

# **Residents' Request to Amend** **Zoning Map**

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## **Residents' Request to Amend Zoning Map**

Changing the parcels owned by Box Elder Properties, Laurie Barnett, RA Woodward CO INC, Joyce Anne Jones, and Earl Lelegren from approximately 1200 West 3200 North to 1500 West 3200 North and North to Bull River Rd from BP (Business Park) to MU (Mixed Use).

### **a. Reason and justification of the proposed amendment**

- i. Reason 1: Lehi residents and Box Elder Properties would like to create a safer environment for the Fox Hollow Elementary School children, teachers and staff. Box Elder Properties consents to this amendment because it allows for a financially equitable alternative to building a Hotel.

#### Justification

1. The planning commission, by adding several conditions to the site plan for the Box Elder Properties Extended Stay Hotel, is, in essence, acknowledging that there are safety hazards in having an elementary school adjacent to an Extended Stay Hotel. Their attempts to mitigate the hazards, while noble, are not sufficient in the eyes of their constituents or acceptable in light of the compiled statistics and data relative to Extended Stay Hotels (Appendix A).
2. Statistics prove crime is relatively high in Extended Stay Hotels (Appendix A, Section 1).
3. Statistics prove more crimes, including violent ones, occur on hotel properties than High Density Residential properties of equal size (Appendix A, Section 2).
4. The number of people visiting a hotel in a year, combined with the anonymity of its tenants, creates a dangerous situation for small children. "It's a natural habitat for anyone looking for anonymity," said Capt. David Young, Director of the Pennsylvania State Police drug law enforcement division. "They're convenient, you can pay cash and, obviously, it provides you with privacy for many types of crimes, including drug dealing" (Appendix B, Quote #1).
5. Sex offenders are not required to register in hotels for up to 10 days. At the current proposed site, voyeurists and sexual predators could come from anywhere in the state, or greater, to view children unobstructed and unchecked (Appendix A, Section 3).
6. Extended Stay Hotels are commonly known for housing criminals on parole or probation. At Extended Stay Hotels, criminals can stay without paying their first and last month's rent and without having their backgrounds or credit checked. Agent Bill Morris has worked for both South Salt Lake and Midvale Cities. He directly watches over the parolees and those on probation, many of whom stay at Extended Stay Hotels. Some of the parolees staying in Extended Stay Hotels are sexual offenders. Joey Davenport of the Buena Park Police Department said, "the Extended Stay Hotels attract a lot of parolees

and probationers just getting out of jail because the lodging is affordable.” (Appendix B, Quotes #2, 3).

7. It is difficult to find Extended Stay Hotels adjacent to elementary school playgrounds in any city of the country. Our research uncovered only two in the Western United States (CA, ID, NV, UT, AZ, and WA). They are located in Phoenix, AZ; neither have an unobstructed view of the playground (Extended Stay America, 435 Oak Street, Phoenix, AZ 85008; Residence Inn, 8242 N Black Canyon Freeway, Phoenix, AZ 85051).
8. Numerous news articles detail existing crime and dangers present in Extended Stay Hotels (Appendix C).
9. Several people who work with criminals have agreed that this would be a dangerous situation. AP&P Agent Bill Morris said about the parolees currently staying in Extended Stay Hotels, “Do they cause problems? Yes they do--drug related and other. I know of no elementary schools next to hotels. It would be a potential safety hazard.” LT. Rhett McQuiston, Deputy Commander of the Utah AG's ICAC (Internet Crimes Against Children) Task Force said, “As a parent, I feel you have a concern” (Appendix B, Quotes #1,5).
10. Members of the school district and state board have expressed concerns. Mark Cluff Regional Representative for the Utah State School Board said “that there are no hotels adjacent to an Elementary School in Utah suggests it is not in the best interest of the children. Rob Smith, Alpine School District, in response to a parent email asking why the School District did not better advocate the children’s safety at the July 12<sup>th</sup> Planning Commission Meeting said, “The district already communicated the concern that a hotel should not be this close to a school” (Appendix B, Quotes #6, 7).
11. Town-homes are a viable option for the builder, enabling the builder to meet their financial goals without jeopardizing children’s safety. (Note: the builder intends to move forward with the proposed hotel unless the zone is changed.)
12. Unlike other business park structures, hotels draw in thousands of tenants who are not familiar with local roads and speed limits, increasing the risk for traffic accidents involving school children.

- ii. Reason 2: An Extended Stay Hotel at the current location may not be financially viable.

#### Justification

1. The hotel will only have one entrance and exit point. The occupants will have to turn around in a cul-de-sac in order to exit the property. Accessibility is a key factor in the success of a hotel venture, and having only one access point may not allow for total profitability.
2. The hotel can not be seen from I-15. This could deter patrons as other hotels in the area can be viewed easily from the freeway.

3. Box Elder Properties has not yet found and may not be able to find a hotel operator willing to locate next to an elementary school (for liability reasons) and away from the freeway with low visibility.
4. With two hotels at Thanksgiving point, and having to compete with Marriott's superior location and established reputation, the proposed hotel could easily be forced to drop rates in order to survive, further increasing danger to children (Appendix B, Quote #3).
5. Box Elder Properties said building this particular Extended Stay Hotel was intended to accommodate the needs of IM Flash (see KSL.com for remarks given Friday June 22, 2007, regarding patrons for the hotel); however, IM Flash Public Relations Department gave this statement, "Box Elder Properties does not have any current business relations regarding the Fox Hollow site with IM Flash Technologies," They have made arrangements elsewhere. (Lori Baugh, Public Relations, IM Flash Technologies). IM Flash's lack of patronage poses a serious threat to the economic viability for the proposed hotel.
6. Box Elder Properties does not intend to manage the hotel. If a hotel is built, the burden of maintaining its financial stability will rest solely upon the operator and the city not the builder.

