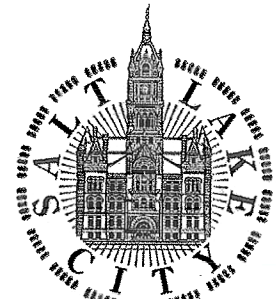


PLANNING COMMISSION STAFF REPORT

CitiView Zoning Amendment

313 N. 300 West
Petition 400-08-05
May 14, 2008



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Mayor Ralph
Becker

Staff: Cheri Coffey; 535-6188;
cheri.coffey@slcgov.com

Tax ID: 08-36-401-004;

Current Zone: MU and PL

Master Plan Designation:
High Density Mixed Use

Council District: District 3;
Council member Jergensen

Acreage: 0.12 or 5,227 square
feet

Current Use:
Vacant Motel (former pool site)

**Applicable Land Use
Regulations:**

- 21A.32.070
- 21A.32.130
- 21A.50.050

Attachments:

- A. Photographs
- B. Pre 1995 Zoning Maps of
Site.
- C. Department Comments
- D. Public Comments
- E. Information from
Applicant

REQUEST

This rezoning request is associated with the proposal to construct a 45 unit condominium project on the site of a former motel at 313-323 North 300 West. The applicant owns two parcels of land, both of which were used as part of the motel operation. The subject parcel of land at 313 North 300 West was the site of the outdoor swimming pool for the motel. This parcel of land has a split zone of Mixed Use (MU) and Public Lands (PL).

The Planning Staff is of the opinion that the property was incorrectly split zoned in 1995 as part of the Zoning Rewrite Project. It was thought that the property was owned by and part of the School District operations because the subject property is adjacent to the Salt Lake City School District property which is a surface parking lot for West High School. Therefore, the Mayor has initiated this petition requesting that the Capitol Hill zoning map be amended to identify the subject parcel as Mixed Use (MU).

Conditional Use and Planned Development approval for the condominium project will be reviewed by the Planning Commission at a latter date.

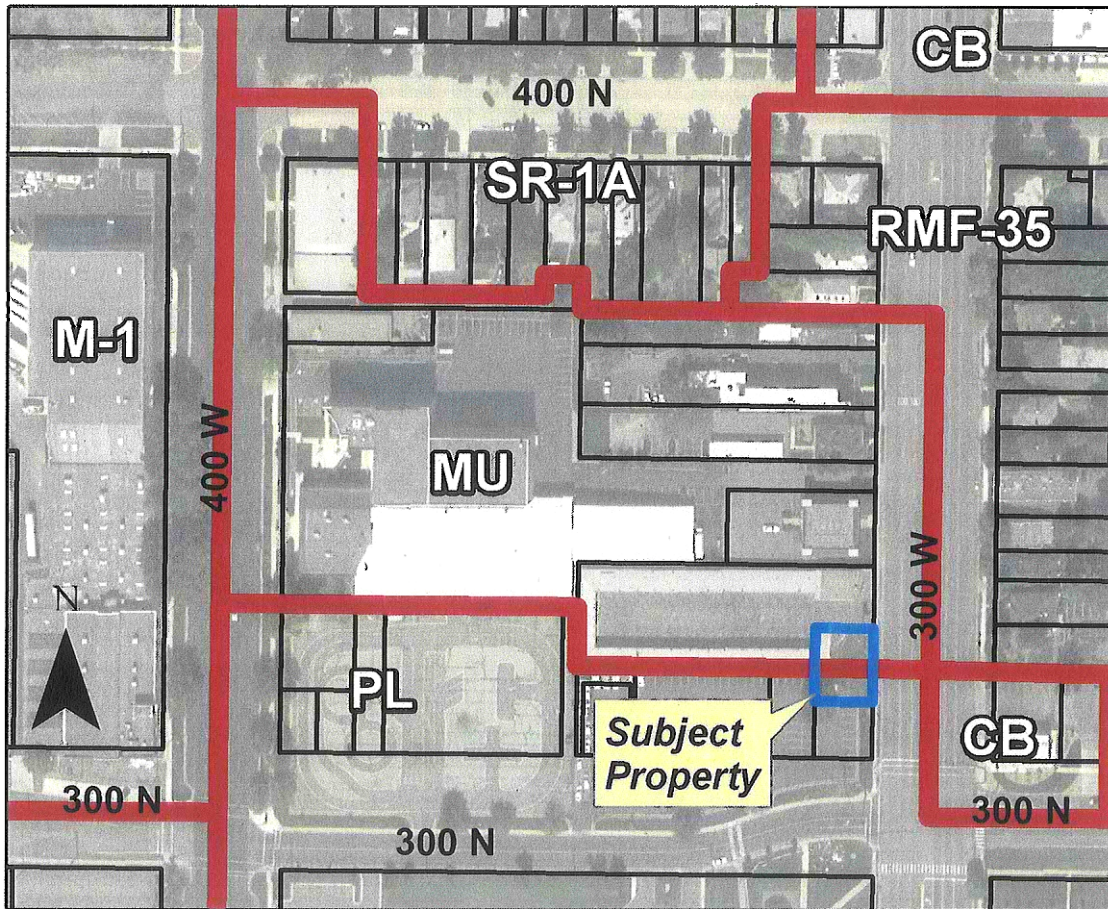
PUBLIC NOTICE

Public notice was mailed on April 29, 2008 to all property owners within four hundred and fifty feet (450') of the subject property which satisfies the Zoning Ordinance requirement for fourteen (14) day notice. A sign was also posted on the property on April 29, 2008 meeting the minimum ten (10) day notification requirement for posting. In addition, the agenda for the Planning Commission was electronically sent to the Planning Division's list serve and was also posted on the Division's webpage.

