

CITY OF SHELLEY
PLANNING AND ZONING
MEETING MINUTES

JULY 20, 2021

PRESENT: Chairperson Shane Wooton, Brad Miller, Arlyn Hendrix, and Jeff Kelley.
Larry Bateman (absent), Clayton Ward (absent)

City Clerk/Treasurer: Sandy Gaydusek

Public Works Director: Justin Johnson

Police Chief: Rod Mohler

Shane opened the meeting at 7:33 p.m.

A public hearing to consider the preliminary plat for Fox Crossing was opened. The P&Z members received a packet with copies of the subdivision application, plat, legal description, and the written comments that the city has received to date. The location of this proposed subdivision is on East Center running east on the north side of the road. This property was annexed into the city about two years ago.

Steve Ellsworth, Ellsworth Engineering, 253 1st Street, Idaho Falls, Idaho said this is a 375 lot division to be built out in five divisions. He presented the preliminary plat for affordable housing and said all of the city standards have been addressed. Jeff said the City engineer has been working with the Developer's engineer, and he asked about the water pressure to the subdivision. Mr. Ellsworth said they intend on installing a booster pump to meet the water pressure demands, and an upgrade to the water line sizing will be needed.

Shane asked if there was anyone wishing to speak in favor of this development.

Justin Hale, 1428 N. 650 E. Shelley, Idaho said he is one of the partners of this Development. He said he wants to put good affordable housing in that the kids can afford and they will stick around this area. Mr. Hales said this can be resolved by giving them this type of housing.

Mike Hicks, 284 Palomino Drive, Idaho Falls, Idaho, who is also one of the Developers, said he feels this subdivision will sell out in three to five years. He gave a handout to the Board and presented a slide show demonstrating the type of housing they intend on building. He said from July 1st to the 19th in 2020 the average price of a home was \$284,000 and from July 1st to the 19th 2021 the average price is \$408,000. He said the idea of affordable housing has seemed to become a townhouse project which is for sale or for rent. Mr. Hicks said he wants to provide a nice home in a nice community. He said Fox Crossing residents will provide a great economic boost to local store, restaurants, and services and to the tax revenues of the city. He said this subdivision meets all of the city standards such as setbacks, lot size, two car garages, etc. He said these single level homes with basements are approximately 1700 to 2100 square feet and will be four to five bedroom and two to three bathrooms. They will have a two car garage, landscaping and a sprinkler system will be installed, and the lot will be fenced with a vinyl fence. He said each lot will be totally finished. Mr. Hicks said Retention Ponds will be installed and will give the children space to play. He said there have been questions to what these homes will look like; he presented

Shane closed the public hearing at 9:15 p.m. and opened the hearing up to the Board for discussion.

Shane said he is impressed with the plat layout and are more than asked for, however he feels these are transition homes. He feels the city doesn't have the infrastructure to support this development.

Jeff said he doesn't really like the development personally and feels it's not Shelley, however it is irrelevant. Jeff said there are rules that are set and these rules have been met. He said the Council tried to look down the road to accommodate development. He said growth is going to come; what is good growth. He said he is worried about the infrastructure however other developments have been approved. He feels we need to follow the rules and the standards. Jeff said he doesn't necessary like it; it will increase out population over the next three to five years. He said the County has approved development with no improvements to the street. He said these developers intend to widen the road. Jeff said this meets city standards and feels we need to accept it. He said we need to look at the impact this development will have on the city. We will need more police, firemen, schools, etc. Jeff said the city needs to look at charging Impact Fees.

Arlyn said he doesn't like the size of the houses, lots, etc. He doesn't feel like we can provide the safety, maintenance, etc., however he agrees they have met the standards.

Brad said he does not like this development but the standards have been met.

Jeff moved, Arlyn seconded to recommend the approval of the preliminary plat for the Fox Crossing Subdivision to the City Council since the standards of the city have been met. Approved three in favor, Shane abstained.

