

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

April 16, 2025

PRESENT: Chairman: Shane Wootan

P&Z Members: Aaron Severinsen, Paul Voelker, and Cam Hulse

Deputy City Clerk: Tori Pacheco

ABSENT: Kurt Edwards, Devan Dye, and Josh Carrell

Call to order: 6:34 pm

Shane opened the meeting.

Consider changing the verbiage in Title 10 from mobile home to manufactured home. Shane thanked Ashley Countryman for bringing this issue to the committee's attention. Shane then read the definitions he found on this topic. Legally, a mobile home is defined as a dwelling on a chassis designed for long-term residential occupancy and intended to move from one location to another. The term manufactured home is often used interchangeably with mobile home, technically referring to homes built after 1976. Mobile home refers to one built pre 1976. In Title 10, it is referred to as a mobile home park. Shane stated that he does not foresee a need for mobile home parks in the future (referring to mobile homes as ones built before 1976 as stated in City ordinance 10-2 Mobile Homes - A manufactured relocatable single-family dwelling unit made prior to June 15, 1976, which does not meet the Federal Man Construction and Safety Standards. See Manufactured Home.) Aaron agreed with Shane. Shane then said that this is a public hearing for this item. He then allowed for public comment. A resident asked the committee if there will be similar things modernized, or if these are two parts of a whole, that don't look like a trailer. Shane stated that the committee is only looking to change the verbiage in Title 10 to reflect manufactured homes and not mobile homes. Shane then read that the definition of a manufactured home is legally defined is prefabricated dwelling built off-site and transported to a site meeting specific size and structural requirements and designed for residential use. Distinguished from modular homes by its use of a permanent chassis for transportation. It was then asked if the skirting around the trailer is part of the mobile home definition. Shane stated that the skirting could still fall under a modular home in the new verbiage. He then reiterated that they would be changing from a mobile home to a manufactured/ modular home park. Bryan Sargent then added that the reason it was changed was because a home built after 1976 then required a HUD inspection, which is regulated by the government. Anything before 1976 does not have a HUD inspection. It was then commented that, in appearance, the proposal could still look like a trailer park. Shane asked if there were any additional comments on the first agenda item. (Public hearing was not called for.)

Public Hearing Bryan Sargent, 1426 N 750 E, Shelley, ID 83274, is applying for a rezone of the properties at 335 N State St, 355 N State St, Shelley, ID 83274, 420 E Oak St Shelley, ID 83274 (TIN R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 21), and parcel #RP2112720 (address to be determined) (TIN R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 22 along with a special use permit for a

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

mobile home community and to allow the two existing residences to remain on the property. Shane explained that there are three separate items in this public hearing, but two are predicated on the rezone. Because of this, they are all being included in one public hearing instead of being separated. Mr. Sargent added that the two items are reliant on the rezone; they do not work without it. Shane clarified that the three things included are: the rezone of the RA Residential Agricultural lots to HC Heavy Commercial with a special use permit for a manufactured home/module home park, and a special use permit for the two current residences to remain on the properties. Aaron mentioned that there would not be a question-and-answer portion included in this public hearing. Mr. Sargent explained what the parcels are and what their current zoning is. Mr. Sargent is proposing to rezone to Heavy Commercial (HC) with a special use permit for a manufactured home community, and the two current residences to remain on the property. He then identified some of the concerns from the last meeting that he would be making changes to. The density on the East Oak Street lots would be reduced, and he is working with the northern property owners to attempt to change the location of the lift station. He would like to move it across State Street, roughly located over by the Subway area. Mr. Sargent informed the public that he has about 1.18 acres at the end of East Oak Street that would consist of two lots. He stated that one of the lots would be considered a legal nonconforming lot, which means the access to the lot located in the back is a 10-foot access. Mr. Sargent talked about the density on East Oak Street, stating that it ranges from .19 acres to .25 acres, averaging about .2 acres, with about five homes on 1.8 acres. He mentioned the concern about the traffic traveling through East Oak Street, stating that he has tried to decrease the density on his two parcels, directing more of the flow through Spud Alley. He would meet all city code requirements. He referenced Title 10 in the city code. Mr. Sargent has a goal of renting the lots in the manufactured home park to the homeowners, but mentioned the option of subletting. He is not concerned about sewer capacity. The purpose of the road from East Oak Street running toward the north is to extend the sixteen-inch water line further north. He is proposing to give the city an easement to extend the water line for future development. He then asked if there were any questions from the committee. Aaron stated that he likes the proposed changes. Mr. Sargent expressed his desire to alleviate some of the concerns from the last meeting. Paul inquired if Mr. Sargent was still considering a breakaway gate at the end of East Oak St for emergency access only. Mr. Sargent stated that he did not think that it would be necessary, but if the fire marshal deemed it so or the committee required it, he would comply. He argued that he has at least two lots at the end of East Oak Street that should be allotted access. Paul asked if the railroad was aware of Mr. Sargent's plans. Mr. Sargent replied that he has not reached out to the railroad at this point.