STAFF RECOMMENDATION:

Based on the findings of fact listed in this staff report, Planning Staff recommends that the Planning Commission transmit a favorable recommendation to the City Council to approve the zoning amendment to zone the property at 313 North 300 West, with parcel number 08-36-401-004, Mixed Use (MU).

VICINITY MAP



COMMENTS

Public Comments: The Capitol Hill Neighborhood Council reviewed the project twice: first on March 19, 2008 and again on April 16, 2008 at which time they passed a motion of support for the rezoning of the property.

City Department Comments: The pertinent City Departments and Divisions have reviewed the proposed project. No major issues were identified. The applicant must comply with all of the comments attached to this staff report, and any that arise during the permit process. All of the Department responses are included in Attachment C. The project was reviewed by the Development Review Team twice (prior to submittal) on March 26, 2007 and on December 12, 2007 as well as routed to the staff of the applicable review departments. The general comments are as listed below.

Permits: No objection to the rezone.

Transportation: No objection to the rezoning.

Public Utilities: No objection to the rezone.

Airport: No objection to the rezone.

Redevelopment Agency: No comments

Engineering: No objection to the rezoning.

Fire: No objection to the rezoning

Police: No comments

Property Management: No objection to the rezoning.

Staff Analysis and Findings

Project History

The applicant owns two parcels of land, both of which were used as part of the motel operation. The parcel of land at 313 North 300 West was the site of the outdoor swimming pool for the motel. The property is adjacent to the Salt Lake City School District property which is used as a surface parking lot for West High School.

This parcel of land has a split zone of Mixed Use and Public Lands. The property was mistakenly split zoned in 1995 as part of the Zoning Rewrite Project because it was thought that the property was owned by and used for school district operations.

Prior to 1995 the entire parcel, along with adjacent properties, were zoned C-1 Commercial.

Pre-Submittal meeting with Planning Staff

Prior to the submittal of the application, the applicant attended a pre-submittal conference on January 17, 2008 with members of the Planning Staff. Most of the discussion during this meeting focused on the conditional use issues. Staff acknowledged that the zoning on the parcel at 313 North 300 West appeared to be a mapping error but would review the matter. Staff noted that amendments to the zoning map require action by the City Council after receiving input from the Community Council and a public hearing and recommendation by the Planning Commission.

Staff Review of Issues

In review of the records and documentation used during the 1995 Zoning Rewrite Project, the existing zoning boundary was drawn to be in line with the school district parcels to the west rather than consistent with the rest of the subject parcel. This resulted in a split parcel line. Since the parcel includes the swimming pool property for the motel, staff is of the opinion that the property should be zoned Mixed Use, consistent with the rest of the motel property and consistent with the master plan's future land use map.

The purpose of the Public Lands zoning district is to specifically delineate areas of publicly owned uses and to control the potential redevelopment of public uses, lands and facilities. The Public Lands zoning district allows limited types of uses. Leaving the property split zoned, would preclude the developer from using the portion of the property for the condominium development. It would also make it difficult to redevelop the property due to its size.

Standards for General Amendments

Section 21A.50.050 of the Salt Lake City Zoning Ordinance states "A decision to amend the text of the Zoning Ordinance or the Zoning Map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors:

A. Whether the proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City;

Analysis: The following policy documents were considered in evaluating this request:

Capitol Hill Community Master Plan (2001)

The property is located in the boundaries of the Capitol Hill Community Master Plan (2001). The Future Land Use Map classifies the subject property as High Density Mixed Use. Specific language in the plan identifies the encouragement of medium to higher density residential development in the area between 300 – 900 North and 300-400 West Street, which is the West Capitol Hill RDA Target Area. The plan notes that properties which front on 300 West Street are prime locations for market-rate, high density residential development because of their access to a major arterial, as well as their proximity to Warm Springs Park and Downtown.

The specific policies relating to this project include the following:

- Allow moderate increases in multi-family uses in appropriate locations and within the mixed use area.
- Encourage new medium / high density housing opportunities in certain appropriate locations within the West Capitol Hill Neighborhood.

The Salt Lake City Community Housing Plan (2000)

The Housing Plan identifies a variety of policies relating to the encouragement of the type of development for which the applicants are proposing with the CitiView Condominium project. The applicants desire to obtain LEED Certification and will provide parking underneath the structure of the proposed project both of which are consistent with the Housing Plan's policies of encouraging new sustainable housing.

The Final Report Salt Lake City Futures Commission, Creating Tomorrow Together (1998). Assertion "M" in the Futures Commission Report states that there is a mix of housing types, densities and costs so that people of various economic groups can co-exist. The recommendations under this assertion is to promote mixed use in appropriate areas and to include housing in all developments.

The City Vision and Strategic Plan for Salt Lake City, (1993). Objective "E" in the City's Strategic Plan states that the City will include a wide variety of affordable housing opportunities in attractive, friendly neighborhoods that provide a safe environment. The plan includes a specific action step of acquiring vacant and derelict commercial buildings in residential areas and demolishing or rehabilitating them into housing units. (14.6)

Finding: In addition to general city-wide plans that include policies supporting mixed use and additional housing in the City, the Capitol Hill Community Master Plan and its future land use map

support the amendment to the Capitol Hill Community Zoning Map. The amendment is consistent with this factor.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;

Analysis: The applicant is proposing to combine the subject property with the property at 323 North 300 West to be used to develop a 45-unit Condominium project. Existing development adjacent to these properties includes a surface parking lot to the south, an office to the north, Utah Opera Company's main offices and warehouse to the west and a mix of residential types of uses across the street to the east.

The subject property is surrounded by Mixed Use zoning to the north and west and Public Lands zoning to the south. Across the street, to the east, is the RMF-35 zoning district. The Mixed Use zoning district allows for a variety of uses from single-family residential uses to commercial service uses with outdoor storage. In this instance, the applicant is requesting a mapping amendment in order to allow for the development of a multi-family residential use which is encouraged in the MU zoning district. Specifics of the proposed condominium project will be reviewed by the Planning Commission at a future date.

