



COALVILLE CITY PLANNING COMMISSION MEETING NOTICE AND AGENDA

Notice is hereby given that the Coalville City Planning Commission will hold its Regular Meeting on **Monday, September 21, 2020** at the Coalville City Hall, 10 North Main, Coalville, Utah. The meeting will begin at **6:00 P.M.** **Due to the Covid-19 restrictions, masks must be worn for attendance at the meeting and social distancing rules will apply.**

1. Roll Call
2. Pledge Of Allegiance
3. **Public Hearing:** Review, Discuss, Receive Comment, And Possibly Take Action On The Proposed Escapod Trailers Zoning Amendment To Change The Current R-2 Residential Zone To CC Community Commercial Zone For The Property Located At 627 South Main
4. Planning Commission Updates
5. Review and Possible Approval of Minutes
6. Adjournment

** Coalville City reserves the right to Change the order of the meeting agenda as needed.*

Dated this 18th day of September, 2020.


Nachele D. Sargent, City Recorder

****In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Hall (435-336-5981) at least three days prior the meeting.**

Posted: September 18, 2020 City Hall, Coalville City Website, Utah State Public Notice Website

Mayor

Trever Johnson

Council

Cody Blonquist
Philip B Geary
Rodney Robbins
Tyler Rowser
Don C Winters

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Coalville City Planning Commission
Regular Meeting
Held On
September 21, 2020
In The
Coalville City Hall

Chair Linda Vernon called the meeting to order at 6:00 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Chair: Linda Vernon
Commissioners:
Tonja Hanson, Jeff White
Dusty France (excused)
Tim Bristow (excused)

CITY STAFF PRESENT:

Shane McFarland, Community Development
Nachele Sargent, City Recorder

PUBLIC IN ATTENDANCE:

Chris Hudak, Jay Wood, Ed Keyes,
Walter Yates, Margarita Richins,

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge of Allegiance:

Chair Linda Vernon led the Commissioners, Staff, and Public in the Pledge of Allegiance.

**Item 3 – Public Hearing: Review, Discuss, Receive Comment, And Possibly Take Action On
The Proposed Escapod Trailers Zoning Amendment To Change The Current R-2
Residential Zone To CC Community Commercial Zone For The Property Located At 627
South Main:**

Shane McFarland stated the property at 627 South Main was currently operating under a Conditional Use Permit for Chris Hudak, Escapod Trailers LLC, in the R-2 Residential Zone. He stated historically, this property had been a commercial use. Shane stated Mr. Hudak wanted to improve the site and have the Zone be consistent with the use. He stated they have already put a lot of effort into the existing buildings and the likelihood of the property changing back to residential was very slim. Shane referred to the Staff report (Exhibit A) and reviewed the standards for decision for the Application. He stated typically spot zoning would not be approved, but it made sense to consider this request as the property

has always operated as commercial and the rezone would be consistent with the use. He stated the parcel was 1.27 acres. Shane stated changing the Zone would allow Escapod to expand and grow their business which would benefit Coalville City.

Chair Linda Vernon opened the public hearing at 6:11 P.M.

Chris Hudak – Applicant

Chris Hudak stated he didn't necessarily see this as changing the Zone as it had always been used as Commercial zoning and that probably should be the zoning. He stated he wasn't asking to tear down a house and build a commercial building. It's been a car dealership since the 1930's with an auto body shop and other past uses. This was more preserving the value they had put into the property. They wanted to know that after putting all this money into it, no future Planning Commission could deny someone a Conditional Use Permit. It would allow them to use the property to its fullest and continue improving it. Mr. Hudak stated it was just some paperwork that needed to be done on the property that probably should have been done a long time ago.

There were no public comments.

Chair Linda Vernon closed the public hearing at 6:15 P.M.

Commissioner Tonja Hanson questioned why they didn't do this initially and what opportunities changing the zone would provide for the business. She stated it made sense historically and she wasn't sure another Planning Commission could overturn the CUP as it ran with the land. Chris Hudak stated it was faster to do the CUP at the time. He stated they were in the process of purchasing the property and they needed to verify they could do their business there. He stated they stated their long-term plan was to change the zoning. Mr. Hudak stated the business was growing and they needed more manufacturing space. They would currently have to follow the R-2 Residential guidelines and they wanted to be able to follow the Commercial guidelines. Shane McFarland stated the R-2 guidelines were more restrictive. He stated the Commercial guidelines would allow them to utilize the space for the business with 3' setbacks and have more flexibility for expansion. Chair Linda Vernon stated one of her concerns was this wasn't a large parcel and a Commercial zone could allow for something with more noise and other possible issues down line. She stated she knew Mr. Hudak had been a good neighbor for the Mink Ranch to the North, but wondered if it would create an issue for a future use that could be allowed in the Commercial zone. Shane stated the Code had changed with regards to the noise and the Mink Ranch and something like that would be a Civil dispute. He stated the Code still had the Right To Farm regulations and even if the zone changed, the Conditional Use would stay with the land. He stated there were permitted and conditional uses for the

