

PLANNING COMMISSION STAFF REPORT

Wyndham Resort Development Rezone, Zoning Map and Text Amendment 400-08-06 431 South 300 East May 28, 2008



Planning and Zoning Division
Department of Community
Development

Applicant: Wyndham Resort Development Corporation

Staff: Nick Norris 535-6173 or nick.norris@slcgov.com

Tax ID: 16-06-331-013

Current Zone: TC-75 Transit Corridor and R-MU Residential Mixed Use

Master Plan Designation:

- East Downtown Neighborhood Plan (1990): General Commercial
- Central Community Master Plan (2005): High Density Transit Oriented Development and High Density Mixed Use

Council District: District Four represented by Luke Garrott

Acres: 1.01 (approx. 44,000 square feet)

Current Use: Office

Applicable Land Use

Regulations:

- 21A.24.170 RMU Residential/Mixed Use Zoning District
- 21A.26.077 TC-75 Transit Corridor District
- 21A.50 Amendments

Attachments:

- A. Site Plan & Elevation Drawings
- B. Narrative submitted by applicant
- C. Department Comments
- D. Public / Community Council Input

REQUEST

The applicant(s) are requesting a Zoning map Amendment for the property located at 431 South 300 East. The parcel currently has two zoning designations: Transit Corridor TC-75 on the north portion of the property and Residential Mixed Use R-MU on the south portion of the property. The proposal would rezone the portion of the property that is zoned R-MU to TC-75. The applicants are also proposing a zoning text amendment that would allow hotels and motels as permitted uses in the TC-75 Zoning District. Hotels and motels are currently conditional uses in the TC-75 Zoning District, but in this instance are not allowed because the subject property would be adjacent to a residential zoning district (R-MU). The applicants are proposing the zoning map amendment to accommodate converting the existing office building on the site to a time share hotel. The Planning Commission has the authority to make recommendations to the City Council on zoning map amendments.

PUBLIC NOTICE

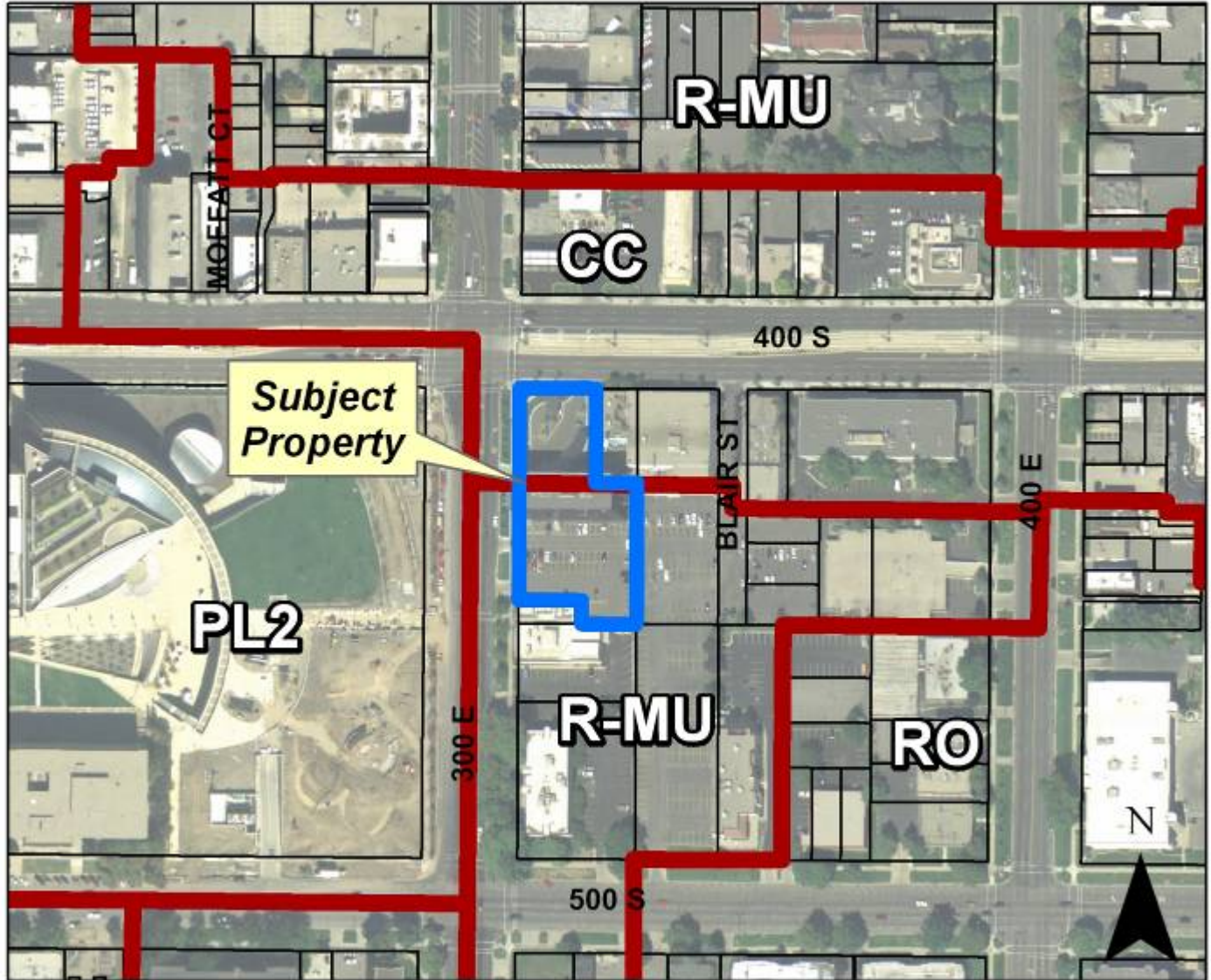
On May 13, 2008, a notice for the Planning Commission public hearing was mailed to owners of property within a radius of 450 feet as well as to community council chairs meeting the minimum 14 day notification requirement. In addition notice was sent to all individuals on the Planning Division's list serve and posted on the Planning Division website. On May 13, 2008 a sign was posted on the property meeting the minimum 10 day posting requirement.