Finding: The rezoning of the southern portion of the parcel to Mixed Use is consistent with the rest of the parcel and harmonious with the overall character of existing development in the immediate vicinity of the subject property. The amendment is consistent with this factor.

C. The extent to which the proposed amendment will adversely affect adjacent properties;

Analysis: Amending the zoning map to identify the full parcel as mixed use will eliminate issues presented when a parcel this size has two very different zoning classifications. The existing zoning precludes development that is consistent with the master plan and hampers redevelopment of the site. The rezoning of the property will assist with redevelopment of this parcel, as well as its associated parcel to a use that is consistent with various policies of the City relating to housing development. Noting that it is adjacent to a surface parking lot, warehouse and office, the proposed use of a medium density residential development will not adversely affect adjacent properties.

Finding: Amending the zoning map to identify the whole parcel as mixed use, will allow for the redevelopment of an abandoned commercial use for housing development. The redevelopment of the site will not adversely affect adjacent properties which are more intensive in use, from a zoning standpoint, than the proposed residential development. The amendment is consistent with this factor.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

Analysis: The property is not within any applicable overlay zoning district.

Finding: The property is not within any applicable overlay zoning district.

- E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm-water drainage systems, water supplies, and wastewater and refuse collection.

Analysis: The property is within a developed portion of the City where infrastructure already exists. This rezoning is associated with a conditional use/ planned development project which will be reviewed by the Planning Commission at a future date. Applicable City Departments and Divisions have reviewed the rezoning request. None of the Departments / Divisions submitted comments objecting to the rezoning request.

Finding: The proposed rezoning request is to correct a mapping error which occurred during the 1995 Zoning Rewrite Project. Departments who submitted comments did not object to the rezoning of this property. The conditional use / planned development process for the proposed condominium project will include a thorough review of the development proposal. The applicant will be required to make improvements to the property, where applicable, to ensure that the public facilities and services intended to serve the proposed development are adequate. The amendment is consistent with this factor.