Commercial zone and anything new would need to meet those requirements. Shane and the Commissioners reviewed the permitted and conditional uses in the Code. Shane stated if the property changed hands and someone else took over the property, it was still more likely the use would continue as Commercial. Niki Sargent stated the property used to be zoned Commercial back in the 1960's and the zone was changed R-2 when the Code was reviewed in the late 1990's to what they thought the pattern of growth would be for the City. Shane stated as the City reviewed the Code and the General Plan, what was in place now may not make sense for the future. He stated there was a Future Land Use map, but that didn't change the zoning. It was meant to be used for guidance as the City looked at future uses and growth. He stated there may be a time when a cluster of Commercial uses for other opportunities made sense for the zoning at that end of town.

A motion was made by Commissioner Tonja Hanson to forward a positive recommendation to the City Council for the Zone Amendment to change the Zone from R-2 Residential to CC Commercial for the property located at 627 South Main for Escapod Trailers LLC. Commissioner Jeff White seconded the motion. All Ayes. Motion Carried.

Item 4 – Planning Commission Updates:

Shane McFarland stated he had been approached about a possible Code update for accessory structures. He stated if a property owner wanted to build a detached garage or storage shop, there was a height restriction of 16' and if the structure was greater than 16' it had to meet the primary dwelling setbacks which were 12' instead of the regular setback of 3'. He stated a lot of these structures were intended to house an RV which would require at least a 14' door which would put them over the 16' limit and they wouldn't have enough room to meet the 12' setback. Shane questioned if the Commissioners would be interested in changing the Code to allow a greater height before having to meet the primary dwelling setback to accommodate these garages. He questioned if they were interested in considering a Code change to allow something closer to 25' height restriction with the 3' setback. He stated in his own neighborhood, they could build a structure that was higher than 16' with a 3' setback and it was common in other communities, but that didn't mean they had to change it for Coalville City. Shane stated there was a recent permit that was able to meet the setback, but they had to resize the building. He stated he received 4 or 5 requests a year for this type of thing. The Commissioners discussed the issues including maybe allowing something higher depending on the size of the lot, it could block the neighbors view, the number of requests in the last year, people have made it work in the past, whether to consider the change now or wait for other updates, the frustration of being on hold with the Code updates, a 3' setback wasn't very far from the property line, maybe consider something greater in height around 18-20', it could be an inconvenience to neighbors with being in continual shadows, and maybe allowing a greater

height in certain zones. Shane stated he would wait and see if the Code revisions were continued before pursuing this possible change.

Shane McFarland stated the City Council was still waiting on the decision from the Ombudsman before making a final decision on Phase I of the Wohali project. He stated a draft opinion had been sent out from the Ombudsman, but it was being reconsidered at this time and the Wohali Partners LLC had agreed to wait for that decision. He stated the Council did a site visit to the Wohali property last week to see the proposed project layout.

Item 5 – Review And Possible Approval Of Minutes:

The Commissioners reviewed the minutes of the June 15, 2020 meeting. They discussed waiting for Commissioner France to verify his comments that were inaudible.

A motion was made by Commissioner Jeff White to table the approval minutes of June 15, 2020 until the next meeting. Commissioner Tonja Hanson seconded the motion. All Ayes. Motion Carried.

Item 6 – Adjournment:

A motion was made by Commissioner Tonja Hanson to adjourn the meeting. Commissioner Jeff White seconded the motion. All ayes. Motion Carried.

The meeting adjourned at 6:55 P.M.

Chair Linda Vernon

Attest:

Nachele D. Sargent, City Recorder



J-U-B ENGINEERS, INC.

"Exhibit A"
Planning 9/21/2020

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

DATE: September 21, 2020
TO: Coalville City Planning Commission
CC: Mayor Trever Johnson; Sheldon Smith, City Attorney
FROM: Shane McFarland P.E., City Engineer
SUBJECT: Coalville RV Holdings LLC, Application for Zoning Amendment

Application Information: Coalville RV holdings (applicant) has submitted an application to change CT-360, located at 627 South Main Street from R-2 zoning to CC zoning.