Shane then opened the public hearing to public comments. Sherri Baron, 274 N Milton Ave, Shelley, ID 83274, requested to allow Mr. Adam Olsen to present first. Adam Olsen with Olsen Taggart Attorneys At Law is representing Sherri Baron. Mr. Olsen also met with several homeowners and stated, for full disclosure, that he had represented Commissioner Severinsen and that the matter has no relation to this issue as far as he understands. Sherri Baron lives in the Rawley neighborhood on North Milton Ave. She is south of the zone changes for 335 N State St, Shelley, ID 83274, 345 N State St, Shelley, ID 83274, 355 N State St, Shelley, ID 83274, and west of the 422 E Oak St, Shelley, ID 83274, and 420 E Oak St, Shelley, ID 83274 proposed changes. She is an affected resident in this matter. Mr. Sargent said that he wants to lay down the framework to change a zone

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

and acquire a special use permit, and what criteria the county has to consider. Firstly, when you want to seek an amendment to change a zone or seek a special use permit, it is Mr. Olsen's understanding that there needs to be an application from the applicant. Mr. Olsen stated that Mrs. Baron asked the city for a copy of the application but was told there was not one. Mr. Olsen stated that this is something the committee needs to consider. Mr. Olsen referred to code 10-9-2 (G) Heavy Commercial District (HC)--

- (1) Location which minimizes potential traffic problems;
- (2) Lot size or sizes sufficient for intended use;
- (3) Compatibility with existing uses; and
- (4) Adequate buffering for adjacent incompatible uses.

Tori clarified that Mrs. Baron did ask for the applications but was told they had not been approved yet. That is why she was not given them. Mr. Olsen then mentioned that to be rezoned to a heavy commercial district, it cannot cause traffic problems. A lot of the residents that Mr. Olsen had met with had a concern about the road coming off of East Oak Street. He mentioned that it is important to remember that the proposed road and the trailers on said road are within the Rawley subdivision. The subdivision was platted for residential single-family homes. By putting a road through this area, it is substantially changing what the subdivision plat had intended. It would be the same as if someone purchased a home in a subdivision and were to put a road next to your house, and this was not the intent of the plat at the beginning. Mr. Olsen went on to state that this is very intrusive upon the residents, and they have expressed ample concern in this matter. Mr. Olsen estimated that the width of 420 and 422 E Oak St is about thirty-five feet, to his understanding. When the intent is to subdivide, all roads are required to be at least forty feet, as he referenced in Title 10-16-6 (A) (5)

Street width shall be measured from property line to property line. The minimum width of streets so measured shall be:

- (1) Arterial.....80 feet
- (2) Collector.....62 feet
- (3) Minor/Local.....62 feet

In addition to the above, no street in the City of Shelley shall be less than 40 feet in width from one edge of the pavement to the other. In other words, measuring from the center of the pavement to the edge of the pavement can be no less than 20 feet on each side for a total of not less than 40 feet from one edge of the pavement to the other edge of the pavement. Mr. Olsen reiterated from this section that all streets in the City of Shelley must be forty feet in width, and all streets must be made public roads if your plan is to be a subdivision. It was then stated that this does not conform when you are attempting to change a zone. If this access were removed, it would leave Spud Alley, which Mr. Olsen stated to be about twenty-five feet per a resident's measurement, and stated it is only an alleyway. It was said that if the traffic on Spud Alley is coming from both directions, the vehicles must pull over to let the other pass. Mr. Olsen referred to the city's comprehensive plan, which says the population is 5,010 residents with an anticipated population of 6,171 residents by 2040. With the proposed ninety-one manufactured homes in the subdivision, this would take up twenty percent of the city's expected future growth. Mr. Olsen mentioned that there is no adequate ingress or egress. A fire was a concern for Mr. Olsen, expressing that the emergency vehicles would contribute to the traffic concern. The comprehensive plan considers Spud Alley as an industrial zone in Shelley. The comp plan shows a need for additional housing, but states it should come with additional infrastructure to support said housing. What Mr. Olsen found

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

interesting about the subdivision is that it is being transferred to a non-conforming use and adding a special use permit. He stated that this is an odd procedure. Mr. Olsen mentioned that the purpose of heavy commercial zoning is for businesses and commercial development. Shane then interrupted and said that the proposed plans are only allowed in a heavy commercial zoning. Shane went on to explain that there is a difference between zoning and land use. If zoned for a land use, it limits the heavy commercial and does not open it up for factories to come in. When the committee looks at zoning a specific use, it is required to look at the land use and what those specific uses are. Mr. Olsen referred to Title 10-16-4 (D)