Attachment A
Photographs



Subject Parcel

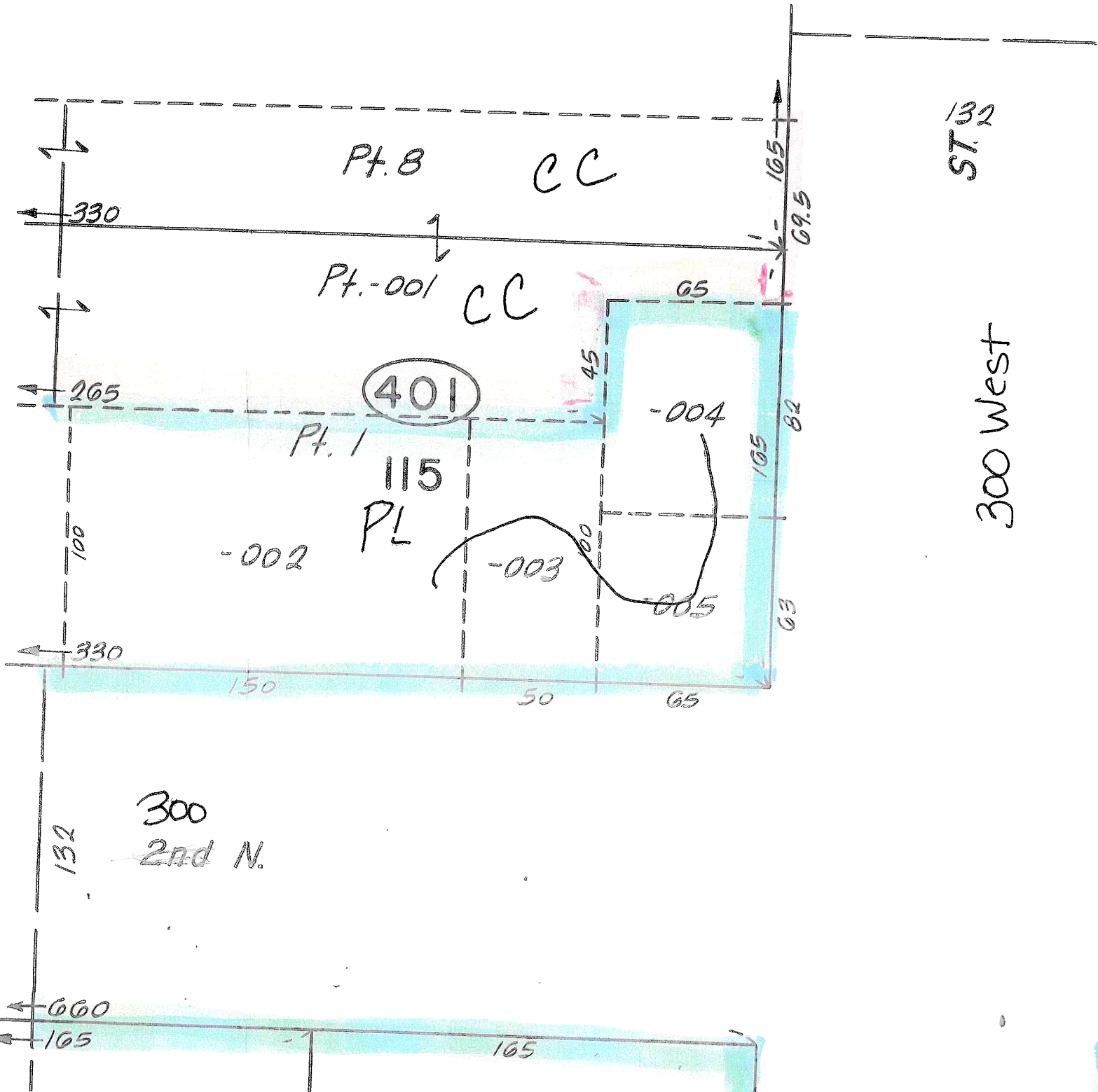


Parcel in Association with School Property

Attachment B
Pre 1995 Zoning Maps






Zoning Rewrite Project Draft Map

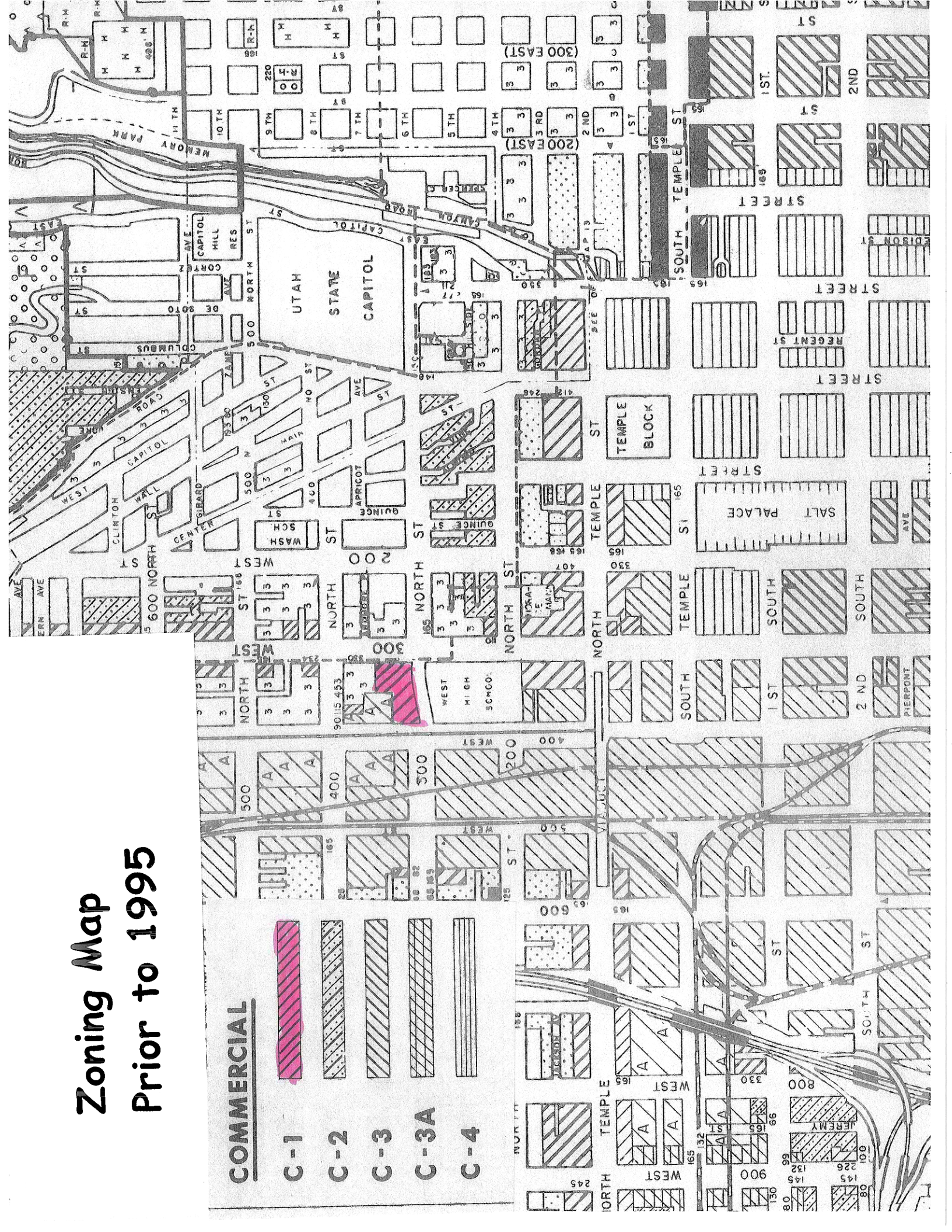
8-36-213



Zoning Map Prior to 1995

COMMERCIAL

- C-1 
- C-2 
- C-3 
- C-3A 
- C-4 



Attachment C

Department Comments

Coffey, Cheri

From: Brown, Jason
Sent: Friday, April 11, 2008 11:03 AM
To: Coffey, Cheri
Cc: Garcia, Peggy
Subject: Citiview Condominiums Petitions 400-08-05 and 410-08-06
Categories: Program/Policy

Cheri,

Public Utilities has reviewed the above mentioned petitions and have no comments. Site construction drawings were submitted to our office in October 2007. These plans were redlined and must be corrected and approved by our Department. All permits, agreements and fees must be paid and recorded before construction can begin.

If you have any questions please do not hesitate to contact me.

Jason Brown, PE

Development Review Engineer
Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115
(801) 483-6729
(801) 483-6855 fax

Coffey, Cheri

From: Walkingshaw, Nole
Sent: Friday, April 11, 2008 1:18 PM
To: Coffey, Cheri
Cc: Butcher, Larry
Subject: Petition 400-08-05 and petition 410-08-06 Citi View Condo Project 313 323 N 300 W
Categories: Program/Policy

Cheri,

Building Services has the following comments:

400-08-05 Rezoning:

- Building Services has no issues with the proposed rezone from PL to MU.

410-08-06 Conditional Use:

- The parking garage encroaches into the required rear yard area. The garage structure is exposed and as such would not be a permitted encroachment, or considered to be "underground".
- The proposed density calculations are conforming and 45 units are permissible.
- MU zoning allows for additional building height up to 60 feet through the Conditional Use Process. The request is for approx. 55 feet
- Building Services has no comments on the power transformers servicing the condominium project, at this time additional issues may be discovered during the DRT review.
- Refuse dumpster/service location are visible from the public way a determination needs to be made stating that the screening minimizes impacts, visibility or appear to be part of the architectural design of the building.