**b. Consistency with goals and policies of the General Plan**

- i. The proposed amendment will preserve the safety of children now attending the school and those who will attend in years to come; it is therefore in keeping with the General Plan's goals to promote the general welfare of the city's residents in the "long range" (General Plan, p.2).
- ii. Citizens have communicated to city officials that rezoning is "the community's goals and desires for the future" (p. 4) and that the current zoning is not "in the community's best interest" (p.5) for the reasons stated above. (See also Appendix D, Letters to the Planning Commission.)
- iii. An informal survey of residents in the area indicates a majority would never buy a home where a hotel borders their child's playground. Rezoning this property is "aimed at preserving and improving the life and livelihood of each member of the community" (p. 18), and is consistent with Lehi's overall mission statement to "make Lehi city a desirable place in which to live" (p. 5).
- iv. This amendment would definitely "maximize the opportunities to provide a long-term quality environment which is...safe" (p. 11), whereas the current hotel plan for this property is arguably unsafe.
- v. The current proposed hotel is not in an "appropriate location" (p. 7) in regard to the proximity to the Fox Hollow Elementary School. The amendment is aligned with the general plan in regard to policy number 3, Economic Development (p. 7).
- vi. The General Plan states repeatedly that Lehi City wants to develop land in a manner "consistent with the needs and desires of the citizens" (p. 12). At the July 12<sup>th</sup> Planning Commission Meeting, where approximately 200 citizens attended to protest the hotel, the commission members did not allow the

public even five minutes to present facts and statistics enumerating the safety hazards of a hotel on the Box Elder Property. This amendment affirms the General Plan's commitment for "open communication with all...residents" (p. 12).

- vii. As North Lehi becomes increasingly expensive, the number of moderate income housing units available may not be congruent with MSMI standards. (The housing statistics available online are currently out-of-date which prevented us from substantiating this possibility.)
- viii. The Land Use Plan "reflects an approach to attaining several General Plan concepts expressed in the concerns of the community and supported by the goals and policies" (p. 16), one of which is "the conservation of resources" (p 17). Children are the most valuable resource we have. To "conserve" and "preserve" them means to "protect [them] from injury or peril" (American Heritage Dictionary). The articles, statistics, and letters compiled in this amendment clearly indicate a hotel on this property would increase the likelihood of children being harmed and is not in harmony with the city's goals as outlined in the General Plan i.e. to preserve and protect our resources.

**c. Compatibility of the proposed zone with existing uses of nearby and adjoining properties.**

- i. The area is next to an elementary school, where HDR- allowed in a MU zone – would be much more compatible than a conditional use hotel.
- ii. The amendment is 100% compatible with other existing adjoining properties and will fit nicely with future commercial and residential development in the surrounding areas. Changing the General Land Use Map for this area to MU will not change the dynamics of the future Business Park or other sections of the current land use Map zoned BP. Many high density residential areas are known to be adjacent to Business Parks and Commercial Areas with certain provisions (fencing and traffic considerations). These work well together and will not impact the existing infrastructure or adjacent zoning (see also section "d" below).

**d. The effect on the character of the surrounding area, and whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for nearby and adjoining properties.**

- i. The proposed amendment will not in any way negatively affect the character of the surrounding area, the uses, or proposed uses for nearby and adjoining properties. Currently, there is a school adjacent to the property and the amendment would only create a safer and more desirable environment.
- ii. Town homes would not impact Earl Lelegren's properties; it would likely be an improvement. His wife, Faye, who has recently deceased, never liked the idea of a five-story hotel towering over her home (according to Darlene Fisher, friend and confidant of Faye Lelegren).

- iii. The other area to the west of the proposed zone change (west of approximately 1500 west) could stay Business Park without any adverse affect. It is already surrounded by R-3 zoning and a school. Changing the zone of this smaller section to Mixed Use will not encroach on the viability, character, or uses of the Business Park (see also section “c. ii.” Above).
- iv. The amendment would leave the majority of land as Business Park, allowing for the increase of professional businesses to facilitate the desire for those who wish to work and live in Lehi.
- v. It will still allow for the proposed tax base while increasing the safety of the children’s school.
- vi. One could argue that a hotel could still go in under current statutes of the city code on the west side of the Elementary school. This is true, but as a community we intend to put through necessary legislation to stop this from happening directly adjacent to any school ever. The State is also going to be working on legislation for this matter as well. The citizens in this area hope that the City council and Planning Commission will not allow a different hotel to be adjacent to the Elementary School now that they are aware of the safety hazards as well as the sentiments of their many constituents. Also, the school now has claim to land rights in regard to other construction that may be coming in the future. (Lehi citizens are not opposed to hotels but merely the unsafe location of this proposed one. A hotel closer to the freeway with better access and visibility would be a better choice economically.)

**e. The gain to the public health, safety, welfare and overall community benefit from the existing classification to the proposed amendment**

The obvious gain would be a safer environment for the children attending Fox Hollow Elementary School and the surrounding residential neighborhoods. The citizens of this community are very supportive of this amendment, as evidenced by the number of citizens who have contacted the city council and who were present at the Planning Commission meeting to protest the hotel plan. Not only is this proposed amendment a significant and important gain to the public welfare and safety, but not adopting this amendment will be construed by the citizens to be an act of negligence and disregard for the voice of the people and the welfare of nearly 1000 children.

