I wasn't part of that charrette when that came through, so I don't really have a definitive answer for you, but what I can tell you is M-E zone wasn't in play when that plan got adopted and so the matrix that the applicant brought up showing industrial and, then, all the different commercial zones that were in there as an appropriate fit, M-E did not exist and we have amended the code since, then, to -- to accommodate M-E zone to go along with that land use and that's why staff was pushing or felt that M-E was the more appropriate zoning for this particular property. But we can certainly look through the plan a little bit and dig into that and see if we can circle back on that discussion for you.

Yearsley: Okay. I was just kind of curious with that, just because the -- the use of this area kind of has a potential change based on access to the interstate just a mile away.

Parsons: Well, if you look at the -- the land uses that -- as you transition farther to the west and connect to Nampa, you see we do go from more of a business park setting to an industrial area around that interchange. So, one would -- would presume that it did contemplate highway -- or State Highway 16 happening, so that you could get that truck -- truck traffic happening and try and avoid that conflict with what's occurring as you transition to Ten Mile.

Yearsley: Okay. Thank you.

McCarvel: Any other questions for staff or applicant?

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: So, if you were proposing -- because I wasn't here for the Ten Mile interchange either conversation. So, if you were proposing this to be more office space off of Black Cat, if a company wanted to do light industrial or manufacturing, where do you -- where were you envisioning to go in the City of Meridian?

Tiefenbach: So, Alan Tiefenbach, associate planner. I was just kind of going through the Ten Mile plan. It does actually talk about Highway 16 in the future improvements and how this employment district was supposed to be buffering and residential from the industrial that was supposed to be directly adjacent to McDermott. So, if you look at the -- the land use plan, which I think I have here, on all of the industrial -- what you will see there is to the west and that's intended to be directly adjacent to McDermott and eventually to Highway 16. The mixed employment area is supposed to, first of all, provide a buffer and, secondly, to provide jobs to help the job balance from the numerous different residential subdivisions that are building out to the east.

McCarvel: Any other questions for staff or applicant? Okay. Thank you. Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: Madam Chair, we have one. Corinne Caddis. Madam Chair --

McCarvel: Sir, did you want to come forward? And, please, speak right into the microphone and state your name and address for the record.

Eggers: Yes. Thank you very much. I'm Drew Eggers at 2256 North Waggle Place, Meridian, Idaho. 83646. I apologize I got here a little late, so I wasn't able to sign up. So, thank you for giving me this opportunity to speak. I'm a fourth generation Idaho farmer and I grew up on that property and the past 25 years farmed it for my mother and the family and saw over the years the changes that have come around that property. Well, it started back when -- in the early '60s when the freeway went through that property and so I have seen a lot of changes over the years. I -- we accept the Comprehensive Plan that has been overlaid on this property by the area of the City of Meridian or the powers to be and with the growth happening in this area it's bound to -- bound to fulfill or come to fruition, I believe. Light industrial -- this property every year is becoming harder and harder to farm. It was farmed last year. I farmed it prior to that for 25 years. With the growth in this valley machinery going down the road, all the obstacles from farming we were -- stopped aerial application because of population growth. So, I mean I could talk a half an hour on that and I won't, but -- but the -- the Comprehensive Plan for the way things are growing I believe is acceptable to my -- our family and -- and a-- nd the way it's being planned. My family has been involved in Meridian before my life, being a fourth generation farmer. My grandparents came to Black Cat Road in 1921. It wasn't Black Cat Road then. It was changed to Black Cat Road in the '30s when my father -- grandfather named his farm the Black Cat farm for selling registered Holstein cattle and, then, in the '50s everybody called it Black Cat Road because of the sign and so they put Black Cat road up, the county did, instead of Post Road. So, that shows the history we

have out there. I can remember in the '50s Black Cat Road being gravel. We have also been involved in the community over the years. Myself going to the Meridian schools. All community functions. Being involved in the church in this area is part of what my family has done for multiple generations. So, at this point you see we do have a willing buyer to come and do what the Comprehensive Plan wants and so this is why I'm here today to ask for -- for approval of this project. If there is any questions I would be happy to answer them.

McCarvel: Any questions? Thank you.

Eggers: Thank you very much.

McCarvel: Madam Clerk, anybody else that was signed up?

Weatherly: Madam Chair, no one else was signed in to testify.

McCarvel: Okay. Then let's move on to the raised hands. Sir. In the brown jacket.

