

September 28, 2020

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

PRESENT: Brian Howell, Stuart Grimes, Jeff Carpenter, Kari Peterson, Ed Pierson.

ABSENT: None.

STAFF PRESENT: Samantha Herrera, JD Huff, Jerry Campbell, Danny Little, Rick Funk, Rick Watkins.

OTHERS PRESENT: Griffin Hewitt, Beverly Sunderlin, Jan Mitchell, Jim Mitchell, Mike Smith, Lorrie Tracy, Brittany Spade.

Mayor Howell called the meeting to order and roll was taken.

Councilor Grimes moved to approve the September 14, 2020 minutes. Seconded by Councilor Carpenter. Motion carried.

A public hearing was opened at 7:00 P.M. for the purpose of receiving testimony regarding a request by Seven Oaks LLC for a variance to the front yard setback requirement for the property located at 550 Syringa Falls Court.

Mike Smith representing Seven Oaks LLC, testified he is requesting a variance from the 22' front yard setback requirement to a 15' front yard setback for the lot located at 550 Syringa Falls Court. Mike explained that a Williams gas pipeline runs through the lot at an angle and with the configuration of the lot, adherence to the city's 10' rear yard setback and 22' front yard setback requirements prevent placement of a home on the lot with the minimum 1800 sq. ft. first floor living space as required by the subdivision covenants. Mike is requesting the Council approve a variance to allow a 15' front yard setback to the residential living space and to include the garage if it is side loading, otherwise the garage would adhere to the 22' front yard setback. Mike testified that the Board of Directors for Seven Oaks LLC is in agreement with the requested variance.

Written testimony was received from Mike Smith of Seven Oaks LLC; Architectural Design Committee of the Syringa Springs Subdivision; and Paul Renhard of the Syringa Springs Board of Directors.

No further testimony was given and the hearing was closed at 7:08 P.M.

A public hearing was opened at 7:08 P.M. for the purpose of receiving testimony regarding a request by Lorrie Tracy for a comprehensive plan amendment and rezone from General Commercial to Multi-Family Residential for the property located at 504 S. Whitley Drive.

Lorrie Tracy, 8144 Estates Boulevard, Fruitland, explained the property was originally zoned Single-Family Residential and was rezoned to General Commercial. The property is currently for

sale and the buyers are requesting the property to be zoned Multi-Family Residential. The surrounding properties are all zoned as Residential. There are currently two curb cuts off of U.S. Highway 95 and access off of S. Utah Avenue to help relieve traffic congestion and safety concerns.

Britney Spade, 508 S. Whitley Drive testified she lives next door to the property and has concerns regarding the safety of young families moving into a Multi-Family Residential complex with the busy traffic on U.S. Highway 95.

Written testimony was received from Sarah Arjona of Idaho Transportation Department; William Russell of T-O Engineers; Midge Kline of Marathon Pipe line; and William Mason of Mason & Associates.

No further testimony was given and the hearing was closed at 7:13 P.M.

The Council reviewed information regarding a request by Maren Jenks for a skate park to be constructed in Fruitland. Councilor Peterson moved to table further discussions until more information is provided. Seconded by Councilor Grimes. Motion carried.

The Council reviewed a memo from Melinda Capps requesting Pickleball striping be painted on two additional tennis courts at Mesa Park. Jan Mitchell, 101 NE 16<sup>th</sup> Street, further explained there is approximately twelve senior citizens that play Pickleball in the mornings at Mesa Park and often times the two tennis courts that are striped for Pickleball are being used and they would like the Council to consider striping the other two tennis courts to accommodate Pickleball. Councilor Grimes moved to table a decision to allow time for Public Works Supervisor, Jerry Campbell to gather information regarding the cost to stripe the other two tennis courts for Pickleball. Seconded by Councilor Carpenter. Motion carried.

Councilor Pierson moved to approve the request by Seven Oaks LLC for a variance of the front yard setback requirement from 22' to 15' for the residential living space and to include the garage if it is side loading, otherwise the garage would adhere to the 22' front yard setback for the property located at 550 Syringa Falls Court. Seconded by Councilor Grimes. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

Councilor Peterson moved to approve the request by Lorrie Tracy for a comprehensive plan amendment and rezone from General Commercial to Multi-Family Residential of the property located at 504 S. Whitley Drive. Seconded by Councilor Carpenter. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

The Transportation Engineer Report was reviewed. Councilor Pierson moved to approve the Transportation Report. Seconded by Councilor Grimes. Motion carried.

Councilor Pierson moved to read Ordinance No. 671- Annexation, Comprehensive Plan Amendment & Rezone from Light Industrial to Multi-Family Residential for the property of N. 400 Block of NW 9<sup>th</sup> Street, by title only. Seconded by Councilor Grimes. Motion carried. Councilor Pierson moved to suspend the rules and adopt Ordinance No. 671. Seconded by

Councilor Peterson. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

Councilor Grimes moved to read Ordinance No. 672- Annexation, Comprehensive Plan Amendment & Rezone from Large lot Residential to Single-Family Residential for the property of North 1400 & 1500 Blocks of NW 6<sup>th</sup> Avenue, by title only. Seconded by Councilor Carpenter. Motion carried. Councilor Peterson moved to suspend the rules and adopt Ordinance No. 672. Seconded by Councilor Pierson. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

Councilor Pierson moved to reschedule the September 2020 Bills Presentation for the October 26, 2020 City Council meeting and to allow City Treasurer, Suzanne Percy to pay the September 2020 bills pending approval. Seconded by Councilor Grimes. Motion carried.

The August 2020 Finance Report was reviewed by the Council. Councilor Pierson moved to approve the August 2020 Finance Report. Seconded by Councilor Grimes. Motion carried.

Councilor Grimes moved to adjourn. Seconded by Councilor Carpenter. Motion carried at 7:34 P.M.

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Brian Howell, Mayor

ATTEST:

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Suzanne Percy, City Clerk