# Appendix A

## Statistics

### Section 1 – Crime is High in Extended Stay Hotels

Sandy City had 859 calls in the past 3 years for two Extended Stay Hotels. This averages 143 calls per year per hotel. This means a police officer or squad was sent to an Extended Stay Hotel on average every 2.5 days, or nearly 3 times a week to investigate.

South Salt Lake had on average 91 reports made per year. This is not their call statistic, which is higher, but the actual reports that were written up because something occurred. This means that a real incident, usually a crime, occurred on average every 4 days. (And these are only the crimes to which the police were alerted.)

Murray City Extended Stay Inn had an average of 43 reports made per year. This is lower than the other Extended Stay Hotels, but nevertheless, a police report was made every 8 days. Again, these were only the crimes and problems in which the police were notified. (This hotel's capacity was much smaller than either the Sandy city or South Salt Lake city Extended Stay Hotels)

Lehi City averaged 40 calls per active hotel. None of these were extended Stay Hotels which tend to have a higher crime rate; however, the Chief of Police for South Salt Lake city has indicated that **even nicer hotels average ½ call per room per year**. Lehi falls into this category. Lehi has approximately 200 total rooms (in active hotels) and received 119 calls for service in 2006. It can therefore be concluded that the proposed hotel would generate approximately 50 calls per year. The entire Provence Town Home complex, located directly southwest of Fox Hollow Elementary, only generated 3 calls last year (see Section 2 below).

There were 10,817 incident/crime reports made last year in Lehi City. There are approximately 14,720 acres in Lehi city. This averages out to be less than 1 report per acre - exactly .7 reports per acre. If you multiplied the average crime report per acre (.7) times the number of acres for the proposed Hotel (5) This should give you the expected number of reports per year for the Hotel - 3.5 reports annually. However what we just discussed – that the Hotel will most likely generate 50 calls or ½ call per room per year will be 14 times higher than the projected amount. Why would the city want to put anything that has 14X as many crime reports as the rest of the city next to our most vulnerable citizens?

Midvale City's crime rate is higher than Lehi city's, but the same trend exists: crime happens much more frequently in Extended Stay hotels than in comparable residential areas (i.e., residential complexes in close proximity and of comparable size).

(Statistics provided by Sandy, South Salt Lake, Murray, Lehi, and Midvale Police Departments. For Individual reports or more information contact the Police Departments for that city.)

## Section 2 – Drug Abuse and Violent Crimes are higher in Extended Stay Hotels than in neighboring Apartment Complexes

**Crime in Midvale Extended Stay Inn (151W 7200 S) compared to Pine View Apartments (150 W 7200 S). Both are similar in size, density, and location. Statistics cover a 4-year period:**

<b>2X</b> as many Hit and Runs at the hotel
<b>2X</b> as many Aggravated Assaults
<b>5X</b> as many deaths
Over <b>3X</b> as many Drug Offenses ( <b>27</b> in the hotel compared to <b>1</b> in the apartments)
<b>4X</b> as many Mental Subjects
Nearly <b>2X</b> as many Drug Overdoses
<b>2X</b> as many Suicide Attempts
<b>2X</b> as many Suspicious Persons/Property/Vehicle
<b>2X</b> as many Warrants issued
<b>7 to 1</b> Intoxicated Persons
<b>13</b> incidences of “Found Items” (items that were stolen but recovered at this location) compared to 1 incident at the apartments
*Felons prefer the anonymity of a hotel; they can conceal themselves and evidence more conveniently and affordably.
Statistics provided by Murray City Police Department- For individual reports contact MCPD

**Lehi hotels (not extended stay) compared to Provence Town Homes (just southwest of Fox Hollow Elementary School):**

<u>Lehi Hotels</u>	<u>Provence Town Homes</u>
2006 – 40 calls per hotel (average)	2006 – 3 calls
2007 – information not released	2007 – no calls to date

(Note: The Lehi Police Department would not release information regarding the specific crimes committed at the Lehi hotels and statistics for each hotel. The other cities contacted quickly released this public information to us.)

**Sandy City Extended Stay America (7555 S. Union Park Ave.) compared to Cottonwood Hills Condominiums (8126 South 1300 East). Statistics cover a 3-year period:**

<b>29 to 1</b> drug offenses in the hotel
<b>4X</b> as many alcohol related offenses
<b>2X</b> as many kidnappings
<b>2X</b> as many violations of a protection order
<b>2X</b> as many weapons offenses
<b>33 to 6</b> suspicious persons/property/vehicle
Statistics provided by Sandy City Police Department – For individual reports contact SCPD

**Section 3- Registered Sex Offenders in Utah**

There are 7,180 registered sex offenders in Utah alone. Of these sex offenders, 81% are convicted of sexually victimizing those 17 and younger. The majority of all sex offenders reside in Utah, Salt Lake, and Davis Counties. The furthest point in any of these locations is no more than 1.5 hours away from the hotel site and Fox Hollow Elementary School.

The police here in Lehi review the sex offenders’ whereabouts every 3 days. Other cities are not as vigilant. Any of the sex offenders in the counties mentioned above could go to this hotel, not register, stay there for nearly 3 days without anyone knowing and have, at the most, an hour and a half drive to make it “safely” home. Those whose cities are not as vigilant will have longer. These are only the “registered” sex offenders. There are at least that many or more who have not been caught and also those who have avoided registering.

