

The regular meeting of the Fruitland Planning and Zoning Commission was held at the Fruitland City Hall on Tuesday, December 12, 2023 at 7:14 p.m. Commissioners present were Cathy Yasuda, Helen Dickinson, Jim Ashley, Terry Heitz, Barry Carlman, Mike Smith, Tami DeCroo, and Sharon Blacketter. Staff present were Danny Little and Beth Earles. Guests present included Brandon Tarvin, Stuart Grimes, JD Huff, Stephanie Bonney, Deborah Nelson, Lucinda Day, Ronda Baines, Sam Peterson, Jeff Hymas, Katy Netjes, Kristine Needs, Marisol Mendra, Cole Coba, Max Arvidson, Travis Evenden, Presi Solis, Juanita Rynearson, Pam Aubrey, Tyson Aubrey, Shawn Klaiber, Beth Rountree, Steve Lambert, Michael Bivins, Brooke Solorio, Clint Condra, Marv Lasnick, Mike Ellis, Alana Baughman, Tom Huston, Greg Pence, Lisa Woods, Dave Haidle, Rachel Davis, Dennis Cole, Anne Solis, Alishia Kauvaka, Rigdon Kauvaka, Paul Bierlein, Josh Zueger, Devin Collins, Jim Smith, Lisa Hillam, Chad Henggeler, Emily and Nate Noorlander, Holly Fugate, Leah Smith, Elizabeth and Jason Lund, Christen and Bethany Jensen, Mike and Kathryn Callahan, Lori Anderson, Randy Pryor, Heidi Pryor, Adam Pryor, Kristi Walker, Emma Nelson, John Bassetti, Susan Walsh, Johnny Bassetti, Joey Bassetti, and Katie Kuchar.

Commissioner Heitz made a motion to amend the agenda by moving the decision for the Jennings Conditional Use proposal to follow the public hearing. Commissioner Dickinson seconded the motion. Motion carried.

Commissioner Yasuda made a motion to approve the November 14, 2023 meeting minutes. Commissioner Ashley seconded the motion. Motion carried.

Public Hearing

City Attorney, Stephanie Bonney, opened the first hearing at 7:17 p.m. and explained the public hearing procedures. Ms. Bonney asked the commission to disclose any conflicts. None were disclosed.

Courtney & Cody Jennings – Conditional Use Permit to Allow an Air Bed and Breakfast at 1055 NW 23rd Street: Courtney Jennings was available via video. Written testimony was received from David and Linda Mihalic. With no further testimony, the hearing was closed at 7:18 p.m.

Decision

Courtney & Cody Jennings – Conditional Use Permit to Allow an Air Bed and Breakfast at 1055 NW 23rd Street: Commissioner Smith made a motion to approve a conditional use permit for an air bed and breakfast at 1055 NW 23rd Street with the following conditions: maximum of eight guests, maximum of two vehicles, and an emergency contact list to be filed with the Fruitland Police Department. Commissioner Heitz seconded the motion. Motion carried.

Public Hearing

Treasure Valley Classical Academy – Receive Additional Testimony for Conditional Use Permit to Allow Educational Facilities in the South 1000 Block of NW 13th Street: The hearing opened at 7:26 p.m. and Ms. Bonney requested testimony be relevant to the proposal and limited to five minutes.

Deborah Nelson of Givens Pursley, (601 Bannock Street, Boise), representing Treasure Valley Classical Academy, presented a proposal for a new upper campus for grades 7-12, with improvements to mitigate the impact of additional traffic. The site will supply 214 on-site parking spaces with the ability for overflow parking on the soccer field and shuttles from Highway Worship Center if needed. Improvements include extending Arizona Avenue to NW 11th Street, and extending NW 11th Street to Allen Avenue contingent upon obtaining right-of-way from St. Luke's, a flashing beacon at NW 11th Street for crossing Hwy. 95, and a pork chop on NW 11th Street eliminating left turns onto Hwy. 95.

Final road designs will be done during the permit process and will be finalized before a certificate of occupancy is issued and school operations commence. The applicant will pay the 1.5 million cost of

improvements. The site will be accessed on NW 11th Street, with school bus access on NW 12th Street. If access is required onto Arizona Avenue, contingencies required by St. Luke's will be met.

Ms. Nelson testified the proposal met the general standards required for a conditional use permit and the access to Allen Avenue will benefit surrounding businesses with an additional route for traffic. Ms. Nelson recommended the commission require the mitigation suggestions from ITD, St. Luke's, and Ardurra as conditions for approval.

Ms. Nelson answered commission's questions explaining a traffic attendant would be available for events and are often used in controlled environments. The design and installation of the pork chop will not require additional right of way to be obtained to allow large trucks, fire and emergency vehicles to turn without crossing onto the curb, sidewalk or private property. Mitigation efforts are not needed for NW 13th Street and NW 12th Street as the school will not be adding additional trips.

Beth Rountree (190 E. Bannock Street), real estate manager for St. Luke's, testified they do not support school access onto Arizona Avenue as they consider NW 13th Street and Arizona Avenue an emergency corridor. St. Luke's will continue to work with TVCA on the right-of-way needed to extend NW 11th Street upon the city's adoption of suggested mitigation measures if school access is required on Arizona Avenue. St. Luke's contingencies include a fenced campus, no right turn from the school's access onto Arizona Avenue, concrete barrier or traffic delineators on Arizona Avenue to prohibit left turns into the school's access, traffic attendant directing traffic away from Arizona Avenue, and limiting left turns at Hwy. 95.

St. Luke's has not done a study to confirm the report provided by Paradigm Design in regards to flight path study and compliance with FAA standards.

Lucinda Day (245 SW 3rd Street), Dr. Sam Peterson (410 Poppy Street), Kristine Needs (303 N Washington Avenue), Alana Baughman (1058 NW 23rd Street), Tom Huston (900 NW 13th Street), Josh Zueger (2191 SW 6th Street), Jim Smith (704 NW 9th Street), Lisa Hillam (1820 N Whitley Drive), Randy Pryor (2162 NE 16th Street), Katie Kuchar (2672 Center Avenue, Payette), spoke in favor of the proposal and the traffic improvements.

Written testimony was received from Payette County Paramedics, Matthew Berria, Katy Netjes, Thomas Development Company, St. Luke's, Patti Guiles, JD Huff, Ardurra, Scott Gressley, Dan and Jen Jennings.

Ms. Nelson testified they are working with Ron Mio and have secured a letter to secure right of way for the extension of NW 11th Street to Allen Avenue.

With no further testimony, the hearing was closed at 9:02 p.m.

Decision

Treasure Valley Classical Academy – Conditional Use Permit to Allow Educational Facilities in the South 1000 Block of NW 13th Street: The commission recognized the effort made to produce the proposed plan. The commission deliberated whether the site was suitable, the potential need for the school to acquire more property in the future, dictating the use of Arizona Avenue, concerns with traffic and safety, loss of original intention of the area's development for offices and medical facilities, the number of conditions required, and aesthetics of modulars in relation to surrounding developments. The commission agreed their decision would require a comprehensive list of conditions and were not prepared to provide a decision at the time. Commissioner Dickinson made the motion to continue the decision to the January 9, 2024 meeting in order to thoroughly go through the record and prepare a decision². Commissioner Smith seconded the motion. Motion carried.

Chairman Carlman adjourned the meeting at 9:35 p.m.

Barry Carlman, Chairman

ATTEST:

Beth Earles, Secretary