Residential/Manufactured Home--A subdivision wherein the dwellings meet the definition of a Manufactured Home contained herein. This subdivision is permitted only in an R/A or A district, stating that a manufactured home should never be in any other zone other than those referenced here. Mr. Sargent inquired if Mr. Olsen realized the proposed plans are not for a subdivision but a manufactured home park. Mr. Olsen argued that it is a subdivision referring to Title 10-9-16

All subdividing will be done in accordance with the subdivision regulations and procedures of this Ordinance (10-16). Subdividing, or platting, shall be required under the following conditions when an original parcel is divided for the purpose of sale or development, whether immediately or in the future:

- (1) A Districts--When an original parcel is divided into more than four (4)
- (2) lots, parcels or sites of less than five (5) acres in size;
- (3) R/A Districts--When an original parcel is divided into more than four (4)
- (B) lots, parcels or sites of less than one (1) acre in size; and

All other districts--When an original parcel is divided into more than four (4) lots, parcels or sites. Mr. Olsen went on to say that this parcel is being subdivided into 91 manufactured sites. There was some disagreement with this statement from the committee. Paul stated that it is private property. Shane then interrupted. Shane stated to Mr. Olsen that this is a public hearing and he feels that the conversations are ones that need to be one with the City Attorney, not the P&Z Committee. He thanked him for bringing the concerns to the committee's attention. Shane explained that the P&Z is only there to listen and recommend their decision. Mr. Olsen stated that the P&Z decision made at the meeting is appealable. He then went on to say that only what is said at the present meeting is what he can appeal with. He then expressed that this is the reason of his presentation at the P&Z meeting is important in case his client decides to appeal the decision. He stated that is why he is putting it on the record. Mr. Olsen then referred back to the performance standards. Stating that there is no buffering in the proposed plans. Mr. Olsen referenced back to the East Oak Street that will go straight into the manufactured home park. He then said that a lot of residents spoke with him about potential crime issues. Going on to say that there are statistics that show additional manufactured homes in this area could lead to a rise in crime. It was reiterated that there are a lot of children in the subdivision of East Oak Street, and traffic would affect their safety. Mr. Olsen reiterated that the proposed plans would not conform to the surrounding area or the comprehensive plan, which considers the proposed area an industrial zone. The character of the neighborhood would be imposed on. Mr. Olsen also mentioned that the proposed road would be intruding on a subdivision meant for residential use. Mr. Olsen ended with a potential conflict of interest, referring to Shane, who owns property directly next to the proposed plans. Mr. Olsen then requested that Shane excuse himself.

Sherri Baron 274 N Milton Ave Shelley, ID 83274. Mrs. Baron stated that when she left the meeting last month, she felt that the decision to approve the proposed

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

plans had already been made. She did contemplate allowing it to happen. She said that she looked at both sides and determined that there are too many problems, such as infrastructure, zoning abnormalities, and violations of zoning codes. She presented the committee with a plat of the Rowley Subdivision. The two lots on East Oak Street in the proposed plans are included in the plat. Mrs. Baron then explained her understanding of a plat. She said a plat consists of pieces of land that are geographically located together and zoned for the same purpose. All other properties in the Rowley Subdivision are zoned for residential (R1) use, and the proposed plans would rezone two properties to heavy commercial (HC). Before a special use permit can be approved, it must qualify for heavy commercial (HC). She reiterated that the proposed homes are right next to residential (R1) properties. Mrs. Baron explained that East Oak Street is only designed to accommodate additional traffic from two residential homes, and the proposed plans would include five homes on those specific parcels. Mrs. Baron referred to city code 10-10-3 (G) Not involve uses, activities, processes, materials, equipment and condition of operation that will be detrimental to persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or other pollutants; and (H) Have vehicular approaches to the property which will be so designed as not to constitute a hazard to traffic on adjacent public thoroughfares; Mrs. Baron stated that the proposed plans would change the astatic of the neighborhood. She then reiterated what Mr. Olsen stated about city code 10-9-2 (G). Mr. Baron referred to city code 10-8-2, stating that if a residential zone abuts a residential lot, it must allow a minimum of twenty feet of buffering. Mrs. Baron inquired if there is a twenty-foot buffer in the proposed plans. Sherri expressed that the proposed plans do not qualify due to the city codes. Mrs. Baron reiterated her concern about the extreme traffic, insufficient infrastructure, and safety of the neighborhood.