STAFF RECOMMENDATION:

Based on the findings listed in the staff report, the Planning Staff finds that Petition 400-08-06 requesting a zoning map amendment from R-MU to TC-75 is consistent with the applicable standards found in Zoning Ordinance Section 21A.50.050 Standards for general amendments. Therefore, staff recommends the Planning Commission transmit a favorable recommendation to the City Council.

Based on the findings listed in the staff report, the Planning Staff finds that Petition 400-08-06 requesting an amendment to the text of Zoning Ordinance Section 21A.26.080 Table of Permitted and Conditional Uses for Commercial Districts to allow hotels and motels as a permitted use is consistent with the applicable standards found in Zoning Ordinance Section 21A.50.050 Standards for general amendments. Therefore, staff recommends the Planning Commission transmit a favorable recommendation to the City Council.

VICINITY MAP



COMMENTS

PUBLIC COMMENTS

The requested was presented by the applicants to the Central City Community Council on May 7, 2008. There were approximately twenty people in attendance. The following comments were noted by staff:

- There was a concern about off street parking and if the hotel would have enough on site parking. Some in attendance felt that the hotel had too much parking and should take advantage of the adjacent light rail.
- There was a concern with extending the TC-75 Zoning District further south on the block and in other areas of the City, particularly east of 700 East.
- There was a comment about a hotel providing a great opportunity to bring in cash for the city and adjacent businesses.
- There was a comment about a general dissatisfaction with the TC-75 Zone and it not producing what it was intended to do in terms of development. There was also a comment that changing the zoning of the property would result in a loss of residentially zoned property which was seen as undesirable.
- A comment was made about the proposed hotel providing a benefit to the Central City Community.
- There was a concern about making hotels a permitted use and how it could impact properties that are adjacent to the TC-75 Zoning District.
- A concern that the proposed use is not a use normally found in a transit oriented development

The Chair of the Central City Community Council provided a summary that is attached.

City Department Comments:

Copies of this petition were routed to Building Services (building permits and fire code review), Engineering, Transportation, Public Utilities and the Police Department for review. Summaries of the comments from these Departments/Divisions are included below. In addition, an email was sent to the Department/Division Directors for notifying them of the pending petition. No comments were returned from the Department or Division Directors.

Permits: Building Services has the following comments: Building Services finds no issues with the proposed Zoning Map Amendment; and the proposed amendment makes corrections to an existing split zone.

Transportation: The Transportation Division reviewed the proposed request and indicated that the public streets and the access are suitable for the proposed use. Transportation did have a concern regarding the number of required parking stalls versus the number of existing stalls. This information has not been provided. *Note: this information is identified on the conceptual site plan submitted by the applicant. The parking requirements must be satisfied prior to issuing an occupancy permit if the project is approved.*

Engineering: Engineering reviewed the requested zoning amendment and found no conflicts. They did find that some public improvements (sidewalk repair) will be required during the development phase.

Public Utilities: Public Utilities reviewed the proposed request and found not conflicts with water, sewer or drainage.

Fire: The proposal does not create any conflicts.

Police: No comments were provided.

Staff Analysis and Findings

Project History: The subject property is located on the southeast corner of 300 East and 400 South. The parcel was created in 2001 when three parcels were combined to form a single parcel. The original three parcels were created by a subdivision process in 1984. Prior to the creation of the TC-75 Zoning District, the north portion

of the property was zoned CC Corridor Commercial. This area of the property was occupied by a restaurant prior to the current use (bank). The office building was initially constructed in 1962 and has been used as such since. A search of the Building Permit database indicates that the office building has had numerous permits issued since it was constructed. The permits range from signs to interior remodels. In 1998 a petition for a condominium conversion was submitted for the office building. However, no documents were recorded that finalized the condominium conversion.

Staff Review: The purpose of this request is to accommodate converting an existing office building to a timeshare hotel. A hotel is not a permitted or conditional use in the R-MU Zoning District, but is listed as a conditional use in the TC-75 Zoning District. The split zoning of the property makes it difficult to develop the property. The subject property is located adjacent to properties that are located in an R-MU Zoning District. In January 2008, the City Council adopted an ordinance that prohibited conditional uses in all zoning districts when the property is adjacent to a Residential Zoning District. In this instance, the proposed use (hotel) would not be allowed due to this ordinance. This was indicated in the pre-submittal meeting between staff and the applicant and again after the petition was submitted to the City. Staff advised the applicants that they had three options:

1. Submit a Zoning Text Amendment Petition that would allow hotels as a permitted use in the TC-75 Zoning District;
2. Submit a Zoning Text Amendment Petition that would allow hotels as a permitted use in the TC-75 Zoning District and require them to go through the Conditional Building and Site Design Review process outlined in Zoning Ordinance 21A.59;
3. Wait for the City hired consultant to submit recommendations on conditional uses and for the City Council to adopt new regulations for conditional uses.

The three options have associated pros and cons. The first option may create a situation on other parcels located in a TC-75 Zoning District that may be located adjacent to less intense residential uses.

