

March 7, 2016

A regular meeting of the Fruitland Planning & Zoning Commission was held at Fruitland City Hall on the above date at 7:00 P.M.

Present: Suzanne Pearcy, Tracy Leonard, Doug Deardorff, Barry Carlman, Terry Heitz, and Helen Dickinson.

Absent: Carrie Grant.

Others Present: Danny Little, Donna Cowgill, Bruce Cowgill, Don Gross, Anne Gross, David Bieker.

The meeting was called to order by Chairman Barry Carlman and the roll was taken.

Commissioner Deardorff moved to approve the February 1, 2016 minutes. Seconded by Commissioner Dickinson. Motion carried.

A public hearing was opened at 7:04 P.M. to receive testimony regarding a request from Bruce and Donna Cowgill for a Comprehensive Plan Amendment and Rezone from Single-Family Residential to Neighborhood Commercial on the property located at 1011 Victoria Avenue.

Donna Cowgill explained that she is the owner of UnLtd., a wage garnishment business that operates on-line to collect student loans and has owned the business since 2006. There are no customers that visit the office. Besides herself, employees include two daughters and one other employee at this location. Due to the confidential nature of the information collected at this business, she was required to install an alarm system. Having problems with the alarm system, she recently changed her service to Farmers Mutual Telephone Company. The alarm system was activated several time due to false alarms. She has lived on Victoria Avenue since 1971. Her husband contacted Rick Watkins, Zoning Administrator and after talking to him, they decided to move forward and purchase the property at 1011 Victoria Avenue for the purpose of turning it into an office. They have operated the business at this address for the past three years. Rick Watkins made contact with her in September 2015 advising of the zoning violations. Since that time she has been reviewing options including the rezone and making provisions for a new culdesac to handle traffic. Mrs. Cowgill presented a petition signed by Connie S. Fortin, 915 Victoria Avenue, Martin Youngberg, 1004 Victoria Avenue, and James & Janet Presher, 1006 Victoria Avenue in favor of the rezone/comp plan amendment request. The petition stated that since the Cowgills have purchased the subject property traffic and noise has decreased. The property is much better maintained. The business is not intrusive to the neighborhood. A culdesac design was considered on the Robert & Janet Presher property. Williams-Northwest Pipeline representatives explained a pipeline upgrade would be required. If the culdesac were to be located on her parent's property, Don & Anne Gross, it would reduce the horse pasture too much. That would not be a good option for them. Only service vehicles use the existing culdesac, such as the garbage truck and city public works personnel. The existing culdesac has worked well for many years. The balance of the subdivision inhabitants use their own streets and culdesacs to turn around. Prior to the Cowgills ownership of 1011 Victoria Avenue, it was rented out several times by the owner. The Cowgills have invested a lot of money in this property. Bruce Cowgill explained they have lived at 1009 Victoria Avenue since 1984. They have constructed a shop and an addition to their home. They have been through the City's

processes and want to work something out. They have raised all of their children at 1009 Victoria Avenue and have not tried to skirt around anything. There are no signs on the property and it looks like a normal home. People are not coming and going at night. There are only employees during the day. The neighbors do not care if they have their business. Things are being taken care of and the property has been cleaned up. Two daughters are working there. Donna operates an E-Bay business from her home and her daughter's home. FedEx drops freight at her daughter's business at 206 Sycamore Street and the Cowgill's UnLtd. Auto Sales on N. Whitley Drive. 1011 Victoria Avenue is insured as a business. They had rented from Linda Wilson at 804 NW 24th Street from 2006 until 2012. They got into the E-Bay business as a backup business. They recently lost a contract and had to lay some employees off. Bruce had called Rick Watkins about operating an internet business and that they were opening it at the house. They had recently gone through the Conditional Use Permit process for their auto sales lot. The document storage is primarily in Ontario, Oregon.

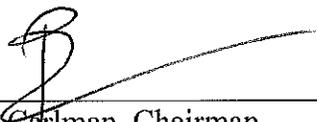
A letter was read in support of the comp plan amendment/rezone from Don and Anne Gross, 1015 Victoria Avenue.

The hearing was closed at 7:34 P.M.

Commissioner Deardorff advised he was not in favor of the requests due to the congestion of the area and too much traffic. Commissioners Percy, Leonard, and Heitz did not believe the requests were appropriate due to compatibility with the surrounding land uses and zones. Development standards for Neighborhood Commercial could not be met, such as parking requirements. Commissioner Dickinson did not feel the area was appropriate for Neighborhood Commercial and it would be a mistake to change it for this property. Chairman Carlman explained that he had been involved in development of the last two comprehensive plans. There was a lot of work by a lot of citizens involved in their development. Neighborhood Commercial just does not fit in this area.

Commissioner Deardorff moved to send an unfavorable recommendation to the City Council for the above-mentioned reasons for the request to amend the Comprehensive Plan from Single-Family Residential to Neighborhood Commercial and the rezone to Neighborhood Commercial for the property located at 1011 Victoria Avenue. Seconded by Commissioner Percy. Motion carried.

Meeting was adjourned at 7:39 P.M.



Barry Carlman, Chairman

ATTEST:



Rick S. Watkins, Acting Secretary