Shane then asked Mrs. Baron to read the public comments of those who submitted and were unable to attend the meeting. Jon Rick Malan – 327 E Maple St Shelley, ID 83274. Dear Members of the Planning and Zoning Committee, I am writing to strongly oppose the proposed rezoning of the following parcels: #RP2112720, #RP2112721, TIN R37E SEC 28 Shelley BLK 36T-15412 Less T-10584, and T1NR37E SEC 28 SHELLEY BLK 35 BLK 35 OF RR Less T-17764, from Residential (R-1) and Agricultural Residential (AR) to Heavy Commercial (HC) with a special use permit for a mobile home park, as outlined in the notice. This rezoning would allow for a mobile home park, which I believe is unsuitable given the current infrastructure limitations and safety concerns in Shelley. There is no adequate ingress or egress to support a mobile home park on these parcels. The road along the railroad tracks, owned by the railroad, is only 25 feet wide-well below the 40-foot width required by city code for public roads. upgrading this road to meet legal standards would be necessary, but it's unclear who would bear the cost. Additionally, the plan does not address parking for visitors, access for school buses, or pathways for emergency vehicles. With no infrastructure like roads or parking in place, this land is currently suited for no more than two homes and a pasture, not a dense mobile home park or heavy commercial use.

Traffic safety on Center Street is a major concern. Visibility is already poor due to sunrise and sunset glare, and children have been life-flighted due to collisions under current traffic conditions. Adding a mobile home park, combined with the 600+ cars from new housing divisions east of Shelley, will significantly increase traffic, potentially adding hundreds of daily trips. A traffic light at Milton/ Center

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

Street may be needed, and increased pedestrian traffic-especially children, will heighten accident risks.

The rapid population growth from a mobile home park would also strain local resources. Schools would need to be built and staffed, and medical facilities would require expansion. No studies have been conducted on the impact of such growth, and rezoning to Heavy Commercial without this data is irresponsible. Furthermore, a Heavy Commercial zoning is incompatible with the residential and agricultural character of the area, potentially disrupting the community's quality of life.

I urge the committee to maintain the current Residential and Agricultural Residential zoning and consider these parcels for uses like horse or animal pasture, which align with the existing infrastructure. If infrastructure improvements are made in the future to support higher density or commercial use, the parcels could be reconsidered. For now, I respectfully request that the rezoning application be denied to protect the safety and well-being of the Shelley residents.

Sincerely,
Jon Rick Malan
327 E Maple St Shelley, ID 83274

Mrs. Baron also added that HC Heavy Commercial is not the only zoning that can be used for a mobile home park. Stating that Agricultural and RM are also acceptable zoning for said use. Shane then stated that it could not be suitable for a mobile home park.

Kelley and Andrea Rausch 308 B E Oak St Shelley, ID 83274

Dear Members of the Committee, and fellow neighbors,

We are writing this letter as we are unable to be at the Planning and Zoning Committee slated for April 16, 2025 at 1830 hours. We are respectfully requesting that our letter be read and entered into/onto the record for these proceedings.

Myself, and my wife Andrea have lived at 308B E Oak St, Shelley Idaho, with our son for going on fifteen (15) years. I have been employed in Law Enforcement for 25 years, and my wife has been a supervisor for 15 years with a State of Idaho Agency. I have coached Grid Kid football for several years, as well as Cal Ripken baseball. Our son is getting ready to graduate from Shelley High School, and we both consider ourselves to be very community-based.

We have seen many changes in those 15 years of living on East Oak, to include the cost of our water and trash bills going from around \$50 per month to now \$95 dollars per month. What will it increase to now? Businesses coming and going and the intense amount of traffic that goes up and down SPUD ALLEY daily. SPUD ALLEY is located directly behind our property. We've had our property damaged, trash left on our property, property stolen from our RV pad, and even an attempt to steal a tire off our son's car. Putting a mobile home park just down the road from our home will not only increase the amount of crime that goes on but will heighten the amount of traffic up and down SPUD ALLEY. SPUD ALLEY is only 25 feet wide, and two cars can barely pass each other on this alley. As SPUD ALLEY is an easement for the Railroad, we are baffled that it can be used as an artery for a mobile home park that will have 91 trailers. Thus, having the possibility of 182 cars, plus their friends, family, and the general city traffic going up and down this alley daily and even nightly.

Further, we will now get into our property that has been damaged. On or about May 18, 2021, we had our brand-new camp trailer parked on our RV pad, completely off the road, when it was impaled by a utility trailer with a commercial

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

lawnmower on the trailer. The cost of the carelessness was 122 days of getting our trailer fixed, and \$12,500 out of our pocket. Gone was our savings and an entire summer of being able to camp in our new RV. This caused severe emotional distress and severe monetary loss. The individual who was so careless as to not even have their trailer hooked up correctly did not even get a citation. Their insurance wouldn't even talk to us, thus forcing us to use our own insurance. The second instance was a rock truck hit the left side of another new RV. This time, causing another \$2000 in damage. The rock truck didn't stop and left our RV door caved in. It's a monthly occurrence to have trash thrown on all the properties that back up to SPUD ALLEY. When Spud Days comes around, we must put up barricades to stop people from parking on or damaging our property. Just about daily, we have people racing up and down SPUD ALLEY, riding ATVs, and just being overall careless. We do fear that this type of damage will happen again. We do not call the Shelley Police Department, because we were told when our trailer was impaled that there was nothing they could do, it's not a "CITY STREET". Profit is not worth the cost.