Those being released from prison have 10 days before they have to register and can go 10 days without registering between moves. They can easily go to an Extended Stay Hotel for those 10 days. (See Appendix B, Quotes 2-3). Unfortunately, sexual predators are often repeat offenders and are not usually “cured” in prison.

How badly do we need this small section to be zoned specifically Business Park?

Statistics Provided by Utah Department of Corrections, Jack Ford

# Appendix B

## Quotes

### Quote # 1

"It's a natural habitat for anyone looking for anonymity," said Capt. David Young, Director of the Pennsylvania State Police drug law enforcement division. "They're convenient, you can pay cash and, obviously, it provides you with privacy for many types of crimes, including drug dealing."  
[http://www.pittsburghlive.com/x/pittsburghtrib/s\\_404238.html](http://www.pittsburghlive.com/x/pittsburghtrib/s_404238.html)

### Quote #2

AP&P Bill Morris.  
Midvale Police Department  
(801)256-2500

Agent Bill Morris has worked for both South Salt Lake and Midvale Cities. He directly watches over the parolees and those on probation, many of whom stay at Extended Stay Hotels. Some are sexual offenders. "Do they cause Problems? Yes they do--drug related and other. I know of no elementary schools next to hotels. It would be a potential safety hazard."

### Quote #3

Joey Davenport of the Buena Park Police Department said, "the Extended Stay Hotels attract a lot of parolees and probationers just getting out of jail because the lodging is affordable."  
(Printed Thursday July 5<sup>th</sup> OC Register)

### Quote #4

Detective S.M. De Jarnatt is a SWAT Negotiator and CIT officer. She also coordinates the Elementary School Safety Program for Midvale City. She said, "Act on your feelings, don't rationalize them away."

### Quote #5

LT. Rhett McQuiston, Deputy Commander of the Utah AG's ICAC (Internet Crimes Against Children) Task Force said, "As a parent, I feel you have a concern."

### Quote #6

The fact that "there are no hotels adjacent to an Elementary School in Utah suggests it is not in the best interest of the children" (Mark Cluff, Regional Representative, State Board of Education).

### Quote #7

"The district already communicated the concern that a hotel should not be this close to a school"  
(Rob Smith Alpine School District).

## Appendix C

### News articles and quotes detailing the existing crime and dangers present in Extended Stay Hotels

#### **Police Make Sizable Drug Bust in Sandy**

KSL News, February 23, 2006, 4:31pm

<http://www.ksl.com/?nid=148&sid=167944>

Sandy police are at the scene of a sizable drug bust at **7755 S. Union Park Avenue**. Officers found more than 100 balloons filled with cocaine and heroin in a room on the third floor of **an extended stay hotel**. Police arrested three people and seized money and several vehicles.

#### **Horror and Healing- The Chevys shootings**

DeseretNews, Sept. 17, 2003

<http://media.www.utahstatesman.com/media/storage/paper243/news/2002/03/18/Features/Cache.Valley.Crime.Rates.Are.Below.Utah.Averages-218325.shtml>

Martinez spent the day before the shooting in Room 339 of the **Extended Stay America Hotel, smoking and injecting methamphetamine, according to court testimony**. He knew he was wanted for the probation violation and was **staying there to avoid being arrested**, according to detective Peterson. He was on a "never-ending" meth binge.

#### **Police Relocate 34 Sex Offenders Found Near School**

(CBS) LOS ANGELES

Using a citywide database, Los Angeles police tracked down and relocated **34 registered sex offenders living in hotels near a Wilmington elementary school**, the City Attorney's Office announced Tuesday.

#### **From an actual site that details where pedophiles can find children written and hosted by pedophiles**

(See more at 2<sup>nd</sup> blog after animal testing <http://blog.myspace.com/draculabaa>)

“Elementary schools -- Frolicking LGs [Little Girls] can also be viewed at recesses on the playgrounds **(the best ones are those with businesses or other legitimate adult activity across the street or adjacent to the school)**, but be discreet and maintain a reasonable distance from school property.”

## **Hotels, Motels Become Popular for 'Meth Cooks'**

EVANSVILLE, Ind. (AP)

Reed Skelton was kicking it back on a Saturday night in his hotel room, sipping beer and watching porn when the methamphetamine he was brewing in the bathroom exploded.

As the number of meth labs has spread in recent years from the West Coast and Southwest and infiltrated Midwest states such as Indiana and Kentucky, they are being **found more in hotel rooms — perfect for "meth cooks" on the go, even if they're locals.**

**“They are not just found in seedy motels but in chain hotels that cater to business people and vacationers — much like the Baymont Inn, in a newly developed area on Evansville's west side.”**

## **The Meth Epidemic**

CNN Live Today, July 6, 2005, 11:30 ET

Meth labs are frequently located in public locations....The proximity of the labs to residential areas makes the general population extremely vulnerable to the hazardous conditions associated with their operation.

## **Neighbors object to hotel proposed near future school**

BY DEENA WINTER, Lincoln Journal Star

In a letter to City Council members, Fix said unless the hotel does a background check on all hotel guests (including their visitors), it could be a “safe haven” for a sexual predator to hide and prey on schoolchildren. Fix said the hotel would be within 200 feet of the school property.

## **Hotel Meth Bust**

Kathleen Thurber

William R. Bout, 42, was arrested about 10 p.m. Wednesday ‘June 8<sup>th</sup> 2007’ on a manufacturing narcotics charge after authorities were called to the Extended Stay America hotel at 5903 Woodway Drive because of a dumpster fire, Police Chief Yost Zakhary said.