The city council implemented consideration of some additions and amendments to Title Ten of the city code. They have asked the Planning and Zoning Commission to review the code on the following items, hold a public hearing and give recommendation back to them.

1. Consider amending the street side setback for garages facing the street from the side of the home.
2. Consider regulating the minimum two card garage sizing.
3. Consider amending the Single Family dwelling minimum lot size
4. Consider amending the Single Family Dwelling minimum lot width.
5. Consider amending or clarifying the width of the driveway from the garage to the street
6. Consider adding specification to the Subdivision Improvement Drawings from ten to thirty days if not submitted with the preliminary plat.
7. Consider adding specifications to the subdivision ordinance specifying the requirement of secondary irrigation systems.

Jeff moved, Brad seconded to call for a public hearing to take public testimony to consider amending the above items. Approved unanimously.

pictures demonstrating what the homes will look similar to. Mr. Hicks said Public Works expressed concerns about the maintenance of the streets with vehicles parking on the streets. He said the Covenants state that RV's, campers, trailers, etc will not be allowed onto the street or stored on any portion of the property unless it is enclosed by a structure or screened from view. He said any RV, boat, trailer, etc., may be store on the side yard between the front and rear setback if screened by a fence. He said an HOA will manage the activities which will be outsourced to a third party. Mr. Hicks said the subdivision is locally funded, locally owned, designed locally and will be managed locally.

Shane asked if there were any neutral comments regarding this development. Sandy said she received written comments prior to this meeting. Shane asked her to read the comments:

Bill Brabec, Rocky Mountain Power – After reviewing the preliminary plat for the Fox Crossing Subdivision which is 375 lots it seems likely that there will need to be a system upgrade to serve the said subdivision.

Justin Johnson, Shelley Public Works Director – Concerned about the dense population for this area. Very concerned about the infrastructure. Concerned about the small lots for emergency and fire issues. Concerned about vehicles, trailers, etc. parking on roads while trying to maintain streets such as sweeping and snow removal. Concerned about how much more traffic this brings into the area.

Randy Adams, Fire Chief and Travis Adams – Has some strong concerns about this subdivision. It looks like the developer is just barely wanting to do the minimums on lot sizes, spacing between homes and size of the garages. When we reduce these measurements, it makes it very hard for the owner of the property to have enough room for all of their extras. Instead of being able to get the trailers, ATVs, and toys in general off of the streets, or in their backyard they end up with the campers and all of these toys left on the streets and stuffed on both side of the front of the house blocking egress for emergency vehicles and not allowing to be able to reach the back of the homes. I strongly feel like we do not have the infrastructure to support this rapid growth.

Rod Mohler, Chief of Police – Against this housing subdivision for several reasons. Doesn't believe the city has the infrastructure in place to support this. Too many small homes jammed in a small piece of ground. Understands the growth but these kind of housing areas will not bring the life back to our town. The city is growing so fast that it is unable to properly keep up with everything this type of growth needs. Things such as water, security, streets, garbage and so on. People want to move to Shelley for that small town feel and a better way of life, but we must remember that when we allow so much growth and such a population explosion that we will continue to lose what we say we want to protect the most which is that small town feel. The entire city will need to grow to handle the growth that we are already experiencing and especially once the planned growth so far is completed. The city will need more employees and equipment in all of the departments and the only way to pay for this growth is to raise taxes.

Snake River Valley Irrigation – SRVID requires a water delivery system installed. The plan needs to be presented to the SRVID Board of Director at a Board meeting and the plan must be approved.

DEQ – DEQ has reviewed the subject document and would like to offer the following comments: Due to the intention of the developer to connect to existing city drinking water and wastewater systems, DEQ does not have any particular concerns with the proposed subdivision. Construction plans and specifications must be prepared by a professional engineer and reviewed and approved by DEQ.

Forsgren – Street lights have not been provided for evaluation and the proposed restrictive covenants have not been submitted. Sandy said since this comment was written both items have been submitted by the developer and meet standards.