Putting a mobile home park just down the road from all the East Oak residences will further burden not only the city infrastructure, but also increase the crime on the East side of town. We are not opposed to any type of economic prosperity, but it feels like it's being forced upon us for something that clearly does not make sense, nor does it fit. Profit is not worth the cost.

Please consider the voices of the homeowners of East Oak and find a suitable alternative.

Using an Alley that is clearly too narrow and is an easement, or forcing traffic through a quiet neighborhood with narrow streets is not the answer. The amount of damage that this will cause, the loss of security to existing homeowners, and the increased cost to the homeowners will be immeasurable.

Profit is not worth the cost.

Thank you

Kelly and Andrea Rausch

Joe Peron – 336 E Oak St, Shelley, ID 83274. Mr. Peron wanted to build on the traffic impact. Mr. Peron went on to say that he and other residents within the impact area are strongly opposed to the proposed plans. With the existing homes on East Oak Street and North Milton, each home has approximately two vehicles, which equals sixty-plus vehicles twice daily. He feels that adding an additional access and an additional ninety-one manufactured homes with around two vehicles each would approximately equal approximately one hundred and eighty-two vehicles. With the possibility of that amount of vehicles traveling through East Oak Street twice daily, and the current road width of twenty-eight feet, and the width of the vehicles being approximately eight feet and nine inches (the width of Mr. Peron's personal vehicle). Mr. Peron argued that if there are vehicles parked on the side of East Oak Street, you can barely drive down the street. He then went on to talk about whether the children of the neighborhood are playing between the vehicles; there could be a severe impact on the children. Mr. Peron commented that he would not want this decision on his conscious. He asked the committee to remember that young children do not always pay attention when playing and reminded the committee that it is their responsibility to look out for the community and homeowners' best interests.

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

Ashley Countryman – 425 E Oak St Shelley, ID 83274. Mrs. Countryman is speaking on behalf of herself and her husband, who could not attend the meeting. She is directly impacted by the proposed plans as she lives directly next to the two lots on East Oak Street in the proposed plans. Mrs. Countryman expressed her strong opposition to the proposed plans to be rezoned from residential (R1) to heavy commercial (HC) with a special use permit for a mobile home park. This proposal would introduce a private road connecting directly at the end of their quiet neighborhood, fundamentally changing the nature of the neighborhood. Increased traffic, noise, and safety concerns, especially for children and pedestrians, make the proposed plans a highly inappropriate use of the residential dead-end street. Mrs. Countryman is also highly opposed to the lift station previously proposed to be right next to her property. She stated that this would cause odor, noise, maintenance disruptions, and environmental impact. Being so close to a residential fence line is unacceptable. Immediate concerns, proposed development, and infrastructure pose a threat to property values in the area. The introduction of heavy commercial zoning and a mobile home park adjacent to single-family homes will negatively affect neighborhood stability, curb appeal, and resale potential. Mrs. Countryman urged the committee to deny the proposed plans. This development does not align with the character of the existing neighborhood and is not in the best interest of the current residents. The intention of the neighborhood from the existing plat was intended to be a residential neighborhood with two more homes put on the parcels at the end of East Oak Street, as intended before she purchased her home. Mrs. Countryman reiterated the concern about traffic and showed irritation with the train schedule in the mornings and morning traffic. She also said that with the train schedule, this would cause a delay with the railroad's access to Highway 91. By adding potentially one hundred additional vehicles, morning traffic would be a big concern. Expressing that this is already a concern in the mornings. Mrs. Countryman seconded the testimony of the residents before her.

Elsha Parsons – 415 E Oak St Shelley, ID 83274. Mrs. Parsons started with a question. Mrs. Parsons asked how the water would be extended north if there were already homes on the proposed parcels on East Oak Street. It was verified that it would not be possible to extend the water if there were already existing homes unless someone granted an easement. She expressed confusion as to why there was a sixteen-inch water line installed. Shane responded that the city planned for the water to extend to the north. Mrs. Parsons asked how the city intended to extend the water if there were already existing homes on the parcels. She then stated that the road is not necessary for the water to be extended. The committee argued that there would still be a need for access. Shane explained that the property is private property, and Mr. Sargent is able to extend the water line because he owns the property. It was explained that this is common practice for a city to plan for future development. Mr. Sargent explained that in the nineties the plat for East Oak Street was amended. If you look at the parcels on GIS mapping, you can see the original intended plans for the Rowley subdivision. Mrs. Parsons reiterated her opposition to the intended plans for the East Oak Street Road. Stating that she has no opinion on what he does with his property, excluding the properties on East Oak Street. She stated that her opposition is to the parcels at the end of East Oak Street and the road.

