

City of
WASHINGTON TERRACE
Utah

Planning Commission Meeting
Thursday, April 30, 2026
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681

1. **ROLL CALL** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **WELCOME**
4. **OATH OF OFFICE**
Rodriguez will administer the oath of office to Commissioners Amy Morgan and Kirt Freeland
5. **RECURRING BUSINESS**
 - 5.1 **MOTION: APPROVAL OF AGENDA**
Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.
 - 5.2 **MOTION: APPROVAL OF MINUTES FOR JULY 31, 2025**
6. **PRESENTATION**
 - 6.1 **CERTIFICATE OF APPRECIATION TO COMMISSIONER DAN JOHNSON**
Commissioner Johnson has served on the Commission since 2009.
7. **SPECIAL ORDER**
Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.
 - 7.1 **PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO THE APPROVAL OF THE PROPOSED IN-FILL OVERLAY ZONE AND MASTER DEVELOPMENT AGREEMENT AND SITE PLAN TO ALLOW FOUR ATTACHED TOWNHOME UNITS, WITH THE EXISTING RESIDENCE TO REMAIN, AT 445 WEST 5100 SOUTH**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

8. NEW BUSINESS

8.1 DISCUSSION/MOTION: RECOMMENDATION OF APPROVAL OF THE IN-FILL OVERLAY ZONE AND MASTER DEVELOPMENT AGREEMENT TO ALLOW FOUR ATTACHED TOWNHOME UNITS, WITH THE EXISTING RESIDENCE TO REMAIN, AT 445 WEST 5100 SOUTH

8.2 MOTION: NOMINATION AND ELECTION OF CHAIRMAN AND VICE-CHAIR

9. UPCOMING BUSINESS

10. MOTION TO ADJOURN THE MEETING

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, July 31, 2025
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Commissioner Dwight Henderson- excused
Vice-Chair Amy Morgan
Commissioner Dan Johnson – excused
Commissioner Jethro Dee Watson
Commissioner Morgan Wilkins
Commissioner Matthew Roper
General Planner Tyler Seaman

Others Present

MLow

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

4.2 MOTION: APPROVAL OF MINUTES FOR APRIL 24, 2025

Items 4.1 and 4.2 were approved by general consent.

5. NEW BUSINESS

5.1 DISCUSSION/MOTION: CONSIDERATION AND ACTION REGARDING AN ADMINISTRATIVE APPLICATION FOR A SITE PLAN APPROVAL FOR THE OVERLAND WEST OFFICE BUILDING LOCATED AT 343 EAST 5700 SOUTH

Seaman stated that there are two lots to be combined into one and a new plat will be submitted. Staff will address the issue of the two meters for sewer and water, with one having to be abandoned. He stated that the most significant concern on the site is the storm drain and sewer. He stated that the lower half of the building will be half in the ground and half out, like a walk-in basement. He stated that the sewer was planned to go out to 5700 South, however, they have been allowed by the engineer and Public Works

48 Director to have the sewer go underneath Adams Avenue, as there is a stub there. He
49 noted that there may be an easement through one of the properties. Seaman stated that
50 there will be an evaluation completed to make sure that the additional water will not
51 flood or wash out anyone below their elevation. Seaman stated that the building is a
52 Corporate building for a company that owns Enterprise Rental Car locations.
53 He stated that there will be a car wash and an executive garage, noting that the intent is
54 not for the parking lot to become a used car or rental lot. The intent is not to do any
55 maintenance at the site.

56
57 **Motion by Commissioner Watson**
58 **Seconded by Commissioner Wilkins**
59 **To approve Site plan approval for the Overland West Office Building**
60 **located at 343 East 5700 South**
61 **Approved unanimously (5-0)**

62
63 **5.2 VIDEO TRAINING: LOW IMPACT DEVELOPMENT TRAINING.**

64
65 Seaman stated that it is a state requirement that the Planning Commission be trained on
66 LID (Low Impact Development) as part of the City Stormwater Discharge Permit. The
67 Commission watched the video supplied by the City Stormwater Manager. Seaman stated
68 that we have already been doing LID within the city.