The second option would add a level of review to any new hotel project. Under this situation, the use would be listed as permitted in the chart of permitted and conditional uses, but would have a footnote that would indicate the Conditional Building and Site Design Review process applies. However, if the hotel or motel were over thirty feet in height, this process would be required anyway. The impacts from lower structures containing commercial uses are less than the impact of taller structures containing commercial uses. Based on this, option two is not necessary.

The existing structure is non-complying because it is used solely for commercial purposes and is over 30 feet in height. A use that occupies a noncomplying structure can be changed to another type of use provided the change of use does not increase the level of noncompliance. Changing the current use (office) to a hotel is not an intensification of use and in this case will not increase the square footage of the structure. Both uses would occupy the same amount of space. A hotel would require one off street parking stall for every two rooms. The applicants are proposing 45-50 rooms, which translates to 22-25 off street parking stalls. General Office uses require three spaces for every 1,000 square feet of floor space on the main level plus 1.25 spaces for every 1,000 square feet for each additional level. The existing structure contains approximately 7,000 square feet on the first floor and approximately 28,000 square feet on the remaining floors. This translates into a minimum requirement of 57 parking stalls for general office. The proposed use requires less parking than the current use.

The third option may not produce a result that would allow the proposed use. After meeting with the applicants and going over the options, the applicants submitted a petition for a Zoning text amendment to add hotels/motels as a permitted use in the TC-75 Zoning District.

Standards for general amendments.

A decision to amend the text of this title 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:

Zoning Map Amendment

The subject property is located in an area that is covered by two master plans: The Central Community Master Plan (CCMP) and the East Downtown Master Plan (EDMP). The CCMP was updated and adopted in 2005. According to the future land use map in the CCMP, the property falls within two categories: with the northern half of the property designated as High Density Transit Oriented Development (50 or more dwelling units per acre) and the southern portion designated as High Density Mixed Use (50 or more dwelling units per acre). The north half is zoned TC-75 and the southern portion is zoned R-MU.

The CCMP includes a chapter dedicated to Transit Oriented Development. The High Density Transit Oriented Development designation is intended “to create a revived downtown and strengthen the livability of the Central Community.” The goal of the designation is to establish the benefits of transit-oriented development through land use designations, design guidelines, zoning and public funding. According to the CCMP, the main point of a TOD is to reduce the dependence on automobiles. The policies established to accomplish this goal are to adopt transit oriented development zoning districts identified on of the Future Land Use Map and encourage the development of mixed use projects near light rail stations to create a livable, walkable urban environment. The CCMP states that the mix of land uses could include residential, retail, office, cultural, institutional, open space, and public uses. The CCMP recognizes land uses that relate to each other (Policy TOD-2.3). In this case, a hotel would add to the customer base of nearby restaurants, retail and public facilities, such as the library. Hotels add to the vibrancy of an urban setting by bringing in visitors.

The High Density Mixed Use designation in the CCMP is discussed under the Commercial Land Use Chapter. This designation is “targeted for higher intensity commercial use and medium to high density housing, especially adjacent to light rail stations in the downtown area.” The CCMP envisions a new neighborhood in the vicinity of 450 South between 300 East and 700 East. This section discusses the neighborhood commercial designation in this area, but it is not recognized on the Future Land Use Map. The section does discuss that the mixture of business with residential development can create an animated environment in the Central City neighborhood. Policy CLU-3.0 “encourages commercial projects in and near light rail corridors to support transit oriented development.” Policy CLU-3.2 “encourages the reuse of existing commercial buildings when appropriate to support transit oriented development.” The proposed use would reuse an existing structure.

The High Density Mixed Use and the High Density Transit Oriented Development designations are similar in the types of uses discussed in the CCMP. The recommended residential density for both designations is 50 or more dwelling units per acre. Furthermore, the purposes of both designations are very similar. There are land uses found in the R-MU Zoning District that are not allowed in the TC-75 Zoning District and vice versa. The TC-75 Zoning District allows a wider range of commercial uses than the R-MU Zoning District would allow. Until there are changes to the standards for conditional uses, any conditional use listed in the TC-75 Zoning Designation would be prohibited because the subject property would be adjacent to a residential zoned property (RMU).

Zoning Text Amendment:

Zoning Ordinance 21A.26.080 “Table of permitted and conditional uses for commercial districts” lists hotels and motels as a conditional use in the TC-75 Zoning District. In January the City Council adopted an ordinance that modified this chart so that it prohibits conditional uses on property that is adjacent to a residentially zoned property. The subject property is adjacent to properties zoned R-MU. Therefore, the applicants are requesting a text amendment that would change hotels and motels to permitted uses in the TC-75 Zoning District. Master Plans typically do not discuss specific types of land uses but instead focus on broader categories. The Transit Oriented Development chapter of the CCMP does discuss land uses in this designation should support each other. Visitors to hotels and motels do would become customers to adjacent restaurants, retail establishments and entertainment venues. Hotels and motels are a general commercial type of use that the TC-75 Zoning District acknowledges may be appropriate provided the potential impacts could be reasonably mitigated.

Finding: The proposed zoning map amendment would amend the zoning designation of a portion of the subject property from R-MU to TC-75. The Future Land Use Map found in the Central Community Master Plan indicates that the TC-75 Zoning Designation is consistent with the applicable purposes, goals, objectives and policies found in the applicable Master Plans. The proposed zoning map amendment complies with this standard.

The proposed amendment to the table of permitted and conditional uses is consistent with the applicable purposes, goals, objectives, and policies found in the Central Community Master Plan. The proposed text amendment complies with this standard.