Goldthorpe: I wasn't going to do this. My name is Kent Goldthorpe. I live at 1355 South Black Cat Road, just above the proposed annexation and rezone. Number one, I'm fully supportive of anything that you decide to do, but I would like to give you a little bit of the rest of the story. I'm giving testimony today as a private citizen, but you probably already know that's not necessarily what my day job is. We have talked about -- a little bit about Highway 16. The Ada County Highway District has absolutely no plans to connect to Highway 16. We don't have any money for it. When the legislature in their great wisdom passed the extension and funded it, they left a 34 million dollar unfunded mandate for those of us living in -- in Ada county to fund to get the loose ends tied up. Right now one of our biggest -- the biggest sense of urgency we have about Highway 16 is to try and convince the legislature to do the right thing and fund the rest of it, so that you don't have to and I don't have to, because it would just be taking money away from every other entity in this -- in this county that we are already ten to 15 years behind on our infrastructure improvements in Ada county and you have probably heard that many times. Black Cat Road, you know, what -- what our plans are as far as when it might be -- might be extended or expanded or improved. That will all be based on whether or not we have the funds and right now we are -- are deferring, we are delaying and we are erasing a lot of projects in our Comprehensive Plan because of the funding that we no longer have. The inflation that has hit the construction industry and in particular building roads, it's almost doubled the cost of building roads in the last four years and that's a lot higher inflation than you see in the general economy. I'm only saying this because you might as well know that whether you rezone this to mixed employment, which I think would be just absolutely spectacular, or light industrial, which, according to the Ten Mile plan and your staff report, isn't necessary -- we will support whatever you do, we just might not be able to afford any of the improvements. Thank you very much. Do you have any questions?

McCarvel: Thank you. There in the back.

Bottles: Madam Chair and Members, Mark Bottles, real estate broker. 839 -- 839 Bridgeway Place, Eagle, Idaho. I almost forgot my address. Good evening. I have been a broker in the community a long time and have worked with a lot of our tenants in the valley and -- local tenants and companies that have built up and grown. The one thing that I hear all the time from our development people at the city, for expansion is calling me saying, hey, we got to save industrial ground, we need more industrial ground, and I hear it all the time. We have a knife -- a business that they manufacture custom knives in Eagle -- I mean in -- excuse me -- in Meridian by Pine 43, looking for space, looked for years, going to have to leave the area and they are manufacturers, good paying jobs, can't find suitable industrial space. Silverstone and El Dorado Business Park -- I have been around a long time, thirty years in this valley, big, parks still not built out with office. Silverstone. We started selling apartment ground in there now. The dirt's converted to apartment ground, because we can't get enough office space and that what I'm stressing here is we need office space. But we have so much of it that's not getting built out and that's not what is needed and I'm fine with the zoning of the apartment ground, but in that business park you have UPS, because distribution in Garden City, we need it right close to our houses where it's coming and not running, you know, all the fuel and all the people running clear across town. So, they are in the business park, as you probably know, in Silverstone in big buildings with parking those trucks inside those buildings, need to be in there, because there is not enough space in a traditional what I call industrial park. Gemtech, which is owned by Smith and Wesson, they make gun supplies is in Silverstone Business Park and it's really an industrial use, but it has gone in there and so they came in and -- out of Eagle -- again, Eagle didn't have enough space and moved out there. I say this is -- and even in the back of El -- excuse me -- El Dorado Business Park, we put apartments in the back of that trying to fill up that park and do some things. Great business park. I understand we got to be and move the way the markets move in that, but the industrial market, which the economic development in Meridian keeps telling me we can't give up space, we need more space. We don't have places. We are the second largest city and we don't have enough ground for that and where they want to be is by the freeway. They don't want to be in the middle of the town, they want to be seen by the freeway distribution. That's the center of the valley. When you have Ten Mile interchange, when you have the McDermott interchange, which there is a push -- I know that from the state level. I'm behind it. They have been making their acquisitions as we speak and -- and they are moving very fast through there and as we say, it's never fast enough, but there is a press to get it done. All I say that is just representing tenants in the valley being in the valley, we need -- we need space like that here. We need it for jobs for our kids, for another folks in here. So, anyway, thank you for the time.

McCarvel: Thank you. And do I see another hand over here?

