

River Heights City

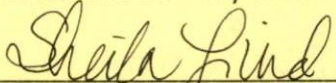
River Heights City PLANNING COMMISSION AGENDA

Tuesday, March 26, 2024

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at **6:30 p.m.**, anchored from the River Heights City Office Building at 520 S 500 E. Attendance can be in person or through Zoom.

- 6:30 p.m. Pledge of Allegiance
- 6:32 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Public Comment on Land Use
- 6:40 p.m. Public Hearing to Discuss a Conditional Use Permit Request from Troy Wakefield to Have an Airbnb at 428 E 600 S
- 7:00 p.m. Discuss Changes to the Historic Overlay Zone, to Incorporate Potential Uses of the Old School
- 7:30 p.m. Adjourn

Posted this 20th day of March 2024



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/84882993969>

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov)

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

River Heights City Planning Commission
Minutes of the Meeting
March 26, 2024

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Present: Commission members: Heather Lehnig, Vice-Chair
Noel Cooley, electronic
Keenan Ryan
Cindy Schaub
Troy Wakefield

Councilmember Blake Wright, electronic
Recorder Sheila Lind
Tech Staff Councilmember Chris Milbank

Others Present: Jessica and Joe Tenny, Brittany Cascio, Katie King, Travis Smith, Melinda Rodrigues, Guy with a beard, Bryan Cascio (electronic)

Motions Made During the Meeting

Motion #1

Commissioner Wakefield moved to “approve the minutes of the March 12, 2024, Commission Meeting with corrections, as well as the evening’s agenda.” Commissioner Ryan seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No one opposed.

Motion #2

Commissioner Schaub moved to “approve the Conditional Use Permit for Troy Wakefield, dated January 18, 2024 for property located at 428 E 600 S, known as the Cottage with the conditions under 10-12-1:83 and to include all of subsection 2, consisting of 1) A maximum 10 renters, 2) A maximum of 6 vehicles, 3) No more than two animals per rental (includes service animals) which must be on a leash and, 4) The CUP goes away if the owner moves from River Heights.” Commissioner Ryan seconded the motion, which carried with Cooley, Lehnig, Ryan, and Schaub in favor. No one opposed. Wakefield abstained.

Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on March 26, 2024.

Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the March 12, 2024, Planning Commission Meeting were reviewed.

45 **Commissioner Wakefield moved to “approve the minutes of the March 12, 2024,**
46 **Commission Meeting with corrections, as well as the evening’s agenda.” Commissioner Ryan**
47 **seconded the motion, which carried with Cooley, Lehnig, Ryan, Schaub, and Wakefield in favor. No**
48 **one opposed.**

49 Public Comment on Land Use: Brittany Cascio said, at the request of Councilmember Blake
50 Wright, she had reached out to the owner and manager of a converted old school in Draper to ask
51 questions on how they have used and managed the building. The owner told her he loves the variety
52 of businesses in the building. Some of the businesses he thought wouldn’t be a good fit but have
53 been great. He was particular about who he rented to. She said Councilmember Wright asked her to
54 show pictures and present at the public hearing when the Old School would be discussed.

55 Katie King said she and her husband do music lessons and therapy. They have a place they
56 rent in Logan but have been interested in renting the Old School building for their businesses. They
57 went into the building last week to look around and check out the noise situation. They made some
58 pretty loud noises that were not heard from other classrooms. They wouldn’t want to move their
59 businesses for only one year but hoped for a three-year minimum. Their new classes start in August,
60 so she wondered an estimated time frame.

61 Melinda Rodriguez said she sent an email to Commissioner Cooley but hadn’t heard back.
62 Therefore, she came to the meeting tonight to address the Commission. She had the impression
63 from their JV Lawn Care Conditional Use Permit (CUP) hearing that they would be allowed to have
64 one employee come to their home for office work and another employee come to their home to pick
65 up a truck and trailer each morning and return it in the evening. The employee didn’t have adequate
66 parking at his home where he could keep the truck. The CUP she was asked to sign only allowed the
67 office employee. She asked if they would consider adding an allowance for the employee to pick up a
68 truck each day. She pointed out that they had minimized the number of vehicles at their home
69 dramatically. They had rented two different storage areas where they store much of their other
70 equipment.

71 Commissioner Cooley said he received Ms. Rodrigues’ email but was confused by it because it
72 was his impression that the Commission did allow their employee to pick up the truck and trailer.
73 Ms. Rodrigues clarified that the truck and trailer are stored in their backyard and their employee
74 leaves his car on the side of the road, across the street or could even park in their backyard.

75 Commissioner Ryan thought it was an oversight on their (commissioners) part. The other
76 commissioners agreed.

77 Recorder Lind suggested they make the change at their next meeting as an agenda item. The
78 Commission agreed.

79 Public Hearing to Discuss a Conditional Use Permit Request from Troy Wakefield to Have an
80 Airbnb at 428 E 600 S: Commissioner Wakefield recused himself from the Commission and sat in the
81 audience. He addressed the Commission about his rental at 428 E 600 S: his primary residence being
82 473 E 500 S. He requested permission to have an Airbnb at 428 E 600 S, which consisted of four
83 bedrooms, two bathrooms, a little over 2,000 square feet on about an acre of property. It also had a
84 two-car garage, as well as concrete space for 4-6 additional cars. The property included a shared
85 lane. A map of the property was pulled up on the screen and he pointed out the features.

86 Councilmember Wright pointed out 10-12-1:superscript 2, regarding short term vacation
87 rentals (STVRs). He suggested using it as a guide in granting a CUP.

