

CITY OF SHELLEY
PLANNING & ZONING
MINUTES

March 19, 2025

PRESENT: Chairman: Shane Wootan

P&Z Members: Aaron Severinsen, Paul Voelker, Kurt Edwards, Devan Dye

Deputy City Clerk: Tori Pacheco

ABSENT: All present

Call to order: 6:30 pm

Shane opened the meeting.

Ratify – Call for public hearing to rezone 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 to heavy commercial with a special use permit for a mobile home park. A vote to call for the public hearing was made remotely over a phone call. Each committee member voted per phone conversation with the P&Z secretary. Shane, Paul, Kurt, and Devan were in favor. Aaron was called, and a message was left. He did not call back, and no vote was cast for Aaron. Four out of five were in favor.

Aaron motioned and Paul seconded to ratify calling for a public hearing to rezone 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 from single family dwelling to heavy commercial with a special use permit for a mobile home park.

Shane explained how the public hearing would be run. He stated that Bryan Sargent would present his plans for the property, and then anyone opposed, in favor, or neutral would be allotted 2 minutes to speak.

Shane opened the public hearing.

Bryan Sargent, located at 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 mobile home community and to allow the two existing residences to remain on the property. Mr. Sargent presented plans for his property, which currently contains two existing residences. The properties are zoned as follows: Single-Family Dwellings at 335 N State St and Residential Agriculture at 355 N State St. Single-Family Dwelling located at 420 E Oak St, Shelley, ID (parcel #RP2112720, TIN R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 21) and another parcel (address to be determined, TIN R37E SEC 28 ROWLEY ADDITION BLK 1 LOT 22). During the meeting, Mr. Sargent shared that most of the property has been in his family for 30 years. He grew up in one of the homes and graduated from Shelley High School. He explained that Spud Alley is considered a railroad easement, not a city street, and is not owned by the city. Residents north of his property use Spud

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Alley as a service road. Due to this situation, he stated that it is not possible to exit a subdivision onto an easement, meaning the property cannot be subdivided into lots. City ordinances prohibit subdividing the property and exiting onto the railroad easement. Mr. Sargent mentioned that he purchased the two parcels on East Oak St. as a precaution in case he needed an additional access point. He stated that the only possibility for subdividing the property would be through an R1 (single-family dwelling) subdivision, which would require all traffic to exit onto East Oak St. However, this is not his preferred plan. Currently, the property is zoned RA (residential agriculture). Because city code does not permit spot zoning, his options are limited to R1 (single-family dwelling) and HC (heavy commercial) zoning. He expressed a willingness to consider RM (multiple residence) zoning if the committee approves it. To proceed with any development, he would need to install a lift station, which would cost between \$300,000 and \$400,000. A septic system would not be permitted, though the two properties currently have septic tanks that are grandfathered in. Mr. Sargent noted that East Oak St. was originally built with government funding as one of the first affordable housing developments in Shelley. In support of his proposal to the city, Mr. Sargent explained that to justify the cost of the lift station, he would need to build at a higher density. He believes there is a significant need for affordable housing in Shelley, noting that the average home sold in the area in 2024 was approximately \$400,000. To afford these homes, an individual would need to earn around \$150,000 to \$175,000 per year. Mr. Sargent mentioned that his rental properties generate between \$2,000 and \$2,500 monthly. Mr. Sargent stated that he is trying to create an attraction for businesses to come to Shelley. He provided further details about the easement on East Oak St, explaining that he prefers his residents to exit onto Spud Alley. Additionally, he plans to add an access road on the property to facilitate snow removal during the winter. There would be an onsite manager on the property to manage the park. Shane asked Mr. Sargent to address the difference between a mobile home park and his proposed plans. Mr. Sargent stated that he plans to include tiny homes as well. His goal is to rent his lots to every person who can go and purchase a home. The homes are considered personal property. Mr. Sargent plans to create park rules and enforce them. 70% of mobile home owners own their homes due to affordability. Mr. Sargent projects that homeowners' monthly payments would fall between \$1,300 and \$1,400. He specified that the lots would not be allowed to be subdivided. During the committee meeting, he requested that the public be allowed to ask him questions. One resident raised a concern about the guarantee that he would not sell the property and change the rules. Mr. Sargent responded that the assurance would be the same as that of any residential property on East Oak St. being sold. He mentioned that this project would cost approximately fifteen million dollars, emphasizing that he would not invest such a large amount only to sell the property later. He also expressed his desire to make the special use permit permanent. Another resident inquired whether there would be some form of gate or barrier on East Oak St. to prevent it from being used as a through road. Mr. Sargent explained that he had spoken with the fire marshal and that it could be possible to install breakaway gates on the two lots along East Oak St., though he personally felt that such gates were unnecessary. A different resident asked about the possibility of moving the access to go over the canal rather than using East Oak St. Mr. Sargent responded that he had researched this option, but he could not access the road on the other side since he does not own that property. Paul asked whether the homes would be on wheeled frames or placed on permanent foundations. Mr. Sargent confirmed that they would remain mobile. Another resident asked if the access on East Oak St. would be designated for city use only. Another resident

