

WORK SESSION – MARCH 11, 2020
CLUB REC

Minutes of the Huntsville Town Council Work Session, held at the Huntsville Town Hall, 7309 East 200 South at 7:00 PM regarding Specific Overlay Zone for Club Rec.

Attending: Mayor Jim Truett, TCM Wendy McKay, TCM Max Ferre, TCM Richard Sorensen, Attorney Bill Morris, Casey Pratt, Paul Avner, Steve and Jaime Wayman, Mikelle Weil, PCM Larel Parkinson, Brian Saunders, Willow Buttars, Sgt. Butler

Mayor Truett started the meeting by welcoming those in attendance. He welcomed the property owners of Club Rec and the surrounding property owners. Mayor Truett stated he went to the Planning Commission Meeting and listened to the comments from the neighbors regarding the Club Rec storage units. When the Town Council Meeting was held last week, and the Town Council had to make the decision about whether to proceed with the Specific Overlay Zone, the neighbors did not attend the meeting. He wanted to make sure the neighboring property owners know the process. He is assuming the neighbors didn't know about the meeting and that is why they didn't attend the Town Council Meeting. Mayor Truett stated they tabled the decision about Specific Overlay Zone so they could get everyone in a room and discuss what the options are for Club Rec and the Town Council.

Mayor Truett stated that if the Town Council voted "no" on the Specific Overlay Zone, Club Rec could do anything they would like to do that is permitted on the Acceptable Use Table. He provided everyone with a copy of the Acceptable Use Table and asked those in attendance if they have had the chance to review the table. **(See Attachment #1)** Club Rec has reviewed the list and at the Town Council presented a couple of options that would be acceptable to them if they are not able to have boat storage. He has asked our Town Attorney, Bill Morris, to come to this meeting as well.

Attorney Morris started by complimenting the group and stated that Huntsville Town has done a great job of getting input from the public. Attorney Morris started by summarizing the situation. He stated that Club Rec has a property that is zoned C-1. He stated that Club Rec has what is called non-conforming use. It is allowable to have boat storage in the current building because the Use was in existence before the Acceptable Use Table had changed. Club Rec would like to expand the use by adding an additional boat storage building. The commercial boat storage is currently not allowed per the use table. This would be an expanded use and not allowed. There are uses that would be allowed for Club Rec. Attorney Morris read through the allowed uses on the table and asked the neighbors about what type of use would be acceptable to them.

TCM Blake Bingham entered the meeting at 7:03 p.m.

Casey Pratt commented he was thankful everyone was here because the input from the neighbors is important to them. He stated he is sure that no development would be preferable, but they want to develop the lot.

PCM Larel Parkinson wasn't at the Planning Commission meeting so he would like to express his opinion about the storage building. He stated as he looks through the uses on the allowable use table, he feels that boat storage would be less impactful to the neighbors.

Brian Saunders asked Club Rec what allowable uses they are looking at for the use. Club Rec stated they are mainly looking at an accessory building to store all their equipment. A boat repair shop would also be very helpful for them.

Jaime Wayman asked about the noise ordinances for Huntsville Town. Beckki looked at the ordinance and it is 8 a.m. to 10 p.m. Jaime is also wanting to know what happens to the use after they sell the building. TCM Blake Bingham replied that the new business would have to apply for a conditional use permit, but they could do anything the use table would allow for that zone.

Brian Saunders stated he is the only neighbor that expressed concern about the lights. Club Rec responded they have reconfigured the design to mitigate that concern. Paul Avner explained the site plan of the additional building. Basically, the building would face east and west. The boats would enter on 7300 East and turn left into the building. The boats would back into the bays and then exit toward their old building and turn out onto 100 South.

Casey Pratt would like to address the issue of the size of the building. He stated the reason the building is the size that it is, is to make sure they can put everything inside the building.

Brian asked if there are doors to the breezeway. Paul Avner stated that there will be barn doors and fully enclosed.

Willow Buttars asked about the size of the buildings. Paul Avner said that the old building is 69 feet (east to west) and 120 feet (north to south). The new building would be 120 feet (north to south) and 112 feet (east to west). Paul Avner stated that it would look like a horse barn and no one would know what is inside. The old building would also be remodeled to match the new building.

