



**Planning Commission Meeting
Thursday, May 26, 2022
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**
ADMINISTER THE OATH OF OFFICE TO COMMISSIONERS MORGAN AND JOHNSON
4. **RECURRING BUSINESS**
 - 4.1 **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.
 - 4.2 **MOTION: APPROVAL OF MINUTES FOR OCTOBER 28, 2022**
5. **NEW BUSINESS**
 - 5.1 **MOTION: NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIRMAN AND VICE-CHAIR**
 - 5.2 **MOTION: APPROVAL OF ANNUAL MEETING SCHEDULE**
 - 5.3 **DISCUSSION MOTION: CONDITIONAL USE PERMIT FOR PROPOSED FOUR-UNIT HOTEL TO BE LOCATED AT 4301 SOUTH 300 WEST**
6. **BUILDING AND PLANNING UPDATES**
7. **MOTION: 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, October 28, 2021
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah**

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Scott Larsen - excused
Vice- Chair Dwight Henderson
Commissioner Steve Jacobson
Commissioner Dan Johnson - excused
Commissioner Morgan Wilkins
Commissioner Charles Allen
Commissioner Damian Rodriguez - excused
Chief Building Inspector Tyler Seaman
Utility Billing Specialist/Technician Robyn Landers
City Recorder Amy Rodriguez
City Attorney Bill Morris

Others Present

Dan Nixon

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

**Motion by Commissioner Jacobson
Seconded by Commissioner Allen
To approve the agenda
Approved unanimously (4-0)**

4.2 MOTION: APPROVAL OF MINUTES FOR SEPTEMBER 30, 2021

Commissioner Jacobson made a correction to lines 116 and 117 concerning a suggestion that was made at the last meeting. The Commission agreed and the change will be made to the official minutes.

**Motion made by Commissioner Wilkins
Seconded by Commissioner Allen
to approve the minutes of September 30, 2021
Approved unanimously (4-0)**

48
49 **5. SPECIAL ORDER**
50

51 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
52 **OPPOSITION TO THE PRELIMINARY AND FINAL SITE PLAN**
53 **APPROVAL FOR “LOCK IT UP SELF-STORAGE- WASHINGTON**
54 **TERRACE” LOCATED AT 312 EAST 5000 SOUTH**
55

56 **Motion by Commissioner Allen**
57 **Seconded by Jacobson**
58 **To open the public hearing**
59 **Approved unanimously (4-0)**
60

61 **The public hearing was opened at 6:05 p.m.**
62

63 Seaman stated that the applicant is asking for site approval for Lock it Up Self-Storage,
64 an indoor storage facility located in the Terrace.

65 Seaman stated that the plan has not been approved by the city engineer as of yet,
66 however, staff has approved the site plan based on design requirements and compliance
67 with code. Seaman stated that the footprint requirements have been met. He stated that
68 there is an access on the bottom level on 5000 South and another access on the road on
69 the side of the building. He stated that this item has been discussed in three meetings
70 prior to tonight. Seaman stated that there will be 40 percent transparency on the building.
71 He noted that stucco and metal grids will be used. Seaman stated that the applicant will
72 have 24 hour security secured. Seaman stated that contracts will stipulate no business or
73 living facilities.
74

75 Seaman stated that they will meet landscaping requirements in accordance with our new
76 landscaping ordinance promoting less turf and more of a dry tolerant landscaping.
77

78 Seaman stated that renters will have to sign a contract that animals cannot be housed in
79 the units.
80

81 Seaman stated that there will be staff on site during the day. He stated that parking
82 requirements will be minimal.
83

84 Seaman noted that the civil drawings have not been received as of yet.
85

86 Applicant Dan Nixon stated that he has 12 locations in the state and looks forward to
87 having a facility in the Terrace and believes that he will bring a first class facility to the
88 area.
89

90 **Motion by Commissioner Allen**
91 **Seconded by Commissioner Jacobson**
92 **To close the public hearing**
93 **Approved Unanimously (4-0)**
94

The public hearing was closed at 6:16 p.m.

Commissioner Jacobson stated that the building was designed to have the corner cut off a bit for sight line concerns, however, the plat shows trees in that corner, essentially defeating the purpose of cutting the corner down. He inquired if there is something in our landscaping plan stating that there cannot be trees there.