Applicable Ordinances: 10-3-080

Decision to be Made: The Planning Commission's responsibility is to recommend approval, approval with modifications, or denial of the proposed amendment. City Council's responsibility is to approve, approve with modification, or deny the proposed amendment.

Staff Comments: Staff have reviewed the proposed zone amendment and applied the standards for decision, including reviewed for consistency with the goals, objectives, and policies of the General Plan.

- Consistency with goals and objectives of the general plan – The property has been used as a commercial use for several years. It has been permitted as a conditional use. A re-zone would bring it into consistency with historical use.
- The proposed use will continue to be the same and therefore indicate that it will continue to be harmonious with historical use of the area.
- There are adequate services in this area intended to serve the subject property, including police and fire, water and waste water supply.
- Typically, a spot zone request is not approved, however in this case it makes sense to consider a zone amendment. The property has been used as a commercial use for many years and is currently under a conditional use permit, which runs with the land. This re-zone would allow consistency with the use.

Staff recommends that the Planning Commission consider the options proposed and a recommendation based upon their review and information presented.

If you have any questions feel free to contact us.



APPLICATION for
ZONING AMENDMENT, (TEXT / MAP) within
COALVILLE CITY:

For Office Use Only:

Application Date: 9-1-2020

PC Approval Date: _____

CC Approval Date: _____

Community Development Director Review Date: _____

Initial: _____

Expiration Date: _____

Denial Date: _____

Fee Paid: \$ 552.00

Receipt #: _____

Project Name: Escaped Trailers

Project Address or Area: 627 S main st.

Name of Owner: Christopher Hudak (Coalville RV holdings)

Address of Owner: 627 S Main St, Coalville UT 84017

Phone: _____

Cell: _____

Email: _____

Fax: _____

☒ Check box if same as owner

Name of Applicant: _____

Address of Applicant: _____

Phone: _____

Cell: _____

Email: _____

Fax: _____

Please include with the application:

- ☒ 1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
- ☒ 2. A complete description of the proposed use of the property where appropriate.
- ☒ 3. Reasons why the present zoning may not be appropriate for the area.
- ____ 4. If the proposed amendment requires a change in the zoning map, the application shall include:

- a. accurate property map showing present and proposed zoning classifications;
 - b. all abutting properties showing present zoning classifications; and
 - c. accurate legal description and an approximate common address of the area proposed to be rezoned.
- ____ 5. If the proposed amendment requires a change in the text of this Title, the application shall include chapter and section references.
- ☒ 6. Legal description of the property.
- ☒ 7. Three (3) copies of site plans drawn to scale, two (2) 11 x 17 inch reduced copy of each plan and elevation drawing, and an electronic format available to the city.
- ____ 8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as agent
- ____ 9. City will prepare address labels for all property owners within 450 feet of the subject property. **The cost of first class postage for each address is due at time of application.**
- ____ 10. **Filing fee of \$500 + Notification and Publication Costs due at time of application. This fee is for one initial review and a final or follow-up review. If additional costs do incur do to the need for additional fees, the applicant will be responsible for all additional fees.**

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

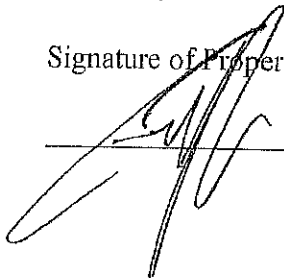
All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

If you have any questions regarding the requirements of this application, please contact the Community Development Director prior to submitting the petition.

File the complete application at:

Coalville City Hall
10 North Main Street
Coalville, Utah 84017

Signature of Property Owner or Representative:



Date Sept 1, 2020

Coalville RV Holdings LLC (CRVH) is applying to formally rezone 627 S Main St, Coalville UT 84017. CRVH purchased 627 S Main St in 2019 and applied for a conditional use permit to allow use of this R-2 zone as Commercial. We believe that the zoning of this lot should be Community Commercial (CC) as this has been the use of this property dating back to the 1930's.

Escapod Trailers (Occupant) is a quickly growing business that will continue to manufacture, sell and rent small campers from 627 S Main St.

CRVH has put a large amount of money into this property to bring the building and property up to 2020 standards, removing old oil tanks and doing a full renovation of the buildings to ensure value and safety. Given the current state of the property, we do not believe that it is feasible that this property will ever be developed as R-2 and should truly be considered CC for long term use.