## **Is Utah failing to keep tabs on sex offenders?**

## **Web firm says state admits many addresses are wrong**

Deseret Morning News, Jeremy Twitchell

<http://deseretnews.com/dn/view/0,1249,600149825,00.html>

OREM — A private Web site that maps the known residences of Utah's registered sex offenders has raised an alarming concern — the state may have incorrect addresses for as many as two-thirds of those listed on the registry. That means the state may not know the whereabouts of as many as 5,400 of its registered sex offenders.

Mark Olsen, an account manager for Orbizon, the Orem-based Web development company that designed the site — [www.mapsexoffenders.com](http://www.mapsexoffenders.com) — said the Utah Department of Corrections, which maintains the information on the registry, contacted his company Monday and told it about the potentially incorrect information.

"We were concerned about that, so we turned off our Web site," Olsen said. Parents for Megan's Law regularly surveys agencies that are responsible for the registries in each state to measure their compliance with the federal statute. In the most recent survey, Utah received a zero.

"It's very disturbing," she said. "I'm not exactly sure how to interpret it. But if I were in Utah, I would question that."

Convicted sex offenders are required to register with the UDC within 10 days of their release from prison or within 10 days of any change of address. Failure to comply is a Class A misdemeanor that carries a mandatory 90-day jail sentence and one year of probation.

## **Drug dealers often work out of hotels**

[http://www.pittsburghlive.com/x/pittsburghtrib/s\\_404238.html](http://www.pittsburghlive.com/x/pittsburghtrib/s_404238.html)

In the hours after state police Cpl. Joseph Pokorny was gunned down outside an **Extended Stay America in Carnegie**, police searched one of the hotel rooms and found more than a pound of heroin.

But what law enforcement authorities know all too well is that hotels, **particularly the extended-stay kind**, frequently are used as makeshift headquarters or hideaways for drug dealers and other criminals.

**"It's a natural habitat for anyone looking for anonymity," said Capt. David Young, director of the Pennsylvania State Police drug law enforcement division. "They're convenient, you can pay cash and, obviously, it provides you with privacy for many types of crimes, including drug dealing."**

"Hotels are something we're very familiar with in narcotics investigations," said Special Agent Steve Robertson of the U.S. Drug Enforcement Administration in Washington, D.C. **"Hotels are a great location to do a drug deal. As a drug dealer, you don't want to do it in your house.** You can do it in a parking lot, or you can do it in a hotel. A great thing about (a hotel room) is you have control."

Police last month also **raided a residential hotel in Revere Beach, Mass.**, arresting 19 people after a three-month investigation yielded **43 purchases of crack cocaine and heroin.** The city ordered

the hotel to close 10 of its 37 rooms because of health and building code violations and is now trying to close the business

### **Extended-stay hotels also have become a hot spot for overnight methamphetamine labs, said Robertson of the DEA.**

Such a lab was discovered in an **Extended Stay America** near Denver in 2002, **causing 52 rooms to be evacuated** because of the danger of contamination by the chemicals used in the process and their potential volatility. Another **meth lab sparked a fire in 2002 at a Studio Plus hotel**, also owned by Extended Stay America, in Oklahoma City. **And a 60-room wing of the Quality Inn and Suites in Arlington, Texas, was destroyed when a meth lab sparked a fire in August 2004.**

### **Report from Utah Council for Crime Prevention**

Although Utah reports do not show drugs and alcohol or traffic violations, there are very high occurrences of these problems. **Utah is in the top five states of methamphetamine production per capita**, said Mike Milne from the Utah Council for Crime Prevention. "We are working with the hotel industry to educate hotel owners and operators of what to watch for to know if **people are producing methanphetamines in their hotel rooms**," Milne said. "Methamphetamine and other drug problems are a main focus for the crime prevention council, and it is also a concern for the state."

### **America's Most Wanted -Targets Children at Hotels**

<http://www.amw.com/fugitives/case.cfm?id=31948>

In 2003, there'd been dozens of sexual assaults near Disneyworld; the youngest victim was just nine years old. Most of the victims had been ambushed in hotel elevators or stairwells. For months, cops say the predator stalked, attacked and violated numerous small children.

### **Novi raid leads to drug bust**

The Oakland Press: Local News  
[www.theoaklandpress.com](http://www.theoaklandpress.com)

International drug cartel started to unravel after discovery in hotel. The Studio Plus, an extended-stay hotel near Eight Mile and Haggerty roads...

### **Hotel Manager Arrested In Drug Raid**

[http://www.11alive.com/news/article\\_news.aspx?storyid=91029&provider=top](http://www.11alive.com/news/article_news.aspx?storyid=91029&provider=top)

**A Cherokee County narcotics squad shut down a methamphetamine operation at a Canton extended stay hotel. Agents from the Cherokee Multi-Agency Narcotics Squad have been investigating the Homestead Inn on Riverstone Parkway for over a month.**

Hotel resident Melissa Gonzalez moved in only a week before the bust. “I couldn't believe that it happened, and I was afraid for my little boy that I got living with me,” she said.

Resident James Literal has lived at the hotel for two months. He says he’s seen a lot of activity in room 203 late at night and early morning.

“I knew that they were doing something so I wasn't really all that surprised,” Literal said in response to the arrests.