69
70 **6. UPCOMING BUSINESS**

71 Seaman stated that he has been receiving calls on three properties for sale on the infill
72 map.

73
74
75 **7. MOTION TO ADJOURN THE MEETING**

76 **Motion by Commissioner Morgan**
77 **Seconded by Commissioner Roper**
78 **To adjourn the meeting**
79 **Approved unanimously (5-0)**
80 **Time: 6:24 p.m.**

81
82
83 _____
Date Approved

City Recorder

**City Council
 Staff Report**

Author: Tyler D. Seaman

Subject: Public Hearing: Consideration of a recommendation to the City Council for approval of an In-Fill Overlay Zone and Master Development Agreement to allow four attached townhome units, with the existing residence to remain, at 445 West 5100 South.

Date: 4/23/2026

Project	Harvest Pointe Townhomes - Infill Development Agreement Review	File/Parcel	07-066-0090
Applicant	Harvest Pointe Townhomes LLC	Address	445 West 5100 South
Request	Recommendation on approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, including the Master Development Agreement and project-specific development standards for four attached townhome units while the existing residence remains.		
Existing Zoning / GP	R-1-6/ R-1-6 with Infill Overlay	Type of Item	Legislative recommendation to City Council on the remaining in-fill ordinance approvals
Staff Recommendation	Forward a recommendation of approval to the City Council, subject to the conditions listed in this report and subject to revision of the submitted Development Agreement so it reflects that the overlay zone has already been approved.		
Primary Issue	The overlay zone has already been approved. The remaining action is whether the submitted Development Agreement and project standards adequately satisfy the balance of Chapter 17.10 for this parcel.		

Staff note: Because the overlay zone was previously approved, the public hearing and recommendation should be framed around the remaining Chapter 17.10 approvals, not a new overlay zone action. Any

ordinance, agreement, and agenda language should be conformed accordingly.

A. Topic

Consideration of a recommendation to the City Council regarding the remaining in-fill development approvals for Parcel No. 07-066-0090 at 445 West 5100 South. The overlay zone for the parcel was approved previously. The current action concerns the Master Development Agreement and the project-specific standards necessary to complete the Chapter 17.10 legislative process for four attached townhome units while retaining the existing single-family residence on the parcel.

B. Background

The submitted Development Agreement describes the property as Parcel No. 07-066-0090, located at 445 West 5100 South, and states the project consists of four attached townhome units fronting 5100 South while the existing home and accessory structures remain on the parcel.

The adopted Washington Terrace Infill Property Map identifies Parcel 07-066-0090 as an eligible in-fill parcel. The density exhibit prepared for the application shows the subject parcel at approximately 1.15 acres, with surrounding qualifying residential development averaging 5.3 units per acre, rounded to 6 units per acre, resulting in an approved density calculation of 6.9 units, rounded to 7 units. The exhibit states the proposal is for 5 total units on the parcel, which is within that calculation.

Based on the applicant's clarification through the City process, the overlay zone itself has already been approved at prior meetings. Staff has therefore revised this report to focus only on whether the remaining ordinance components are acceptable and ready for recommendation to the City Council.

C. Analysis

Staff finds that the remaining request is generally supportable, but the submitted packet should be revised so the agreement and related approval language match the posture of the case. The key review items are summarized below:

Code Section	Review Topic	Status	Staff Comment
17.10.020/17.10.050(2)	Eligible parcel on adopted infill map	Meets	Parcel 07-066-0090 is shown on the City's adopted infill property map as an eligible infill parcel.
17.10.050(4)(c)	Density calculation	Meets	The density exhibit shows 5 total units on the parcel against a calculated allowance of 7 units.
17.10.060(2)-(4)	HOA / CC&Rs / escrow	Needs condition	The agreement references future CC&Rs and maintenance concepts, but final approval should be conditioned on City review of the CC&Rs and completion of any required

			escrow or improvement security documents.
--	--	--	---

In addition, staff recommends that the final ordinance and staff motion language avoid suggesting that the Planning Commission is reconsidering the overlay zone itself. The cleaner approach is to recommend approval of the remaining Chapter 17.10 requirements for the already-approved in-fill overlay parcel, subject to revisions and conditions.