Please contact your applicant and Dee Dee Robinson to discuss scheduling a DRT review of this proposal.

Thanks,

Nole

Nole Walkingshaw
Salt Lake City Planning and Zoning
Senior Planner
801-535-7128

Coffey, Cheri

From: Walsh, Barry
Sent: Tuesday, April 01, 2008 11:10 AM
To: Coffey, Cheri
Cc: Young, Kevin; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Spencer, John
Subject: RE: CitiView Condominium Project
Categories: Program/Policy

April 1, 2008

Cheri Coffey, Planning

Re: CitiView Condominium Project at 313, 323 & 325 North 300 West – Petition 400-08-05 rezone and pet 410-08-06 Conditional Use.

The division of transportation review comments and recommendations are for approval as follows:

This project proposal was reviewed at the December 12, 2007 DRT meeting with standard preliminary review comments for parking geometrics, ADA provisions and bicycle parking. Additional review items were discussed with the architect on January 14, 2008. Final approval is subject to full permit drawing review compliance.

The existing site is a Motel with 45 parking stalls and vehicular access to 300 West, a six lane, major arterial class UDOT roadway restricted to right in right out south bound travel.

The new proposal is for a 45 unit residential condominium with 73 parking stalls in an underground parking structure with vehicular access to 300 West. The proposed driveway revision will need to be reviewed by UDOT for public way permit approvals.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Peggy Garcia, Public Utilities
Ted Itchon, Fire
Larry Butcher, Permits
John Spencer, Property Management
File

From: Coffey, Cheri
Sent: Monday, March 31, 2008 5:04 PM
To: Baxter, DJ; Butterfield, Edward; Boskoff, Nancy; Burbank, Chris; Clark, Luann; Creswell, Lyn; Goff, Orion; Graham, Rick; Riley, Maureen; Harpst, Tim; Rutan, Ed; Niermeyer, Jeff; McKone, Dennis; De La Mare-Schaefer, Mary

4/1/2008

Cc: Coffey, Cheri; Garcia, Peggy; Itchon, Edward; Weiler, Scott; Walsh, Barry; Butcher, Larry; Askerlund, Dave; Spencer, John; Wilkerson-Smith, Jill

Subject: CitiView Condominium Project

Directors:

The Planning Division is currently reviewing a request from Newport CitiView LLC, for approval of a 45 unit condominium project at approximately 313-323 North 300 West. The project includes requests for a zoning map amendment, conditional use and planned development. **As a Department Director/Cabinet Member, courtesy notice is being sent to you to inform you of the project. You are not required to respond to this email unless you choose to do so.** The specific information regarding this proposal has been sent to the following staff members for review:

Peggy Garcia – Public Utilities
Ted Itchon – Fire
Scott Weiler – Engineering
Barry Walsh – Transportation
Larry Butcher – Permits Counter Supervisor
Dave Askerlund – Police
John Spencer – Property Management
Jill Wilkerson-Smith- RDA

If you would like to review the details of this proposal, please let me know by Friday, April 4, 2008, and I will forward information to you. If you have any questions, please do not hesitate to contact me at cheri.coffey@slcgov.com or at 535-6188.

Thanks.

5012038 325 North 300 West

Contact Person Alan Michelsen

Project Description "City View Condos"-New 45 unit condominiums.

Project Notes 12/12/2007

Ken Brown Zoning

Need 45 unit condo. Need to verify out of vault study area. Need to verify adequate lot area for 45 units, adequate setback, building height, open space, adequate parking, etc. Will need parkway strip trees & landscaping

Barry Walsh Transportation

Need ADA, and 5% bike included on parking calculations. Section notes 7' 6" ceiling A3.3. Det. For ramps sheet A3.2. Grading 8%, 14.3%, 8% run. Trench drain at bottom of ramp not recommended.

Ted Itchon Fire

Dead end 150'+ is not permitted. Auto fire sprinkler, and 0.2 density. Auto detection, fire sprinkler, and stand pipe required with remote station interconnection.

Craig Smith Engineering

Contact Scott Weiler for condominium process, plat, and subdivision agreement.

Coffey, Cheri

From: Itchon, Edward
Sent: Tuesday, April 01, 2008 9:59 AM
To: Coffey, Cheri
Cc: Butcher, Larry; McCarty, Gary; Montanez, Karleen
Subject: Petition 400-08-05 Citi View Condo Project 313 & 323 North 300 West

It appears that the project drawings and the GIS map conflicts with each other. The comments will be based on the reduced set of drawings. The project shall be provided with automatic fire sprinkler system which reports to an approved monitoring station. Further a class III standpipe system shall be installed. The density of the fire sprinkler system in the parking structure shall be a 0.20. the dwelling units shall be provided with local detection system.

Coffey, Cheri

From: Miller, David
Sent: Thursday, April 03, 2008 2:24 PM
To: Coffey, Cheri
Cc: McCandless, Allen
Subject: RE: CitiView Condominium Project
Categories: Program/Policy

Cheri,

Thank you for the notice regarding a request from Newport CitiView LLC, for approval of a 45 unit condominium project at approximately 313-323 North 300 West. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations.