**Narcotics agents say drug activity at extended stay hotels is not unusual.**

## **Keeping sex offenders out of neighborhoods...** **Cities create sex offender buffer zones**

**Many cities have created 1,000-foot buffer zones around schools, daycares and playgrounds where sex offenders cannot set up permanent residences.**

**Registered sex offenders can still move into some apartment complexes and extended stay hotels without a background check. So, police may never know where they live.**

But Bilbrey said it is **worth the effort for any city to try** and control it. “If we can keep our citizens safe, **keep our children safe it’s well worth the time,**” Bilbrey said.

## **Pedophile living in Extended Stay Hotel in a child safety zone**

<http://www.ksat.com/news/13377856/detail.html>

**AN ANTONIO --** MySpace alerted Bexar County authorities Wednesday about a registered **sex offender who it believed was trying to contact underage girls.**

Police arrested Daniel Baldemar Perez, 22, who was apparently on probation and **living in a child safety zone at an extended-stay hotel** in the 6900 block San Pedro.

Authorities said they believe Perez had two separate MySpace accounts and was allegedly trying to meet as many as 15 underage girls that he had contacted through the Web site.

## **Risks Of Exposure To Meth In Hotel Rooms**

<http://www.todaysthv.com/news/news.aspx?storyid=31318>

Little Rock's Narcotics Division says in the past they've averaged one to three labs in hotels a month. **The division says it's happened at all types of places, but is more common in lower price and extended stay facilities.**

## **Cleaning Up Hazardous Chemicals at Former Meth Labs**

<http://www.dhfs.state.wi.us/eh/ChemFS/fs/MethClnUp.htm>

Meth is often made in makeshift laboratories, such as rented apartments or **hotel rooms**. During the production of meth, a property can become contaminated with hazardous chemicals, and there is a strong risk of fire or explosion. **Toxic chemicals, explosions, fires, booby traps, and armed criminals- are all common dangers of clan labs.**

## **Office of Attorney General Terry Goddard**

<http://www.azag.gov/StopMeth/MethFactSheet-Leg.pdf>

Arizonans spend millions of tax dollars addressing the violence and property crime committed by meth cooks and meth users. Side effects: psychotic and violent behavior, brain damage, rotting teeth, open sores.

Where does Meth come from? Mobile labs cook meth in hotel rooms, parks, and our deserts.

Dangers: exposure to meth chemicals causes chemical burns, respiratory problems, lung and tissue damage, and brain toxicity in children. Meth cooks often have guns, weapons and booby-traps to protect their drugs and labs, posing a serious safety risk for children. Due to the flammable nature of the chemicals used in cooking meth, fires and explosions are common. Production of meth exposes children, firefighters, law enforcement, and neighbors to toxic gases and hazardous chemicals.

## **Quote from Erin Runnion-- Mother of abductee Samantha Runion age 5 - who was sexually assaulted and killed**

"The intolerable reality is that our children are the largest group of victims in our nation and the only way to protect them is to work together to raise awareness and share best practices to stop predators from gaining access to our most vulnerable and precious citizens."

## **National Drug Intelligence Center** **Utah Drug Threat Assessment**

<http://www.usdoj.gov/ndic/pubs3/3619/overview.htm>

Most of the methamphetamine laboratories seized in the state are small operations in which limited quantities of the drug are produced for personal consumption. Caucasian local independent dealers **operate most of these small, sometimes portable laboratories in motel rooms**, storage sheds, mobile homes, and single-family dwellings.

Methamphetamine likely will remain the most serious drug threat to Utah. The abuse of the drug will continue to remain high throughout the state, increasingly nominally. **Violence associated**

**with distribution and abuse of methamphetamine will remain relatively high** in Utah and will likely increase as rival distributors compete for turf. **Local methamphetamine producers will continue to use violence to protect their laboratories**

## **Man arrested after videotaping kids at Orem parade**

Tuesday, June 12, 2007

<http://www.heraldextra.com/content/view/225063/>

A man convicted of possessing child pornography was **arrested after videotaping children at a weekend parade, police said.** The tape showed 12 children under age 12, boys and girls, with close-ups on clothed buttocks, Orem police Lt. Doug Edwards said Tuesday.

Richard D. Barney, 45, of Spanish Fork was arrested Saturday on **10 felony counts of voyeurism**, Edwards said. Barney in 2001 pleaded guilty to possession of child pornography and was placed on probation for three years. In 2004, he was sent to federal prison for two years for violating terms of his supervised release, according to court records.

He was stopped at the Orem Summerfest after police got a tip from a concerned citizen along the parade route. Barney was in custody at the Utah County Jail.

## **Ohio heroin party killed**

CBS4 News, Deerfield Beach

<http://www.drug-rehabs.org/content.php?cid=3476&state=Ohio>

A violent criminal who is now suspected of throwing a heroin party where a girl died in Ohio was caught by BSO deputies Thursday morning in Deerfield Beach.

The US Marshalls, with the assistance of BSO Deerfield Beach and BSO Pompano Beach, arrested Timothy Wyland of Youngstown, Ohio at a hotel at 1401 South Federal Highway around midnight.

## **The true story of a day in the life of a Heroin and Cocaine addict, who turns to armed robbery to support his habit...**

(Currently incarcerated in the Bluffdale, Utah prison)

[sasquatchstudios.com/James\\_Johnson/Road\\_South\\_4.html](http://sasquatchstudios.com/James_Johnson/Road_South_4.html)

"Tres negra, Tres blanca" I say in Spanish, letting him know I need 3 balloons of heroin and 3 balloons of coke...

