

The regular meeting of the Fruitland Planning and Zoning Commission was held at the Fruitland City Hall on Tuesday, May 9, 2023 at 7:00 p.m. Commissioners present were Helen Dickinson, Jim Ashley, Terry Heitz, Barry Carlman, Mike Smith, and Lindsey Judson. Commissioners Cathy Yasuda, Tami DeCroo, and Sharon Blacketter were absent. Staff present were Danny Little and Beth Earles. Guests present included Brandon Tarvin, Stuart Grimes, Melissa Zueger, Jeana Jeffries, Keely Jeffries, Melissa Brunner, Leif Anderson, Lori and Adam Atkinson, Mer Bilyeu, Adam Owens, Nikki Owens, Steve Copeland, Zach Bieker, Katie Miller, David Bailey, Phyllis Swanson, Bob Swanson, Tony Godinho, James Shively, Richard Wood, Mark Howe, Dawn Walker, Dean Leas, Richie Myers, David and Desiree Wallace, Lorrie Spickelmire, Dennis and Diane Nielsen.

Commissioner Dickinson made a motion to approve the April 11, 2023 meeting minutes. Commissioner Ashley seconded the motion. Motion carried.

Public Hearings

Zoning Administrator, Danny Little, opened the first hearing at 7:02 p.m. and explained public hearing procedures. Mr. Little asked for the commission to disclose any conflicts. No conflicts were declared.

Jonathan Graber - Conditional Use Permit to Allow Greenhouse & Mini Barn Sales Lot at 975 NW 16th Street: The applicant was not present. No written or oral testimony was received. The hearing was closed at 7:05 p.m.

Proposed Code Amendment to Allow Single Caretaker Dwelling for Storage Unit Facility of Minimum Fifty Units in Light Industrial Zone: No written or oral testimony was received. The hearing was closed at 7:07 p.m.

Trilogy Development – Annexation, Comprehensive Plan Amendment from Neighborhood Commercial to Single Family Residential, Zone Designation of Single Family Residential for Property in the 2100 Block of SE 6th Street to the North 2250 Block of NW 2nd Avenue, Preliminary Plat of Orchard Heights Subdivision: David Bailey of Bailey Engineering, Inc. (1119 E. State Street, Eagle), representing Trilogy Development testified they are requesting annexation, comprehensive plan amendment, and a zone designation of Single Family Residential in order to develop Orchard Heights Subdivision. Mr. Bailey testified the subdivision will be accessed from NW 2nd Avenue, SE 6th Street, Zellers Crossing Subdivision, and from an extension of Richey Road. The subdivision will be developed in eight phases with 368 buildable lots, 44 common lots, 2 miles of walking paths, open space to include park areas with playground equipment. The pipeline will be landscaped as well as around the station on SE 6th Street.

The phases will consist of: Phase 1: March 2024 – 38 buildable lots; Phase 2: March 2026 – 40 buildable lots; Phase 3: January 2028 – 42 buildable lots; Phase 4: July 2029 – 46 buildable lots; Phase 5: July 2031 – 71 buildable lots; Phase 6: July 2032 – 40 buildable lots; Phases 7-8: 10-15 year build out to 2039. Open space will be included with each phase.

Improvements will include road improvements to SE 6th Street, NW 2nd Avenue, extension of Richey Road to NW 2nd Avenue, railroad crossings, and pump upgrade of the E 1st Street Lift Station. After eighty lots, a right turn lane on Hwy. 95 at NW 2nd Avenue will be constructed. The extension of Richey Road will be done in Phase 5. The city Master Transportation Plan calls for a traffic light at NW 2nd Avenue and Hwy. 95. Idaho Transportation Department will determine the contributions required for the light as well as the railroad crossing improvement on SE 6th Street.

Mr. Bailey addressed the concerns received from the Fruitland Public Works Supervisor, and the city engineers. Items to deliberate and reach a consensus on include any improvements of SE 6th Street west of the railroad tracks. At this time, there is no plan for rebuilding the canal crossing on SE 6th Street.

Written testimony was received from Jerry Campbell, Public Works Supervisor; Idaho Transportation Department, Adurra, and Bailey Engineering.

Nikki Owens (446 Blacksmith Avenue) testified in opposition to the proposals due to concerns with increased traffic and lack of infrastructure.

Zach Bieker (214 Grizzly Drive), Tony Godinho (428 Stagecoach Avenue), James Shively (337 Spur Avenue), Mark Howe (2213 NW 2nd Avenue), Richie Myers (2084 SE 6th Street), Diane Nielson (330 Stagecoach Avenue), Melissa Brunner (302 E 1st Street), Lori Atkinson (429 Stagecoach Avenue), Adam Owens (446 Blacksmith Avenue) echoed Ms. Owens testimony in opposition.