John Smith – 230 N Milton St, Shelley, ID 83274, with the majority of his property residing on East Oak Street. Mr. Smith thanked the committee. He expressed that

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

he feels the proposed plans are not ready to be recommended to the council. His main concern is that the railroad has not been notified of Mr. Sergeant's proposed plans. There was a complaint about the railroad crossing located on Spud Alley. Shane interrupted and explained that there is a sign on the railroad crossing with the crossing number and a contact for the railroad. He urged the residents to share their complaints with the railroad to get the crossing fixed. Mr. Smith expressed that without approval from the railroad and a traffic study, he does not feel that the proposed plans should be approved. He also said that a long-term agreement for the railroad should be a prerequisite, explaining that if the access was taken away from Spud Alley, it would be devastating for the traffic to flow through East Oak Street. Aaron then explained that if the proposed plans are recommended to pass, Mr. Sargent would be required to pay for a traffic study. Mr. Smith asked if there are mechanisms in place to enforce the proposed plans and requirements. Shane stated that there is a city inspector who does the enforcement along with the city. Mr. Smith inquired about the conflict of interest that was mentioned earlier in the meeting. Shane confirmed that he owns property directly by the proposed plans on Spud alley, and he also owns a business North of the property. Mr. Sargent confirmed that there is no business deal between him and Shane. A resident spoke about a rumor that the proposed plans would benefit Shane.

Shane then spoke to the public and asked if any of the residents in the meeting had done business with him. None of the residents present expressed that they had done business with Shane. A majority of the business Shane conducts is outside of the city limits. He does not have any employees who reside within the city limits. Shane explained that he uses Spud Alley daily, and owning the property north of the proposed plans makes him opposed because of the traffic that would use Spud Alley. Shane expressed that he has had problems with East Oak Street residents. Stating that his property has been vandalized and that he has had property stolen. Shane then spoke about a previous planning and zoning incident where he was proposing to build storage units to use for his personal property and rent out the remaining units. Shane stated that there were some hurtful things said about him personally as an individual. Shane then expressed that he no longer invests in the community or region. He then stated that when Little League comes around for donations, if there are children from East Oak Street on the team, he will not donate a dime. Shane also explained that the comprehensive plan expresses a desire for more business and more affordable housing for the opportunity of our future generations to live in Shelley. It was also said that Mr. Sargent is planning to invest fourteen million dollars in the community, urging the residents to think of the benefits that it would bring. Shane expressed that the questions of the infrastructure and concerns about traffic are not things he can answer; those would be issues for the city engineer and the city council. Shane also expressed that he plans to recuse himself. A resident asked if this does not get recommended to move forward, what the next step is. He explained that if it is not approved, Mr. Sargent would not be able to move forward. It was also said that farming five acres is not viable. Mr. Smith inquired if Shane's property is part of the proposed plans. It was confirmed that it is not. Aaron explained again that this is the first step.

Jeff Doherty – 410 E Oak St Shelley, ID 83274. Mr. Doherty expressed respect for what others want to do with their property unless it negatively affects others. His main concern is that putting the proposed manufactured homes, condos, or apartments at the end of East Oak Street does not complete the plat for the current neighborhood. He also reiterated concern for the safety of the neighborhood

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

children. When he first received notice of the proposed plans, he could not sleep with concern for the children. Mr. Doherty submitted photos to the committee of children playing in the street. He urged the committee to think about whether they would like or support the proposed traffic going through their personal neighborhoods. Mr. Doherty referred to instances of accidents and incidents where mailboxes have been hit, and people are driving too fast through the neighborhood. Expressing that some residents have had to make alterations to their property to protect their property. Mr. Doherty referred to the last meeting where Mr. Sargent spoke of trying to farm the property and complaints being filed due to noise. Mr. Doherty went to the city and stated that between the hours of 9 am and 10 pm at night, you can do what you please on your property. He also inquired if he could farm the proposed property if he were to purchase it. He was told he could. He then stated that someone can file a complaint. Mr. Doherty went to the police department and was told that there is one complaint on record stating that the officer told Mr. Sargent that he did not have to stop working his land, he was just notifying him of a complaint. Mr. Doherty explained that the land is farmable. Mr. Doherty went on to explain that the current neighborhood is a nice neighborhood where they want to live their lives in peace.