The existing home remaining on the parcel should also be consistently described in the agreement, site plan, and any ordinance findings so the record is clear that the approval is for four new townhome units plus the retained existing residence, for a total of five residential units on the parcel.

D. Fiscal Impact

The proposal should generate standard application, review, permit, inspection, and utility-related fees in accordance with City policy. Any public improvement, escrow, or security requirements should be finalized prior to building permit issuance and recorded as applicable.

E. Department Review

- Planning: Supportable, subject to revisions described in this report and consistency with the previously approved overlay zone action.
- Engineering / Public Works: Final review required for access, curb/gutter/sidewalk modifications, drainage, utilities, and any encroachment permits.
- Fire / Life Safety: Final site and building review required for apparatus access, hydrant coverage, addressing, and code-compliant building permits.
- City Attorney: Final review recommended for the Development Agreement, CC&Rs, easement language, conveyance language, liability protections, and approval form.

Alternatives

A. Approve the Request Forward a positive recommendation to the City Council for approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, subject to the conditions below.

B. Deny the Request Recommend denial if the Planning Commission finds the remaining Master Development Agreement and project standards do not adequately satisfy Chapter 17.10 or do not provide enough information for final legislative action.

C. Continue the Item / Impact Continue the item to allow the applicant to revise the Development Agreement, parking exhibit, height information, and related approval language so the packet accurately reflects the prior overlay approval and the remaining ordinance actions still required.

Recommended Conditions of Approval

1. The Development Agreement shall be revised to reflect that the in-fill overlay zone for Parcel 07-066-0090 has already been approved and that the current legislative action concerns the remaining Chapter 17.10 approvals and project standards.
2. The final Development Agreement shall include or clearly incorporate all required Chapter 17.10.040 elements applicable to the project, including project standards, design standards, implementation and enforcement provisions, City protection language, and construction / escrow requirements.
3. Final plans and the agreement shall clearly document compliance with the 2-story / 35-foot height limitation in Chapter 17.10.050(4)(a)(v).
4. The site plan and agreement shall clearly provide code-compliant parking, including required guest parking, subject to staff, engineering, and fire review.
5. Final CC&Rs, easements, maintenance provisions, and any required escrow or security documents shall be reviewed and approved by the City prior to recordation or permit issuance, as applicable.
6. All final approvals shall remain subject to City engineering, fire, building, utility, and legal review, and to compliance with all other applicable City codes and standards.

Suggested Planning Commission Motion

I move that the Planning Commission forward a recommendation of approval to the City Council for the remaining Chapter 17.10 in-fill development approvals applicable to Parcel No. 07-066-0090 at 445 West 5100 South, including the Master Development Agreement and associated project standards for four attached townhome units with the existing residence to remain, subject to the conditions stated in the staff report.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (“Agreement”) is made and entered into this ___ day of _____, 2026, by and between WASHINGTON TERRACE CITY, a Utah municipal corporation of the State of Utah (“City”), and HARVEST POINTE TOWNHOMES LLC, a Utah limited liability company (“Developer”).

