

**CITY OF SHELLEY  
PLANNING AND ZONING MEETING  
MINUTES**

August 16, 2016

PRESENT: P&Z Chairman: Leif Watson  
P & Z Members: Clayton Ward, Eric Scarr, Larry Bateman, Bryon Moore,  
Holly Tincher, and Brent Timm  
Dep. City Clerk: Beth Williams

The meeting was called to order at 7:35 pm.

Because Kevin Murray was not in attendance at that point, Leif changed the agenda order and addressed the minutes first. Eric moved to accept the minutes for July 19, 2016, as written. Larry seconded the motion; they were unanimously approved.

Leif recessed the meeting at 7:42 to wait for Kevin. The meeting was called back to order at 7:47 p.m. when Kevin arrived.

At 7:48, Leif opened the Public Hearing for applications for two Rezones and a Special Use Permit (S.U.P.). Kevin Murray, 3525 Merlin Dr., Idaho Falls, represented Carl and Judy Hansen and Betty Ritter Trust on about 207 W. Oak St. behind the residences abutting the street. Kevin submitted a map showing parcel numbers for the two Rezones and the property descriptions of each. He also submitted a colored map showing where the different zones and the S.U.P. in question were located. He requested the Rezones to use the approximately 4 acres of pastureland for R1-A (twin homes of two adjacent homes) and R2-A (twin homes of three to eight adjacent homes) and for an S.U.P. for storage units. He wanted Parcels one and two used as storage units with an S.U.P. in an RM zone, then Parcels three, four, and five as R2-A, and Parcels six and seven as R1-A. The units would be connected to city services. The storage units would only be used by the owners of the twin homes.

There was no written correspondence.

The city presentation by Beth was a caution that the only thing the Planning and Zoning Commission was to determine during the Public Hearing was whether or not to recommend to the City Council to allow the Rezones and whether or not to allow the Special Use Permit. If the S.U.P. was approved, it would need to be contingent upon approval of the Rezones. Any other part of the project would require further applications and approval from the proper agencies.

There was no testimony in support of the applications.

Three spoke for uncommitted testimony. Terrance Fitzgerald, 245 W. Oak St., said he had no issues with the Rezones, but he did not want the storage units out to the street. He did want it rezoned for use other than weeds and pasture.

Trevor Jolley, 161 W. Oak St., asked what type of housing would be there. He did not want low-income housing. He did not want the type of neighborhood to change.

Thane Shively, 340 Quigg Ave., said he lived next to the development. He did not want low-income housing.

There was no testimony in opposition.

Kevin rebutted. He said the storage units could be taken out so they did not go to W. Oak St. The houses would be about \$120,000 to \$138,000 per home.

Trevor said the traffic would increase with about 140 more cars coming in and out. Kevin said that the engineers reported the width of W. Oak St. was more than adequate to handle the amount of increased traffic.

Leif asked to be excused at 8:10 p.m. for a conflict in his schedule; he asked Larry Bateman to chair in his place.

The Committee closed the Public Hearing for deliberations at 8:11 p.m. They went over the maps and parcel descriptions. Clayton moved to recommend to the City Council to approve the Rezone of Parcels six and seven to R1-A. Eric seconded the motion. Clayton voted yes, it was a good addition to the city and a smart move for Shelley. Brent voted yes; it was a good use for that area. Bryon voted yes; for the same reasons; he had seen similar projects in Idaho Falls, and they were nice. Larry voted yes, it was a great thing for Shelley to continue to expand; it was land in the city and it was a better use than a horse pasture. Eric voted yes; there were many proposals for the use of that property and this would increase property values and make it so Mr. Fitzgerald wouldn't have to look at the weeds every day; he was excited the cars had to be parked on the property and not the street to make the neighborhood look better. Holly voted yes; it would be good for the community and add houses to Shelley. The vote was unanimously approved; one absent.

Eric made motion to recommend to the City Council to approve the Rezone for Parcels three, four and five to R2-A and it was seconded by Clayton. Clayton voted yes; it would enhance the look of the neighborhood and the city; and is a good thing. Brent voted yes; he agreed it would improve the neighborhood and add housing. Bryon voted yes; he agreed with the others that it has the interest of the neighbors at heart and it would provide housing. Larry voted yes; Shelley needs the housing and he thought everything was taken into consideration. Eric voted yes; he agreed with the reasons stated

by the others. Holly voted yes; it would be good for the area and the community. The vote was unanimous; one absent.

Kevin withdrew a Special Use Permit for storage units in Parcels six and seven as shown on his colored map. Storage units were not allowed in R1 and R2 zones. There were no other parcels than one and two submitted other than on his colored map. He wanted to go ahead with Parcels one and two.

Clayton moved to deny the Special Use Permit application for Parcels one and two. Bryon seconded the motion. Clayton voted to deny it; aesthetically it was not as nice; having the units in front would decrease the property values. Brent voted to deny it; it would not look as nice with them there; they should be in the back area. Bryon voted to deny it; he agreed that it would not be as good in front. Larry voted to deny it; the logistics were wrong; they should be in the rear area. Eric voted to deny it; logistically they should not be in the entrance; they should be in the back to be more appropriate. Holly voted to deny; it would block traffic view for pedestrians and drivers. The vote was unanimous to deny the S.U.P.; one absent.

Kevin asked to have a reversal for the recommendation to Rezone Parcels six and seven as R2-A to leave them as RM. Clayton made a motion to rescind the vote to recommend to the City Council to Rezone Parcels six and seven so Kevin can use them for storage units in the original RM zone. Eric seconded the motion. Clayton voted yes; the parcels were not divided as submitted; this gives them a chance to redo them. Brent voted yes; it gives them a chance to go back and do it right. Bryon voted yes; he agreed with them; they can redo it. Larry voted yes; it would let them work in the storage units. Eric voted yes; he did like the idea of having the storage units in that back area. Holley voted yes; it would allow them to utilize their space better. They voted unanimously to rescind the Rezone for Parcels six and seven; one absent.

Beth explained to Kevin that he could contest the vote for the S.U.P. with the City Council if he chose to do so.

The meeting was adjourned at 8:45 p.m.

APPROVE: 

ATTEST: 