Cleary: Thank you, Madam Chair, Commissioners. Tori Cleary, economic development administrator. From an economic development perspective I would say that staff does prefer zoning that's consistent with the Ten Mile plan, which ensures that balance of the jobs to housing ratio, which was provided for in the comp plan. The comp plan was a several month long process that included significant community engagement. Apparently they felt that mixed employment and low density employment was appropriate for this

area and they look at the city as a whole to ensure that we do have that jobs to housing ratio that's appropriate. The COMPASS development review that's in your packet estimate 620 jobs for this 129 -- excuse me -- acres. Again, that's 0.2 is the ratio and the COMPASS desired ratio is one to 1.5. Along with Mr. Bottles I will be the first to admit that we -- yes, we really do need industrial. We have worked with three different companies in the past few months to find spaces to accommodate their expansion here in Meridian and I'm happy to talk to any other industrial business who wants to expand and we will do whatever we can to find a spot for them. We do have a lot of in-fill sites that might be appropriate and as Alan said, the mixed employment zoning does allow for light industrial uses that are ancillary to other operations, much like I guess you could say the Scentsy property. Regarding specifically the Ten Mile area plan, I think the vision of that was a mixed use area that would provide jobs and living spaces. As a comparison, although the zoning is different, at Ten Mile Crossing when they were built out with ten buildings -- this was almost a year ago -- that 50 acres that has been developed to date provides over 3,600 jobs, with an average salary of almost 50,000 dollars a year. Let's see. So, the comp plan, yes, not only do we need a -- an appropriate mix of sectors within our commercial use zone properties, that being industrial, commercial, mixed employment, we also need to ensure that we have a mix of uses within each sector. So, manufacturing -- we have got advanced manufacturers. We have got technology manufacturers. Right now, yes, e-commerce is huge. We have significant distribution facilities currently on Franklin in the Ten Mile area, just to the east of Ten Mile, we have got FedEx and we have got 140,000 square foot Amazon last mile facility that will open later this year. There is more industrial coming up, but like Mr. Bottles pointed out, it's not ready today. The infrastructure is not in place. There is more, as Alan pointed out, to the west of this site. There is some to the north and there is also -- there are also properties in The Fields area in the city's northwest quadrant. But, yes, that will require infrastructure in the future. So, I will stand for any questions if you have anything for me. Okay. Thank you.

McCarvel: Thank you. Yes, Alan.

Tiefenbach: Alan Tiefenbach, associate planner. Just -- just a point of clarification. I want to mention the -- the discussion about the knife manufacturing and the gun manufacturing would be allowed under M-E. That would be manufacturing and processing. This is why I put the comparisons. What wouldn't be allowed in manufacturing and processing would be warehouses as a primary use, outdoor storage and distribution. But all these making and developing and shipping things -- parts of guns or knives would all be allowed in the mixed use employment and office is not the only allowed use there. There has been a lot of focus on office, but if you look what's on the left there is a lot of different uses that are allowed in M-E that would be allowed under the Ten Mile plan.

McCarvel: Thank you. Anyone else wish to testify on this application? Anyone online, Madam Clerk, that you see?

Weatherly: Not I see, Madam Chair.

McCarvel: With that would the applicant like to come back.

Nelson: Thank you, Members of the Commission. Deborah Nelson again. A few points in response to Mr. Goldthorpe, just -- just to be clear. In ACHD's report they do note that Franklin is funded to be widened to five lanes in 2026 and that will connect directly to the planned improvements for Highway 16 and was -- as was noted Black Cat and Franklin are already built out to its full configuration to accommodate that widening. The Fields industrial area -- I guess just to touch on a few comments from Tori Cleary. The Fields industrial area is a long way off, not just from time, but also from millions of dollars in infrastructure that is going to be needed. It is a great plan for the future and it's great to see Meridian planning for the future, but not at the expense of avoiding the use of the land that you do have available for industrial now and you are going to need that, as well as The Fields area, really, to accommodate this demand that is already higher than your supplies available. She also talked about how -- you know, the vision of the Ten Mile plan was really to accommodate this -- this living, with jobs all in one area and that's true, there are areas within the Ten Mile plan that that is called for together, but in the -- in the mixed employment area that's not the case. In fact, even retail is discouraged within that area. It's really another opportunity for creating space for businesses, so those employees can live near the commercial and the residential that it's just across the street. So, it creates that integration within the larger area, but it's not intended to be all integrated within one site. I think that the -- the information we try to communicate to you tonight and sorry if it's kind of rushed, there is a lot to respond to -- was that within the plan there is flexibility and you guys know well that comprehensive plans are guidelines, not code. There is always within any designation multiple zones that can be appropriate. Certainly office, certainly M-E is an appropriate zone, as well as the light industrial that is specifically delineated within your plan as one of the appropriate zones. You have a user that's in front of you that is responding to market demand and they are presenting an industrial park that is consistent with the zoning that's called for in your plan. They have laid out details about how they will meet the design elements that are appropriate for that facility and will provide the jobs, the business variety -- the variety of businesses that will be served all for the greater good of Meridian and in the vision of the Ten Mile plan. We ask that you consider that. We do know that you don't have findings before you for recommending approval. We recognize the situation we are in that given what's been recommended to you that we may just be on a course of going to Council with a denial, but we did want to present to you why we are pursuing this, the justification for the application and hope that you may be able to weigh in with the Council in your recommendation about whether this is an appropriate use here and with that I stand for questions, unless there is somebody else wants to add to that.

