

City of Washington Terrace

**Minutes of the Planning Commission Meeting held on
Thursday, May 26, 2022
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 Amy Morgan
Commissioner Steve Jacobson
Commissioner Dan Johnson - excused
Commissioner Morgan Wilkins
Commissioner Charles Allen
Chief Building Inspector Tyler Seaman
Utility Billing Specialist/Technician Robyn Landers
City Recorder Amy Rodriguez

Others Present

Tanner Leatham

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

ADMINISTER THE OATH OF OFFICE TO COMMISSIONERS MORGAN
Rodriguez administered the Oath of Office to Commissioner Morgan.

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

**Motion by Commissioner Allen
Seconded by Commissioner Wilkins
To approve the agenda
Approved unanimously (5-0)**

4.2 MOTION: APPROVAL OF MINUTES FOR OCTOBER 28, 2021

**Motion by Commissioner Jacobson
Seconded by Commissioner Morgan
to approve the minutes of October 28, 2021
Approved unanimously (5-0)**

48 **5. NEW BUSINESS**

49
50 **5.1 MOTION: NOMINATION AND ELECTION OF PLANNING COMMISSION**
51 **CHAIRMAN AND VICE-CHAIR**

52
53 **Motion by Commissioner Allen**
54 **Seconded by Commissioner Wilkins**
55 **To nominate Commissioner Jacobson**
56 **To serve as Planning Chairman**
57 **Approved unanimously (5-0)**

58
59 **Motion by Commissioner Allen**
60 **Seconded by Commissioner Wilkins**
61 **To nominate Commissioner Henderson**
62 **To serve as vice-chair**
63 **Approved unanimously (5-0)**

64
65 **5.2 MOTION: APPROVAL OF ANNUAL MEETING SCHEDULE**

66
67 **Motion by Commissioner Allen**
68 **Seconded by Commissioner Jacobson**
69 **To approve the annual meeting schedule**
70 **Approved unanimously (5-0)**

71
72
73 **5.3 DISCUSSION MOTION: CONDITIONAL USE PERMIT FOR PROPOSED**
74 **FOUR-UNIT HOTEL TO BE LOCATED AT 4301 SOUTH 300 WEST**

75 Seaman stated that the property is located in a C-2 zone, which allows hotel/motel by
76 conditional use. He stated that the top part of the building was a wide open dance studio.
77 He stated that the basement was turned into an apartment, which was an illegal use in
78 which the City was unaware. He stated that the building was sold as such. Seaman stated
79 that we are in the preliminary phase of the application, however, there are several
80 conditions that must be met before a license can be issued.

81 Seaman stated that the Development Review Committee has met and discussed what is
82 being presented, with several concerns (parking, building code, etc.)

83
84 Seaman stated that the renovations need to be brought to current building standards and
85 fire code standards.

86
87 Leatham stated that there is a quarter of an acre back lot, and the property line is in
88 Riverdale City. He stated that he spoke to the Parks, who border the backyard and they
89 are fine with his plans. He stated that he owns 3 of the 10 parking stalls. He stated that
90 they need around 8 or 9 more stalls. He stated that he owns the closest stalls to the studio.
91 Seaman stated that the remaining stalls belong to Riverdale City. Leatham stated that the
92 plan is to have four units, complete with a bedroom, bathroom, and kitchen. He stated
93 that the goal is to have all of the units be ADA accessible. He stated that it might be tight

in the lower level, however, it should be fine for the two top units. He stated that the units will not connect and they should sleep 2-6 people.

Leatham stated that he will put in a fence along the Park's property in the backyard. He stated that there is not enough room for grass in the back, and he will put in parking spots in the back. He stated that he plans to put in bright lighting to make the area safer.

Seaman stated that the concept presented is that the management will be online. They would book online and have a combination to the door. Seaman stated that they would have to adhere to City noise ordinances (7 AM to 10 PM), and that there will be specific hours for check in. Leatham stated that there will not be a lobby or staff there, but staff will be available if needed, or to respond to any issues.

Commissioner Jacobson asked how it will be advertised and who is their market.

Leatham stated that it may be listed on the VRBO and Air B&B sites, Kayak, and any other sites that are appropriate. Leatham stated that he and his partner own several units, some long term rentals, and some shorter. He stated that he would classify it as a "boutique hotel". He stated that it would have an extended stay vibe. Seaman stated that one of the conditions is that it would be a less than 30 day stay and needs to be put into contract. Seaman stated that the direction had to shift to the classification of a hotel, and not a short term rental, as this is not located in a residential area.

Leatham stated that the cleaning staff will clean units after every stay. He stated that he contracts the cleaning units.

Commissioner Morgan asked about the lighting and if it will impact the surrounding neighbors. Leatham stated that the lighting will be angled down and because of the height of the property, it should not shine into any neighboring units. Leatham stated that he has cameras on the property in the front and the back.