Seaman stated that the ordinance allows for trees with trunks higher than 7 feet inside the sight triangle, or below 2 feet. Seaman stated that would be an issue that he will monitor.

Commissioner Jacobson clarified that entrance marked "loading" is located in the back, and is on the upper level. Nixon stated that the lower level unloading would come through the front. Commissioner Jacobson stated that he is concerned about fire egress on the lower level, as he does not see any exterior doors on the north side on the plan. Nixon stated that he is expecting the Fire Marshal to require sprinkling in the building. Seaman stated that he would like it in the minutes that the building must meet fire code and building codes, and these issues will be discussed with the Fire Marshal. He stated that there will need to be an egress door within 75 feet if the building is sprinkled. He noted that due to the length of the building, the developer will need to provide some doors. He stated that the drawings are preliminary at this point. Seaman stated that the plans will be reviewed by our Fire Chief as well as himself. Seaman stated that they will need to meet fire access which is 22 feet around the building.

Seaman stated that a surveyors certification will need to be provided for the grading as well as a geotechnical report for the building.

Commissioner Allen noted that there are no addresses of surrounding building and property owners notated on the site plan. Seaman stated that the addresses should be put on there, as he is looking at that as well on his plan review to make sure that additional firewalls are not needed.

Nixon stated that there are some outside roll up doors on the west side of the building, but other than that, they are all enclosed. He stated that the operating hours are from 6:00am-10:00 pm., noting that they do not allow anyone on the premises after 10 pm unless they are pre-authorized.

Commissioner Allen stated that he would like to see an architectural drawing on the project. Seaman stated that the building is fairly uncomplicated as it is a straight wall. The drawing is included in the packet.

Seaman stated that he will make sure that the 8 foot fence behind the property does not have any safety issues. He stated that he will review those plans to make sure that it is engineered correctly if it is a block wall so that there are no concerns if it were to fall over. Commissioner Allen stated that some of the chain link fences behind the property are not in the best condition. Nixon stated that there may not be any fencing due to technology and security around the building. He stated that they would like to have the option to put gates, or not to have gates. Seaman stated that one of the requirements in code is 24 hour surveillance. Nixon stated that their facilities have around 30 cameras.

Nixon stated that they will have a dumpster location on site and will have contracts with snow removal companies. Seaman stated that the engineer will look to make sure there is an area for snow removal and storage.

Commissioner Allen recommends that no flammable, hazardous, or dangerous material be allowed to be stored in the storage units. Nixon stated that those concerns are covered in state law and stated in their agreements.

Commissioner Allen stated that the contractor should comply with:

- All items in staff report
- All applicable building and fire codes
- Obtain city license and building permits.

Seaman stated that he will not give occupancy until the business license has been applied for.

Nixon stated that the gates will be between 6 and 8 feet high, although he noted that they may not have gates. Morris stated that fencing is not a requirement in code.

Nixon stated that they have designed buildings with opaque/cloudy glass, and also with painted glass. The plan provided is showing opaque glass. Morris suggested keeping it opaque as shown and the Commission agreed.

Commissioner Jacobson stated that he is concerned with the outside storage doors stating that it doesn't meet code requirements. Seaman stated that it is a gray area. Commissioner Jacobson stated that we are calling it an indoor storage unit and having the outside doors is not "inside storage". Nixon stated code was vague. He stated that the outside doors break up the wall from an architectural standpoint. He stated that if we require no outside units, we will end up with one square blocked off building with no doors. He stated that the roll up doors will not be visible from the road, as they will be on the west side of the building. He asked for a variance from the Commission because the outside storage does not take away from the integrity and quality of the project. He stated that he does not want to eliminate the roll up doors. He stated that he is asking for a mixed design.

Morris stated that a variance cannot be given, as there are legal specifications that must be met by state law and would not be allowed in this case. He stated that because the ordinance is vague on this point, the Commission can interpret the ordinance based on legal advice. He noted that requirements state that the interpretation must be construed in favor of the property owner.

Morris gave his advice to the Commission, stating that even though some units are accessed from the outside, they are all enclosed in the same building. He stated that the applicant is vested in the ordinance that has been approved, even though it is vague on this point. Morris noted that on the other hand, the units are accessed from the outside. He stated that the Commission can decide on what to approve and if the applicant doesn't like the decision they may appeal within 10 days.