McCarvel: Anymore questions for the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Quick question. I'm -- I mean we have -- there has been a lot of examples of exactly

what wouldn't be -- what you wouldn't be able to do with M-E, instead of light industrial, but the other side of that is what -- what is it about the mixed employment that he would not be able to do -- that this applicant wants to do?

Nelson: Madam Chair, Commissioner Seal, it creates additional conditional uses and so if you have some smaller tenants that want to expand and, then, they, for example, trigger into the distribution, then, they would suddenly need to get into a conditional use permit. We need to provide that variety right from the get go to have the flexibility to allow all of those uses and, again, I think that is called for with your Ten Mile plan where they talk about all the way down from the smaller local businesses up to the large national scale businesses and that's more accommodated by your industrial -- light industrial zone. So, those are the -- that's the -- the business plan we want to put together that accommodates that entire range.

Seal: Okay. And, then, you made the statement that you have proven that you will be able to provide the jobs, but the COMPASS report basically says you won't. I mean the -- the footprint of this is going to supply about 620 jobs. I think they are looking for more like 3,000.

Nelson: Chair -- Madam Chair and Commissioner Seal, a lot of what COMPASS is looking at, too, is the existing development with residential versus what jobs are there. However, you have got large areas within the Ten Mile plan that are already designated for M-E and if you want to go into this detail we have actually analyzed it in that time to get to it. All of the jobs that are available already -- even not counting this site within the Ten Mile plan will greatly exceed the 20,000 jobs within that -- that's the goal of the plan. We also will have more jobs than COMPASS estimates and I think just the examples that were given tonight by Tim, talking about the businesses that he's been visiting within Meridian that are -- have these employees that don't have places to go is already at a greater ratio than that number reflects. I think we would also like to be able to attract the type of large employers that are coming and looking for this type of site, but don't have it ready and they need something that's already available to them. They make decisions too fast to wait for it to be developed, something like The Fields area.

Seal: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I understand where Commissioner Goldthorpe is coming from with not having the infrastructure and what they are not funding with this -- State Highway 16, but was there supposed to be an interchange at Franklin with the State Highway 16? Do you know if that's the case or what -- what was planned at that -- because I know that there were some intersections that were supposed to be interchanges and some were supposed to be just overpasses and I wanted to confirm that that is an interchange and is planned to be constructed with the State Highway 16.

Nelson: Madam Chair, Commissioner Yearsley, that's the case.

Yearsley: Okay.

Nelson: The McDermott line that comes down there and where Franklin comes in it will connect.

Yearsley: Okay. Thank you.

McCarvel: Okay. Any other questions for the applicant? Okay. Thank you.

Nelson: Thank you.

McCarvel: With that can I get a motion to close the public hearing on H-2021-0064?

Lorcher: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to closed public testimony on H-2021-0064. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: You know, my first look at this I was kind of like, wow, that's a lot of space, but -- but as you start to think about this -- I mean State Highway 16 is coming like fast and it's going to come hard and fast and this is a great area to provide some good large industrial space for businesses. With my job I look and see what's happening throughout the valley and as I drive out of the -- out of Boise going towards Twin Falls area I have seen several industrial complexes go up within the last year to two years where no house is round and so what you are doing is you are causing all this industrial employees having to go travel long distances to get to work. I think with State Highway 16 here I -- I would support that whole mile from Franklin to Black Cat, from -- to be all industrial or at least some -- a good portion of it, because I think there is a huge area of Meridian that we don't have industrial land identified that I think we could stand to use some -- some large employers to come in. So, that being said, I kind of was swayed that I think this would be a good opportunity for -- for some industrial space. I like the way they have oriented the buildings. I look at what -- what Amazon did and with that building paralleling the Interstate is just -- it's just this huge eyesore sticking out, so -- I don't know about an eyesore, but it's just the mass of that is just monstrous and so I think with making it perpendicular to the interstate will break it up and make it not look nearly as bad. So, I would support that -- this application.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I wanted to be clear on what -- what we are voting on tonight. We are voting on annexation and an I-L or just an annexation?