The short drive back to the (Extended Stay) hotel room down off 17th and State is only a few blocks away but feels like it takes an eternity. My heart is pounding, my palms and forehead are sweating, and I got go pee like there's no tomorrow. Some old lady is right in front of me driving her Caddy

at a snail's pace... Finally, oncoming traffic lets up so I pull into the opposing lane and gun the engine, passing he and everyone else up, speeding the rest of the way back to the motel.

My ears are hallucinating the sounds of someone beating on a long drum, or the chop, chop, chop, of a helicopter, or maybe it's the door. Yeah, maybe it's the door! The next thing I know, I'm paranoid. I am completely convinced the police, or the night motel manager or some crazy hooker is going to come and blow my brains out. So, carefully I close and bolt the door, shut all the windows and curtains tight, turn off the TV and sit there on the bed with my gun in my hand for about a half hour until I take my next shot and do it all over again. I'm convinced that I've never had such a great time in all my life.

## **One Man Shot in Utah Hotel Room when Drug Deal went bad**

<http://caselaw.findlaw.com/data/ut/cases/appopin/garcia021606.pdf>.

On September 23, 2003, Clara Irwin contacted a drug dealer and requested a delivery of cocaine to the hotel room in which she and her husband, Todd Irwin, were staying. During the delivery, the drug runner left several baggies of heroin in the Irwins' hotel room to avoid the potential discovery of the drugs by a police officer that the runner had seen in the area. Mr. Irwin later met the drug runner at a nearby gas station to return the heroin. But when the two could not agree upon the amount of cocaine Mr. Irwin should receive for the heroin's safe return, he retained the heroin and returned to the hotel room. Fifteen minutes after Mr. Irwin's return, several men entered the hotel room and, in the presence of Ms. Irwin, assaulted, shot, and killed him.

## **Florida hotel identified as scene of child porn photos**

CBC News, Last Updated: Sunday, February 6, 2005 | 8:10 AM ET

<http://www.cbc.ca/canada/story/2005/02/05/police-toronto050205.html>

A Walt Disney hotel in Florida is under investigation as the place where police believe pornographic images of a child were taken and circulated on the internet. Police say they tracked down the hotel after releasing photos from a porn site, showing the locations of sex attacks against a girl who was around 12 years old.

## **Toronto police find hotel where child-porn pictures taken**

CBC News, Last Updated: Friday, February 4, 2005 | 7:47 PM ET

<http://www.cbc.ca/canada/story/2005/02/04/police-toronto050204.html>

Tips from people living in the Toronto area have led investigators to a hotel in the southern United States where pornographic photos of an unidentified child were taken.

The photos have been widely distributed on the internet by pedophiles.

## **Groups protest porn on hotel TVs**

By Matt Bradley Correspondent, The Christian Science Monitor  
[http://www.usatoday.com/travel/hotels/2006-09-06-hotel-pornography\\_x.htm](http://www.usatoday.com/travel/hotels/2006-09-06-hotel-pornography_x.htm)

It's a business that has become quietly entrenched in America's corporate culture: pay-per-view pornography in hotel rooms. Most large chains provide the service, along with standard-issue films.

The adult pay-per-view service has brought hotels millions of dollars a year...the financial extent of hotel porn is hard to estimate — hotels keep statistics to themselves or don't keep them at all — Activists cite what they consider to be a strong connection between pornography "addiction" and a myriad of other issues — from rape and child molestation to failed marriages.

## **Utah's ugly secret**

<http://www.deseretnews.com/dn/view/0,1249,270017460,00.html>

Task force called one of the 5 busiest in U.S.

"Every single child sexual-assault case I worked on, pornography was involved," [Paul Houston] said of her 15 years as a West Valley City prosecutor.

## **Child porn in Utah**

<http://www.deseretnews.com/dn/view/0,1249,270016962,00.html>

Experts say 35 percent to 40 percent of people who deal in child pornography will try to act on their fantasies.

"These people can get addicted to this, and when they do, it leads to desensitization," said Victor Cline, emeritus professor of the University of Utah psychology department. Cline treats sexual addictions.

"After a while, what was shocking and upsetting becomes acceptable," he said. "They escalate and they start searching out stuff that's more rough and bold. Sooner or later, they start to act out."

Hansen estimates almost all of the 108 child pornography cases his office investigated last year involved pre-pubescent victims. And most of them were linked to other hard-core crimes such as child rape, Hansen said.

## **Workshop educates Utah parents on Internet sexual predators**

He thought he was talking to a 13-year-old girl online and had traveled to Utah to meet her. His honeymoon suite in a local hotel had video equipment set up across from the bed. It was Eddie's desire to tape the encounter and take it home to relive it at his leisure.

"The goal is always sexual assault of a child by means of manipulation." Even so, "the perception is that this isn't happening here," Stonebraker says. "There is a false sense of security [in Utah]."

## **Never, Ever Stay at Extended State “Meth” America – Sandy City, Utah**

Originally Posted by freshie247

<http://www.tetongravity.com/forums/showthread.php?t=46918&page=4>

My buddies & I were staying at Extended Stay America in Sandy; they had a room, & I had a room...

I go downstairs & talk with my friends. After a couple of hours they've searched the hotel with dogs, AND FOUND NO METH LAB. They say Extended stay America is a haven for meth lab makers, but sorry...we can go back to our rooms. At 4 am or so I finally get back to sleep. I'm really tired in the morning & we bail on skiing to find a new place to stay. I politely explain to the M.O.D that there is nothing she can do to get me to stay there ever again & that I feel violated having cops with dogs and firemen go through my room.