Commissioner Jacobson noted that our intent is that we want a nice building and not ten rows of roll up units. He stated that he is not against the few outside roll ups, but just wanted to point out that it didn't meet the definition in the ordinance.

Commissioner Wilkins asked who would have access after 10:00 p.m. as he is concerned that there are residences around there and does not want them to be disturbed. Nixon stated that police and some other businesses would have access, but it is rare. He stated that some business need 24 hour access and they will need background checks and cannot be disruptive to the neighborhood. He stated that gate programming software will allow access for a single event, or some businesses that need 24 hour access, such as janitorial. Nixon stated that that this accounts for less than 1percent of their customer base.

Seaman stated that he will require a lighting plan so that he can ensure that they are not light polluting the neighbors.

6. NEW BUSINESS

6.1 DISCUSSION/MOTION: PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR “LOCK IT UP SELF-STORAGE- WASHINGTON TERREACE” LOCATED AT 312 EAST 5000 SOUTH

**Motion by Commissioner Wilkins
Seconded by Commissioner Allen
Motion to approve the site plan subject to the staff memorandum,
agency comments, and engineering
Approved unanimously (4-0)**

7. BUILDING AND PLANNING UPDATES

Nixon stated that they are planning to do demolition before the end of the year. He stated that they would like to start building in the spring.

Seaman stated that Goldenwest is working on the development agreement, stating that there is so much to this project to work through. He stated that there should be some solid movement at the beginning of the year.

Seaman stated that the city will be selling the property over by the library, stating that it will not be zoned for residential.

8. MOTION: ADJOURN THE MEETING

**Motion by Commissioner Jacobson
Seconded by Commissioner Wilkins
To adjourn the meeting
Approved unanimously (4-0)
Time: 6:49 p.m.**

Date Approved

City Recorder

Planning Commission Staff Report

Author: Amy Rodriguez
Subject: 2022 Meeting schedule
Date: May 26, 2022
Type of Item: Discussion and Action



Summary Recommendations: Commission may review and adopt the 2022 annual meeting schedule

Description:

A. Topic: 2022 Annual meeting Schedule

State law mandates that if regular meetings are held throughout the course of a year, a meeting schedule must be adopted and posted at least once during the year.

B. Analysis: It is recommended that the Commission adopt a meeting schedule for 2022. The proposed meeting schedule would include regular meetings to be held on the last Thursday of each month, with a few exceptions due to holidays. If time or dates change, notice will be given accordingly.

Attached is a tentative calendar with meeting dates, tentative topics and other important dates in the city.

C. Department Review: City Recorder

Alternatives:

A. Approve the Request: The Commission can approve the proposed 2022 meeting schedule and meet on the last Thursday of each month, with the exception of November, where there is a holiday conflict.

B. Amend the Request: Council can decide to amend the meeting schedule.

Recommendation: Staff recommends that the Commission adopt the 2022 annual meeting schedule as outlined in report.

City of Washington Terrace
Planning Commission

2022 Meeting Schedule

Planning Commission meeting schedule for 2022, meetings will be held at 6:00 pm on **the last Thursday of each month**, at the city hall. (with the exception for holidays)

All items for agenda need to be submitted 15 days prior to the date of the meeting or the Wednesday two weeks before.

Agenda items		Meeting date
Month	Due date:	
Month	Wednesday	Thursday
January	12 th	27 th
February	9 th	24 th
March	16 th	31 st
April	13 th	28 th
May	26 th	11 th
June	15 th	30 th
July	13 th	28 th
August	10 th	25 th
September	14 th	29 th
October	12 th	27 th
November	2 nd	17 th
December	14 th	29 th

CALENDAR OF EVENTS - Tentative

JANUARY 2022

Friday. 31ST New Year's Observance- City Offices closed

Tuesday 4th: Swearing in Ceremony 5:00 p.m.

Tues. 4th : Work Session : Audit 5:15 p.m.

Tues. 4th City Council Meeting 6:00p.m.