Forsgren – Water Model Study was ran. The Developer will be required to replace an existing 800 feet of 6-inch pipe with a 16-inch PVC line along Center Street and add a localized booster pump station between the Fox Crossing and Parks Subdivisions to provide adequate water pressure.

Shane asked if there was anyone wishing to speak in opposition to this development.

Lori Everett, 445 E. Center Street, Shelley, Idaho said she would like to read a letter she has from Craig and Lisa Geary who could not be here due to a family surgery. Craig and Lisa Geary live at 469 E. Center, Shelley, Idaho. Mr. and Mrs. Geary said they have lived in their home twenty four years, and have resided in Shelley for thirty four years, and their family owned business has been around longer than that. They realize Shelley is going to grow but they would like assets in the community. The letter stated they strongly object to this subdivision. It is a lot of homes in a small amount of space.

They are concerned if there is adequate water, and no yards so where do the children play. The letter stated the Developers are the only ones that care about this Development; would they want to buy a home here? They stated let's keep Shelley the great place it is.

Dave Everett, 445 E. Center, Shelley, Idaho said he is adamantly against this subdivision. It is 375 homes in a small space. He discussed the size of the home and the size of the rooms. He would be inclined to look somewhere else; these have very small yards. Mr. Everett said they know that across the street is being developed, also another development by the school, and another one south of the city. He said he is concerned over the city infrastructure and if it will support this fast of growth. He understands the irrigation water will be used to irrigate the outside. Mr. Hicks said there are water rights for this development. Mr. Everett asked who will monitor the water to make sure there is sufficient water rights. This would be Snake River Valley Irrigation. Mr. Everett discussed the areas that children could potentially play because there is currently a problem across the street from him in the apartment buildings. He said \$350,000 is affordable? It is still pretty high in his book. He said he is worried about this rapid development which will put a lot of stress on the existing infrastructure and the schools. He felt it would be better served to have larger lots and less compact lots. Mr. Everett said he wants Shelley to be a nice place to live.

Aaron Severnson, 883 E. 1300 N. said he strongly opposes this subdivision even though it looks nice. He lives in the area currently. He said he grew up in Shelley

but feels this subdivision will be like the Bellaire Subdivision in Idaho Falls in twenty years. He said it seems like a cookie cutter addition that will fall part in ten years. Mr. Severson said there are just too many houses in this space. He said there is already a two hundred lot subdivision going in behind him and he is concerned about the infrastructure.

Wendy French, 760 S. Park Avenue, Shelley, Idaho said she loves living here. She said she has lived in a trailer, small homes, built a home and is currently remodeling an existing home so she has experienced different living conditions. Mrs. French said she loves Shelley enough she wants to express her concerns. She said she believes in healthy growth, and she understands the need for starter homes for young couples starting out. However, when the Developer discusses the HOA so strongly, it leads her to believe there are problems with this type of development. Mrs. French said she doesn't believe we should all pay because of what the market has done. She said she has talked to people growing out of their homes, and now we have an explosion of storage units. She said she has talked to people who can't back out of their driveways due to all of the vehicles and the trailers on the streets. Mrs. French said there needs to be healthy growth to maintain what we have in Shelley.

Casey Merrill, 4190 Colonial Way said he moved to Boise and worked on a development with starter homes. He said the Developer for this project came to him and asked for help with it. Mr. Merrill said he looked at the streets and they are actually four feet larger than their homes were. He said Bear Lake wants to keep the small-town feeling and they are dying. He said growth is coming whether we like it or not. He said the people there need to pay for the infrastructure and the Developers help pay for the infrastructure. Mr. Merrill said a lot of buyers aren't concerned about an HOA. He said these homes are easy to sell.