Casey explained they are going to try to preserve what landscaping they have there now and add more to give it a country feel. Some of the area around the buildings will be cement in order to fix a lot of the drainage.

Mikelle Weil wanted to know about signage. Paul Avner wanted to make sure that no one knows what is in the building. Mikelle wanted to know how Club Rec advertises. Paul responded they have a list of people waiting for space. Casey stated the main sign on the existing building is fine. Mikelle had some questions about how the Specific Overlay Zone affects other commercially zoned property. TCM Blake Bingham responded that essentially this becomes its own zone, for commercial boat storage. It will apply to the parcel not the owner or the business. TCM McKay stated the Town Council is considering it because of the grandfathered use it had previously.

Mayor Truett asked Richard to summarize the history of the property with Club Rec. (See **Attachment #2**). Richard reviewed the history put together by the Planning Commission, His

opinion based on the timeline that was provided to him is that the Town's actions were "shady" at best. He believes himself to be a man of his word and believes he would have informed Club Rec of upcoming changes.

Mayor Truett asked Brian Saunders to express his thoughts about the project. Brian asked Club Rec if they planned to fence the lot. Club Rec stated they are not fencing the lot. Brian asked about materials. Club Rec stated they are using metal siding, but it won't look like a metal building. Brian stated that as he looks at the table there is only one permitted use in the acceptable use table. He asked about conditional use. He asked if the Town would have any say about shaping the look and use of a conditional use. TCM Blake Bingham stated that the Town has much less say about a different use in the table and imposing conditions on it then it does in a Specific Overlay Zone.

Brian Saunders asked about the size of an accessory building. TCM Blake Bingham had Beckki read the definition of an accessory building from the Huntsville code.

Accessory Structure or Building: a subordinate structure detached from but located on the same lot as the main structure, the use of which is incidental and accessory to that of the main structure. A detached subordinate building and/or structure clearly incidental to and located upon the same lot occupied by the main building and/or structure.

TCM Blake Bingham stated although he believes the definition isn't totally clear, he believes that a subordinate structure would be smaller than the original building. Brian likes the idea of this being a smaller building and asked Club Rec if they put up an accessory building, what would it look like. Paul responded that if it is an accessory building with the use for them in their business, they would not make it as nice. Since they are not going to make money on the building, they would not be spending extra money on the way it presents.

TCM Richard Sorensen ran the numbers with regards to coverage on the lot. With both buildings, Club Rec comes under the 60% coverage per the ordinances.

Willow Buttars asked about the height of the building. Paul Avner said that they would like the middle of the building, which would be the breezeway between the bays, to be taller so that it would look like a horse barn. Willow asked if Club Rec would be open to design ideas.

Paul Avner states he is open to design ideas. That is the reason that he is here. Mikelle Weil asked about the financing of the barn. She is worried that Club Rec has good intentions but because of the cost, they will not be able to fulfill. Casey stated that the main investor has done construction his whole life in Jackson Hole. It was the investors idea to make the look of the storage shed pole barn like.

Jaime Wayman asked about the use beyond Club Rec. She is wanting to know if Club Rec left and sold the building, if a new business could come in a put a movie theater. A movie theater is an acceptable use on the table. The members of the Town Council explained that this agreement is tailored for the specific use of boat storage.

Mikelle Weil wanted to know where Club Rec was in the process of the overlay zone. TCM Blake Bingham described the rest of the procedure per the Town Code. He explained there would be plenty of opportunity for input. What they are trying to decide now is whether to go forward with an approval to draft an agreement.

PCM Larel Parkinson asked the group if they would like the overlay zone with the opportunity to have input into the barn looking boat storage, or if they would choose to have Club Rec go with another conditional use like a repair shop or accessory building.

Steve Wayman came into the meeting expecting to be opposed to this project and he states he feels at ease with what Club Rec has described. He would prefer the boat storage option versus the repair shop because of the noise.

Mikelle Weil stated she is concerned about the size of the building. She stated 20 boats is not an excessive amount of traffic. She moved here for the pastoral nature of the Town and would prefer not to have a storage shed but agrees with TCM Richard Sorensen on going back on previous agreements. She would be in favor of making it look like a nice horse barn.

Willow Buttars said the structure is huge. She stated its hard to make something big look charming. She appreciates the willingness on Club Rec's part to make it look nice. Her lot has been for sale and she is worried about the value of her property. She feels that she is supposed to choose between the lesser of two evils.