- Council Training Open Meetings
- Audit presentation
- Appointment of Mosquito Abatement
- Open Meetings Training
- Ethical Behavior Pledge (staff and council included)

Tues. 4th: RDA Meeting

- RDA Annual Report

Mon. 17th Martin Luther King JR. Day- City Offices closed

Tues. 18th – City Council Meeting 6:00 p.m.

- **Public Hearing- Budget Transfer**
- **Public Hearing- Budget Adjustment**
- Resolution: Budget Adjustment

Thur.27th Planning Commission Meeting 6:00 p.m. - CANCELLED

- Nominate and elect Chair and Vice Chair

FEBRUARY 2022

Tues. 1st City Council Meeting 6:00 p.m.

- Sheriff office quarterly report
- Fire Dept Quarterly
- Finance Quarterly
- Animal Control Quarterly

Tues. 15th City Council Meeting 6:00 p.m.

Mon. 21st President's Day- City Offices closed

Thur. 25th Planning Commission meeting 6:00 p.m. - CANCELLED

MARCH 2022

Tues 1st Terrace Days Planning 5:00 p.m.

Tues.1st City Council Meeting 6:00 p.m.

Tues. 15th City Council Meeting 6:00 p.m.

Thur. 31st Planning Commission meeting 6:00 p.m.- CANCELLED

APRIL 2022

Tues. 5th Budget meeting 5:00 p.m.

Tues. 5th City Council Meeting 6:00 p.m.

Tues. 19th City Council Meeting 6:00 p.m.

- Sheriff's office quarterly report
- Fire Department quarterly report
- Finance Department quarterly report
- Animal Control quarterly report

Wed. April 20th -22nd – ULCT (tentative)

Thur. 28th Planning Commission meeting 6:00 p.m. - CANCELLED

MAY 2022

Tues.3rd Budget Meeting 5:00 p.m.

Tues. 3rd City Council Meeting 6:00 p.m.

Tues.17th Budget Meeting 5:00 p.m.

Tues. 17th City Council Meeting 6:00 p.m.

Mon. 30th Memorial Day- City offices closed

Thur. 26th Planning Commission meeting 6:00 p.m.

JUNE 2022

Tues. 7th Budget Meeting 5:00 p.m.

Tues. 7th City Council Meeting 6:00 p.m.

Sat. 11th TERRARCE DAYS

Tues.14th City Council Meeting 6:00 p.m.

Thur. 30th Planning Commission meeting 6:00p.m.

JULY 2022

Monday July 4th : City Offices closed in observance of Independence Day

Tues 5th : City Council Meeting 6:00 p.m.

Tues 19th City Council Meeting

- Sheriff Office Quarterly
- Fire Dept Quarterly
- Finance Dept Quarterly
- Animal Control Quarterly

Monday 25th Pioneer Day Observed – City offices closed

Thurs.28th Planning Commission meeting 6:00 p.m.

AUGUST 2022

Tues. 2nd City Council Meeting 6:00 p.m.

Tues. 16th City Council Meeting 6:00 p.m.

Thurs. 25th Planning Commission Meeting 6:00 p.m.

SEPTEMBER 2022

Mon. 5th Labor Day- City offices closed

Tues. 6th City Council Meeting 6:00 p.m.

ULCT Conference TBD

Tues. 20th City Council Meeting 6:00 p.m.

Thur.29th Planning Commission meeting 6:00 p.m.

OCTOBER 2022

Tues.4th City Council Meeting 6:00 p.m.

Mon. 10th Columbus Day- City offices closed

Tues. 18th City Council Meeting 6:00 p.m.

- Sheriff's office Quarterly report
- Fire Department Quarterly report
- Finance Department Quarterly report
- Animal Control Quarterly report

Thur 27TH Planning Commission meeting 6:00 p.m.

NOVEMBER 2022

Tues 1st ; Election Night (state)

Tues. 1st City Council Meeting 6:00 p.m.

Thurs. 11th Veteran's Day observed- City offices closed

Tues. 15th City Council Meeting 6:00 p.m

Thur. 17th Planning Commission Meeting 6:00 p.m.

Thur- Fri. 24-25 Thanksgiving Holiday- City Offices closed

DECEMBER 2022

Tues. 6th City Council Meeting 6:00 p.m.