David Miller
 Airport Principal Planner
 Salt Lake City Department of Airports
 P.O. Box 145550
 Salt Lake City, UT 84114-5550
 801.575.2972
david.miller@slcgov.com

From: Coffey, Cheri
Sent: Monday, March 31, 2008 5:04 PM
To: Baxter, DJ; Butterfield, Edward; Boskoff, Nancy; Burbank, Chris; Clark, Luann; Creswell, Lyn; Goff, Orion, Graham, Rick; Riley, Maureen; Harpst, Tim; Rutan, Ed; Niermeyer, Jeff; McKone, Dennis, De La Mare-Schaefer, Mary
Cc: Coffey, Cheri; Garcia, Peggy; Itchon, Edward; Weiler, Scott; Walsh, Barry; Butcher, Larry; Askerlund, Dave; Spencer, John; Wilkerson-Smith, Jill
Subject: CitiView Condominium Project

Directors:

The Planning Division is currently reviewing a request from Newport CitiView LLC, for approval of a 45 unit condominium project at approximately 313-323 North 300 West. The project includes requests for a zoning map amendment, conditional use and planned development. **As a Department Director/Cabinet Member, courtesy notice is being sent to you to inform you of the project. You are not required to respond to this email unless you choose to do so.** The specific information regarding this proposal has been sent to the following staff members for review:

Peggy Garcia – Public Utilities
 Ted Itchon – Fire
 Scott Weiler – Engineering
 Barry Walsh – Transportation
 Larry Butcher – Permits Counter Supervisor
 Dave Askerlund – Police
 John Spencer – Property Management

4/3/2008

Jill Wilkerson-Smith- RDA

If you would like to review the details of this proposal, please let me know by Friday, April 4, 2008, and I will forward information to you. If you have any questions, please do not hesitate to contact me at cheri.coffey@slcgov.com or at 535-6188.

Thanks.

TO: CHERI COFFEY, PLANNING DIVISION

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: APR. 4, 2008

SUBJECT: **CITIVIEW CONDOMINIUM**
 313 – 323 N 300 W
 Petition #410-08-06
 (Comments on Condominium Project)

SLC Engineering's review comments are as follows:

1. It is our understanding that this project will provide a 45-unit condominium project after the existing buildings are demolished. All improvements and street right-of-way exist as required on 300 West, and the existing condition does not warrant any repairs or replacement. There is an existing driveway into the site, which will appear to be removed at the time of development. The replacement driveway must be built according to APWA Std. Dwgs. #225 and the replacement curb and gutter according to APWA Std. Dwg. #251 or 252. All of this work shall be completed by a licensed, bonded and insured contractor via a Public Way Permit to be obtained from our office. The applicant will need to obtain UDOT permission for the location of the new drive approach on 300 West.
2. No plat was submitted for review. I have included a copy of the plat checklist for use by the applicant's consultant in preparing the plat.

cc: Brad Stewart,
 Scott Weiler,
 Barry Walsh,
 George Ott
 Craig Smith
 Vault

Coffey, Cheri

From: Lucas, Duran
Sent: Monday, April 07, 2008 2:57 PM
To: Coffey, Cheri
Subject: Petition 400-08-05, 410-08-06

April 7, 2008

Cheri Coffey, AICP

Re: Petition 400-08-05, 410-08-06 CitiView Condominium Project

Property Management has reviewed the referenced petition. The petitioner does not seem to be encroaching on any city property or public right-of-way, however, if at any time the planned development changes and an encroachment results, the petitioner will be required to sign a lease agreement for the encroachment. With that being said, we have no objection to the petitioner's request and will defer to the other City departments' comments.

Duran Lucas
Property Management

5010925

323 North 300 West

Project Description "Newport City View Condos"-New multi-family condo project.

Project Notes 3/26/2007

Larry Butcher Zoning

Discussed R.O.W. to the West, check with Engineering to determine City interest. May be a civil action to dissolve. 45' height + 5' mechanical parapet. Applicant is not looking for density bonus. Discussed min. & max. set back allowance for underground parking. Parking requirement to meet min. Off-site parking is conditional. Max 20' set back for 75% of bldg. Separate demo permit required for motel. Certified address for new building required from Engineering Div. Open space 20% of lot area. ADA stalls (3 req'd), first is van accessible. Stairs permitted in front yard up to 4' high. On street parking can't be counted towards parking requirement.

Brad Stewart Public Utilities

Investigate 8" sewer on property with intent to abandon. Also check for & abandon easement. Developer is interested in utility easement at West edge of property. Possible ground water issue, no outfall for pumping w/o extension of storm drain. Will need to fire sprinkle, and stand pipe. Need to know sewer loading. Parking garage to SS through sand/oil separator. Is the site environmentally clean? Phase I was clean. Detention not required. Will go for some LEEDS level. Need civil plans.

Lisa Shaffer Building Code

Demolition of existing Temple View Motel. Proposed 43 units w/below grade parking. Vehicle access off of 300 West. 45' to highest. 1B construction below grade parking. V-A construction (4 levels) above for condos. 33'-34' to highest living unit. NFPA-3 sprinkler system req'd.

Scott Weiler Engineering

Any work in 300 West behind curb requires a permit to work in the public way, obtained from SLC Engineering. The access point from 300 West requires UDOT approval and UDOT permit. Due to the limited amount of on-site driveway to reach the structure, a subdivision improvement construction agreement is not required.

Ted Itchon Fire

Condos with below grade parking. Fire sprinkler (NFPA-13). R .2 density, Class III standpipe. Fire alarm, local in units. 13' side yard. 10' side yard. 15' rear yard.

Norm Weiss Transportation

300 West belongs to UDOT. Need their approval for driveway changes. Bike rack needed.

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO: Peggy Garcia – Public Utilities
Ted Itchon – Fire
Scott Weiler – Engineering
Barry Walsh – Transportation
Larry Butcher – Permits Counter Supervisor
Dave Askerlund – Police
John Spencer – Property Management

FROM: Cheri Coffey, AICP
Phone 535-6188
Email: cheri.coffey@slcgov.com

DATE: March 31, 2008

SUBJECT: CitiView Condominium Project at 313 and 323 North 300 West.

Enclosed for your review is a copy of the plans for the above referenced project. The project includes the following requests:

Rezoning (Petition 400-08-05): Parcel 08-36-401-004 at 313 North 300 West is split zoned; Mixed Use (MU) and Public Lands (PL). The applicant is requesting that the whole parcel be rezoned to MU.