Mike Hicks said he appreciates that these concerns have been expressed. He said as a Developer they try to address those concerns. He said growth provides tax revenue, sales tax revenue, new commercial business, etc. He said people are coming from all over because they want what we have; they like it. Mr. Hicks said he has developed a lot of subdivisions and he proud to have his names associated with them; Suntera, Bristol Heights, Eagle Point. He said these homes will be on lots 64 feet by 125 feet which will allow back yards for the kids to play. He said they will have 10 foot side yard setbacks. Mr. Hicks said that Ammon and Idaho Falls have minimum lots of 5000 square feet with 5 foot and sometimes 8 foot side setbacks. He said these lots sizes are larger than surrounding communities. He said everyone assumes that developers make a fortune. He said they do make money because that's what they do, but it is not a fortune. The Developer passes the cost onto the buyers so they are trying to keep the cost down for families. Mr. Hicks said this is not low income housing, this is affordable housing. He said this growth will not happen overnight, it will take three to five years and the community will grow into it. Mr. Hicks discussed the homes on the numbered streets in Idaho Falls and said the people love them.

Jeff asked how the HOA plans to enforce the covenant about no parking on the street with trailers. Mr. Hicks said the HOA will issue notice and give the property owner twenty four hours to move the trailer. Jeff asked about several people living in the home that have several cars and the driveway or garage cannot

accommodate the cars. Mr. Hicks said the homes are built for three to five people per home.

Aaron Jones, 2025 Stosich Street, Idaho Falls, Idaho, said the Developer approached him to be project manager on this project. He said these Developers are reputable and have been around for a long time. He said this project was well thought out, and the lot sizes are appropriate. Mr. Jones said the price point is on the affordable side, and we need our youth to stay here to grow. Mr. Jones said this is controlled growth with a reputable Developer, and will not become a trashy area. This plan is a great option.

Dave Everett said those who have spoken in favor of this development tonight are not residents of the city. Those in opposition are residents.

Justin Hale said he is a resident and would feel comfortable having his house next to this development. He said he wants to be involved; other people are going to move here and push their agenda. He said we need to control this. He said these are beautiful homes with a \$350,000 price tag.

Randy Adams, 924 E. 1400 N. Shelley, Idaho, said he is the Fire Chief and wants to work with Developers. He said he is not opposed to the development, and doesn't care about the dollars but we need to develop smartly. He said when a lot of homes are jammed into tight areas it makes it congested. He said they can have an HOA and it doesn't make any difference. Mr. Adams said he knows Mr. Hale and he would not live in this type of subdivision. He said the development across the street worked with the city and was able to open up the lots and address other concerns. He said he understands they are more money, but if it takes extra to make larger lots he thinks they would pay for it as buyers. Mr. Adams said kids just starting out these days are buying trailers, ATV's, razors, etc. now; then they buy homes and have no place to put their toys.

Mike Hicks said in closing, he wants to remind everyone that this plat meets the ordinances of the city. It was annexed into the city and the plat was made accordingly.

Derreck Dye, 455 Kirkham Circle, Shelley, Idaho said he appreciates the Board and all they do. He said he is involved in the development to the south of the proposed Fox Crossing. Mr. Dye said he grew up in Shelley and feels it needs some larger lot subdivisions. He said growth is going to come, and he would like to see quality growth. Mr. Dye said they need to make sure the plan is done properly and provide the right growth.

Aaron Severenson said he would like to ask that the city doesn't get greedy in regards to the tax dollars. He said the road will need to be widened and this will be done by tax dollars.

Wendy French said he would like to reiterate that she feels passionate about the great life Shelley has provided. She feels like these homes are a stop and go home. She wants the children to remain here but how are these married couples going to buy these type of homes and stay there. She asked the Board to consider what our future plans need to include.

Blake Jolley commented on the review period for the improvement drawings. Sandy cautioned him this was not the public hearing and he should not be giving comment at this time.

Jeff moved, Brad seconded to approve the minutes of June 16, 2021. Approved unanimously.

Adjourned: 9:37 p.m.

APPROVE:  ATTEST: 