88 Commissioner Ryan asked how many the home could sleep. Mr. Wakefield responded that he advertises based on the number of beds. The maximum he had at one time was 10 people.

90 Commissioner Schaub asked if there had ever been any complaints about this property.
91 Recorder Lind assured there hadn't been.

92 Jessica Tenny, who lived next door to the property, said they loved what the Wakefields had
93 done with the property. They had never had any problems with renters or noise. She and her
94 husband were in favor of Mr. Wakefield's request.

95 Travis Smith, of 427 E 700 S, asked what precedence this might open in the neighborhood,
96 positive or negative. He didn't have any complaints.

97 Commissioner Lehnig replied that the code didn't allow another Airbnb within 300 feet of
98 another one. Also, each Airbnb owner needed to live in River Heights.

99 The Commission discussed each item from the code with Mr. Wakefield.

100 The Commission felt he had sufficiently addressed parking. He noted cars were not allowed to
101 park in the easement or on the flag lot behind his property. He would also make renters aware of the
102 city's winter parking restrictions.

103 Regarding noise levels, Mr. Wakefield had asked the neighbors to notify him if there was ever
104 excess noise. There wasn't another Airbnb within 300 feet of his property. Landscaping was within
105 the city ordinance. He was the property manager and resided in River Heights. He agreed not to rent
106 it longer than 28 days to a single group.

107 Commissioner Ryan asked if he was planning to rent by the month, as noted on his
108 application. Mr. Wakefield replied that he wasn't and would remove that from the application. His
average rentals were for 2-3 days at a time.

111 Travis Smith asked if pets were allowed. Mr. Wakefield said he doesn't prefer pets but had
112 allowed a dog once. Mr. Smith asked if they could be required to be on a leash. Wakefield agreed to
113 that. Commissioner Schaub pointed out that a CUP could be revoked if it ever became a problem.

114 **Commissioner Schaub moved to "approve the Conditional Use Permit for Troy Wakefield,**
115 **dated January 18, 2024 for property located at 428 E 600 S, known as the Cottage with the**
116 **conditions under 10-12-1:83 and to include all of subsection 2, consisting of 1) A maximum 10**
117 **renters, 2) A maximum of 6 vehicles, 3) No more than two animals per rental (includes service**
118 **animals) which must be on a leash and, 4) The CUP goes away if the owner moves from River**
119 **Heights." Commissioner Ryan seconded the motion, which carried with Cooley, Lehnig, Ryan, and**
120 **Schaub in favor. No one opposed. Wakefield abstained.**

121 Discuss Changes to the Historic Overlay Zone, to Incorporate Potential Uses of the Old School:
122 They discussed the Old School's large classrooms, high ceilings, many windows, and sinks in each
123 room. Ms. Schaub said the rental management would need to be determined. They discussed
124 allowed uses.

124 Commissioner Cooley felt Ms. Schaub's draft was a good cut at what they were striving for.
125 Other ideas could come up during the public hearing which they may want to address. He reminded
126 that all they (as commissioners) needed to worry about was land use. It wasn't their job to work
127 through all the little details. He also pointed out that the ordinance allowed for other uses, not
128 listed, to be added later. He brought up paragraph H, which described the uses not permitted. He
129 felt #10. Drama Studio, Theater should be allowed at this location. Ms. Schaub explained how she
broke out the allowed and not allowed uses for each location.

131 The Commission agreed the draft was ready to go forward to a public hearing. Commissioner
132 Cooley requested the hearing be put off until April 23 since he would be out of town for the next
133 meeting.

134 Commissioner Cooley asked if Fiorella Razzeto's Kennel Conditional Use Permit was going to
135 be on the agenda again in two weeks. Recorder Lind replied that it would be discussed again so the
136 Commission could approve or reject it.

137 Commissioner Cooley asked for clarification on what was decided on the JV Lawn Care
138 business. He was told the Commission would discuss it again at their next meeting to clarify their
139 intent on the CUP, by allowing one employee to pick up a vehicle from their River Heights residence
140 each morning and bring it back in the evening.

141 The meeting adjourned at 7:30 p.m.

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Sheila Lind, Recorder

Heather Lehnig, Commission Vice-Chair

River Heights City Conditional Use Application

For office use	
Date Received:	<u>1/18/24</u>
Hearing Date:	<u>3/26/24</u>
Amount Paid:	<u>100-</u>
Approved _____	Denied _____

APPLICANT

Name: Troy Wakefield
Mailing Address: 473 E 500 S River Heights UT 84321
Phone: _____ mail: _____
Please check one of the following: owner _____ buyer _____ renter _____ agent _____ other

PROJECT INFORMATION

Name: The Cottage
Address/Location: 428 E 600 South River Heights
Property Tax ID: 02-028-0001 Existing Zone: _____
What is the current use of the property? _____
How many employees will be working at this location including applicant, immediate family, and non-family members? _____
How many vehicles will be coming and going daily, weekly, or monthly? _____
I agree to abide by the River Heights City Parking Ordinance (10-14). Initial TW
I agree to abide by the River Heights City Sign Ordinance (10-16). Initial TW

Description of Request:

Use the Home (Cottage) AS A short term Rental
on a ~~monthly~~ BASIS.
short term rental

SUBMITTAL REQUIREMENTS

- _____ Completed and signed application form
- \$100 application fee
- _____ 8 1/2 x 11 copy of plans
- _____ Provide a Fire Protection evaluation from the fire department.