McCarvel: Yes. They are bringing -- the annexation is coming in with the I-L and that R-15 is just that one little -- under an acre on the east side on Black Cat. And that was kind of my question too, Commissioner Seal, is what is it -- so special about the I-L? What is -- because it seems like when they -- the applicant was talking about the project it seemed like almost everything they wanted was fitting in the M-E as far as the vision of what it was. I'm like you, I'm like what it -- what was the big hang up? And I did -- I -- keeping -- getting more land for industrial use I think is -- is appropriate. We seem to be losing it in a lot of -- I know we are trying to protect it every chance we get, but I don't know that there is enough of it the way the markets have changed since we did -- since this was originated.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I'm a little torn on this one, to be honest, so I -- you know, when I first looked at this, because this was continued, I just breezed over it and I was like, okay, cool, we are going to put in something that's not houses. Perfect. You know. But I mean looking at it more, as far as the Ten Mile plan -- I mean if we go too far outside of that, then, that just sets the precedent for everybody else to kind of come along and try and do the same thing. So, I -- I trust that staff is looking at that and they are scrutinizing it, as well they should be, because we are trying to do this -- do it once, do it right and make sure it fits for, you know, all of Meridian for a really long time. Hopefully for a long time after we are done doing this as individuals. Some of the things that concern me on this is there is no traffic study. So, it seems like this got here a little prematurely. I know the connectivity of the State Highway 16 will start in 2026. This will, obviously, be completed long before then. So, with no traffic study and the connectivity to the State Highway 16 not coming for a while and somewhat in question on some things, I think it's a little rushed, maybe. Too early. The mixed employment, instead of light industrial, to me that kind of comes down to control. I understand that you want tenants to be able to expand on -- on a whim, but at the same time I don't think applying for a conditional use permit is something that's going to be -- is going to sway anybody from doing so in a building that's going to allow them to do it. So, I think as a -- if I were a business owner and that was one of my choices were to move or to apply for a conditional use permit, I would be filing the paperwork. I am concerned about the jobs piece of it. I mean Meridian simply needs more jobs, period, and a story. So, the fact that this would bring jobs is a really good thing. The fact that it is industrial, we do need industrial. Also very advantageous. The fact that it's not going to bring in as many jobs as we think it's going to bring in -- or that's the opinion of staff and -- and others, that's very concerning. I mean Meridian is -- you know, we are -- we

are kind of suffering from being too successful, basically, so -- I mean we have a lot of houses that are very expensive. We have a lot of businesses that are aching for people to go to work for them. So, that's -- that's a problem. We need to create as many jobs as we possibly can in Meridian in order to keep the people that live in Meridian working in Meridian, which will feed -- can feed into itself. So, all that being said, I mean personally I would be more inclined to give this a continuance, just so we could get a traffic study in. The one thing that I will say that did bother me about this was the -- the little sliver of land that's being done in order to annex the greater property. That seems like you are kind of slipping wanting to get away with it myself. So, that's just my personal feeling on it. I don't -- I think that, basically, the idea is to develop land as it becomes contiguous, not to make it contiguous by a technicality in order to bring in something this large. So, I personally think a continuance might be in order in order to get a traffic study in, to get more solid information on the connectivity to State Highway 16, to understand a little bit more about what the employment would look like in something like this. I mean I understand the flexibility that would be -- that the applicant is wanting in this space, but I think they could provide that and still stay within the mixed employment designation.

McCarvel: Yeah. I'm curious as well as to -- I know there was a comment made about -- that they are going to be assisting in the improvements in Blackhat, but I would like to know exactly what that was and maybe see more of that. Commissioner Grove.

Grove: Thanks, Madam Chair.

McCarvel: Sorry.

