

The regular meeting of the Fruitland Planning and Zoning Commission was held at the Fruitland City Hall on Tuesday, December 13, 2022 at 7:00 p.m. Commissioners present were Cathy Yasuda, Helen Dickinson, Jim Ashley, Terry Heitz, Tami DeCroo, Mike Smith, Lindsey Judson, and Sharon Blacketter. Commissioner Barry Carlman was absent. Staff present were Danny Little and Beth Earles. Guests present included Evie Lynne, Jacob Mobley, Craig Smith, Andrew Kimmel, Stuart Grimes, Brandon Tarvin, Clinton and Annie Marshall.

Commissioner Smith made a motion to approve the November 15, 2022 meeting minutes. Commissioner Yasuda seconded the motion. Motion carried.

Public Hearings

Zoning Administrator, Danny Little, opened the hearings at 7:02 p.m. and explained public hearing procedures. Mr. Little asked for the commission to disclose any conflicts. Commissioner Smith represents Apex Land Group and will refrain from any discussion or decision regarding the applications.

Bouma USA – Conditional Use Permit to Allow Educational Facilities for a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue; Variance to Allow a Reduction of the Ten Foot Street Landscape Buffer Requirement on the South Side of a Parcel in the North 500 Block of SW 4th Street; Development Agreement for the Development of Treasure Valley Classical Academy at 424 SW 3rd Street, 500 SW 3rd Street, a Parcel in the North 500 Block of SW 4th Street, and 315 S. Colorado Avenue (Cont'd from June 14, July 12, August 9, September 13, October 11, November 15, 2022): Zoning Administrator, Danny Little, closed the hearings at 7:05 p.m. and stated the applicants have withdrawn their applications.

Evie Lynne – Temporary Use (Hardship) Permit to Allow Residence in a Recreational Travel Trailer at 420 S. Whitley Drive: Evie Lynne provided a letter from her medical provider to the commission. Ms. Lynne testified she is requesting a temporary use permit due to a medical hardship. Ms. Lynne owns the property at 420 S. Whitley Drive with her grandson and family residing in the home. Ms. Lynne has resided in the trailer for two years. She has been unable to travel as planned due to physical limitations. The trailer is connected to utilities and has skirting. Her grandchildren assist her with cleaning, laundry, meals, and socializing.

No written testimony was received. With no further testimony, the hearing was closed at 7:11 p.m.

Apex Land Group LLC – Annexation, Zone Designation of Single Family Residential, Preliminary Plat of Aspen Meadows Subdivision in the North 2110 Block of E. 1st Street: Mike Smith (342 Spur Avenue), representing Apex Land Group LLC provided the commission with an updated preliminary plat and response comments to the city engineers' reviews. Mr. Smith explained the property consists of 14.9 acres and the plat provides for fifty-one building lots and several common lots, including a pocket park with ten-foot wide access. A traffic impact study indicated no improvements are required for neighboring intersections. Mr. Smith addressed the city engineers' review comments and the amendments to the plat. A common lot in the northwest corner will provide an easement for the city to access a sewer lift station. The surface irrigation ditches will be piped. Mr. Smith explained the engineer's concerns with the block lengths greater than 600-feet have not been addressed as they feel placement of a road that leads to adjacent private driveways and not part of the city's master transportation plan is not feasible. Mr. Smith questioned the recommendation to develop the north side of E. 1st Street right-of-way to White Pines Subdivision and suggested a development agreement.

Andrew Kimmel (3050 N. Lakeharbor Lane, Boise), of Great West Engineering explained the development of water, sewer, and stormwater retention for the subdivision.

Written testimony was received from William Russell of T-O Engineers, Fruitland Public Works Director Jerry Campbell, Will Mason of Mason & Associates, Idaho Transportation Department, and Marathon Petroleum.

Clinton and Annie Marshall (2130 E. 1st Street) testified they reside adjacent to the proposed subdivision and their access is a private driveway for three properties. They understand growth and change is inevitable and expressed concerns with the effects of additional neighbors creating noise, barking dogs, their driveway used as an ingress/egress from the subdivision, the distance between the fence and the driveway, two-story homes with windows looking onto their property, effects on their well, and the noise from construction.

Mike Smith addressed Mr. and Mrs. Marshall's concerns, explaining the fence separating the subdivision from the driveway will be a six-foot vinyl fence and the lots are deep, providing further distance from the Marshall home. Agile Homes will be building the homes and their popular design with a bonus room provides windows facing the street. Homes are built within ninety days. There will be no pumping of water to effect the wells and stormwater is filtered before it reaches the wells. The subdivision may be developed in two phases. Barricades will be placed on Brown Bear Way preventing access to the private driveway.

With no further testimony, the hearing was closed at 7:58 p.m.

Decision

Evie Lynne – Temporary Use (Hardship) Permit to Allow Residence in a Recreational Travel Trailer at 420 S. Whitley Drive: Commissioner Dickinson made a motion to approve the permit allowing Ms. Lynne to reside in a recreational travel trailer at 420 S. Whitley Drive for two years, and can reapply if the situation warrants it. Commissioner Ashley seconded the motion. Motion carried.

Recommendations

Apex Land Group LLC – Annexation, Zone Designation of Single Family Residential, Preliminary Plat of Aspen Meadows Subdivision for Parcels in the North 2110 Block of E. 1st Street: Commissioner Dickinson made a motion to defer recommendations to the city council until a public hearing is held on a development agreement application. Commissioner Ashley seconded the motion. Motion carried.

Vice Chairman Terry Heitz adjourned the meeting at 8:06 p.m.

Terry Heitz, Vice Chairman

ATTEST:

Beth Earles, Secretary