

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

January 16, 2024

PRESENT: P&Z Member: Paul Voelker – Conducting
P&Z Members: Devan Dye, Aaron Severinsen, Kurt Edwards, Arlyn
Hendrix
Deputy City Clerk: Lisa Ybarra
ABSENT: P&Z Member Chairman – Shane Wooton

Called to order at approximately 7:30 p.m.

Paul opened the meeting.

Mike Robbins/Robbins Holding LLC – 985 N 575 E; Firth, ID 83236 - requested a Variance on 599 S Milton Ave to reduce the 30' paved driveway requirement to 20' allowing for 5' drainage on both sides of the driveway and to keep pavement away from the transformers. This would basically allow for proper drainage rather than having the drainage go into the neighboring property. Paul asked if the 30' was a state requirement because of fire engines. Jordon said it was not a state requirement, it is a city ordinance to have room for emergency vehicles. Aaron did ask if there was room to for emergency vehicles to turn. Mike said that there wasn't room regardless, they would need to back out. Devan asked if it didn't pass would he need to move the electrical. Mike said it would stay and that they would need to do some sort of a retaining wall. Aaron asked if this would be the only home that would access it or if another house be able to use it in the future. Mike said it would only be for this property. Kurt said he was reluctant to make the change for one, it falls that anyone else could come. If there are other options, we may need to look at those. Arlyn moved and Aaron seconded to deny the Variance to reduce the 30' paved driveway requirement to 20'. Approved unanimously, motion carries.

Paul began the second item on the agenda of the Public Hearing for the Rezone of Wind River Phase #5 from an R1 to an RM. Chris Street – 1016 E Presto Rd - represented his client, Platinum Real Estate Investment LLC., and spoke on behalf of owners, Jake Jolley and Brian Sargent. There is such a high demand right now because of the cost of building single residences and purchasing ground, demand

for single-family lots has plummeted and so need the multi-family for single families, single-parent families, and new families, that cannot afford to build a \$300K-\$500K homes has increased not only in the City of Shelley but in the surrounding areas. The developers feel it is the best use for this property to be rezoned to an RM Zone. It works well with this area because it is directly adjacent to the manufactured home part to the east and directly north of Cedar Apartments, which is also RM zone. They believe that it fits the area well. There is a demand for some other houses besides single-family residential. We feel that this property would fit that very nicely and feel it is the best use of the property right now and it would be a great benefit for the City of Shelley.

Favor: None

Neutral: None

Against:

Sesha Hammond – 310 N Hanson – I am directly West of the proposed of the zone change. To clarify, and if you look at the map, it's not directly close to multi-residence. In fact, if you look on the street right next to it is residential, across the street is residential, behind it which would be direction North is residential and West is also residential. There is a trailer park but there is a big canal that separates the properties. There is a natural divider, same with the apartments that are closer to Stuart. The canal is the divider between city and county. Once you pass the bridge, the road from Oak St to Hanson is shorter than the majority and not wide to accommodate the traffic. The neighbors that are surrounding all of the new development, most are single-family homes with an acre or more. You are trying to put a lot of people into a place where people have lived for years and decades and pay school taxes and everything else don't like to have a lot of people around. When you think about good for Shelley, the more people that come in, especially in apartments the more kids you have to put through the schools, and if you know, the school bond failed because people said no, they don't want to pay more taxes for build schools right now so that would become a problem and not a help for the City of Shelley and County residents and neighbors. The other thing is that there are ditches on Oak St that go on both sides and is used currently by people down the ditch way. There are concerns because we pump water out of the ditch for our irrigation which bringing in a lot of people with little kids, they will go and play with the canal in the area. The other thing, your butted right up to the County so people have farm animals. So, when he (Chris Street) says it fits the neighborhood, he wants you to look at the paper and say it fits the neighborhood but it doesn't. So, I ask please please deny rezoning this. Paul let her know that she needs to understand that P&Z will

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recommend to the City Council to either approve or deny, we don't make the final decision. Shesha continued with, well then please recommend that you do not recommend this.