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

Analysis:

Zoning Map Amendment

The proposed amendment would be compatible with the overall character of existing development in the immediate vicinity. The block face along 400 South is zoned TC-75 and contains commercial land uses. The block face along 400 East is zoned RO and contains primarily office type of land uses. There is a single home on the 400 East block face that has been converted to an office. The remainder of the block is zoned R-MU and contains primarily office type of uses. The development plan for the property calls for the reuse of an existing structure and site improvements to the property. The applicant has not indicated to staff any other alterations that may occur on the property in the future.

Zoning Text Amendment

The proposed text amendment would not be detrimental to the overall character of the existing development in the immediate vicinity. However, changing the use from conditional to permitted would allow hotels and motels to be constructed on any property that is zoned TC-75. The TC-75 Zone is found along 400 South between 200 East and 600 East. The following zones are found adjacent to the TC-75 Zoning District: D-1 Central Business District; RO Residential Office; R-MU; and RMF-35. With the exception of the RMF-35 Zoning District, the other adjacent zoning districts allow similar building heights. The D-1 Zoning District would allow hotels and motels as permitted uses and the use is not allowed in the other adjacent zones. The TC-75 Zoning District does have a height limit for commercial uses of 30 feet. Additional height could be added for residential floor space above 30 feet. Due to the cap on height, impacts from building height would be the same for a hotel/motel as it would be from any other commercial use listed as permitted in the TC-75 Zoning District. The TC-75 Zoning district also includes design standards intended to create a certain level of urban design that is compatible with the surrounding areas. The intensity level of a hotel is similar to that of multi-family residential, which is not required to go through a conditional use process unless it is over seventy-five (75) feet in height.

If a commercial use is over thirty feet in height, it would be required to go through the conditional building and site design review process found in ordinance 21A.59. This process is different than the conditional use process and is intended to create a higher level of design. This process would require Planning Commission review.

Finding: The proposed zoning map amendment is harmonious with the overall character of existing development in the immediate vicinity. The applicants plan to make exterior and interior alterations to the existing structure and site, but no other alterations are planned at this time. The proposed zoning text amendment would not be detrimental to the overall character of the area that is zoned TC-75 or the adjacent properties. The proposed zoning map amendment and text amendment comply with this standard.

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

Analysis:

Zoning Map Amendment

The proposed zoning map amendment would not adversely affect the adjacent properties. The adjacent properties contain commercial and office type of uses and are already adjacent to TC-75 Zoning. These uses are generally daytime activities.

The TC-75 Zoning District includes standards that limit the building height of non-residential uses to a maximum of thirty (30) feet, require landscaping buffers when adjacent to residential uses, place restrictions on parking lots and structures, etc. The standards are intended to mitigate the potential adverse impacts on adjacent properties.

The potential impact from building height would be similar in each zone. Both the R-MU and TC-75 Zoning districts allow similar maximum building heights. For residential uses, the maximum allowed building height is 75 feet as a permitted use, but could be increased up to 125 feet with a conditional use. For nonresidential uses, the maximum height is 45 feet in the R-MU zone and 30 feet in the TC-75 Zone. It should be noted that additional height is subject to being consistent with the applicable master plans. The East Downtown and the Central Community Master Plan include a section that addresses building height in terms of blocking views of significant structures. This property falls into

the area where the applicable master plans limit the height to sixty (60) feet. Because the building appears to be taller than the maximum allowed building height for nonresidential uses, the structure is currently noncomplying and would also be noncomplying in the TC-75 Zoning District. However, a noncomplying structure may be used and maintained, including housing new land uses that are allowed in the zone. The following chart compares the maximum allowed building heights in the two zones:

Type of use	R-MU	TC-75
Permitted height for residential uses	75 feet	75 feet
Additional height for residential uses requiring a conditional use	125 feet	125 feet
Nonresidential buildings	3 stories or 45 feet	30 feet
Nonresidential and residential buildings where the first 30 feet are dedicated to nonresidential uses and where the floor space above 30 feet contains an equal square footage of residential and nonresidential uses (permitted)	Not applicable	75 feet
Nonresidential and residential buildings where the first 30 feet are dedicated to nonresidential uses and where the floor space above 30 feet contains an equal square footage of residential and nonresidential uses (conditional building and site design review required)	Not applicable	125 feet

Building setbacks in each zone are similar. The R-MU zoning district requires greater front and side yard setbacks for single and two family dwellings than it does for multi-family or nonresidential land uses. The R-MU and TC-75 Zoning Districts have similar front yard setbacks and side yard setbacks (other than for single or two family residential land uses). The TC-75 Zoning District does not require rear yard setbacks, but does require step backs in structures and rear yards to be buffered when they are adjacent to residential land uses. The chart below indicates the minimum required building setbacks:

Setback	R-MU	TC-75
Front	0-15 feet depending on use	15 feet
Corner side yard	0-15 feet depending on use	15 feet
Interior Side yard	0-10 feet, depending on use (single family detached required 4 feet on side and 10 on the other) multi-family and nonresidential does not require side yard setback.	none
Rear yard	Single family detached: 25% of lot depth but no more than 20 feet. Two family dwellings: 25% of lot depth but no more than 25 feet. Multi-family and non residential: 25% of lot depth but no more than 30 feet	none

The R-MU and TC-75 Zoning Districts include urban design standards. The standards regulate first floor glass, maximum lengths of blank walls, doors and facades; etc. The TC-75 Zoning District also includes design standards for parking lot locations and parking structures. Nonresidential structures over thirty (30) feet in height are also required to go through the Conditional Building and Site Design Review process.