- Annual Meeting Schedule

Monday 26th Christmas Holiday- City Offices closed

Thurs. 29th Planning Commission 6:00 p.m.

Planning Commission Staff Report

Author: Tyler D. Seaman
Subject: Conditional Use, Hotel
Date: May 26, 2022
Type of Item: Action



Summary: The applicant has requested a conditional use permit to allow for an existing building located at 4301 S. 300 W. to change the occupancy use from a business use to a hotel use.

Description: The building is located at 4301 S. 300 W. Washington Terrace. It is a single level building with a basement. Each level is 1,592 square feet which will make the entire building be 3,184 square feet.

PART OF LOT A, BLOCK 23, COUNTRY CLUB ACRES TO OGDEN, UTAH, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT NORTH 0D38' EAST 1889.5 FEET ALONG THE SECTION LINE AND EAST 1331.3 FEET AND NORTH 13D32" WEST 247.44 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 8, RUNNING THENCE NORTH 13D32" WEST 102.56 FEET; THENCE EAST 54.04 FEET; THENCE SOUTH 40D07' EAST 68 FEET; THENCE SOUTH 57D08'19" WEST 87.92 FEET TO THE POINT OF BEGINNING.

Background: The building was previously used as a dance studio on the top floor and an illegal apartment in the basement. From Staff research we were unable to identify if the basement apartment was ever permitted.

Analysis: Zoning at this property is C2. A hotel is a conditional use in the use regulations for C2. The purpose and intent of a conditional use is:

The purpose of the conditional uses is to provide for uses, which, although not be permitted in certain zones, may be compatible and related to the uses permitted in these zones. The intent is to make provision for said uses under conditions and circumstances that pertain to that zone.

As such, chapter 17.68 of the zoning code establishes standards for the application of conditional uses by evaluating unique characteristics or potential impacts of conditional uses on the city, surrounding residential neighborhoods, or other adjacent land uses. Such uses may not be compatible in some areas or may be compatible only if prescribed conditions are required which mitigate or eliminate the detrimental impacts. The standards for the issuance of a conditional use permit are established to ensure compatibility with surrounding land uses, conformity with the city's general plan, and the protection, preservation, and promotion of the public interest, health, safety, convenience, comfort, prosperity, and general welfare.

1. Initial review. The city's development review committee met on May 11, 2022, to discuss the proposed use and make recommendations to the planning commission on each condition to the applicant.
2. Departmental review. Prior to or in conjunction with review by the development review committee, the public works department, fire department, and city engineer shall review and make comments concerning:
 - Flood control requirements. The city's engineer has made recommendations but has not finished the review. It is anticipated there will be additional comments from city's engineer before final approval is granted.
 - Engineering requirements for street widths, grades, and alignments; whether the proposed public improvements conform to sound engineering practice and design standards established by the city. This is anticipated to have additional comments from city's engineer prior to final approval is granted with the proposed improvements.
 - The building will need to be brought into compliance with applicable local and national codes for a change of use on the proposed improvements. The hotel will be required to go through the permit review process before any work may be completed in the proposed hotel.
 - Compliance to the local and national fire codes shall be followed. It is anticipated the fire marshal will have additional comments that will be required before final approval on the improvements will be granted.

Recommendations for imposed conditions to mitigate the anticipated detrimental effects of the proposed hotel:

- On-site security, security system, or security plan.

1. The proposed hotel will not have check-in desk. It will be a non-touch check-in and check-out. The proposal is to have security at each entrance with a electronic door lock. The applicant will install security cameras and provide an alarm system for Fire.

- Additional set-backs or landscaping.

1. At this point the applicant is proposing some landscaping and fencing in exhibit A.

- Additional storm water facilities or retention.

1. Staff will be giving additional comments as to requirements for storm drain facilities. We are anticipating no changes to the current property.

- Sign limitations.