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pointed out that there would be a large number of people using Spud Alley, and that would require a new light on State St. A resident inquired whether Mr. Sargent would permit subletting, to which he replied that it could be a possibility. There was a question regarding the acceptable age of homes in the park, and Mr. Sargent indicated that he would enforce a sunset clause, allowing only newer homes. A resident asked if, in cases of subletting, the rules would still be enforced. Mr. Sargent confirmed that the rules would remain in effect. Mr. Sargent explained the history of mobile home parks and explained that that is not the plan he has for his proposal. A member of the public asked about the rental cost for the homes and the parking spots. Mr. Sargent stated that it would cost between \$1,300 and \$1,400. A resident expressed that they found this amount unaffordable. Another resident questioned how many additional police officers would be required to patrol the new mobile home park. Paul noted that there are currently 360 homes approved for development in Shelley. A resident pointed out that they could rent a home in Shelley for less than the proposed rates. Mr. Sargent disagreed and referenced the current rental prices of his other properties. The resident then stated that this price is not affordable housing and then raised concerns about how it would affect the East Oak St. neighborhood. Another resident inquired whether the access roads would be wide enough for fire trucks. Mr. Sargent confirmed that they would be. Water pressure was brought up, and it was stated that Mr. Sargent would comply with all city building codes. Mr. Sargent addressed the committee again, proposing a permanent special use permit and the installation of breakaway gates with signs indicating an emergency exit only. A resident then asked about the traffic plan if congestion became an issue on East Oak St. Shane stated that this concern would be a matter for the council, as the city ordinances are in place to address such issues. Jordon added that a traffic study may be required if the engineer deems it necessary. This is just the beginning of the process to rezone the properties.

Shane then closed the question-and-answer portion of the meeting.

Sherrie Baron – 274 N Milton Ave Shelley, ID 83274 She is directly affected by the proposed plans. Mrs. Baron stated that the proposed plans to be rezoned as HC (heavy commercial) must first qualify. Mrs. Baron referred to city code 10-5-2 (H) Heavy Commercial District (HC)--The purpose of the HC District is to provide for the location and development of businesses and service establishments which are incompatible with the CB District in that they involve enterprises which depend primarily on motorized vehicular traffic and require outside activities, relatively large lot sizes and easy highway access. These districts are normally located along highways leading into the City and are characterized by buildings set well back from the right-of-way. Mrs. Barson stated that this is not easy access to the highway. Mrs. Baron then stated that for the property to be rezoned as heavy commercial, it must first qualify. She then read that HC (heavy commercial) is intended for businesses with heavy vehicular traffic and easy access to the highway. The two lots on East Oak St. do not qualify. Once the property is zoned as heavy commercial, any heavy commercial business could move to the property. Legally, a heavy commercial business could be right next to two homes if approved. The only current access is through a residential neighborhood, which does not provide easy access to the highway. In the City code, it says a residential road is designed to discourage through traffic. Also purposed a private road be added. She then talked about city code 10-8-6 (C) (4), which states that if the private road or easement provides access to any residential building, then the private road or easement may provide access to only one residential building. Mrs.

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Baron said that a mobile home park would have multiple residences and that a private road could not be built for access to a mobile home park. Lastly, city code 10-9-2 (G) (1) is Serviceable by major arteries; it is compatible with existing uses. Heavy Commercial District. Location that minimizes potential traffic problems. She then stated that this property, specifically the two lots on East Oak St. do not qualify.

Ashley Countryman – 425 E Oak St Shelley, ID 83274. She is directly affected by the proposed plans. Mrs. Countryman stated that she is not opposed to manufactured homes, but she does have some technicalities based on the information that they were provided. Mrs. Countryman stated that if rezoned as heavy commercial and the plans fall through, anything permitted under HC (heavy commercial) could be built on the property. This would be right next to her property, and this would lower her property value. Her property is her biggest asset, and she doesn't want to be at risk of losing it. Mrs. Countryman said that a certified letter is required, and it was not published fifteen days before the public hearing. There were only twelve days before the public hearing. Mrs. Countryman feels there was not enough time for the residents to prepare for the public hearing. She also stated that her biggest concern is the traffic that will travel down East Oak St.. This would be detrimental to the neighborhood. HC (heavy commercial) would not be appropriate for this area. She also stated that the definition of a mobile home is created prior to 1976. Anything built after 1976 is considered a manufactured home. Typically, a mobile home park is statistically known for almost triple the amount of crime.