Zoning Text Amendment

Hotels and motels produce impacts that are similar to multifamily residential developments, such as parking, noise, light trespass, bulk and mass compatibility, etc. Parking requirements are addressed in Zoning Ordinance 21A.44.060 which lists the required off street parking requirements for hotels as one stall for every two rooms. Any new development or change of use would be required to meet this standard. City

Ordinance regulates impacts from noise, glare, and other nuisance type of impacts. The TC-75 Zoning District regulates the overall height and design of all new structures within the zone regardless of the type of use.

The City Council adopted standards for Conditional Uses in January 2008. These standards are intended to mitigate the impacts from Conditional Uses. The standards include master plan compliance, use and design compatibility, no detrimental impacts to persons or property and compliance with all applicable regulations. The adopted ordinance also provides the Planning Commission the authority to apply mitigating conditions to reduce the impacts from Conditional Uses. If the proposed zoning text amendment were adopted, the Conditional Use standards would not be applicable to hotels and motels in the TC-75 Zoning District. The proposed use is a general commercial type of use that is compatible with the type of uses in the High Density Transit Oriented Development land use designation found in the CCMP. The bulk standards in the TC-75 Zoning District are similar to the bulk standards in the adjacent zoning districts. Similar standards will result in design compatibility. The City has adopted ordinances to protect all properties from public nuisances, including noise, glare and general property care.

Finding: The proposed zoning map amendment and text amendment will not have a net detrimental impact on adjacent properties because the bulk standards in the TC-75 Zoning District are similar to those found in the adjacent zoning districts. The proposed amendments comply with this standard.

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 located within any zoning overlay districts and this standard would not apply to this zoning map amendment. The H Historic Overlay Zoning District does cover the north block face along 400 South between 500 East and 600 East. Any new development in this area is required to be reviewed by the Historic Landmark Commission. The standards in the H Historic Overlay Zoning District are applicable to any development on this particular block regardless of the use being permitted or conditional.

Finding: The property is not located within any zoning overlay districts. This standard does not apply to this property. Portions of the TC-75 Zoning District are within the H Historic Overlay Zoning District. The proposed zoning text amendment would not diminish the requirements of the H Historic Overlay Zoning District. The proposed zoning text amendment is consistent with this standard.

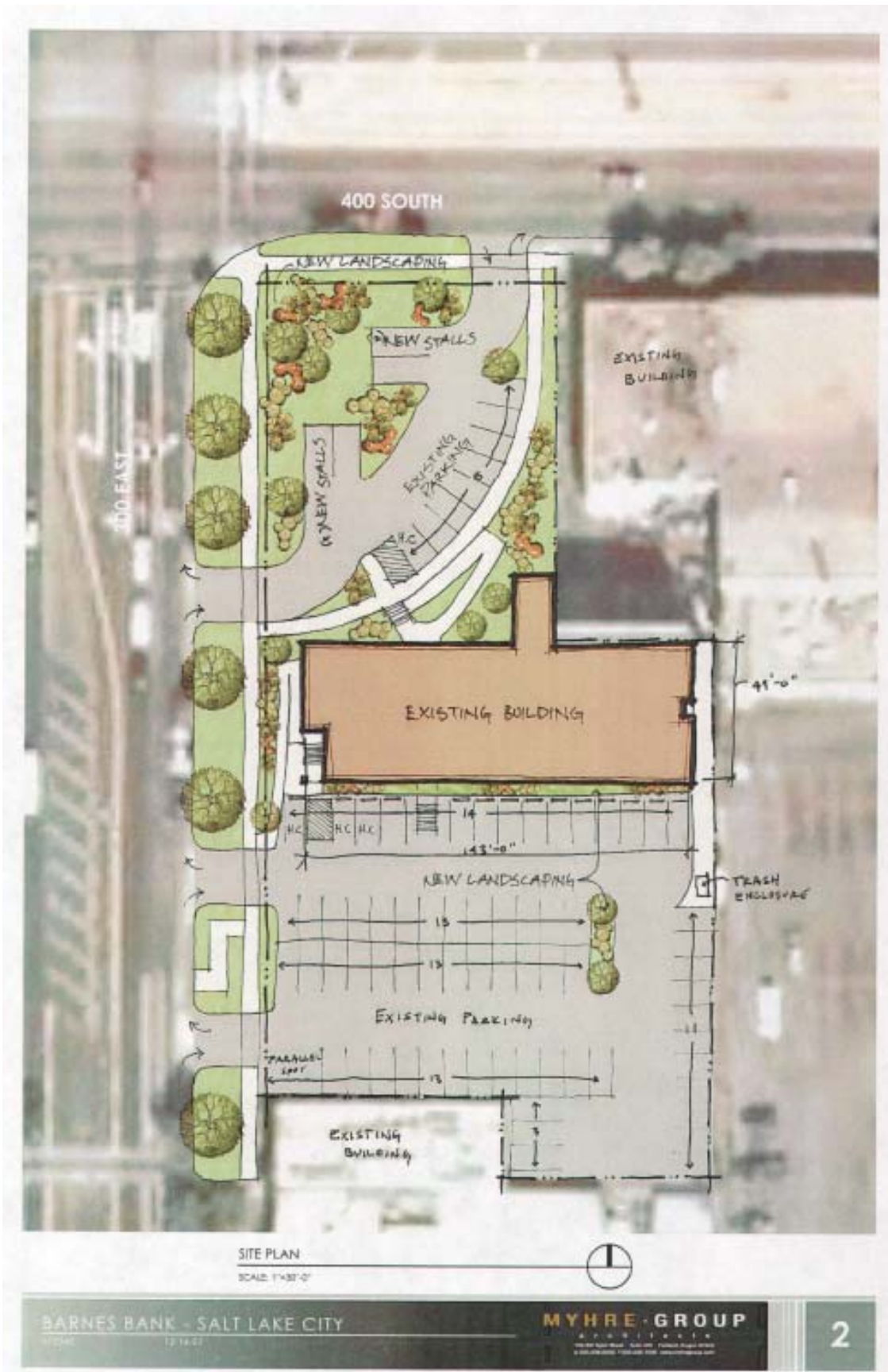
E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

Analysis: This petition has been routed to the applicable Departments and Divisions within the City. The comments indicate that the existing facilities in the area are adequate to serve the structure. The proposed use would not impact the local schools in terms of enrollment because the use would not include full time residential uses. The proposed zoning text amendment would not alter the level of service for the existing facilities. Any new development is required to meet a level of service that is acceptable to all applicable City Departments and Divisions.