## **President Bush's NDCS speech**

[http://72.14.253.104/search?q=cache:ciSKYsfp4HUI:www.natlnarc.org/newsletters/2002/2002\\_spring\\_newsletter.pdf+drug+bust+Sandy+Utah+Hotel&hl=en&ct=clnk&cd=19&gl=us](http://72.14.253.104/search?q=cache:ciSKYsfp4HUI:www.natlnarc.org/newsletters/2002/2002_spring_newsletter.pdf+drug+bust+Sandy+Utah+Hotel&hl=en&ct=clnk&cd=19&gl=us)

Bush and ONDCP Director John Walters released the 2002 National Drug Control Strategy. In his speech, President Bush said, "Drug abuse threatens everything that is best about our country. It breaks the bond between parent and child. It turns productive citizens into addicts. It transforms schools into places of violence and chaos. It makes playgrounds into crime scenes. It supports gangs at home...Over time, drugs rob men, women, and children of their dignity and their character."

## **Meth in Cedar City**

<http://deathbymeth.blogspot.com/2006/10/growing-problem-utah.html>

CEDAR CITY - one drug that runs rampant throughout Iron County and the surrounding area and impacts many parents is methamphetamine. "I think it's on the rise," Adams said. "If people knew really how much (meth) was out there, they'd be frightened," Millett said. "It's definitely the biggest threat to our society in this area."

## **An increase in methamphetamine clandestine drug laboratories in Salt Lake City, Utah**

<http://72.14.253.104/search?q=cache:XZaS8SqWTEJ:www.popcenter.org/Library/Goldstein/2003/03-33.pdf+drug+bust+Sandy+Utah+Hotel&hl=en&ct=clnk&cd=58&gl=us>

Hotel staff called the police and although it was not a working meth lab, it appeared the guests were setting up one. Moss said. The occupants were supposed to check out that morning and apparently were going to move in to an extended-stay inn.

## **Crime spurs Ogden to bar people from living in motels**

[http://findarticles.com/p/articles/mi\\_qn4188/is\\_20050905/ai\\_n15330419](http://findarticles.com/p/articles/mi_qn4188/is_20050905/ai_n15330419)

OGDEN -- Ogden is prohibiting people from living in hotels or motels.

An ordinance approved by the City Council recently prohibits hotels and motels from keeping any guest for more than three months in a one-year period, if the guest has no other permanent residence. City officials contend the ban is needed because the motels are generating a high number of police calls.

Motels catering to long-term motel residents have a high number of domestic violence and drug calls, according to police.

"We're also kind of finding that the dope dealers will go cook their meth in those types of places," Police Chief Jon Greiner said.

## **Booking And Cooking: Meth Cooks Using Hotel Rooms As Their Labs**

<http://blogs.abcnews.com/theblotter/2007/02/index.html>

"Motels, especially the extended-stay versions, are increasingly popular among meth makers. Pay up front, put the do-not-disturb sign on the door, whip up the product in the kitchenette and be gone, leaving the wastes for the maid to stumble on."

## **Parents seek to protect kids from a man who openly blogs his thoughts about children he meets**

The New York Times, Jennifer Steinhauer

The search for the self-described pedophile in the large-brimmed black hat commences nearly every day in the greater Los Angeles area, with findings posted on chat rooms frequented by mothers.

And yet unlike convicted sex offenders, who are required to stay away from places that cater to children, in this case the police can do next to nothing, because this man, Jack McClellan, who has had **Web sites detailing how and where he likes to troll for children**, appears to be doing nothing illegal.

But his mere presence in Southern California – coupled with McClellan's commitment to

exhibitionistic blogging about his thoughts on little girls – has set parents on edge.

"Just the idea that this person could get away with what he was doing and no one could press charges has made me angry," said Jane Thompson, a stay-at-home mother in East Los Angeles who recently read McClellan's comments about a festival in her neighborhood in which he appeared to be describing her child.

Thompson is part of a movement to make it illegal to post images of children of any type on Web sites with sexual content or themes.

McClellan said he had been posting nonsexual pictures of children on a Web site intended to promote the acceptance of pedophiles, and to **direct other pedophiles to events and places where children tended to gather.**

On the site, he has described fairs, festivals and other spots that he hits at least three days a week, all to the disgust and fury of parents.

"If you look at things he has posted, clearly he is a pedophile," said Lt. Thomas Sirkel, who works in the Special Victim's Unit of the Los Angeles County Sheriff's Department.

"Has he acted on it? I can't say," Sirkel said. "But I've been in this business for 20 years, and I have never seen one who has not."

Theirs will likely be a difficult road. While posting pictures of children in sexual situations is a felony, posting them fully clothed in everyday situations is not, even in the context of sexualizing them by proxy, so to speak, First Amendment scholars said. Further, while inciting others to commit crimes can be illegal, it is unclear whether giving people links to children's book fairs is criminal.

"It is an interesting case," said Eugene Volokh, a law professor and First Amendment expert at UCLA.

In terms of children's images, he said, "The general rule is pictures of people in public are free for people to publish. Now if it is without permission and the person is a child and he suggests the children are sexual targets, you can imagine a court saying this is a new First Amendment exception. But it would be an uphill battle."

## **Appendix D**

### **Letters to the Planning Commission**

(Other letters that have been sent to the city council and to the Planning Commission directly are not available for inclusion in this document.)

**LETTERS CAN BE REQUESTED FROM PLANNING AND ZONING**