1. The only signage proposed at this point is on the side of the building. The applicant will be required to apply for an additional sign permit and submit proposed signage for review to community development department.
- Limits on hours of operation, in whole or part.
 1. Staff would recommend check-in may take place any time before 11 p.m.
 2. Staff would recommend hotel occupants shall have quiet time from 10 p.m. to 7 a.m. daily. This would be in line with current city noise ordinance.
 - Conditions to limit light, glare, or heat.
 1. All lighting on the parking lot and exterior parking shall be controlled to the property it serves, only.
 - Architectural, fencing, landscaping, or design mitigation.
 1. The fencing shall be completed around the back screening the residential area to the west of the property and the hotel parking lot. The dumpster shall have an enclosure and be secured.
 - Limits on number of employees, patrons, or automobiles.
 1. In the contract agreement for an occupant wanting to reside in the hotel there shall be language added to control where the occupants are allowed to park their vehicles during their stay. This shall be controlled to use the provided hotel parking only.
 - Other conditions to mitigate anticipated detrimental impacts.
 1. Based off 17.52 (9) motels and hotels shall have 1 parking stall per unit and 1 parking stall per each 500 square feet of common space. Building code requires 1 ADA compliant parking stall and loading zone for every 25 parking stalls.
 - a. The applicant is providing 8 parking stalls with one being an ADA compliant stall. There will be 4 nightly rental units which would mean they need 4 stalls. The common area is less than 500 square feet so at the very least they would need 1 more additional parking stall.
 - b. With their proposal for 8 parking stalls and 1 of those being ADA compliant they would be in compliance with our parking code in chapter 17 of the Washington Terrace Zoning Code.
 2. No improvements to the building shall be made until a permit is applied for and issued with Washington Terrace Building Department. All requirements in the national building code shall be provided in drawings and a completed application showing the applicable local and national codes will be met.
 3. The hotel should not be advertised as a long-term rental. It shall be advertised as a nightly rental and state nightly rentals only in the advertisements and contracts between hotel management and residents.

4. Washington Terrace business license shall be obtained before the final approval will be granted for the intended use.

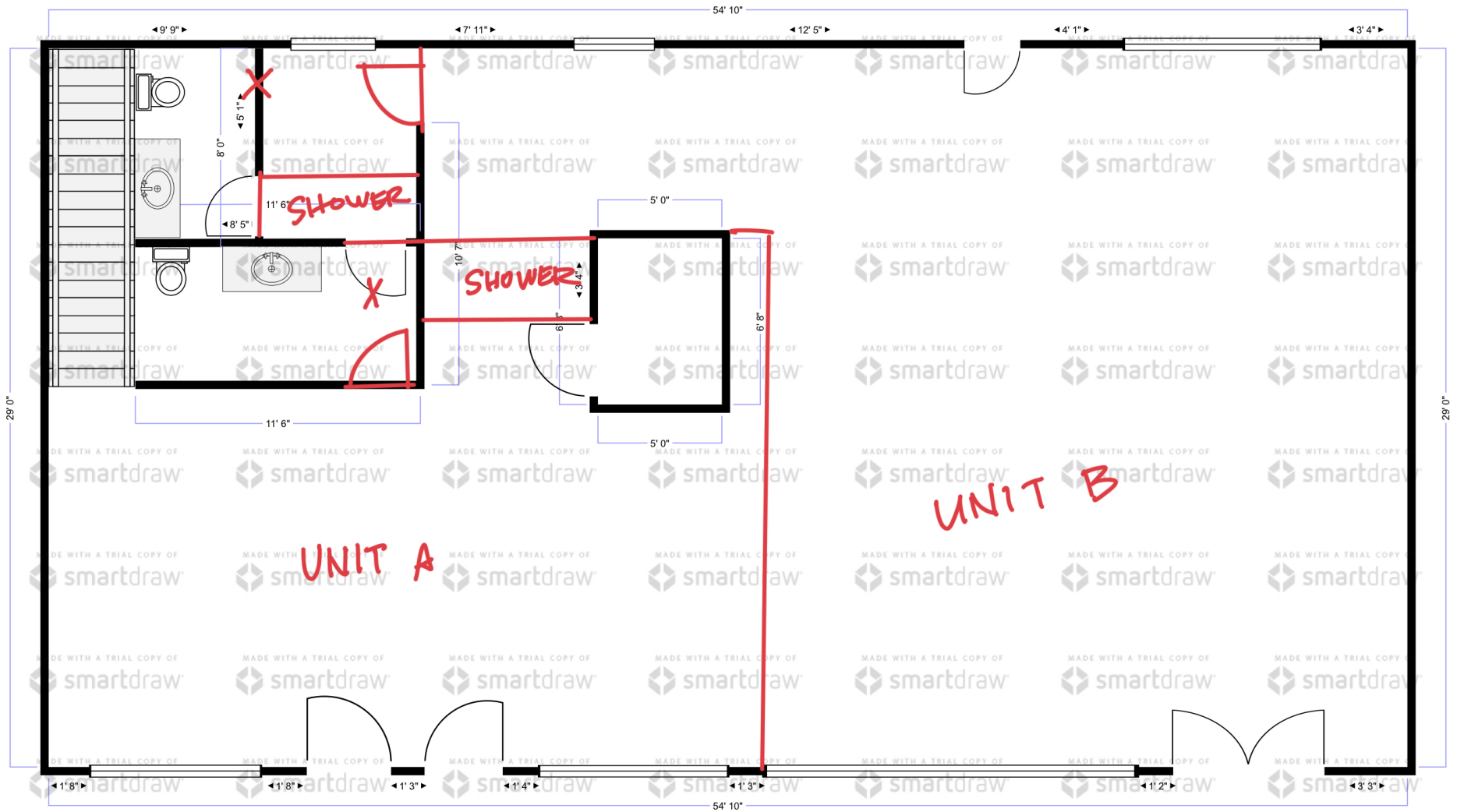
- A. **Approve the Request:** Approve the conditional use with all proposed conditions established in this Staff report and require final approval from fire authority and city's engineer.
- B. **Deny the Request:** If reasonable anticipated detrimental affects cannot be mitigated, then the conditional use shall be denied.
- C. **Continue the Item:** Table the action to a further meeting.