Leatham stated that he intends to bring back more detailed drawings.

Seaman stated that one of the conditions is that Leatham brings a site plan which is approved by the city engineer.

Commissioner Allen stated that he has concerns on the setbacks on the building and asked if they meet city standards. Seaman stated that it is an existing building, and if they didn't meet code, the setbacks are grandfathered in. Leatham stated that the parking is angled because he stated that the parking lot is close to the sidewalk. Seaman stated that the ADA parking stall will need to meet ADA standards and will reviewed and approved by the City Engineer. Seaman stated that one of his conditions is that the City engineer must sign off on the site plan before it can go to permit.

Commissioner Allen recommended that walking steps be put on the steep slope. He also stated that if there is snow and ice, it will be too steep for vehicles. Seaman stated that if he does not put in steps, he will need to put a handrail on the slope.

Commissioner Allen stated that he would like to see the final reports from the engineer. Seaman stated that at this time, there are no comments or concerns from the Public

141 Works Department. Seaman stated that the final approvals are from City engineer, Fire
142 Marshall, and Building Official.

143
144 Commissioner Allen stated that he is requesting a condition that the owner should keep a
145 register of those staying in the hotel and that the local sheriff department should have
146 access to the register at any time, along with any other official, as a public safety issues.
147 Leatham stated that they will probably assign a parking stall to each unit and have them
148 fill out make, model, color of vehicle to deter random cars.

149
150 Seaman stated that a development agreement will not be needed on this project. He stated
151 that a development agreement is only needed on a conditional use permit if the applicant
152 goes to appeal after failing to get a conditional use permit.

153
154 Leatham stated that unit D has a laundry unit that will be converted to a kitchenette, but
155 the ideal plan is to have a kitchenette in all four units. He stated that the units will be no
156 smoking units. He stated that he may put in a smoking area outside 100 feet from the
157 building. Leatham stated that he is unsure if pets will be allowed, however, he is leaning
158 towards not allowing pets. Leatham is still considering if laundry will be available in all
159 units.

160
161 Leatham stated that there is already an easement with the Public Works Department.

162
163 Commission Allen stated that there must be adequate space for fire access. Seaman stated
164 that he spoke with the Fire Chief and stated that they do not need an apparatus turn
165 around requirement as they will fight the fire from the road.

166
167 Commissioner Jacobson asked if the garbage trucks will fit behind the building where the
168 dumpsters are located. Leatham stated that the dumpsters may have to be moved.
169 Seamans stated that the engineer would like to work out the parking spaces so that the
170 garbage trucks will not be hindered by parked cars.

171
172 Commissioner Jacobson stated that he is concerned about clientele . He asked if Leatham
173 would share the nightly rate. Leatham stated that their target clientele would be skiers
174 coming to vacation, or people visiting family or students at Weber State. He stated that
175 the rates would be over \$100.00 a night. He stated that he wants a higher-class clientele.
176 Commissioner Jacobson stated that his concern is that if it was rented today, it would be
177 rented by high school graduates for a party. Seaman stated that staff is concerned as well.
178 He stated that there is concern with the City Manager and the Mayor that it may become
179 a rent by the hour hotel. Leatham stated that he is concerned as well and would like the
180 rentals to be high end. He stated that they want to charge the right price.

181
182 Commissioner Morgan stated that she believes that this is a genius idea and a great spot
183 for it. Leatham stated that he has owned the building for several months. Leatham stated
184 that he has two security cameras now and anticipates two more in the back of the
185 building. He stated that the cameras are motion sensors.

Commissioner Wilkins asked if the neighbors would allow him to use their parking lot. Leatham stated that he would love to buy the back lot from the Parks along with the parking spots. He will need to reach out to them. Commissioner Wilkins asked if there will be a limit to how long someone can stay, noting that kitchenettes may lend for people to want to stay longer. Leatham stated that code states it must be under 30 days. He stated that he does not want long term rental there due to wear and tear.

Seaman stated that the Commission could make a motion based off of the conditions discussed tonight which include Fire approval for site and Engineering approval for site. Seaman stated that it is up to what the Commission feels comfortable with, as a motion to approve could be made tonight and he goes through the process with the engineer and fire chief before issuing the permit, or he can go through the process and have it finalized and bring it back to the Commission for approval.

Commissioner Jacobson asked if we have legal ability to how it would be used. Seaman stated that we cannot change the conditions once the permit is approved and the conditions are imposed.

He stated that we would have to put in conditions that the contract stipulates one vehicle parking stall, nightly rates and not hourly rates, no longer than 30 days. Seaman stated that there are challenges with conditional use permits. He stated that he looks for issues that could become a problem in the future, especially with code enforcement problems. Commissioner Morgan stated that she does not want to delay Leatham with his plans, but asked how long it would be if we were able to table the item to review the final plans. She stated that she would suggest tabling the item until all conditions are met and then reviewing again. Seaman stated that Leatham cannot start the building process until the final motion. He stated that Leatham would have to go through everything presented tonight and come back with a solid plan on each item, along with engineer final approval.