Dean Leas (255 Blacksmith Avenue) asked the commission to consider the comprehensive plan and the current updating of the plan's objectives in their decision in approving a proposal that is to be extended out 10-15 years.

Lorrie Spickelmire (2260 SE 6th Avenue) testified in opposition with concerns of losing farm land, the food it provides, the animals dependent on it, and the effect on wells.

Melissa Zeuger (2091 SE 6th Street) testified in opposition as she owns a small farm adjacent to the proposal. She expressed concerns how the development will effect irrigation, local well and septic, and her operation.

Leif Anderson (401 Cornwall Way) reminded the commission to mitigate the effects of development and assure development occurs in a manner set by the city.

David Bailey addressed the traffic concerns. The provided traffic impact study concluded the surrounding intersections would support the development at full capacity. The development will observe the consensus of standards the city staff and engineers set. Mr. Bailey testified the comprehensive plan has evaluated the schools, and infrastructure, determining the property was appropriate for single family residential zoning and use. With the open space and amenities the proposal provides, the density is less than city code allows. Mr. Bailey testified a response from ITD is needed to resolve issues with SE 6th Street, and Richey Road. Mr. Bailey recommended the proposals proceed with issues resolved before presenting to city council, or a deferral of the zoning commission's recommendations, and a development agreement.

Commissioner Smith made the motion to continue the hearing to the next regular scheduled planning and zoning commission meeting on June 13, 2023, pending a completed ITD review and development agreement. Commissioner Ashley seconded the motion. Motion carried.

Steve Copeland – Comprehensive Plan Amendment and Zone Change from General Commercial and Single Family Residential to Light Industrial for 712 NW 4th Street, 316 N Whitley Drive and 314 N Whitley Drive: The hearing opened at 8:33 p.m. Steve Copeland testified he purchased the property three years ago and has removed the residential home that was used for a daycare business. Mr. Copeland requested a zone change to Light Industrial in order to expand his neighboring business Expert Auto Care to include a showroom, three work bays, and an office. Mr. Copeland addressed concerns received from the city engineers. Mr. Copeland will be eliminating driveway approaches as needed, install sidewalks, swale for drainage, landscaping on N Whitley Drive and NW 4th Street, paving the lot, and provide fencing where property abuts residential lots. Mr. Copeland will grant an easement for a 12-inch sewer line that crosses through the property.

Written testimony was received from Adurra, Mason & Associates, Idaho Transportation Department, and Public Works Supervisor, Jerry Campbell.

With no further testimony, the hearing was closed at 8:45 p.m.

Decisions

Jonathan Graber - Conditional Use Permit to Allow Greenhouse & Mini Barn Sales Lot at 975 NW 16th Street: Commissioner Smith made a motion to approve a conditional use permit to allow greenhouse and mini barn sales lot at 975 NW 16th Street with the following conditions: a maximum of forty units on display, a separation between units of 5', provide a 25' lane for emergency vehicle access, and review of permit in one year. Commissioner Ashley seconded the motion. Motion carried.

Recommendations

Proposed Code Amendment to Allow Single Caretaker Dwelling for Storage Unit Facility of Minimum of Fifty Units in Light Industrial Zone: Commissioner Smith made a motion to send a favorable recommendation to city council for a proposed code amendment to allow a single caretaker dwelling for a storage unity facility with a minimum of fifty storage units in a Light Industrial Zone. Commissioner Judson seconded the motion. Motion carried.

Trilogy Development – Annexation, Comprehensive Plan Amendment from Neighborhood Commercial to Single Family Residential, Zone Designation of Single Family Residential for Property in the 2100 Block of SE 6th Street to the North 2250 Block of NW 2nd Avenue, Preliminary Plat of Orchard Heights Subdivision: No deliberations as hearing is continued until June 13, 2023.

Steve Copeland – Comprehensive Plan Amendment and Zone Change from General Commercial and Single Family Residential to Light Industrial for 712 NW 4th Street, 316 N Whitley Drive, and 314 N Whitley Drive: Commissioner Judson made a motion to send a favorable recommendation to city council for a comprehensive plan amendment and zone change from General Commercial and Single Family Residential to Light Industrial for 712 NW 4th Street, 316 N Whitley Drive, and 314 N Whitley Drive. Commissioner Ashley seconded the motion. Motion carried.

Chairman Carlman adjourned the meeting at 8:59 p.m.

Barry Carlman, Chairman

ATTEST:

Beth Earles, Secretary