Conditional Use (410-08-06):

- Request to exceed the 45 foot maximum height allowed in the MU zoning district and build a structure that is approximately 55 feet.
- Approval for a power transformer on the property at 310 West 300 North, which is owned by the Salt Lake City School District. The power transformer will serve the condominium project.

There is also a question of whether the rear yard setback will be encroached upon by the underground parking structure, which is above grade, due to topography, in the very rear of the structure. If this is an issue, a Planned Development will also be required.

I am also requesting that a zoning review be completed by the Permits Office Staff and that the project be scheduled with the DRT once the zoning review is completed.

Please review this information and respond with any comments as soon as you are able, but no later than **Friday, April 11, 2008**. If you do not have any comments, please respond by email with “no comment” so that I can be sure that you have seen the request. If you have any questions, please do not hesitate to call or email.

Thank you

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO: Jill Wilkerson-Smith

FROM: Cheri Coffey, AICP
Phone 535-6188
Email: cheri.coffey@slcgov.com

DATE: March 31, 2008

SUBJECT: CitiView Condominium Project at 313 and 323 North 300 West.

Enclosed for your review is a copy of the plans for the above referenced project, which is located within the West Capitol Hill Redevelopment Target Area. The project includes the following requests:

Rezoning (Petition 400-08-05): Parcel 08-36-401-004 at 313 North 300 West is split zoned; Mixed Use (MU) and Public Lands (PL). The applicant is requesting that the whole parcel be rezoned to MU.

Conditional Use (410-08-06):

- Request to exceed the 45 foot maximum height allowed in the MU zoning district and build a structure that is approximately 55 feet.
- Approval for a power transformer on the property at 310 West 300 North, which is owned by the Salt Lake City School District. The power transformer will serve the condominium project.

There is also a question of whether the rear yard setback will be encroached upon by the underground parking structure, which is above grade, due to topography, in the very rear of the structure. If this is an issue, a Planned Development will also be required.

Please review this information and respond with any comments as soon as you are able, but no later than **Friday, April 11, 2008**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have seen the request. If you have any questions, please do not hesitate to call or email.

Thank you

Attachment D
Public Comments

[Main](#)
[Council Members](#)
[The Bulletin](#)
[Links](#)

Capitol Hill Neighborhood Council

April 16, 2008
State Capitol Senate Cafeteria

Mobile Watch Meeting: 6:00 p.m.
Capitol Hill meeting: 6:30 p.m.

- 6:30 Welcome by Chair, Polly Hart
- 6:35 Police Report, Roger Williams
- 6:45 Mobile Watch, Roger King
- 6:55 Joyce Valdez, Mayor's Office
- 7:10 Reports by Elected Officials
- 7:25 Conditional Use request for utility box, 1725 N 200 W
- * 7:35 Vote on 300 N / 300 W Cityview Condo variances/zoning changes
- 8:10 Update/discussion on conditional use, "The Jam" at "The Hideout" property, 751 N 300 W
- 8:30 Adjourn

Next Meeting: May 21, 2008

Coming May 10, 2008: *Live Green*

The Downtown Alliance presents *Live Green*, the 5th Annual Downtown Sustainable Living Festival.
The event will be Saturday, May 10, 2008, 10 am to 6 pm, Library Square.
This event—which is becoming the most recognized environmental fair in the State of Utah—is educational, entertaining, and engaging.
More than 100 vendors will be at *Live Green*, including a variety of businesses that share the vision of providing green guidance and recyclable resources.
More info: Danica Farley, [danica at downtownslc.org](mailto:danica@downtownslc.org) 801.333.1105

Capitol Hill Neighborhood Council
P.O. Box 522038
Salt Lake City UT 84152
[Click for Trusteeship Map](#) (Requires free Adobe Reader software)
[Click for Bylaws](#) (Requires free Adobe Reader software)

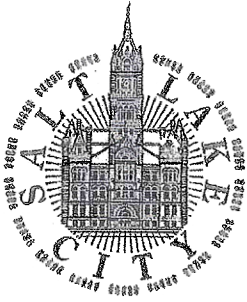
[web site questions](#) ([nick at vanburns dot com](mailto:nick@vanburns.com))

Thank you to XMission for generously hosting our community council web site.



Site design: Emma Van Burns
Updated April 14, 2008

Attachment E
Information from Applicant



Memorandum

Planning Division
Community & Economic Development Department



To: Mayor Becker

From: Cheri Coffey, AICP

Date: April 22, 2008

CC: Mary De La Mare-Schaefer, Community & Economic Development
Department Interim Director;
Joel Paterson, Acting Assistant Planning Director
file

A handwritten signature in blue ink, appearing to be "MSK".

Re: Initiate Petition to correct mapping error at 313 North 300 West.

As part of the 1995 Zoning Rewrite Project, approximately 68,000 parcels of land were analyzed for new zoning classifications. Since that time, several "errors" have been identified to those classifications. In the review of a proposed development of the CitiView Condominium project, on a former motel site, it was discovered that one of the parcels they own was split zoned with Public Lands (PL) and Mixed Use (MU) zoning. The parcel is adjacent to Salt Lake City School District property to the south (please see map). The zoning boundary line was drawn straight across in line with the school district property. Parcels south of the line were zoned PL and parcels north of the line were zoned MU. This split the zoning on the parcel at 313 North 300 West in two. The former pool for the motel property was on this site.

The applicant, Newport CitiView, LLC, represented by Michael Akerlow is proposing to raze the former motel building and construct a new 45 unit condominium project on the site which will need Planned Development and Conditional Use approval. Both the rezoning and the Planned Development and Conditional Uses are tentatively scheduled to be reviewed by the Planning Commission in May, 2008.