Flint Christensen – 326 N State St Shelley, ID 83274. Mr. Christensen expressed the opinion of allowing property owners to do what they please with their property unless it can be proved that it will be negatively impactful to others. Mr. Christensen stated that it is hard to say that the East Oak Street residents would not be negatively impacted, but if concessions can be made, he is for it.

Judy Banks – 370 E Oak St Shelley, ID 83274. Mrs. Banks has lived at her residence for twelve years and is known as the neighborhood nanny. She has taken care of a large number of children in the neighborhood. Mrs. Banks resides on the left side of East Oak Street, where the fencing is falling down. She expressed that she does not know if the residents will be able to afford to replace the existing fencing. Mrs. Banks is concerned about privacy if the fences fall down. She then stated that there has been an increase in crime with all the new homes built in Shelley. Mrs. Banks was very emotional and expressed her love for her neighborhood. She explained that she is recovering from a recent operation, and she sits in her living room and looks out onto the street, and sees a lot of kids playing in the street. She is concerned for their safety. Mrs. Banks also stated that she has yelled at residents speeding through East Oak Street, expressing concern for one corner, directly mentioning one residence in particular. Mrs. Banks expressed the need for a speed limit and a speed bump. The committee urged the residents to work with their community and approach the council. Mrs. Banks' main concern is the safety of the neighborhood and the children. She believes there is a better way for the proposed plans.

Shane spoke up to comment that he does not hold any of the residents responsible, referring to his earlier statements, unless they individually are responsible. He expressed that he is hurt and worried. He then gave Bryan Sargent time to close.

Mr. Sargent spoke about the potential impact the proposed plans may have. He then spoke of when his parents owned the property. Mr. Sargent's parents did not oppose the Rawley subdivision when it was proposed, and he can relate to the impact spoken about previously. Mr. Sargent has also felt the impact. He mentioned that he has witnessed the properties go up around him, and he feels it is

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

unfair that he is now unable to do what he wants with his property. Mr. Sargent then reminded the committee that the previously mentioned Rowley plat was amended, changing from larger homes to government-subsidized housing. Mr. Sargent does not feel that what he is proposing is much different than what has already been done. He then commented that the city will ensure that all the necessary studies are done. Mr. Sargent stated that he is asking to rezone with a special use permit and build within the established rules put in place by the city. Mr. Sargent corrected and stated that the proposed plans are not for a subdivision. He would like the proposed plans to be a subdivision, but this is not possible due to Spud Alley not being a public road. Mr. Sargent explained that Spud Alley is a railroad right of way to which he has an insurable easement. If improvements are necessary, that will be determined if a traffic study is done. Mr. Sargent stated that he would like to improve the railroad crossing, but that is not in his control. Mr. Sargent mentioned the twenty-foot buffer that is required in city code 10-13-6 (C) (1) A mobile home park shall observe a twenty-foot setback from all the abutting property. He then mentioned that an obscure fence would also be required. This would be Mr. Sargent's responsibility to ensure that the proposed plans would be self-contained. Mr. Sargent argued that although the proposed plans are for a heavy commercial zoning that a mobile home community is a buffer between the heavy commercial to the north and the residential to the south. Mr. Sargent addressed the concern of this later being changed into a heavy commercial business, stating that he has no intentions of doing that, mentioning it would not be feasible. Mr. Sargent talked about the mention of increased crime with the proposed plans, but said that crime already exists. Mr. Sargent commented that manufactured homes on permanent foundations already exist on East Oak Street. Mr. Sargent reiterated that in the proposed mobile home park, he will be able to control the rules, stating that he will have more control than the city has within the city limits. Mr. Sargent mentioned that the city is mindful of the railroad crossing and is working toward widening it. He said that he would be willing to pay for the widening of the crossing, but the railroad will not allow it. The proposed plans will be a slow process. Mr. Sargent recognizes the impact this will have. He stated that he is trying to make the best use of his property within the city code.

Shane asked Tori to read the public comment that was submitted via email:
Good afternoon! My name is Colby Hatton. I am a resident of Shelley living at 825 Kelley Drive. I'm currently out of the country working on a construction project in Antarctica, which makes attending the Planning and Zoning meeting tomorrow logistically impossible, but I feel it's important I give a testimony in favor of rezoning and approving new housing in Shelley. Below is my testimony. Let me know if you need anything else from me. Thanks!

Since the 2008 financial crisis, when I was in 5th grade, Shelley as a town, and the US as a nation, essentially stopped building new housing of any sort. Due to factors beyond the control of those now looking to buy their first home and start a family, housing prices have skyrocketed, and we're now feeling the brunt of it. It's nearly impossible to find a starter home to buy or rent for a reasonable price, pushing those who grew up in Shelley away. This is unfair to us, and it's ultimately a huge loss for the city and our community. More than anything else, the key to creating affordable housing for new families, young professionals, and workers is increasing our supply of available housing, especially starter housing. This is exactly what this new development will bring to the city. I plead with the council to think of those who will be most affected by our city's refusal to build

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

desperately needed housing and not cave to the pressure of the minority of antagonists to this housing in this hearing tonight. Those who need the housing and would benefit most by it, by definition, can't be here tonight, so you'll only hear overwhelmingly negative feedback and not the positive testimonies of those who would benefit and contribute to our community. We can push our families away and build walls, or we can embrace those families who grew up here and build a home for the next generation of Shelley. Thank you.