Finding: The existing facilities in the area are adequate to serve the subject property. The proposed zoning map amendment and text amendment comply with this standard.

Attachment A

Site plan and Elevation Drawings





Wyndham
 HOTELS & RESORTS
 301 WYNDHAM



0723001
 BARNES BANK - SALT LAKE CITY
 11.1.107
 MYHRE GROUP
 ARCHITECTS
 1

Attachment B

Narrative submitted by applicant

SALT LAKE CITY ZONING MAP AND TEXT AMENDMENT APPLICATION

431 South 300 East, Salt Lake City, Utah 84111

(Barnes Bank Building)

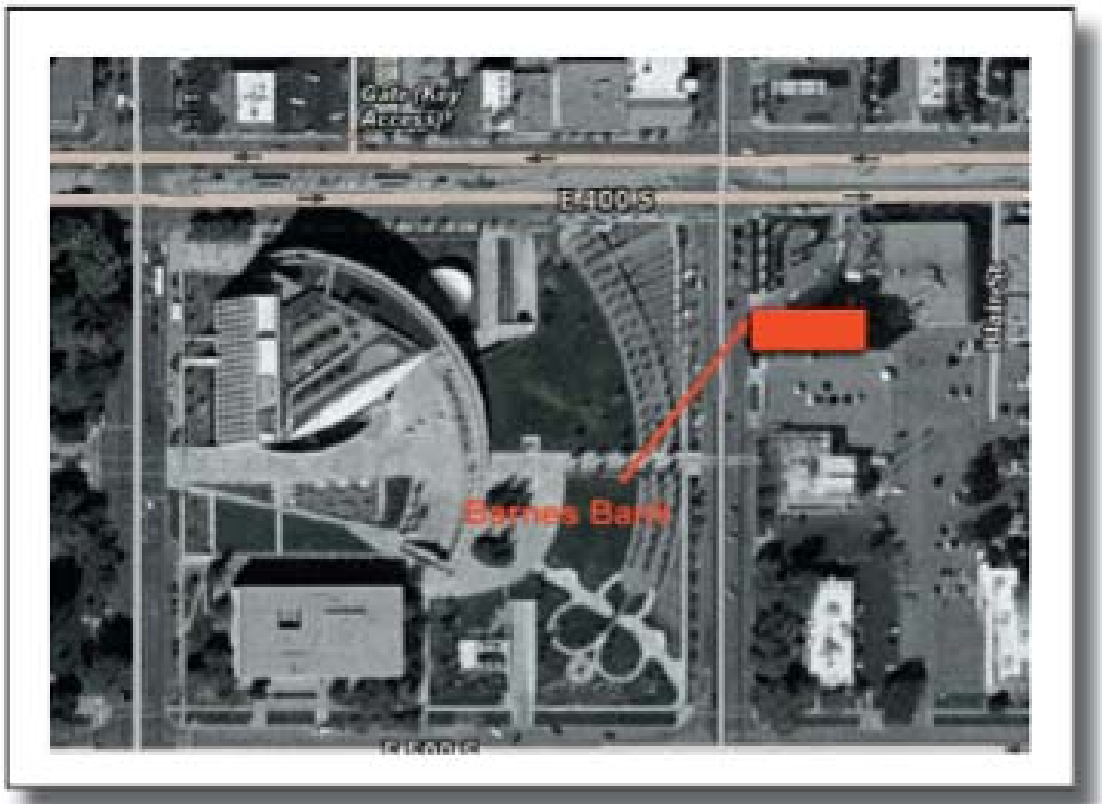


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 5. Text Amendment -- Permitted Uses in TC-75 Zones
 6. Conclusion
- Exhibit A Legal Description of the Parcel
- Exhibit B Statement of Consent
- Exhibit C Copies of Site Plans
- Exhibit D Surrounding Property Owners' Information Labels

1. Introduction

The Barnes Bancorporation (“Barnes Bank”) owns the office building and land located at 431 South 300 East, Salt Lake City, Utah 84111 (the “Parcel”). A legal description of the Parcel is attached as Exhibit A. Barnes Bank has entered into a Purchase and Sale Agreement with Wyndham Resort Development Corporation (“Wyndham”) whereby Wyndham has the right to purchase the Parcel and remodel the building as an urban timeshare project. Accordingly, Barnes Bank has appointed Wyndham as its agent for the purpose of obtaining any and all necessary zone changes, approvals, permits, and entitlements from Salt Lake City, as further detailed in that Statement of Consent attached hereto as Exhibit B.