Elijah Vandehei – 454 W Oak – I am directly South of the proposed development. This is going to impact me, where they have the proposed exit is essentially across my front yard. In addition to the school problems, what this is going to do for us is it's going to drastically reduce our house values. Our housing types are valued based on location and the distance from these types of communities. You have all seen the City of Shelley sewer backage problem we've had this year. We had five of them this last year. This is a facility that is going to add significantly more sewage problems than what we're seeing previously with the single-family housing. Single-family housing isn't going to produce the same level as these apartments are. In addition, this thing is going to drain because they have to cover the canal as part of the build procedure, they have to pave over the canal which now is going to increase maintenance on the canal cost but that leaves the drainage coming out of the facility leaking into our covered canal where we can't monitor it very well or into my property because my property is directly downhill from this. With single-family homes is less of an issue but when we are looking at the canal on two sides it's going to drain into the canal or one of our properties which are all connected to the canal and then connect to the river, this is kind of a serious issue when we are looking to adding extra human living waste. If you have ever lived in an apartment, you produce more waste when you have more people. This is not something we want next to our properties where we are trying to grow food. Thank you.

Lisa Rivers Gillespie – 305 N Hanson – It's right on the corner of Hanson and Oak. Our property would border it directly to the West. It would hurt the value of our house. We have lived there for 23 years, actually, I have lived on Hanson probably for over 40 years, I grew up on that road. We always knew it would be developed back there one day but we always thought it would be single-dwelling houses. I remember when they first started, back then it was called the backpack key addition. We thought they were ruining the whole neighborhood, which the roads were too narrow, the water lines were too narrow, and the sewer lines were too narrow. I was told not to talk out of emotion but that is how I am right now. We expect single dwellings to go back there, people with houses and kids and dogs, not a bunch of duplexes or apartments. We do have seven goats, a dozen chickens, and three dogs. We are barely into the County and like Sesha said, as neighbors, we work things out. We look out for each other. It doesn't fit the neighborhood, there is a canal before the trailer park, actually, there are houses

and then trailer park and the other side is single dwelling homes, the canal, and a big empty field then the Cedar apartments. It is not adjacent to other multi-family homes. I would hope you would tell the City Council not to pass this. Thank you.

Jeremiah Hammond – 310 N Hanson – I live directly West of Gillespie's who are butted up right against this. I live right across the street from them. And like it has been said before and I am not about the infrastructure. Streets and sewer and everything is too narrow and it doesn't support the area to grow as it is. And I don't think anybody, except the developer (I am actually friends with one of the developers), nobody wants growth but it is going to happen and so what we are asking is the canal like a natural boundary, it used to be the City line right there. It's a natural barrier a natural boundary from one zoning thing to another. What we are asking, except the developer is to keep the zoning the same, essentially this is an add-on to the bird addition. In our minds, if you are going to grow this and develop that and expand that, keep the zoning the same. We don't want you to spot zone. We don't want you to change this zoning right here and say oh we can take this zoning and put it in this spot right here. We are looking for single-family dwelling units right here. Paul asked if he has seen what they wanted to do, if he had seen the map. Paul showed the map and said they wanted to make four-plex that each would sell individually the whole four-plex so the investor could buy four homes. Jeremiah went on to state that is extremely more than what they don't want. Paul asked Chris what the original total for homes in that area. Chris mentioned that he believed 14 lots. Paul pointed out that they were then going to go from 14 families to 76 families. Jeremiah continued that growth is going to happen and you can't stop it but you can keep the zoning the same as what has been there for 40 years and not move a little section of zoning. Let's keep the zoning the natural barrier the same that is has been for the last 100 years and not change it, because everyone has been expecting single-family dwellings out there. Thank you

Paul thanked everyone for talking and proceeded to ask Chris Street that he, Paul, takes it that they are after economy of scale to get the most money out of this because you're going from 14 homes to 76. Aaron told him he could stand up. Chris proceeded to stand and stated that the real purpose encores the economy during development. There is also a huge need for it. People get nervous when they hear multi-family residential. There was talk about roads not wide enough, canals the ditch, the drainage, that's all been designed into Wind River Division number 5. We have a big retention pond in Wind River Division 4 that is capable of taking all the storm retention off of this division and holding that, that was designed. The widening of Oak Street and the intersection was already designed

and approved in Division Five as well. The design has already been done on all of that infrastructure, which everyone is worried about. The argument is, does it fit the area, in the zoning for RM zoning one of the criteria is it in the proximity to similar zoning, which it is. I don't think anyone can argue it's not in the proximity. The vacant lot just North of Cedar Apartments is owned by Cedar Apartments Developments it's why it is vacant. That can potentially be developed into apartment complexes. Paul asked Jordon if he has heard any plans for the vacant lot to be developed. Jordon said he has not heard anything. Paul asked what was the time frame. Chris stated that the construction would probably begin next year, next Spring. Paul asked 2025, and Chris said yes. Chris would like to get through the construction division number 4. Paul also mentions that he looked up the national average of the percentage of residential units in a city. It is 33% and we have 35% in the City and that does not include the multi-family that is going into the Parks and into Fox Crossing, so we are well over the national average. We have more than enough rental homes, I think in this town but I'll put it out that if everyone thinks they have enough information, I'll accept a motion on this whether we want to recommend or not to the City Council. Kristin asked if she could say something and Jordon mentioned that he didn't think everyone was done talking. Paul said he thought they were done.