Mikelle pointed out that there are trailers currently being stored on the lot. She would like them to be stored indoors. Club Rec stated that they could store their trailers inside if the building was the appropriate size.

Mayor Truett pointed out the Town had covenants with the neighbors on the Town Sheds. He said they promised not to store salt and sand outside. The maintenance crew parks all the vehicles inside the shop.

Brian stated he is not giving an opinion about the boat storage tonight. He stated his only concern is the entrance on 7300 East. He is not sure about the entrance. Club Rec stated they would be willing to change the entrance, but Paul feels it will be less of an impact with the entrance on 7300.

Willow asked about trees and landscaping. Paul stated they are trying to keep the existing trees.

Mayor Truett asked if there were any additional questions. He thanked everyone for meeting with them.

Meeting was adjourned at 8:24 p.m.



Beckki Endicott, Recorder

APPENDIX ONE: TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Accessory Building, Private	P	C	P	C	C	C	C	
Adult/sex oriented facilities and businesses	N	N	N	N	N	N	N	
Agriculture	P	N	P	C	P	P	N	
Amusement Park or Business	N	N	N	N	N	N	N	
Animal or Fowl Slaughter	N	N	C	N	N	N	N	
Auto impoundment yard and towing services	N	N	N	N	N	N	N	
Auto rental	N	N	N	N	N	N	N	
Auto repair, service and detailing	N	N	N	N	N	N	N	
Auto wrecking yard	N	N	N	N	N	N	N	
Banks and financial services	N	C	N	C	N	N	N	
Bars, taverns, clubs	N	N	N	C	N	N	N	
Bed and breakfast	C	C	C	C	C	N	N	
Bike Path	P	C	P	C	P	P	P	
Botanical or zoological garden	N	N	C	C	C	P	N	
Building and maintenance services	N	N	N	C	N	N	N	
Camp	N	N	C	C	C	C	P	
Campground	N	N	C	C	C	P	P	
Car wash, commercial	N	N	N	N	N	N	N	
Cemetery	C	N	P	C	P	P	N	
Childcare center with 9-16 children	N	N	C	C	N	N	N	
Childcare center with more than 16 children	N	N	C	C	N	N	N	
Childcare, family, fewer than 9 children	C	C	C	C	C	N	N	
Childcare, in home	C	C	C	C	C	N	N	
Churches	C	C	P	C	C	N	N	
Commercial kennels	N	N	C	N	N	N	N	
Construction equipment rental	N	N	N	N	N	N	N	
Construction equipment storage	N	N	N	N	N	N	N	
Construction sales, wholesale	N	N	N	N	N	N	N	
Construction services, contract	N	N	N	C	N	N	N	
Dwelling unit, accessory	N	N	N	N	C	N	N	
Dwelling unit, agricultural employee	N	N	N	N	C	N	N	
Dwelling unit, multi-family	N	N	N	N	N	N	N	
Dwelling unit, single-family attached (Condominium)	N	N	N	N	N	N	N	

Revised and Adopted on 8/24/2017

Zones: R-1-Residential, C-1-Commercial, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone

Uses: P-Permitted, C-Conditional, N-Not Permitted

<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Dwelling unit, nightly rentals	N	N	N	N	N	N	N	
Dwelling unit, single family	P	P	P	P	P	N	N	
Dwelling unit, two-family or duplex	N	N	N	N	N	N	N	
Fishing Ponds (Private or Public)	C	N	C	C	C	P	N	
Funeral services	N	C	N	C	N	N	N	
Gas and fuel, storage and sales	N	N	N	N	N	N	N	
Gasoline service station with convenience store	N	N	N	C	N	N	N	
Golf courses	N	N	P	C	P	C	N	
Golf Course, (miniature)	N	N	N	N	N	N	N	
Golf Driving Range	N	N	C	C	C	C	N	
Group home	N	N	N	N	N	N	N	
Healthcare facilities	N	C	N	N	N	N	N	
Historic structures, preservation of, including related accessory uses	C	C	C	C	C	N	N	
Home based businesses	C	C	C	C	C	N	N	
Horse boarding	C	N	C	C	N	C	N	
Horse stables and riding academy	N	N	C	C	N	C	N	
Hospitals	N	N	N	N	N	N	N	
Hotel, motel or inn with fewer than 16 rooms	N	N	N	N	N	N	N	
Hotel, motel or inn with 16 or more rooms	N	N	N	N	N	N	N	
Manufacturing, heavy	N	N	N	N	N	N	N	
Manufacturing, light	N	N	N	N	N	N	N	
Medical equipment supply	N	C	N	N	N	N	N	
Mining, resource extraction	N	N	N	N	N	N	N	
Movie Theater	N	C	N	N	N	N	N	
Museum	C	C	C	C	C	C	C	
Nursing home	N	C	N	N	N	N	N	
Offices, general	N	C	N	N	N	N	N	
Offices, medical and dental	N	C	N	N	N	N	N	
Outdoor display of merchandise	N	C	N	C	C	N	N	
Park and ride	N	N	N	C	N	N	N	
Parking lot	N	C	N	C	C	N	N	
Parks, Public	N	C	P	C	P	P	N	
Parks, Private	P	C	P	C	P	P	P	
Performing Arts Center	N	C	N	C	C	N	N	
Personal improvement services	C	C	C	C	C	N	N	
Personal services	C	C	C	C	C	N	N	

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<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Property management offices/check in facilities	N	C	N	C	N	N	N	
Reception Center	N	C	N	C	N	N	N	
Recreation and athletic facilities	N	C	N	C	C	C	N	
Recreation, public	N	C	N	C	P	C	N	
Recycling facilities	N	N	N	N	N	N	N	
Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances	C	C	C	C	C	N	N	
Repair services	C	C	C	C	C	N	N	
Residential treatment facility	N	N	N	N	N	N	N	
Retail Sales (See Chart Below)							N	See Below
Schools	N	C	N	N	N	N	N	
Short Term Loans & Title Loans	N	N	N	N	N	N	N	
Skating Rink, Indoor	N	C	N	C	N	N	N	
Stockyards	N	N	N	N	N	N	N	
Storage, Indoor, Commercial	C	C	N	N	N	N	N	<i>*See Applicable Conditional Uses Defined (Attached to this doc.)</i>
Storage, RV, boat or vehicle, Private	P	N	P	C	C	N	P	
Storage, RV, boat or vehicle, Commercial	N	N	N	C	N	N	N	
Temporary Structures	C	C	C	C	C	N	N	
Trailhead Parking	C	C	C	C	C	C	N	
Trails	C	C	P	C	P	P	C	
Transportation Services	N	N	N	N	C	N	N	
Truck Stop	N	N	N	N	N	N	N	
Utility Facilities	N	N	N	N	N	N	N	
Vehicle Control Gate	C	C	C	C	C	C	C	
Veterinarian	C	C	C	C	N	N	N	
Warehousing and Distribution	N	N	N	N	N	N	N	
Wholesale Construction Supply	N	N	N	N	N	N	N	
Wildlife Sanctuary	N	N	C	C	P	P	N	
	N	N	N	N	N	N	N	

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<u>Use – Retail Sales</u>	<u>R-1</u>	<u>C-1</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Agricultural sales and service	N	C	C	C	N	N	N	
Antique Shop	N	C	C	C	N	N	N	
Art Supply Store	N	C	N	C	N	N	N	
Automotive Sales	N	N	N	N	N	N	N	
Bakery	N	C	N	C	N	N	N	
Barber or beauty shop	C	C	C	C	C	N	N	
Big box retail	N	N	N	N	N	N	N	
Bookstore	N	C	N	C	N	N	N	
Bowling Alley	N	N	N	N	N	N	N	
Camera Shop	N	C	N	C	N	N	N	
Convenience Store	N	C	N	C	N	N	N	
Department or discount store	N	N	N	N	N	N	N	
Florist Shop	C	C	C	C	C	N	N	
Furniture/appliance store	N	N	N	N	N	N	N	
Garden Shop, Plant Sales, Nursery	C	C	C	C	C	N	N	
Grocery Store	N	C	N	C	N	N	N	
Hardware Store	N	C	N	C	N	N	N	
Kiosk	N	C	C	C	N	N	N	
Laboratory, medical or dental or optical	N	C	N	N	N	N	N	
Laundromat, Laundry	N	N	N	N	N	N	N	
Locksmith or Key Shop	C	C	C	C	C	N	N	
Medical/Dental Clinic	N	C	N	C	N	N	N	
Mobile Home Sales	N	N	N	N	N	N	N	
Mortuary	N	C	N	N	N	N	N	
Music Store	N	C	N	N	N	N	N	
Optical Shop	N	C	N	N	N	N	N	
Pawnshop	N	N	N	N	N	N	N	
Pet Shop	N	C	N	N	N	N	N	
Pet Services and Grooming	C	C	C	C	C	N	N	
Pharmacy	N	C	N	C	N	N	N	
Print Shop	N	C	N	N	N	N	N	
Restaurant, Fast Food	N	N	N	N	N	N	N	
Restaurant, Drive-In or Drive-Through	N	N	N	N	N	N	N	
Restaurant, Deli or Take-out	N	C	N	C	N	N	N	
Restaurant, Full Service	N	C	N	C	N	N	N	
Seasonal Outdoor Vendor	N	C	C	C	C	N	N	
Shoe Store	N	C	N	N	N	N	N	
Smoke Shops	N	N	N	N	N	N	N	
Studio, Artist or Photography	C	C	C	C	C	N	N	