RECITALS

WHEREAS, Developer has contract rights to certain real property located at 445 West 5100 South, Washington Terrace, Utah, identified as Parcel No. 07-066-0090 (the “Property”);

WHEREAS, the Property is located within the City’s Infill Zone in accordance with the *Washington Terrace Municipal Code* (the “Code”);

WHEREAS, the Property currently contains an existing single-family dwelling and accessory structures which shall remain;

WHEREAS, Developer proposes to construct four (4) attached Townhome Dwelling Units (the “Units”) fronting 5100 South together with associated site improvements (the “Project”);

WHEREAS, In addition to compliance with the other Code requirements, each Unit shall include two (2) car driveway spaces and an attached two (2) car garage;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties agree as follows:

1. PROJECT APPROVAL AND COMPLIANCE

Development of the Project shall comply with the Code, specifically, the Infill Zone regulations, the approved Site Plan attached hereto as Exhibit B, incorporated herein by this reference, and all applicable building, fire, and engineering standards.

2. PROJECT DESCRIPTION AND SETBACKS

Developer is authorized to construct four (4) Units with access from 5100 South Street, together with associated landscaping, utilities, drainage, and public improvements as shown on the Site Plan. The existing home and outbuildings shall remain. Set-backs shall conform to adjoining setbacks along 5100 South Street.

3. PARKING

Each Unit shall provide a minimum of four (4) off-street parking spaces consisting of two (2) driveway spaces and one (1) attached two (2) car garage. No on-street parking is allowed.

4. ACCESS FROM 5100 SOUTH

Primary vehicular access for the Units shall be from 5100 South Street. Any modifications to curb, gutter, or sidewalk requires approval from the City Engineer in accordance with the applicable Public Works Standards and Technical Specifications along with an Encroachment Permit approved by the City's Public Works Director.

5. ACCESS AND FUTURE CONVEYANCE ALONG EAST PROPERTY LINE

A. Future Conveyance of 25-Foot Strip

Developer agrees that a twenty-five foot (25') wide strip of land located along the east property line of Parcel No. 07-066-0090 (the "East Access Strip") shall be deeded to the Owner of adjacent Parcel No. 07-066-0028 in anticipation of future development of said Parcel. The precise legal description shall be determined by survey and approved by the City Engineer prior to conveyance.

B. Reservation of Access Easement for Existing Residence

At the time of conveyance of the East Access Strip, Developer shall reserve a perpetual, non-exclusive Access Easement benefiting the existing residence located on Parcel No. 07-066-0090. The Access Easement shall provide vehicular and pedestrian access, shall run with the land, and shall be recorded at the Office of the Weber County Recorder along with a recorded copy of the same provided to the City.

C. Maintenance

Maintenance responsibilities for the East Access Strip following conveyance shall be determined by the Covenants, Conditions and Restrictions (the "CC&Rs") for the Units applicable to the respective Property owners.

6. PUBLIC IMPROVEMENTS AND FEES

Developer shall construct all required Public Improvements in accordance with the applicable Public Works Standards and Technical Specifications adopted by the City and pay all applicable fee, including, but not limited to: land use application fees, impact fees, building and permit fees, inspection fees, and utility connection fees required by Code.

7. TERM

This Agreement shall remain in effect for five (5) years from the date of execution unless extended by mutual written agreement.

8. RECORDATION

This Agreement and its accompanying CC&Rs shall be recorded at the Office of the Weber County Recorder and shall run with the land.