Kristin Leslie – 297 N Hanson – My response was to how the intersection on Oak and Hanson is widening. At 4:30 today, we had an accident on the corner of Hanson and Oak. It was two cars hit a school bus today and so that intersection, and they complain all the time about our bushes or whatever that are covering that stop sign at Oak and Hanson. We cannot have anymore traffic on that intersection. To have 70 something more families coming down Oak and Hanson that is insane of how many people will be at that intersection. Even if we remove out our edges, we have horses, we have 5 acres there, we have a business, a horse business, that intersection is crazy right now. Our kids get off at that intersection and get on the bus at that intersection and I couldn't even imagine having more people at that intersection. Thank you.

Lisa Gillespie asked if there was a plan to widen Oak Street. Jordon responded that is he remembered correctly, the ditch would be covered and it would be widened. Lisa asked if then on her corner it would be widened, Jordon said he didn't think it would go all the way down to Hanson.

Daryl Gillespie – 305 N Hanson – My property borders the project and have lived there for almost 24 years. When we first bought it, Butler designed the subdivision behind there and the way it was designed was that it was single

dwelling everywhere. The lots against our place would be bigger, bigger houses, higher value. What happens if you change the zoning, what's to stop them from putting in a three-story multiple-apartment complex in that whole area. I am also worried about my property value. What happens to my security, my privacy, it all goes away. If they widen Oak Street, are they going to take out all my trees along the road, there are a lot of questions that they don't seem to answer or want to answer. I am totally against it, my property value would just plummet. Paul said to answer one of his questions, no one can build anything unless the City Council approves the entire design. Aaron mentioned that whether it's a three-story, two-story, one-story. Daryl mentioned that it is one foot in the door to be able to change it later. He brought up the apartments that are by the old King's building, multiple colors, and multiple siding, multiple everything. My security goes to crap because all of a sudden, I have eight families living in my backyard, and privacy is gone. Single houses are just 3-4 houses and you can deal with that. You put eight families back there that is a whole different story.

Randy Walton – 355 W Oak St – I am wondering about the road widening because a County Grader came down my road the other day and I haven't seen a City plow in those six years but I'm supposed to be in the City. If you widen it, are you going to take my property. On the County side, there is not enough room on that road, it is not wide enough so the people that live across the canal, are you going to buy their property to widen that road because that road is not wide enough. I build roads for a living and that road is not wide enough to hold 76 more families. There is no way in hell, no way.

Devan mentioned that he likes that people who own the property to be able to do what they want but I guess I am more in favor of the traditional of what was approved at the beginning. The widening of the street is going to happen no matter what. There is a Variance they will take so that right there is going to happen, water and everything is going to get done with what the engineer has. Personally, Devan knows that investment-wise it's a good thing to you but personally he does not see it for that area.

Aaron mentioned that you can't definitely can't stop the growth but there is a smart way to have growth. It definitely has to be controlled but you can't stop it but it definitely can be controlled. Aaron does think it is too much for that area especially since the other ones are adjacent too. He knows that that is part of the selling factor of it but also thinks it is part of why it wouldn't be a good idea because there is already going to be multi-family in that area and so I don't like it in that area.

Paul closed the Public Hearing.

Kurt thinks there is definitely a concern where everywhere around this new addition is a single-family homes already. He thinks it would probably be a different discussion if there were apartments right up to that line but where it's already single families, he agrees that it would take down the value of the home popping multi-family homes right in the middle of it.

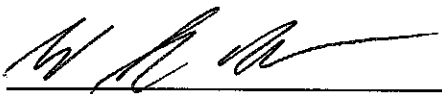
Kurt motioned for the recommendation to the Council to deny the rezoning for this area. Arlyn seconded. Approved unanimously, motion carries.

The Annex Boye/Frongner/Murphy public hearing is held off until March due to the legal description still being worked out.

Kurt moved, and Aaron seconded to approve of the minutes of the Planning and Zoning meeting held on December 19, 2023, as written. Approved unanimously. Motion carries.

Aubrey from SICOG was not in attendance. She sent an email with an update on the previous open house and also sent over notes on what to expect for the last meeting. P&Z Members reviewed it.

The meeting was adjourned at 8:20 p.m.

APPROVE:  ATTEST: 