Studio

4301 S. 300 W. | Washington Terrace

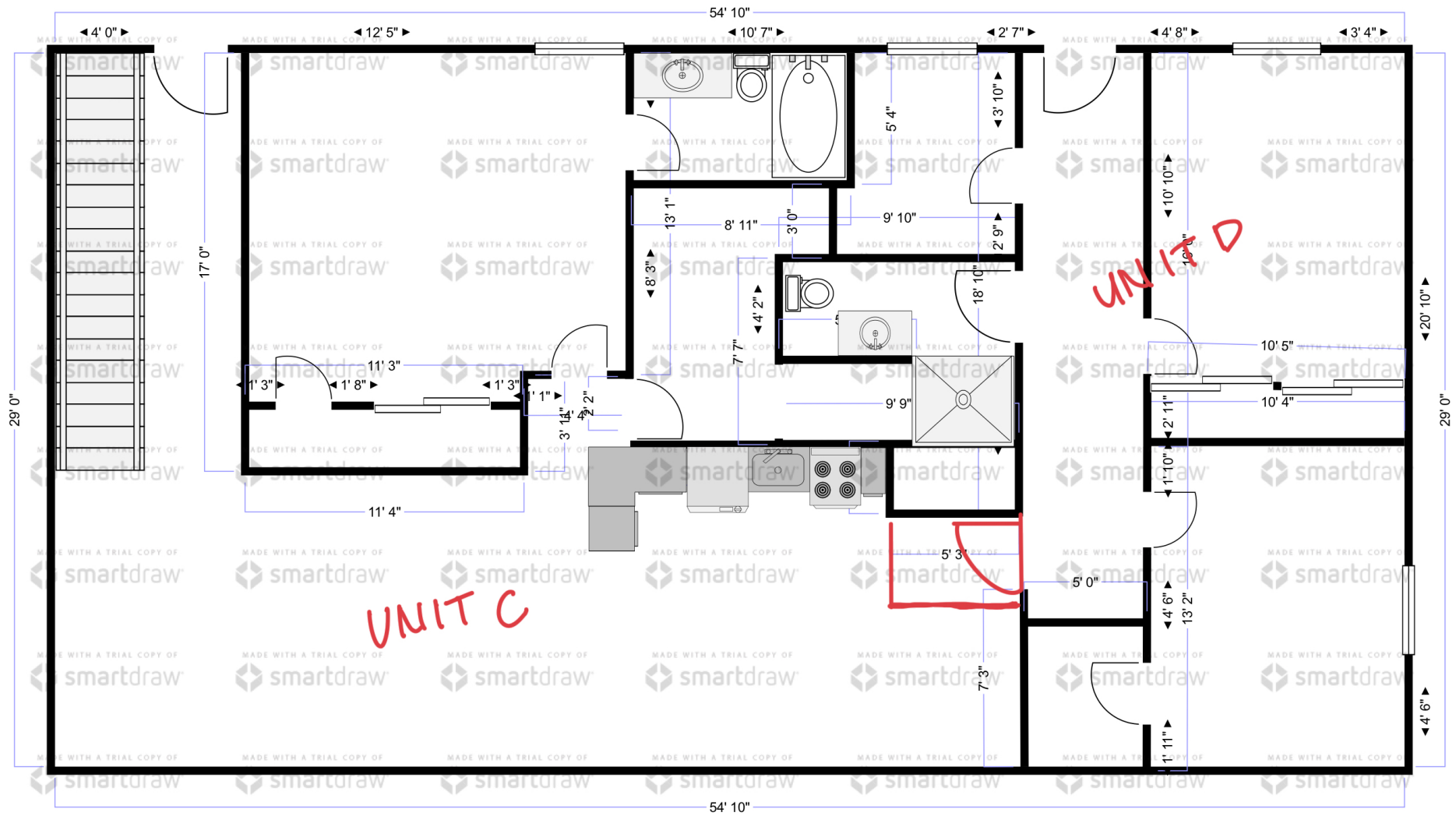
Upper Level

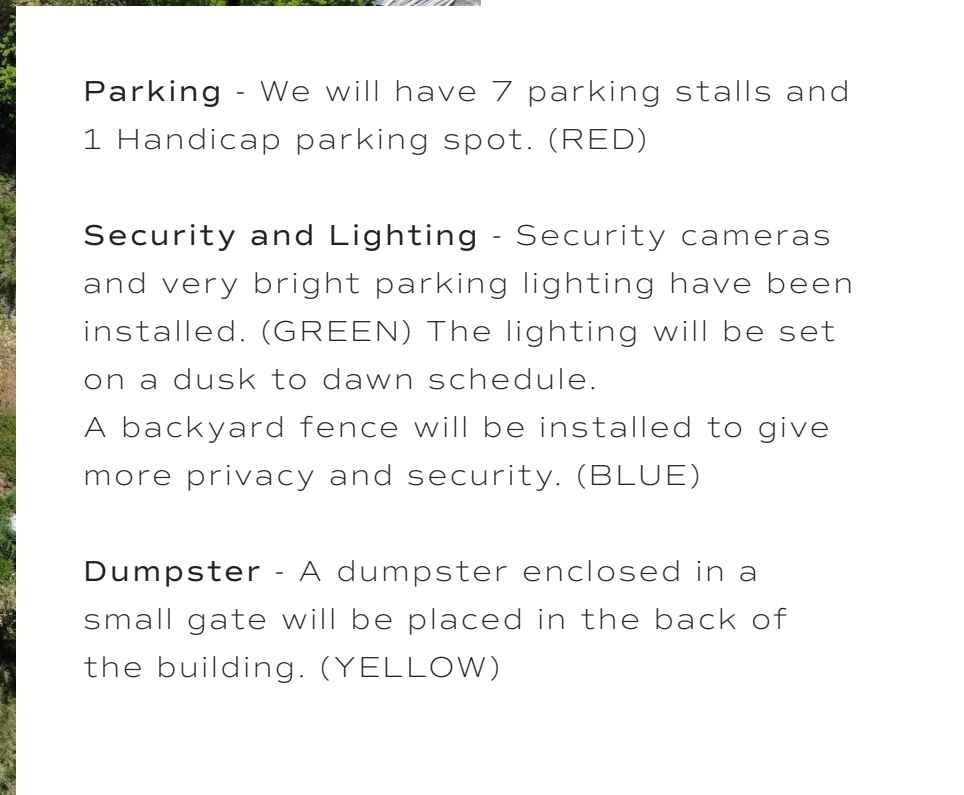


Notes:

- One of the top floor units will be built to accommodate ADA standards.
- All of the separating walls between the four units will be built to current fire code.

Lower Level





Dumpster - A dumpster enclosed in a small gate will be placed in the back of the building. (YELLOW)