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Uses: P-Permitted, C-Conditional, N-Not Permitted

<u>Use – Retail Sales</u>	<u>R-1</u>	<u>C-1</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Studio, decorator and display	N	C	N	C	N	N	N	
Studio, Health	N	C	N	C	N	N	N	
Tent Vendor	N	C	N	C	N	N	N	Selling from a tent
Variety Store	N	C	N	N	N	N	N	
Vehicle and equipment sales or rental	N	N	N	N	N	N	N	

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CONDITIONAL USES DEFINED

Storage, Indoor, Commercial: All of the following conditions must be met to allow this usage.

1-Allowable only as a means to re-purpose a historic building (built pre-1950). The building must be greater than 1000 square feet footprint. The exterior of the historic building must be substantially restored to its original condition.

2-Number of units=maximum of 30 (100 sq. ft./unit) or 3000 sq. ft. total.

3-No outdoor storage of any sort for commercial purposes allowed.

4-Distance from residential homes=175 feet or greater.

5-Hours of operations= 8 am to 9 pm.

6-Signage, minimal or none. No internally lit signs, no LED variable message signs. Acceptable signage to follow Huntsville Sign Ordinance.

7-Parking=One stall per 10 units, no fewer than two stalls. The must not be on town property.

8-Must obtain a Huntsville Town Business License.

9-Storage units shall be accessed through the interior only; through a main access point, to preserve the historic nature of the building.

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HISTORY

PC started creating Use Table in September 2013. PC had discussions at PC meetings on 3/27/14, 3/26/14, and 4/24/14. Use table was finally approved by the PC and sent onto the Town Council with recommendation for approval on June 26, 2014. I don't have access to the TC minutes for the months starting July 2014 to know how the Use table was adopted or if it had a public hearing. The PC did not hold a public hearing on the Use Table any time between September 2013 and June 2014. Per PC minutes of 10/30/14 and 11/19/14 Commercial Storage in C-1 was listed as a conditional use.

There were ongoing discussions in PC meetings from February 2015 through the Fall of 2015 to change many uses in the C-1 zone from conditional use to "Not Permitted." It was determined that a "conditional use" is a permissible use so the PC reviewed every conditional use to determine if it was a use the Town would allow, call that conditional, and prohibit everything else. Commercial Storage use was changed to not permitted in C-1 at the 3/26/15 PC Meeting.

There was a public hearing held to amend the Use Table at PC meeting 8/10/17 to add Indoor Storage units as a conditional use only in the R-1 zone and only to a "repurpose an historic building."

Club Rec Property

Owners:

Thompsons 2004-2006

Telford-Stoker family Trust – 2007-2014

Just Because LLC (Club Rec) 2015-present

See PC Minutes of 9/25/08 and TC minutes of 11/08 for approval of Cory Thompson's storage building and rezone from R-1 to C-1. (Beckki will give us copies of these minutes)

See PC Minutes of 10/30/14 and 11/19/14 for discussion just prior to purchase of property by Club Rec about continuing storage use and possible addition to storage use. (In our packet)