2. Current Zoning -- Split Zoned TC-75 and R-MU

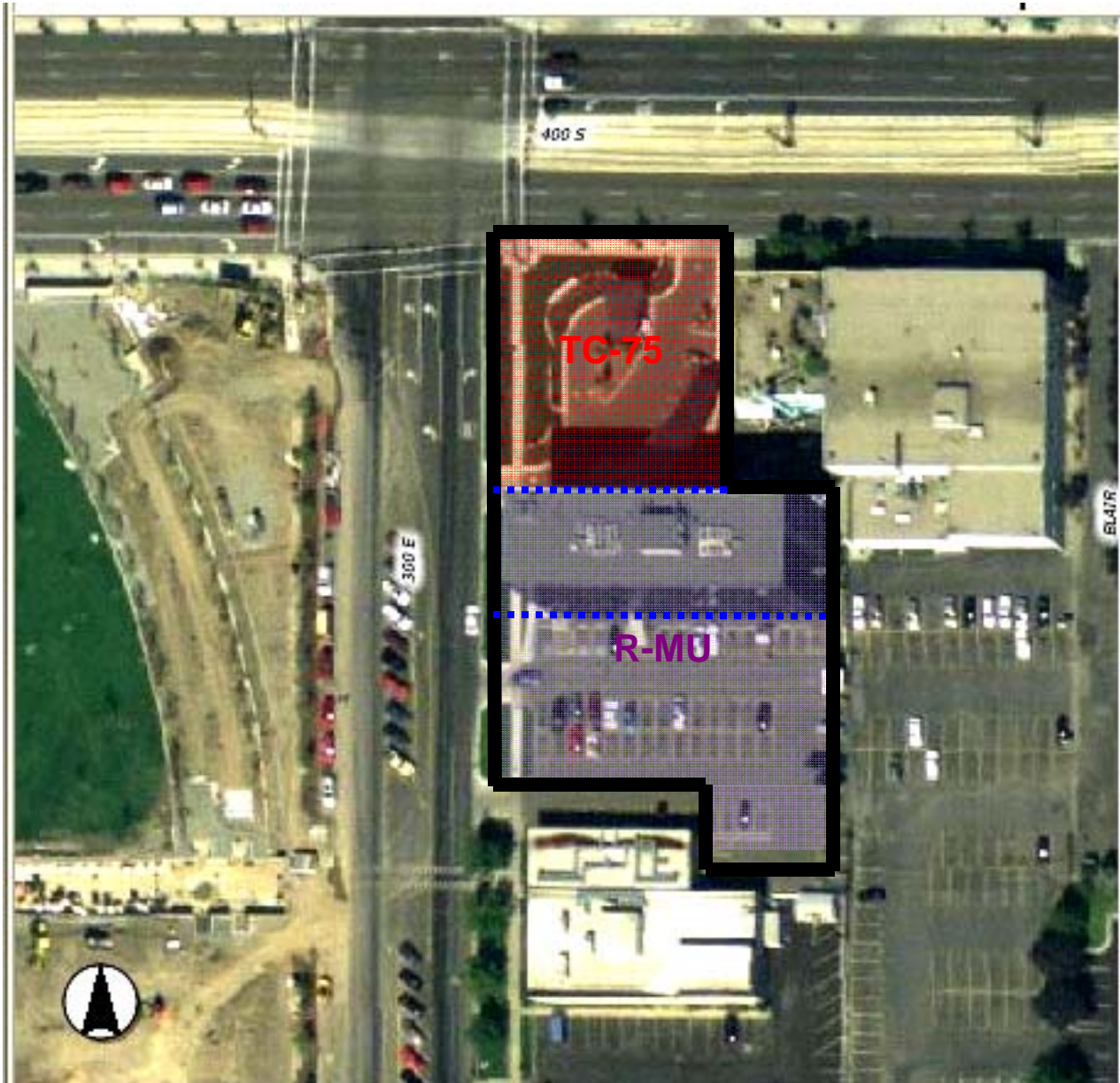


Fig. 1

The dotted blue lines in Figure 1 indicate where the parcel boundaries were prior to November 26, 2001. On November 26, 2001 these three separate parcels were combined into a single parcel resulting in the parcel being split zoned between TC-75 and R-MU.

3. Proposed Zoning -- TC-75



Fig. 2

In order to remedy the split zone, and to enable Wyndham's proposed use of the Parcel, it is proposed that the Zoning Map be amended so that the TC-75 zone is extended to encompass the entire Parcel.

4. Basis for Rezone Approval

Barnes Bank, through Wyndham, is requesting that the current split zoning on the Parcel be changed such that the Parcel becomes zoned TC-75 in its entirety. Section 21A.50.050 of the Sale Lake City Zoning Ordinance establishes the following criteria to be considered in connection with an amendment to the Zoning Ordinance or zoning map:

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

- (1) The proposed Zoning Map Amendment is consistent with the one of the central goals of the Central Community Master Plan, which is to “provide vital and sustainable commerce.”

If Wyndham receives the necessary approvals and goes forward with its proposed project, timeshare owners staying at the resort will take advantage of the many resources available in the Central Community. It is anticipated that the resort will have a 90% or more average minimum annual occupancy. This translates to approximately \$3.2 million spent each year at local shops, restaurants and recreationally oriented retailers. Furthermore, the project would produce 20-25 permanent, full-time, benefit providing jobs.

- (2) Another fundamental goal of the Central Community Master Plan is that of fostering “walkable development” with “pedestrian mobility and accessibility.” The Parcel is within the Transit-Oriented Development land use, which “emphasizes a mix of land uses with pedestrian access located near light rail stations.”

As an urban destination, the proposed project would not include a restaurant, lounge, swimming pool or other similar amenities but would rely on the dining and entertainment services within the Central Community and greater Salt Lake City. It is anticipated that many families staying at the proposed resort will walk to the various businesses, shops, restaurants and attractions located nearby, and that many will also avail themselves of the Trax line, which will transport them to other walkable developments within the community.