Sherry Martineau – 137 N Milton Ave, Shelley, ID 83274. Sherry thanked Mr. Sargent for being respectful and answering all the questions of the public and Jordon for all the information he provided. Mrs. Martineau addressed the committee and the public. She stated that she is opposed to the proposed plans not because she is against growth but because she is against having the plans happen too quickly without enough research. Our schools are nearing capacity, and teachers are stretched thin. Our resources are spread too far, and the city has approved 1,100 new homes. Mrs. Martineau passed out a spreadsheet of the approved building permits within the city limits. Sherry commented on the number of children these homes will bring. She believes it is unfair to our students, teachers, and taxpayers to add the proposed homes in addition to what has already been approved. If the city continues to approve the housing without addressing the existing problems, we are setting ourselves up for failure. She proposed putting a plan in place before moving forward. Mrs. Martineau also mentioned the Rockwell development.

Patsy Harker turned her allotted time over to Sherri Baron - 274 N Milton Ave, Shelley, ID 83274. Sherri quoted City Code 10-13-3 (A): Design, construction, operation, and maintenance will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and such use will not change the essential character of the area. Adding this much traffic and dense population would change the character of the existing homes on East Oak St. She also stated again that the (HC) zoning would impact their homes. She then quoted Title 10-10-3 (C) and (D) Be designed constructed, operated and maintained to be harmonious and appropriated in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as far as is possible; Not be unduly hazardous or disturbing to

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existing or future neighboring uses. She said that the proposed plan would be unduly hazardous to the neighborhood. She also stated that the traffic would not exit onto North State St as proposed and that two accesses are required. Lastly, she stated that the lots on East Oak do not have a total of acres and do not qualify as a mobile home park. Shane then clarified that the two lots are included as a whole with the other properties, which would be all used for the mobile home park. Shane then stated that a mobile home park is only permitted in an HC zone. Sherri then again stated that this would be unduly hazardous. Sherri then reiterated that a private road must lead to one residence, as stated in the city code.

Rick Malan – 327 E Maple St Shelley, ID 83274. Rick stated that he has been involved in this for a long time. He considered purchasing the Rowley property but found that it would require a lift station. He feels for Bryan Sargent for purchasing the property and now dealing with the problems that came with the purchase. He mentioned that it doesn't affect him; it only affects Mr. Sargent because of his choices. His biggest concern is dealing with the highway and getting the traffic out. He feels we do not have the adequate means to deal with this problem with the proposed plans. He then commented on the traffic on Center St with school buses. To add this amount of people is his main concern. He brought up the concern of feral cats and noise. He then mentioned that the residences proposed would not have one car per home. He suggested that Shelley doesn't have the infrastructure required for the current plans.

Judy Sensabaugh – 483 S Holmes Ave Shelley, ID 83274. Mrs. Sensabaugh inquired if this would require more police and firemen. Shane stated that this would be a City Council question. She also inquired if the engineering issues have been decided already. Shane then said that it has not been decided yet. He stated that this is just the first step. Shane also mentioned that if this does move forward to the engineer and they say the proposed plans do not work, it will then need to start the proposed plans again. Mrs. Sensabaugh asked Mr. Sargent if the proposed plans do not get approved if he plans to use it for something else permitted in a HC (heavy commercial) zoning. Mr. Sargent stated that he doesn't have any other plans. Mr. Sargent then gave an engineering example on a separate development to show what could come up in an engineering cycle.

Elsha Parsons – 415 E Oak St. Shelley, ID 83274. Asked Mr. Sargent if he could do this proposed plan without including the two parcels on East Oak St. He stated that he is willing to cooperate with the City and extend the City services North. He would be required to include an access.

Joe Peron – 336 E Oak St. Shelley, ID 83274. Mr. Peron stated that the committee should ask their friends and family how they would feel if the proposed plans were in their neighborhood.

Glenn Russell – 369 E Locust St. Shelley, ID 83274. Mr. Russell stated that he would like the proposed plans approved. He stated that one of the reasons he feels this way is because he feels everyone should have the right to utilize their property as they see fit. He would not tell his neighbor what they could and could not do with their property. Mr. Russell feels people should respect that a little more in the world we live in today. He also sympathizes with the opposition. He doesn't live near the proposed area. In his neighborhood, there was a bridge installed that caused more traffic through his area. This caused more traffic and noise, but he

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stated that they live with this decision. He also mentioned that when the East Oak addition was going in, there were a lot of people opposed since it was government-subsidized housing. The crime rate is as high in government-subsidized housing as it is in any other neighborhood. He asked that everyone keep this in mind when they are telling people how to utilize their property.