Due to the fact that Staff believes the split zoned parcel is a mapping error; Staff would appreciate the Mayor initiating a petition to address the matter. In the past, the City has initiated similar requests to correct these types of mapping errors.

If you have any questions, please contact me.

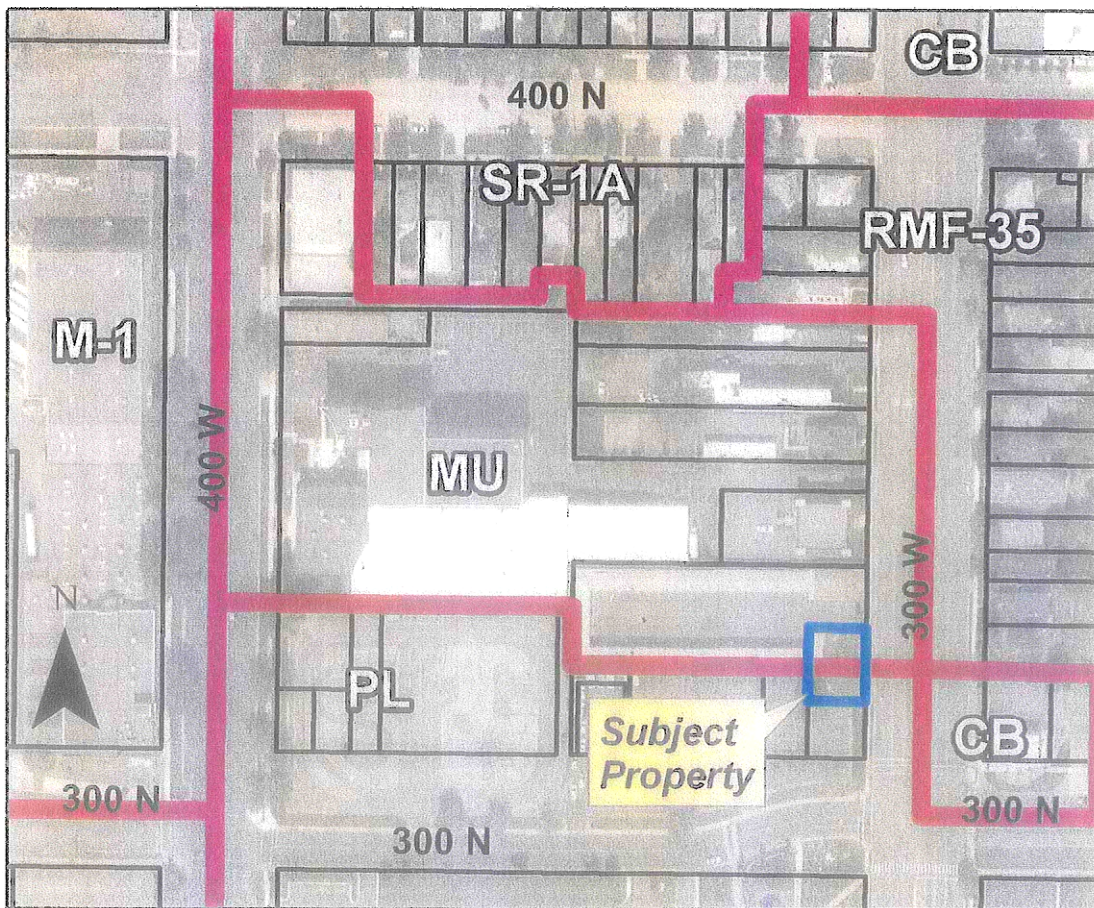
Thank you.

Concurrence to initiating the rezoning petition as noted above.

Ralph Becker, Mayor

5/2/08

Date



Information from Property Owner

ZONING AMENDMENT

1. The property described here appears to have been mistakenly split with two different zones. Half of the property is zoned MU and half of the property is zoned PL. This small piece has actually been used as part of a larger piece of property where a motel currently exists. The subject parcel was a swimming pool area for the motel but is now filled in. When the PL portion is rezoned to MU, the property will be included as part of a residential condominium project. This particular parcel will be connected to underground parking and have condominiums above ground.
2. The property will be used as part of a residential condominium project.
3. The current zoning does not appear to be appropriate because half of the parcel is already zoned MU. The neighboring parcel, owned by the Board of Education, is zoned PL and it appears that at some point a line was drawn from the BOE's piece through the subject parcel and that one portion was zoned PL.

Please describe your project and why a zoning amendment is necessary:

North Third West LLC purchased two parcels of land (see attached plat); one being larger than the other. The larger piece is zoned MU, the smaller piece has a split zone of MU and PL. Both parcels have been used for the now closed Temple View Motel. On the larger piece exists the hotel, on the smaller piece exists a filled in swimming pool. The proposed use for both parcels is 45 residential condominiums. It appears that the smaller piece was mistakenly split when new zoning maps were created some time ago. The adjacent property to the subject piece is zoned PL but the subject piece has not been used for purposes associated with the PL zoning.

The Owner is requesting the rezone so that the proposed development can be built on the entire parcel. The proposed development consists of a building running the length of the property and a connected building facing 300 West. A portion of the 300 West building is to be built on the entire subject parcel.

What are the land uses adjacent to the property?

To the south and the west of a portion of the subject parcel, the land is used as a parking lot for the faculty of West High School. The Owner of the subject parcel has worked closely with the BOE on the proposed development and the impact of construction. The parcel to the north of the subject property is owned by the same Owner and is zoned MU. Across 300 West are two apartment buildings and a vacant lot.

Have you discussed the project with nearby property owners?

All three abutting property owners have been contacted. The Board of Education and the Utah Symphony and Opera (whose property borders ours in one small area) have

been supportive and are aware of the proposed construction and mobilization plans. The owner to the north has shown some concern over construction next to their property, however has expressed their desire to see the proposed project move forward. That property owner has also listed their property for sale and is aware that they might have moved from the building before construction begins.