B. Is the proposed amendment harmonious with the overall character of existing development in the immediate vicinity of the subject property?

The proposed Zoning Map Amendment creates consistency in the application of the TC-75 zone to those properties in the area that abut 400 South. The vast majority of those properties are zoned TC-75 and zoning this parcel as TC-75 would be consistent with the surrounding properties.

C. To what extent will the proposed amendment adversely affect adjacent properties?

It is the applicant’s belief that no adverse impacts will occur to adjacent properties with the Zoning Map Amendment.

D. Is the proposed amendment consistent with the provisions of any applicable overlay zoning districts which may impose additional standards?

No overlay districts currently exist on the site.

- E. **Are public facilities and services adequate to serve the subject property, including but not limited to roadways, parks and recreational facilities, police fire protections, schools, storm water drainage systems, water supplies, and wastewater and refuse collection?**

It is our understanding that no additional public infrastructure will be necessary to operate the project.

5. Text Amendment -- Hotel/Motel as a Permitted Use in TC-75 Zones

We are requesting that the Table Of Permitted And Conditional Uses For Commercial Districts, as set forth in 21A.26.080, be amended to change “Hotel or motel use” from a Conditional Use to a Permitted Use in the TC-75 zone. A core principal in the Central Community Master Plan is that of fostering “walkable development” with “pedestrian mobility and accessibility.” Furthermore, Transit-Oriented Development “emphasizes a mix of land uses with pedestrian access located near light rail stations.” These uses are best accomplished by allowing hotels, motels and timeshares in the TC-75 Zone, which is a discrete area, segregated from large concentrations of residential dwellings, and focused around the Trax 400 South line. The other commercial districts which permit hotel/motel use do not require a conditional use permit and the TC-75 zone likewise, should permit hotel/motel use.

6. Conclusion

Wyndham desires to renovate this property to create a premier urban timeshare resort that will generate substantial business for the surrounding community, facilitate a more vibrant and active downtown and increase pedestrian traffic in the City’s walkable developments. Wyndham plans to renovate both the exterior and interior of the existing building to create 45 one, two and three bed-room units. Attached as Exhibit C to this Amendment Application are six (6) copies of the proposed façade treatment and site plans drawn to scale. The names and addresses of all property owners within four-hundred fifty (450) feet of the Parcel are attached as Exhibit D. Wyndham is very excited about the prospect of acquiring this Parcel for the purposes of developing one of its urban resorts. If we can provide any additional information that would be helpful in processing this application, please let us know.

Attachment C

Department Comments

TRANSPORTATION

From: Walsh, Barry
Sent: Monday, April 07, 2008 5:45 PM
To: Norris, Nick
Cc: Young, Kevin; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry
Subject: Pet 400-08-06

April 7, 2008

Nick Norris, Planning

Re: Petition 400-08-06 Zoning Map Amendment at 431 South 300 East.

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

The existing use is for a bank & offices with a drive up teller station on the corner of the lot. The proposed use of a Timeshare Hotel is to be a less intense peak hour use and traffic generator. Per our DRT review 1/24/08 we requested a full site parking calculation to verify the existing parking provisions. No changes to the existing traffic access or circulation was proposed other the removal of the teller station.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Peggy Garcia, Public Utilities
Ted Itchon, Fire
Larry Butcher, Permits

FIRE REVIEW

From: Itchon, Edward
Sent: Wednesday, April 09, 2008 10:16 AM
To: Norris, Nick
Cc: Butcher, Larry; McCarty, Gary; Montanez, Karleen
Subject: 400-08-06 Zoning Map approximately 431 South 300 East

No Issues

BUILDING SERVICES

From: Walkingshaw, Nole
Sent: Tuesday, April 15, 2008 11:37 AM
To: Norris, Nick
Cc: Butcher, Larry
Subject: Petition 400-08-06 Zone Map Amendment 431 So 300 E

Nick,

Building Services has the following comments;

- Building Services finds no issues with the proposed Zoning Map Amendment
- The proposed amendment makes corrections to an existing split zone.

Thank you,

Nole

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

ENGINEERING

TO: NICK NORRIS, PLANNING

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: APR. 14, 2008

SUBJECT: **400-08-06**
Request for Zone Change on Property
431 South 300 East

Engineering review comments are as follows:

1. This submission consists of an existing mixed use property located at 431 South 300 East. The re-zone proposal does not present any concerns to our Division. However, upon completion of an inventory of the condition of the existing street improvements on both frontages, we find that there are items of street improvements which meet the criteria for replacement and should be replaced or repaired prior to the issuance of an occupancy permit on the subject property. There are two panels of sidewalk and one panel of drive approach that meet the criteria of APWA Std. Dwg. No. 291 (defective concrete) and must be

replaced. In addition, there are two panels of sidewalk that have a raised edge and present a trip hazard. This hazard must be ground down to eliminate the hazard. The sidewalk must be replaced as per APWA Dwg. #231. The drive approach must be replaced as per APWA Std. Dwg. No. 225. None of these items are of significant concern to delay either the re-zone or a building permit. However, an Occupancy Permit should not be approved prior to the replacement of these items. All of this work shall be accomplished by the applicant's contractor via a Public Way Permit that can be obtained in the Engineering Division Office.

Thank you.

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

PUBLIC UTILITIES

From: Garcia, Peggy
Sent: Thursday, April 03, 2008 2:51 PM
To: Norris, Nick
Subject: 400-08-06 Zoning Map Amendment

Nick,

Salt Lake City has reviewed the above-mentioned request and find no conflicts with water, sewer and drainage.

Thank you,

Peggy

POLICE

No comments were received

Attachment C
Public Input/Community Council Input