Jedediah Russell – 365 E Oak St Shelley, ID 83274. Mr. Russell stated that he lives right on the main road of the proposed plans. He agrees with Mr. Glenn Russell that everyone should do with their property as they see fit. He feels that the concerns brought up do not warrant a rejection of Mr. Sargent's proposed plans. The concern that he does have would be the increased traffic. He has two small children, and they are homeschooled. He also stated that his children spend a lot of time free playing in their front yard. The increased traffic would cause concern, but he understands that the East Oak St. Access would be blocked off. He sees private roads effectively blocked off in other areas. He also does not agree with the concern of overcrowded schools and increased crime. He stated that manufactured homes are a mixed bag largely dependent on management. Previously, he lived in Meridian next to a manufactured home community that was very well kept. He then said that his next concern would be if the property were to be sold, if the easement could be opened up and used as a private road. Mr. Russell understands that his home value may decrease, and if it does, he believes in a person's ability to develop their property how they want.

Shane then gave Mr. Sargent ten minutes to entertain questions and address concerns. Mr. Sargent stated that it is healthy to have conversations and find a middle ground. He does not take any offense to any of the opposing statements. Mr. Sargent stated that the city code requires a buffer zone. He is trying to create a buffer between the existing HC (heavy commercial) and R1 (single-family dwelling). He feels that the proposed plans are a good buffer between the two. Traditionally, when you see apartment buildings, they are a buffer with apartments in front and businesses behind. He is attempting to create a buffer. He would prefer a permanent special-use permit. He has no intention to sell the property. If the committee agreed to it, he would ask for the special use permit to be permanent and carried through to the next owner. He recognizes the impact that this would have on the utilities, and the City has plans for the future. He would not do anything else with the property due to the financial impact the proposed plans would have on him. He will be enforcing the community rules he will create. He will have more recourse than the City currently because it is private. He believes that he will not have much turnover due to good rates. They will be more likely to follow the rules. He plans to maintain all of the grass on the property, which will be included in the lot rent. A member of the public inquired about Mr. Sargent's willingness to police the noise complaints and misuse of fireworks. Mr. Sargent commented that his insurance will not allow for a dog over a certain weight. Another person asked if Mr. Sargent would be willing to decrease the number of trailers. He said that with the cost of the lift station, it would not be possible to keep it affordable to the residents. Another resident stated that they would prefer not to have a lift station next to her house. It was stated that the lift station would be underground. A fence was suggested. Mr. Sargent stated that it is required in city code that a privacy fence be installed all around the property. Mr. Sargent commented that the members of the committee and the city crew have the city's best interest in mind. They follow the city code. It was brought up about moving the access north. Mr. Sargent stated that it could be a possibility, but it is not his

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property. Mr. Russell asked if the road on East Oak St. is a private road and if there was more than one access into East Oak St. It was stated that Mr. Sargent is concerned about keeping the public out of the access off of East Oak. There was an inquiry about the safety of East Oak St. It was suggested that they approach the City Council. A resident inquired if the proposed homes would be on permanent foundations. It was stated that they would not. There is a concern of property value decrease. The proposed plans would be considered personal property, according to Mr. Sargent. It was asked if there is no other options available. Mr. Sargent stated that he couldn't find any other option without purchasing more land or costing more money. Shane talked about the comprehensive plan that was redone in 2024. In the working of the comprehensive plan, it was determined that in the City of Shelley, the community wanted more commercial growth. Shane stated that more affordable housing is needed in Shelley. He then gave an example of a business that decided not to build in Shelley due to not enough housing and workforce.

Shane closed the public hearing.


Aaron commented that he feels that the proposed plan would benefit the city to expand the sewer and water. Devan inquired if it is possible for a one-way street at the end of East Oak St. Shane stated that it could be possible based on a traffic study and the fire marshal. Aaron commented on the need for affordable housing. Shane brought up that the dates were not met for the posting of the public hearing. Shane recommended that the proposed plans be tabled until next month. Shane feels like the committee does not have adequate information to make a decision.

Aaron motioned and Kurt seconded to table the public hearing for 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 mobile home community and to allow the two existing residences to remain on the property, to allow for more research and adequate notice time. Approved unanimously, motion carries.

Paul 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.

Kurt motioned and Devan seconded to approve the changes recommended by the City Attorney to Title 10-2 Definitions and 10-13 Mobile Home and Travel Trailer Parks as written. Approved unanimously. Motion carries.

The meeting was adjourned at 8:50 p.m.

APPROVE:  ATTEST: 