Mrs. Baron requested to make one more comment. She stated that there are hundreds of houses already approved to be built in Shelley. She said that just east of East Oak Street, there are three hundred and sixty homes approved to be built. We have not fully realized the impact of this yet. She argued that it is not like there is no housing already being built.

Shane closed the public hearing and thanked everyone for the comments.

Shane stated that he will be recusing himself from voting, but objectively, as a planning and zoning committee, they are not attorneys or engineers. This is only the start of the process. Shane argued that Mr. Sargent is listening to the concerns and is adjusting his proposed plans.

Aaron suggested installing two rows of speed bumps to deter traffic on East Oak Street.

Paul argued that this does not address the current issue.

Shane said that what needs to be determined is whether this is permissible. Heavy commercial use against residential is not unless it is being designated for the land use. Being designated for modular home park use makes it permissible. As a modular home park, the lot sizes would be similar to East Oak Street, mentioning that this would almost be a continuation of East Oak Street, arguing that it would almost be a gated community with potentially a park and a place for a garden. In the future, if Mr. Sargent allows it to be opened up to the public, it would be a great place for the kids to play and entertain themselves, not on the canal bank. From Shane's perspective, he sees multiple angles and has concerns about the traffic on Spud Alley, not East Oak Street, stating that this would directly impact him. Shane would trust the system and leave this issue up to the engineer.

Paul said that he is all for the proposed plans, excluding Spud Alley, because there is too much traffic. Paul mentioned that he feels that something needs to be worked out with the railroad. He explained that to gain a railroad crossing, the city would be required to give up three. Paul referred to a comment his neighbor makes frequently, "Hey, welcome to Idaho, nobody cares". Paul mentioned that they should allow Mr. Sargent to get a return on the investment he is proposing. Paul suggested moving forward to get a traffic study and allow the council to determine how to best address the public's needs.

Aaron commented that there are properties available all over Shelley, including new construction and open lots. He argued that not one of the said properties could be as affordable as what has been proposed. Aaron stated that he looked through Zillow and the cheapest house he found around Shelley was \$430,000.

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

Shane then mentioned to Mrs. Baron that he would like to see her on planning and zoning. He encouraged her to talk to the council member who oversees the committee. He commended her for doing her research. Shane then explained what the process of the planning and zoning committee is to recommend to the city council.

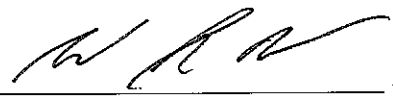
Aaron motioned, and Paul seconded to recommend approval of items A-E on the agenda:

- A. Consider rezoning 335 N State St, Shelley, ID 83274. RP Num: RP2047202 (T1N R37E SEC 28 SHELLEY BLK 36 T-15412 LESS T-10584) from (R1) single-family dwelling to (HC) heavy commercial with a special use permit for a manufactured home park and one single-family home to remain on the property.
- B. Consider rezoning 345 N State St, Shelley, ID 83274. RP Num: RP2047101 (T1N R37E SEC 28 SHELLEY BLK 35 T-6568) from (RA) residential agriculture to (HC) heavy commercial with a special use permit for a manufactured home park.
- C. Consider rezoning 355 N State St, Shelley, ID 83274. RP Num: RP2047102 (T1N R37E SEC 28 SHELLEY BLK 35 BLK 35 S OF RR LESS T-6568, T-17764) from (RA) residential agriculture to (HC) heavy commercial with a special use permit for a manufactured home park and one single-family home to remain on the property.
- D. Consider rezoning parcel RP Num: RP2112721, 422 E Oak St Shelley, ID 83274 (T1N R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 22) from (R1) single-family dwelling to (HC) heavy commercial with a special use permit for a manufactured home park.
- E. Consider rezoning parcel RP Num: RP2112720, 420 E Oak St Shelley, ID 83274 (T1N R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 21) from (R1) single-family dwelling to (HC) heavy commercial with a special use permit for a manufactured home park.

to council with the condition of an infrastructure and traffic study. Three in favor approved unanimously, motion carries.

Aaron motioned, and Paul seconded to approve the minutes of the Planning and Zoning meeting held on March 19, 2025, as written. Approved unanimously. Motion carries.

The meeting was adjourned at 8:32 p.m.

APPROVE:  ATTEST: 