SIGNATURES

WASHINGTON TERRACE CITY

By: _____

Title: _____

Attest: _____

HARVEST POINTE TOWNHOMES LLC

By: _____

Title: _____

EXHIBIT A

Legal Description of Parcel No. 07-066-0090

PART OF NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED SOUTH 00D42'52" WEST 2651.59 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE SOUTH LINE OF SAID NORTHWEST QUARTER AND ALONG SAID SOUTH LINE SOUTH 89D13'46" EAST 513.91 FEET AND NORTH 00D51'44" EAST 328.83 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE SOUTH 83D02'38" WEST 65.31 FEET; THENCE SOUTH 78D08'39" WEST 29.19 FEET; THENCE SOUTH 22D46'49" WEST 33.42 FEET; THENCE SOUTH 34D49'57" WEST 26.55 FEET; THENCE NORTH 86D30'41" WEST 26.54 FEET TO THE EAST LINE OF THE LANE SUBDIVISION; THENCE ALONG SAID EAST LINE NORTH 00D51'44" EAST 370.13 FEET TO THE SOUTH RIGHT OF WAY LINE OF 5100 SOUTH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 89D16'47" EAST 147.00 FEET; THENCE SOUTH 00D51'44" WEST 303.37 FEET TO THE POINT OF BEGINNING. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.] [NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCEL WITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 10, CHAPTER 9a, PART 6.

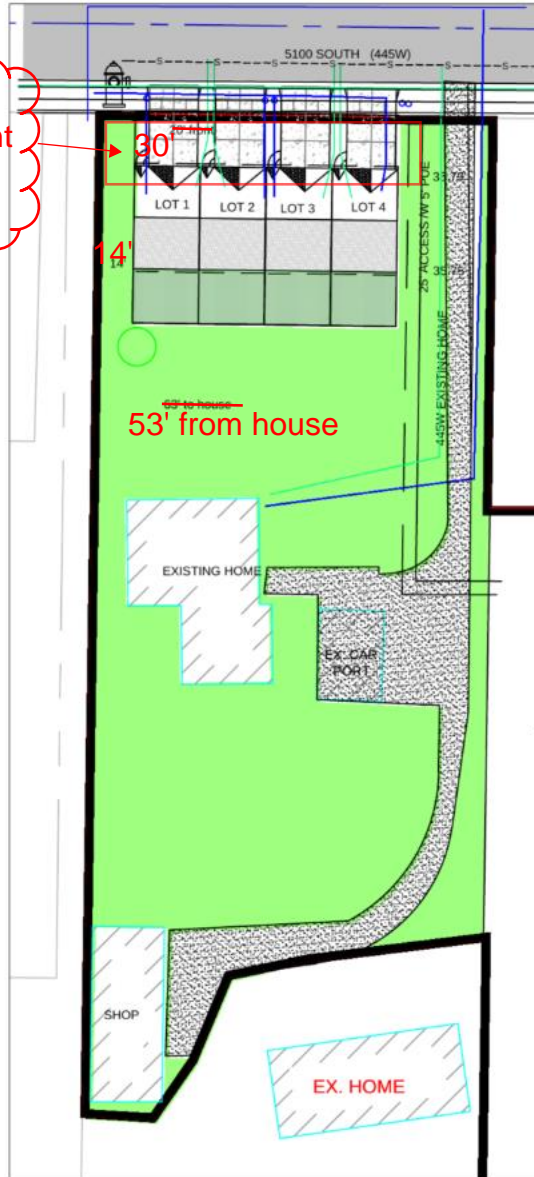
EXHIBIT B

Approved Site Plan

HARVEST POINTE TOWNHOMES - TWO

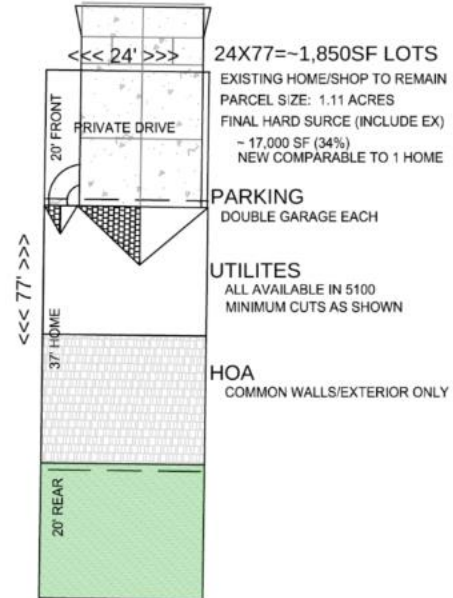
MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