Grove: I -- I agree with a lot of what's been said so far by my fellow Commissioners. I have probably a slightly different take on a few things, but I don't -- I wouldn't be in favor of a continuance just for the fact that it sounds like they have gone back and forth with staff enough that at this point for -- for the sake of staff and for the sake of the applicant, I think either approval or denial is probably a better course of action, just because I don't know that we are going to get to -- I don't know that more information will necessarily sway my opinion on this at least and so, you know, I -- I think leaning on the expertise of the staff, of our other community agencies, I would be in favor of denial for the simple fact that I -- I think that as we zoom out of this area and look at what the light industrial for this hard corner -- or close to this hard corner is compared to what mixed employment is, I think we need to be thinking a little bit more for the long term health of the community versus the short term needs of what's being told to us right now from a planning standpoint and so I have a hard time -- I think we do need a lot more industrial, but it -- also don't want to sacrifice an opportunity to get higher employment and kind of look at this a little bit different. Also I think the thing that I'm was worried about the most is what does this look like from the freeway just in terms of -- if we have light industrial and all of a sudden we have just warehouse storage facilities, what does that -- what does that do to the look and character of that general area? So, just kind of being cognizant of that as we go forward. You know, I think Commissioner Yearsley mentioned the giant Amazon facility that's down the road. I don't want to see, you know, a monstrosity like that right off the freeway leading into all these homes, so I -- I can't get behind this one, unfortunately.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I forgot to mention -- so, our company is -- is having to move offices. You know, we are a professional office, but -- and so we have looked -- we are -- we are needing about 15,000 square feet of office space and that size of office space is really hard to find, except there is -- there is a lot of office space right there off of Eagle Road and we have debated on it. It's beautiful office space, but my -- my employers have decided to go off of Vista, because they are afraid of -- they don't like the traffic on Eagle Road, especially with Eagle Road not even being built out yet. So, I think the -- one of the big drawbacks for Silverstone and those areas are people -- they are great areas, but people don't want to go there, because traffic is so bad that they don't want to have to fight that traffic and it's just going to get worse. I know Ten Mile right now is really bad, because we are putting so much traffic out there. They want a lot of jobs in this area, which is going to cause more traffic, so I don't know, it's a -- it's a hard one to manage with jobs and traffic and where do you put things and so my feel was this being a light industrial may not have the - the intense use of jobs, but it is a good spot for -- for that. So, that's my take.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I agree with Commissioner Yearsley that, you know, Highway 16 and -- and eventually this would become possibly -- you know, whether it says mixed employment or light industrial, but I think the biggest complaint that I hear among my peers is that the infrastructure in Meridian does not support the businesses that we already have and that why can't we put the infrastructure first and the business second and I know it's a circle; right? You need the people to be able to have it and all of that at the same time. But I -- I don't have a problem with the idea of light industrial being here, but I think we are too soon and, you know, I understand that the intersection of Franklin and Black Cat is already built out, but Black Cat as a street is not and if you have ever gone to Compass Elementary School between the hours of, you know, 8:00 and 9:00 and 3:00 and 4:00, you will understand -- you will understand why and adding more industrial to this area when the infrastructure is not there is probably not in the best interest of our city. So, I don't mind the project, but I think we are too soon.

McCarvel: Okay. Comments? Motions?

Seal: Madam Chair?

McCarvel: Commssioner Seal.

Seal: I will throw a motion out there and -- I mean at this point I'm going to trust staff and that's -- you know, for the most part I can see good and bad from either side of it. That

said, I mean when I'm highly in doubt or conflicted on something I generally tend to back staff. I mean they do this -- you know, this is their job, this is what they are paid to do, and I think they do a pretty good job of it. It would be nice if we could control the roads, we could control the infrastructure, things would probably be a lot different, but we don't. So, with that, after considering all staff, applicant, and public testimony, I move to recommend denial to City Council a file number H-2021-0064 as presented during the hearing on November 18th, 2021, for the following reasons: That mixed employment is a better use than the light industrial that the applicant is asking for. The jobs -- the amount of jobs that this will generate will likely not meet what COMPASS is looking for. The COMPASS study is looking for. The Black Cat Road is likely not going to be able to support the uses that are defined in here and we won't know that, because there is no traffic -- traffic study at this point.

Grove: Second.

McCarvel: It has been moved and seconded to recommend denial of H-2021-0064. All those in favor of denial say aye. Opposed?

Yearsley: Nay.

McCarvel: Recommendation of denial passes.

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

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Before we start the next one can we do a little bathroom break?

McCarvel: Absolutely.

Yearsley: Thank you.

(Recess: 7:30 p.m. to 7:37 p.m.)

5. Public Hearing for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.