Seaman expressed his concerns regarding dumpster location and enclosure. He stated that the city engineer had concerns regarding parking and having the vehicles be able to park and get out of the spaces. Seaman stated that some of the conditions that were brought up tonight need to be addressed as well (handrails, parking, register). Leatham stated that he appreciates the input of the Planning Commissioner.

Leatham stated that he is unsure if they will put signage up. Commissioner Morgan stated that she feels that he should not put up signage so that it can help eliminate the clientele that Leatham stated that he does not want.

Commissioner Jacobson stated that the motion could be made to itemize all the stipulations as presented by Seaman and the Commissioner met before a permit is issued, as to not delay the project by a month or possibly more.

**Motion by Commissioner Jacobson
Seconded by Commissioner Wilkins
To approve the conditional use permit for the project based
On the following conditions:**

- 234 **1. Onsite security, security system, or security plan**
235 **2. additional set backs or landscaping (make sure to have a fence put in to screen the**
236 **back, with a 6 foot height limit, unless requested otherwise and approved by the**
237 **Building Official)**
238 **3. Condition of addressing possible addition of storm water plans, condition on City**
239 **engineer approval**
240 **4. Sign limitations, if signage, must receive a permit**
241 **5. Limits on hours of operation, in whole or in part (stipulation that check in must**
242 **take place before 11:00 p.m.)**
243 **6. Staff recommends guest must observe quiet time (10:00 p.m. to 7:00 a.m.)**
244 **7. Control the lighting on property per ordinance (must be controlled only to the**
245 **property it serves)**
246 **8. Limits on number of employees, patrons, or automobiles. The contract for**
247 **patrons who will reside in the hotel will stipulate where the occupants are allowed to**
248 **park their vehicles during the stay. Addition of requirement to have a minimum of**
249 **eight parking stalls with one of them ADA compliant. Must meet standard parking**
250 **requirements, as approved by engineer.**
251 **9. No improvements can be made to the building until a permit has been issued by**
252 **the Washington Terrace City Building department. All requirements shall follow**
253 **National Building Code and state codes.**
254 **10. Fire Department approval for building codes and fire requirements.**
255 **11. Hotel cannot be advertised as a long term rental and contract must be stated**
256 **“nightly rental only “ in the advertisement and in the contract between management**
257 **and hotel residents.**
258 **12. A Washington Terrace Business license must be obtained before a final**
259 **condition use permit is granted for the intended use.**
260 **13. As per engineering, addition of handrails or stairs for the back terrace, as the**
261 **grade is too steep for walking.**
262 **14. Condition that contract stipulates that vehicles be logged and that hotel keeps a**
263 **record of who is staying at the hotel and what vehicles that they have.**

264
265 **Approved (4-1)**

266 **Commissioner Morgan- Aye**
267 **Commissioner Jacobson- Aye**
268 **Commissioner Henderson- Aye**
269 **Commissioner Wilkins- Aye**
270 **Commissioner Allen- Nay**

271
272 Commissioner Allen offered a counter motion.

273
274 **Motion by Commissioner Allen**

275 **to table the item based on the following conditions: a valid site plan must be brought**
276 **in, information gathered from the City Attorney, Engineer, Fire Marshall, and to**
277 **have Chief Building Official Seaman work with the applicant on all the items that**
278 **have been discussed.**

279 **Motion fails due to lack of second.**
280

Commissioner Jacobson stated that the Commissioners are only approving the use of the building and not the specific details because that will be dealt with by city code and through the Chief Building Official. He stated that he understands Commissioner Allen's concerns, however, it is not their place tonight to go into the specifics that will be monitored by city code, engineer, and Seaman. Seaman stated that there should be some credibility given to staff not to approve something that is not legal, or not acceptable to engineering code, building code, or fire code. Seaman stated that the Commission should be reviewing if this something that should be allowed in that space and good for the city. The Commission's role is to decide if the building and use of the building as a hotel is acceptable there. Seaman's recommendation is to move forward and allow the staff of the city to take liability of the project and make sure it is acceptable to code.

6. BUILDING AND PLANNING UPDATES

Seaman stated that the indoor storage will break ground within the next 30 days. Seaman stated that the Pleasant Valley phase 5 subdivision has submitted one Home for permit at this time. He stated that the water tie in has been completed. He stated that the ground down there has been given to the veterans for a veteran's cemetery.

Seaman stated that the city property next to the library is in the process of being sold. Seaman stated that the surgical center has not submitted plans at this time.

7. MOTION: ADJOURN THE MEETING

**Motion by Commissioner Jacobson
Seconded by Commissioner Wilkins
To adjourn the meeting
Approved unanimously (5-0)
Time 7:28 p.m.**

Date Approved

City Recorder