Setback shall be 30' based on front setback on 5100 south



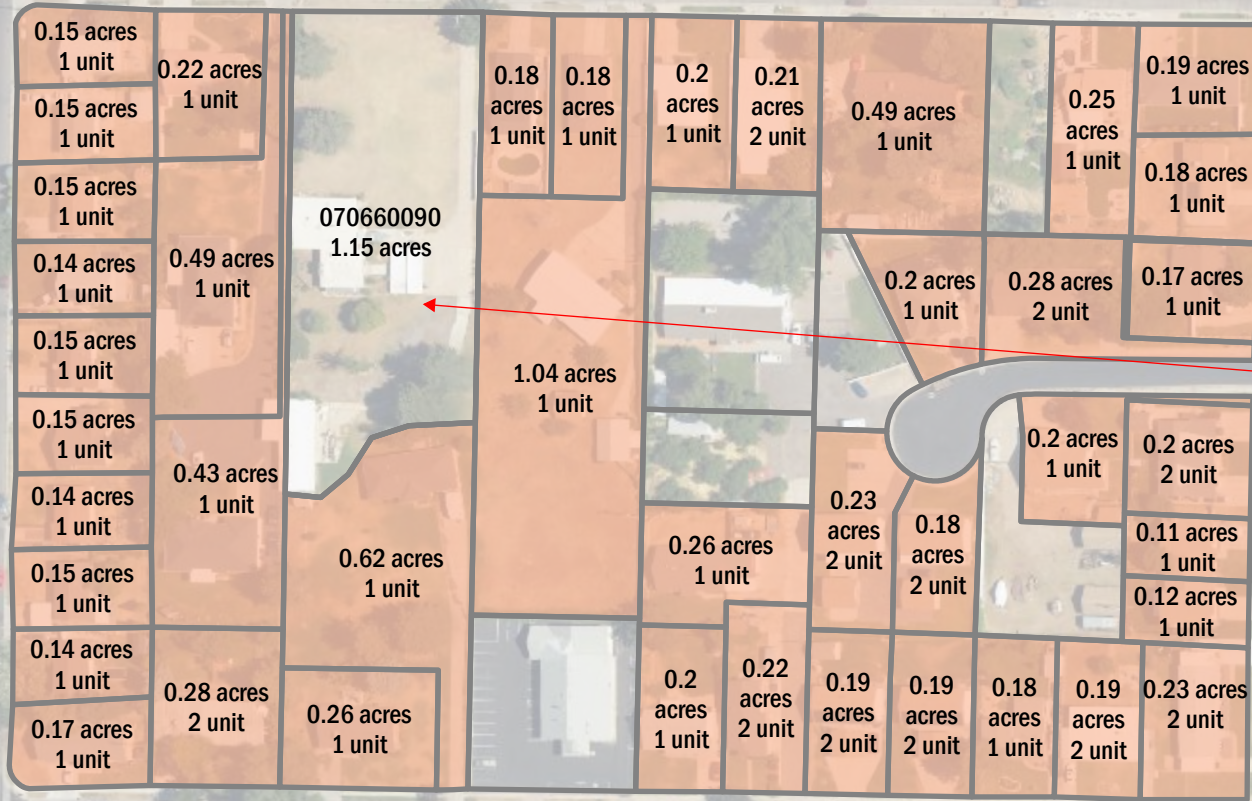
4 TOWNHOME LOTS

IN FILL ORDINANCE



Density Calculation for Parcel 070660090

Proposal is for 5 total units on the parcel. This would be acceptable with the applicants request.



Total Residential Area:
10 acres

Total Residential Units:
53

Average Density per Acre: 5.3 [6]

Approved Density for Parcel 070660090:
(1.15 acres x 6 = 6.9) [7] Units

* Densities are rounded to the next highest whole number and are shown in brackets

- Weber County Parcels
- Residential Parcels