

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

February 16, 2021

PRESENT: P&Z Chairman: Shane Wootan
P & Z Members: Larry Batman, Arlyn Hendrix, Jeff Kelley
Absent: Brad Miller, Clayton Ward
Dep. City Clerk: Jasmine Marroquin
City Clerk: Sandy Gaydusek

The meeting was called to order.

Public hearing for two preliminary plats for The Parks Subdivision.

Blake Jolley with Connect Engineering 1150 Holley Park Dr Idaho Falls, ID

We are presenting two preliminary plats for the parks subdivision one is for zone R1a and one for zone RE. We have made a little adjustment we have removed a lot of cul-de-sacs added more storm water retention. An updated plat was submitted.

Floor opens to those who are in favor: None

Floor opens to those who are neutral:

Aaron Severson 883 E 1300 N Shelley, ID

Would I be able to purchase some lots and remove them from city limits? Mr. Severson was informed that he would not be able to remove them from city limits. Mr. Severson then asked if he would be able to purchase some lots and not develop them? Chairman Shane let him know that would be something he would have to discuss with the developer. It would depend on the HOA and or restrictive convenance.

Floor opens to those who are against: None

Chairman Shane asked if there were any written comment?

Sandy read written comments:

Mike Richardson 494 E Center St Shelley, ID

We have heard that the property next to us is going to be developed and there is a road that runs between our shop and that property. We have heard that the road is going to be turned in to a greenway. We need to have access to that road so we can get our trucks and equipment into our yard. We have a gate that accesses that road as well as a shop door that exits onto that road. We would still need to be able to utilize that area so that we can continue to access our shop as well as the back portion of our property.

Department of Environmental Quality has reviewed the subject document and would like to offer our general recommendations for land development projects. Engineering, Air quality, Surface water quality, Hazardous Material and Petroleum Storage recommend have be filed.

Bingham County Public Works

Both Center St (1300 N) and S Lincoln are in the City of Shelley jurisdiction. This property will be annexed by the City of Shelley prior to the hearing date for the preliminary plat. Therefore, Bingham county public works has no comment at this time.

Snake River Valley Irrigation 816 N 700 E Basalt, ID

Required to provide SRVID with sub application and must be approved by SRVID bord for all phases. Map of how each RP will be receive water and easement form canal bank to point of delivery. HOA pay all assessment.

Rocky Mountain Power 852 E 1400 N Shelley, ID

15' utility easement required on the front and side of each lot on the roadside.

A system impact study will be required in order for RMP to determine if any system upgrades will be required to feed the development of this size. This study will take approximately 45days to complete once RMP receives the official customer request form the developer. A fee may be required depending on the extent of the study.

David Romrell Bingham County Surveyor

Where this is a preliminary plat subject to changes, I did not do a through review but did notice that at the southeast corner there is a note that states parcel is not based on record data they need to make sure they are following title lines as you cannot plat what you do not own. If title and occupation lines differ this needs to be addressed prior to platting.

Forsgren Engineering

Required actions lot sizes do not meet minimum requirement s per ordinance 10-9a-3 and 109b-3

Please revise to show correct designation for proposed zoning

Please identify areas used for common area use.

Public hearing closed.

Jeff motioned to approve the preliminary plat for The Parks per plat submitted tonight for the town homes. Arlyn seconded. Roll call vote was taken Shane- yes, Jeff- yes, Arlyn- yes and Larry yes unanimous yes with Brad and Clayton absent.

Jeff motioned to approve the preliminary plat for The Parks zoned RE per plat submitted tonight.

Larry second. Roll call vote was taken Shane- yes, Jeff- yes, Arlyn- yes and Larry yes unanimous yes with Brad and Clayton absent

Public hearing for rezone for several parcels along S. Emerson Ave.

We were called to consider rezoning parcels along side S Emerson Ave to single family.

Floor opens to those who are in favor:

Gary Grass 155 W Fir St Shelley, ID

Would I be able to purchase a parcel behind my property and combine it with my parcel and build a shop if rezoned? He was informed yes, he could but would have to make it one lot.

Floor opens to those who are neutral: None

Floor opens to this who are against:

Troy Clayton with BMT Investments 4322 E 49th S Idaho Falls, ID

We purchased the property in 2005 or 2007 as an opportunity to build apartments. We purchased the property at multifamily value for about \$127,000 at the time there was a home on the property that burned down we paid to remove the home and cleaned up the lot. Several years ago, we asked the city if we could build two 11-plexes and we were told yes, we were zoned correctly. I understand that a 22-door apartment complex is not what the city wants and we are willing to work with the city.

Mr. Clayton gave two plans to the P&Z showing four four-plexes and one duplex on one plan and three townhomes with garages on another plan. Sandy asked Mr. Clayton if he would be renting or selling the townhomes as individual ownerships. Mr. Clayton replied renting then but could possibly sell them. However, Jeff said they could not be individually sold unless each one has access to a public street and there was not room for a public street in the development. Mr. Clayton asked about a PUD such as he and the Mayor had previously discussed. Sandy explained that a PUD has to be at least three acres. Mr. Clayton asked about a variance and Sandy explained a variance wasn't typically used for this type of scenario, but was used for setbacks in hardship cases. Mr. Clayton said that the rezoning of his property would be very hurtful to him and would be a huge financial lost. Arlyn asked why the property has not been built upon if they bought it in 2005 or 2007. Mr. Clayton replied life happened we all know what happened in 2008. Jeff said his mind was made up, that there are single family dwellings all along that street with Basic American across the road, a church, and the Bingham County Shop. Sandy said there are no multifamily facilities that exist on the properties being considered. Shane said it should be rezoned because what it is currently zoned does not fit the area. Shane stated that the rezone this matter was brought back to the P&Z was that they recommend to rezone all the parcel but Mr. Claytons and you cannot do that; you have to hold an additional hearing if you change what was published.

Jeff motioned to rezone the parcels along S Emerson Ave to R1 single family dwelling. Arlyn seconded. Roll call vote was taken Shane- yes, Jeff- yes, Arlyn- yes and Larry yes unanimous yes with Brad and Clayton absent.

Variance Request for 714 S Milton Ave Shelley, ID

Brian and Michelle Anderson would like to put a shop on our property. The setbacks are made for square parcels ours is triangle we would like to request a variance for less than a 20 ft set back.

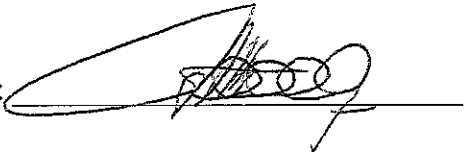
Meeting will continue via zoom February 18, 2021

Approval of the minutes for January 19, 2021

Arlyn motioned approval of the minutes as written. Larry second unanimous yes.

A roll call vote was taken: Clayton second Larry-yes, Shane-yes, Arlyn-yes, Jeff-yes unanimous yes with Brad and Clayton absent.

The meeting was adjourned.

APPROVE: 

ATTEST: 